

**City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
OCTOBER 4, 2016**

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The meeting of the Planning and Zoning Commission was called to order Tuesday, October 4, 2016 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Cuqui Whitehead, and Tony Hubbard. Also in attendance were Barbara Hollerand, Development Services Director, Curt Henschel, Planning Manager, John Kruse, Senior Planner, Dan Mantzaris, City Attorney, and Rae Chidlow, Planning Specialist.

MINUTES of the Planning and Zoning Commission meeting held September 12, 2016 were approved as written.

REPORTS

Chairman Jones stated that he attended a seminar held by Lake County at the Clermont City Center. He stated that it was a very informative seminar. He stated that the growth is expected to exceed what was previously estimated. He stated that by 2070, we may see an enormous influx of residents. He stated that what he took out of the meeting is the need for planning and for cities' codes to be changed in the future as the need arises for the future growth.

Development Services Director Hollerand stated that Jim Hitt will be leaving the city to go back to the City of Apopka. She stated that his last day is Friday, October 7, 2016.

1. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a funeral home in the C-1 Light Commercial zoning district.

PROJECT: Hayes Brothers Funeral Home

Senior Planner Kruse presented the staff report as follows:

The applicant is requesting a conditional use permit (CUP) to establish a funeral home in the C-1 Light Commercial zoning district. Under Section 122-204 (a)(4) of the land development code (LDC), funeral homes are a conditional use in the C-1 Light Commercial district. The property is located at 191 Broome Street. It has an existing 3,100-square-foot building that was previously used for a daycare. The applicant proposes to use the existing building and existing parking area on the property. Some interior renovations of the building will be necessary to accommodate the funeral home.

The facility will be used for viewings, consultations, notary and any other funeral-related business, but with no embalming or cremation at the site. In addition, no storage of human remains will be onsite. This will be done at another licensed facility. A State of Florida licensed funeral director will be in charge of this establishment.

The facility has 11 existing improved parking spaces with the ability to provide another 12 or so on the grassed area south of the parking lot. The applicant is requesting the ability to provide overflow parking in this area, as allowable for consideration under Section 98-4. The parking requirements, under Section 98-14, requires 1 space for every 4 permanent seats. The funeral

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home is not providing any permanent seating. Based upon the estimated capacity based on their floor plan, the funeral home can accommodate up to 80 people. If parking does become an issue, the applicant understands and agrees that the City may require additional parking or rescind the CUP. The applicant has indicated that business office hours will be from 10 am to 4 pm, with a majority of the viewings from 6 pm to 8 pm.

Staff has reviewed the application and believes that the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified. Therefore, staff recommends approval of the request for a funeral home in the C-1 Light Commercial zoning district with the conditions contained in Resolution 2016-41.

Tommy Hayes III, 23417 Oak Prairie Circle, Sorrento, stated that he concurs with staff's recommendation and is present to answer any questions.

Commissioner Whitehead moved to recommend approval of the conditional use permit; Commissioner Solis seconded. The vote was unanimous to recommend approval of the conditional use permit.

2. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the future land use from Lake County Commercial to City of Clermont Commercial

PROJECT: Headquarter Mazda

3. REQUEST FOR REZONING

REQUEST: To change the zoning from Urban Estate to C-2 General Commercial.

PROJECT: Headquarter Mazda

Planning Manager Henschel presented the staff report as follows:

The City annexed the subject parcel on August 9, 2016, as authorized by the utility agreement with the property owner. The utility agreement and encumbrance to annex was executed on June 8, 2015. The property is improved and is receiving water and sewer services from the City of Clermont. The property, approximately 5.15 acres, has been developed as an auto dealership, Headquarter Mazda.

The proposed map amendment will change the future land use from Lake County's Regional Commercial to the City's Commercial. The related rezoning request will change the zoning from Urban Estate to the C-2 General Commercial zoning classification. Any future changes will require a conditional use permit.

Staff recommends approval of the small-scale comprehensive plan amendment and rezoning.

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Commissioner Whitehead moved to recommend approval of the comprehensive plan amendment; seconded by Commissioner Smith. The vote was unanimous to recommend approval.

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

4. REQUEST FOR COMPREHENSIVE PLAN AMENDMENT

REQUEST: To change the maximum density in the Downtown Mixed Use future land use category

PROJECT: Density Comprehensive Plan Amendment

On March 23, 2015, the City Council approved the Downtown and Waterfront Master Plan. This started the progression toward enhancing, connecting and growing downtown and the waterfront area. The City is currently moving forward on Victory Pointe, the downtown regional stormwater system. This is the first step in promoting growth and redevelopment in downtown. The next step is to focus on the residential market in downtown. In order to sustain, grow and infuse new businesses, people are needed. This need was documented on page 6 of the Downtown and Waterfront Master Plan that characterized development in the downtown core to allow 25-40 residential units per acre. Currently, the City's maximum is 12 dwelling units per acre (du/a). Fewer than 650 people currently live in the Central Business District area.

In February 2016, a density study prepared for the City by UDP Consulting "test-fitted" three different density thresholds to understand what the possible development may yield. The three densities were 12 du/a, 25 du/a, and 40 du/a. It was noted that the existing 12 du/a has done very little to attract investment through redevelopment in downtown and a need to increase it was evident. The jump to 40 du/a may lead to new development, but addressing the associated parking onsite may be challenging, but not impossible to do. The study recommended the 25 du/a since the test-fit suggested that this is achievable without overburdening the City with parking requirements. It is important to note, however, that the "test-fit" scenarios included mixed-use development with retail on the first floor that generated more need for parking.

Staff researched other area cities to find out what range of density occurred in their downtown. The density ranged from 10 du/a up to 80 du/a. The higher-density allocations were usually constrained by parking requirements, maximum height, minimum square footage, or some other limiting factor. Staff reviewed two central Florida residential projects that were in the 35-40 du/a range. These projects were 3 to 4 stories in height, accommodated parking within the project area and had architectural features that complied with Clermont's code. They represented what may be developed in downtown Clermont based upon the current height limitations. The projects are "Osceola Brownstones" and "Eola South".

Staff believes that a density of up to 40 du/a, if properly planned and designed, can be sustained in downtown. If a mixed-use building or project is being proposed, then the density may be less than 40 du/a. The 40 du/a will provide developers with an opportunity to work within the

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parameters of the land development code. The 40 du/a would be changed only for the Downtown Mixed-Use future land use category. This Downtown Mixed Use boundary matches that of the current Central Business District (CBD) zoning category.

Staff recommends approval to amend the future land use element of the comprehensive plan for the Downtown Mixed Use future land use category to allow a density up to 40 dwelling units/acre.

Edward Apodaca, 836 W. Montrose St., stated that he has property near the waterfront and on Montrose Street. He asked how parking issues are going to be dealt with for the increased density. He stated that there needs to be a parking resolution prior to development. He stated that he is in agreement with increasing density as long as the City is proactive with the parking issues.

Mr. Kruse stated that the parking would be addressed as development occurs. He stated that the City is aware of the concerns and the parking would be addressed when a developer approaches the City.

Chairman Jones asked what the rationale is for increasing the density in the downtown area.

Mr. Kruse stated that as part of the City's master plan, they are looking to build a regional storm water system costing \$8 million called Victory Pointe. He stated that with an investment like that to allow an area to be developed or redeveloped, only 12 units per acre is not feasible. He stated that a block could have about 140 units on that block, however if you allow developers to build up three to four stories and do parking underneath, it can accommodate that. He stated that in order to have a thriving downtown, you need people downtown.

Candy Keller-Raber, 863 South Waterview Dr., stated that she owns property at 503 West Ave. She asked how large is an acre.

Mr. Kruse showed Ms. Keller-Raber what an acre would be, approximately.

Mary Lou Wieloszynski, 1130 and 1150 W. Minneola Ave., stated that she has listened to other people talking in the community. She stated that it's very exciting. She asked about code changes to allow the larger units.

Mr. Kruse stated that the height is limited to 55 feet, so applicants would have to request a variance or the zoning codes would have to be changed to go above that. He stated that the minimum square footage is 600 square feet.

Jeff Brown, 486 Carroll Street, stated that they have lived here for 17 years. He asked how is this density increase going to improve quality of life.

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Chairman Jones stated that he is constantly told by investors and developers that they are discouraged to sprawl out so the only way to go is up. He stated that residents may find that with the increased density, they may see their properties increase in value in the urban core area. He stated that the quality of life is a perception.

Commissioner Whitehead stated that parking has always been a problem in the downtown area. She stated that the years she has served the City, she is constantly hearing from the merchants in the downtown area, wanting help to thrive. She stated that the City is helping the downtown. She stated that the density increase will help our economy.

Commissioner Solis stated that downtown looks the same now as it did in 1984. He stated that we need to help the businesses and residents and move forward.

Commissioner Smith asked what determined the location for the density increase.

Mr. Kruse stated that the map for the density increase is the same as the Downtown Mixed-Use future land use designation map.

Chairman Jones stated that when he was at the seminar, they were shown a new development where they are creating a new approach in urban planning. He stated that the scheme was beautiful and ingenious. He stated that it meets the market conditions for the people looking for this lifestyle. He stated that these projects are not second rate, they are stunning.

Commissioner Whitehead moved to recommend approval of the comprehensive plan amendment; seconded by Commissioner Solis. The vote was unanimous to recommend approval.

There being no further business, the meeting was adjourned at 7:32 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist