

City of Clermont
MINUTES
PLANNING AND ZONING COMMISSION
January 3, 2017

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The meeting of the Planning & Zoning Commission was called to order Tuesday January 3, 2017 at 6:30 p.m. by Chairman Nick Jones. Other members present were Carlos Solis, Herb Smith, Judy Proli, and Cuqui Whitehead. 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 December 6, 2016 were approved as written.

REPORTS

Commissioner Solis stated that his band will be playing at the Garden Theater on Friday, January 6, 2017.

Chairman Jones stated that the Florida Lakes Symphony will be playing on January 19, 2017 in Mount Dora and on January 20, 2017 at the First Methodist Church in Clermont.

Commissioner Whitehead stated that business, county, and city officials will be visiting the local high schools to instruct the junior class on how to interview for employment. She stated that colleges will be also there.

Commissioner Proli complimented how beautiful the downtown lights are and would like to see them year around.

1. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To establish a church in the C-2 General Commercial zoning district.

APPLICANT: Carlos Aviles/Calvary Chapel Clermont

Senior Planner Kruse presented the staff report as follows:

The applicant is requesting a conditional use permit to establish a church in the C-2 General Commercial zoning district. Under Section 122-224 (12) of the Land Development Code, churches are a conditional use in the C-2 zoning district with a conditional use permit. The location is in the existing Towerview Office Complex located at 194 US Highway 27. The church proposes to occupy the rear building within the plaza, which is approximately 3,700 square feet. The building will have a sanctuary, several offices, classrooms, storage areas, and restrooms. The space was previous used by a media production company and if the conditional use permit is approved, interior renovations will be required to accommodate the church's space needs.

Calvary Chapel Clermont currently has a congregation of approximately 30 people and plans to have meetings on Wednesday through Friday evenings (7:00 to 9:00 PM) and on Sundays. The church is not proposing any educational component or daycare. Since the church is in an

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established plaza and the hours of operation do not appear to occur at peak business hours for a majority of the other tenants, parking does not seem to be an issue. The parking provided for the overall project exceeds code with a ratio of 1 space for every 175 square feet. However, if parking does become an issue, the applicant understands and agrees that the City may require additional parking or rescind the conditional use permit for Calvary Chapel Clermont.

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 church in the C-2 General Commercial zoning district with the conditions contained in Resolution 2017-01.

Pastor Carlos Aviles, 13237 Long Pine Trail, stated that he has a five-year lease on the building.

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

2. REQUEST FOR CONDITIONAL USE PERMIT

REQUEST: To allow a building to occupy more than 3,000 square feet.

APPLICANT: Paul Fallman/790 W. Minneola Avenue

Planning Manager Henschel presented the staff report as follows:

The applicant is requesting a Conditional Use Permit to allow a building to occupy more than 3,000 square feet of total floor area at 790 West Minneola Avenue in the Central Business District. Under Sec. 122-243 of the Land Development Code, the Central Business District zoning district allows a variety of uses, but buildings 3,000 square feet or greater require a conditional use permit. The applicant desires to construct a new 7,200 square foot building for use as a restaurant and brewery. Restaurants and breweries are permitted uses within the Central Business District zoning district.

Currently, 790 West Minneola Avenue is an older elevated building that will be demolished to make room for the newly proposed building. Inside, the proposed building will feature an overlook into the lower production area housing the vats used for brewery production. On the outside, the building will feature a large 80'x 20' outdoor patio adjacent to West Minneola Avenue.

Additional parking stalls will be added on site, however, the applicant will be seeking a variance for reduced overall parking count, and a reduced landscape buffer around the proposed parking area.

The applicant has been through site plan review with staff on the proposed project and multiple items have been addressed up to this point. The applicant and staff believe the project meets the

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intent of Land Development Code except for the conditional use permit requirement. Therefore, staff recommends approval of this conditional use permit request.

Paul Fallman, 1932 Brantley Circle, stated that he has owned the property for two years. He stated that he has received a positive response from the residents and business owners about this project. He stated that he had letters of intent within 30 days of announcing the project, and it is 100% leased.

Commissioner Whitehead asked if the property goes to the corner.

Mr. Fallman stated that the property stops at the hair salon. He stated that the property owner of that building understands that the buildings are joined to some extent, and he will protect the other building during the demolition of his building.

Commissioner Proli stated that she would like to see a lighter shade of stone on the façade.

Mr. Fallman stated that the façade is a red brick similar to the building in Winter Garden. He stated that it is not as dark as it shows on the rendering.

Commissioner Smith asked if there will be more than just pizza.

Mr. Fallman stated that there will be burgers and other bar-type foods offered.

Chairman Jones asked if this is a single tenant.

Mr. Fallman stated that there will be three tenants, one is the brewery that will occupy two spaces upstairs and below, a pizza company, and the third will be a local coffee roaster with retail in front of their area. He stated that the businesses will all be open so customers can flow through the businesses without going outdoors.

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

3. REQUEST FOR REZONING

REQUEST: To change the zoning from C-2 General Commercial to Planned Unit Development

APPLICANT: Major Stacy/The Addison

Senior Planner Kruse presented the staff report as follows:

The applicant, B&S Engineering Consultants, is requesting a rezoning from C-2 General Commercial to Planned Unit Development for 19.17+/- acres. The property is located at the northwest corner of Hooks Street and Citrus Tower Boulevard and extends west towards Oakley

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Seaver Drive. The property has been previously altered with mining activities and is currently vacant. The applicant desires to develop the site for a multi-family development with up to 12 dwelling units per acre, or a total of up to 230 dwelling units. The applicant has provided a conceptual site plan, prepared by B&S Engineering Consultants, dated 12-01-16, showing the layout of the buildings and parking on the site. The project will consist of 16 multi-story buildings with a clubhouse and other amenities for the residents. The proposal is for multi-family use only with no commercial aspects proposed.

Since the site has been previously disturbed, the applicant is requesting several waivers to deal with the existing conditions. The applicant is requesting cut and fill up to 25 feet over the project area. This is due to the existing manmade holes on the site from the mining activity and stock piling of roadway material (spoils) from Hooks Street and the surrounding road construction activities. This was permitted under the current SJRWMD Permit 89835. The applicant is requesting 4:1 grades to assist with transitioning the grade over the site. The 4:1 slope is also being requested in the landscape buffers, where needed. The applicant is requesting a maximum retaining wall height of 13 feet. When two wall segments are required, the applicant is requesting a 3-foot terrace instead of a 5-foot terrace. The applicant is requesting the project be gated with private streets. In regards to the driveway access and parking, the applicant is requesting it to be construct below the centerline of adjoining roads, with the City's Engineer approval. The applicant has indicated that they can serve the entire development with one central compactor for solid waste collection and is seeking a waiver to the Land Development Code.

Staff acknowledges that the site has been disturbed and the original topography has been altered, as evident from aerial photography over the years and the SJRWMD Permit. Staff understands that the site will be challenging to develop and the very nature of the Planned Unit Development zoning allows waivers to the Land Development in flexible development purposes. The submitted traffic report indicates that the proposed development will not require additional improvements to the surrounding roadway systems. The impact on the Lake County School System by the proposed development is still being evaluated and the applicant acknowledges that they will be required to participate in any mitigation that is warranted from the results.

Staff has reviewed the applicant's request for a rezoning from C-2 General Commercial to Planned Unit Development zoning. Staff believes the proposal meets the standards in regards to Section 122-315, Review Criteria for a Planned Unit Development. Therefore, staff recommends approval of Ordinance 2017-04 for a Planned Unit Development.

Major Stacey, 222 Lee Rd., Orlando, stated that they have full engineering and grading plans available. He stated that there will be no reduction for parking or landscaping.

Jayson Stringfellow, stated that there are three property owners adjacent to this property and asked about the location of the dumpster.

Mr. Kruse explained that the building adjacent to his property will be a garage.

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Mr. Stringfellow stated that he did not have any concerns.

Commissioner Whitehead stated that her concerns are with the fire trucks getting in and out of the property.

Mr. Stacy stated that they have coordinated with the fire department and the fire trucks will be able to maneuver on the property.

Commissioner Whitehead asked about the variance waivers.

Mr. Stacy stated that the waivers pertain to the hole that was created by previous owners. He stated that they will fill in that hole that has been created over the years.

Commissioner Proli asked why he decided on apartments. She asked if there is a need for apartments. She stated that she would prefer condominiums rather than apartments.

Mr. Stacy stated that apartments are not as transient as they were in the past. He stated that the millennials prefer apartment living as opposed to buying.

Commissioner Smith stated that he doesn't have an issue with the project.

Commissioner Solis stated that his only concern is the schools.

Mark Ogier, 237 SW Westmonte Dr. Altamonte Springs, showed an architectural rendering of the clubhouse.

Commissioner Whitehead moved to recommend approval of the rezoning; seconded by Commissioner Solis. The vote was 4-1 to recommend approval, with Commissioner Proli opposing.

There being no further business, the meeting was adjourned at 7:23 pm.

Nick Jones, Chairman

ATTEST:

Rae Chidlow – Planning Specialist