

CITY OF MOUNT DORA, FLORIDA
PLANNING AND ZONING COMMISSION MINUTES
November 16, 2022

Call to Order

Having been duly advertised as required by law Chairman, Harmon Massey called the regular meeting of the Planning and Zoning Commission to order at 10:00 a.m. on Wednesday, November 16, 2022.

Roll Call with Determination of Quorum

Committee Members: Harmon Massey, *Chairperson*, Miles Beach, *Vice-Chair*, Tom Dring, Kris Haukoos, Cathy Hoechst, James Homich and Barbara Tietmeyer

Absent: Tom Dring

City Staff and Attorney: Vince Sandersfeld, Planning Director; Michele Janiszewski, Senior Planner; Sherry Sutphen, City Attorney; Emily Ragusa, Associate Planner; Whitney Scott, Administrative Coordinator

Presenters: Ginger Simoens'; *Miller's Ale House*, Greg Beliveau; *LPG Urban & Regional Planners, Inc*, Stephen Allen; *Civil Corp Engineering*, Mark Romano; *CPH*, Allan Bradley; *The Huber Group*

Approval of Minutes

Mr. Homich motioned to approve the meeting minutes dated October 19, 2022. Mr. Beach seconded the motion and the minutes were approved unanimously with a 6 - 0 vote.

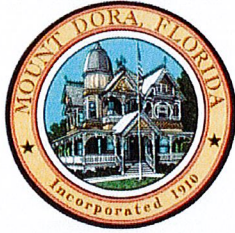
Election

A. Nominate Vice-Chair

Mr. Homich motioned to nominate Mr. Beach for Vice-Chair.

Ms. Haukoos seconded the motion and the board voted to appoint Mr. Beach as Vice-Chair for the Planning & Zoning Commission.

Mr. Beach accepted the motion.



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Public participation/hearing for non-agenda items

None

New Business

A. **Request for CUP;** Win 1 Ministries Worship Center (Project Name); Eudora Rd & Old Highway 441 in the Golden Triangle (Location); Moore Properties, et Al Corporation (Owner); Win 1 Ministries Nonprofit (Applicant). Project No.CUP22-04.

1. Swearing in of witnesses by City Attorney
- 2.Ex Parte Communication regarding this item.
3. Staff/Applicant presentation
- 4.Public Input
- 5.Commission deliberation and action

City Attorney, Sherry Sutphen addressed the swearing in of witnesses.
No Ex Parte Communication regarding this agenda item.

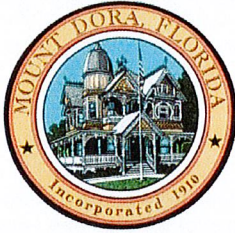
Mr. Massey clarified with Ms. Sutphen that there are no ex parte voting conflicts amongst the committee, due to the prior approval of a similar CUP application.

Ms. Janiszewski gave a summary of the application and stated that staff recommends approval of the request to rescind and replace the previously approved CUP to allow an additional church or worship use on the subject property.

On a motion by Ms. Hoechst, seconded by Ms. Haukoos, the Board voted to approve the application with a 6-0 vote.

B. **Request for Final PUD;** Vista Hills Route 46 Properties, LLC (Project Name); Bobwhite Lane, CR46, North of Vista View (Location); Route 46 Properties, LLC (Owner); LPG Urban & Regional Planners, Inc. (Applicant); Halff Associates, Inc. (Engineer); Verlander Landscape Architect, LLC (Landscape Architect). Project No. PUD22-03.

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City Attorney, Sherry Sutphen addressed the swearing in of witnesses.
No Ex Parte Communication regarding this agenda item.

Mr. Massey, Ms. Hoechst and Ms. Sutphen had a conversation about a possible conflict due to their previous time served on City Council. Ms. Sutphen stated that there was no conflict.

Ms. Janiszewski gave a summary of the application and stated that staff recommends approval of the application to establish a Final PUD on 33.78 acres to allow for mixed-use development for multi-family, office, and retail uses. The application for Final PUD is consistent with uses, layout, configuration, density/intensity of the Preliminary PUD approved by City Council on November 16, 2021.

Mr. Beliveau from LPG Urban & Regional Planners, Inc. provided a presentation of the proposed project.

Mr. Homich and Mr. Beliveau had a conversation regarding whether or not the trail system is going to provide family use, with sufficient room for children traveling by bikes.

Mr. Beliveau stated that there is a trail system parallel to Niles Road. He further clarified that the trail links to an internal loop that will provide sufficient space.

Ms. Haukoos asked for clarification on the impact fee credits that will be applied for, previously mentioned by Mr. Beliveau.

Mr. Beliveau stated that since it's a collector road that is being built by a developer, they are allowed to receive credits for any collector road constructions.

Ms. Haukoos asked if this was a school impact fee waiver.

Mr. Beliveau stated that they are paying school impact fees. This credit is strictly for traffic roads.

Ms. Janiszewski further clarified that for the cross section, it's a twelve foot paved trail and a five foot sidewalk on the other side.

Mr. Beach asked staff about the utilities available in the area and if they are being phased in.



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Ms. Janiszewski stated that the utilities department reviews each application that comes through to ensure that there are utilities available.

Mr. Beliveau stated that their client previously worked with the city's utility department for the extension along SR 46 and that utilities are available.

Ms. Haukoos and Ms. Janiszewski had a conversation regarding what utilities the city provides in this area.

Ms. Janiszewski clarified that for electric, Duke Energy is primarily the provider for areas southwest of 441. When looking at utilities for developments; water, sewer and reclaimed are more of the focus.

Mr. Massey stated that the power distribution plan does not follow the city's boundary lines.

Mr. Beliveau and Mr. Homich discussed how the trail will be accessed by the residents in the location.

Mr. Beliveau reiterated that the internal trails will connect to the Niles trail and loop internally.

Mr. Massey clarified that the Preliminary PUD was previously approved by City Council and that this agenda item is just to address the Final PUD.

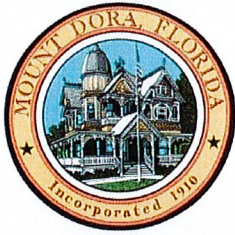
On a motion by Ms. Hoechst, seconded by Ms. Tietmeyer, the Board voted to approve the application with a 6-0 vote.

C. Request for Site Plan; Offices at Mount Dora (Project Name); 18660 US Highway 441 (Site Address); Downtowne Mount Dora Inc (Property Owner); CivilCorp. Engineering LLC (Applicant); CivilCorp. Engineering LLC (Engineer); Innovations Design Group, Inc (Landscape Architect); TREBARC (Architect). Project No. SP21-05.

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Mr. Massey disclosed that he knows the owner but has not had continuous contact or discussions regarding the following Site Plan request. Ms. Sutphen stated that there is no conflict.

Ms. Janiszewski gave a summary of the application and stated that staff recommends approval of the above-referenced site plan, subject to demonstrating compliance with the Land Development Code (LDC) and other applicable regulations. Approval subject to engineering requirements prior to submittal of the Site Development Permit.

Mr. Beach mentioned his concerns regarding the continuing development in this area, due to the heavy traffic area feeding into Donnelly and US Hwy 441. Mr. Beach inquired what the city is doing to work with the state on improving the intersection.

Ms. Janiszewski stated that she cannot speak for any specific plans that the city has had to develop the intersection.

Ms. Janiszewski explained that Culver's and Townplace Suites will have a one-way access road to the east of them, which will help alleviate possible congestion.

Mr. Sandersfeld stated that there was traffic impact analysis provided and it did not trigger any capacity triggers on 441. F.D.O.T has control over this road, but staff is working with them to help alleviate the situation.

Mr. Homich and Mr. Sandersfeld had a conversation regarding an access easement road to prevent congestion.

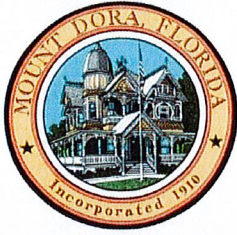
Mr. Homich recommended a cross-access easement for the future.

Mr. Sandersfeld stated that this topic can be addressed with owners in the future. Mr. Sandersfeld also disclosed that it's only encouraged in the city's code but not mandated.

Ms. Sutphen cautioned against doing any kind of reservation because it would be telling the owner that we are taking property from them and it is not mandated in our code.

Mr. Allen stated that a F.D.O.T access permit has been obtained and that D.O.T also encouraged a cross-axis. There is currently a double access already that they wanted to keep but D.O.T would not allow it.

Mr. Allen notated that they chose to do a centered axis drive, which was permitted through D.O.T.



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Ms. Haukoos questioned whether or not the billboards on the property are long term leases or partial ownership.

Ms. Janiszewski stated they are offsite on the adjacent property.

Mr. Beach questioned the size of the canopy trees on the south border.

Ms. Janiszewski stated that the larger trees are a minimum of two or three caliber branches.

Mr. Sandersfeld stated that they meet our code replacement because there are really no existing trees. There will be nine live oaks at 3.5 inch caliber, and the others are two inches which are code compliant.

Mr. Homich asked about the exterior of the building, questioned if there is a code that requires different frontage styles.

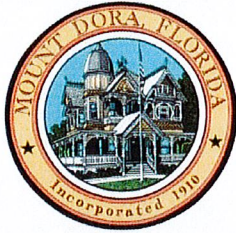
Mr. Sandersfeld stated that we have architectural guidelines but it does not dictate styles. He further elaborated that the design elements and features are consistent with the code.

On a motion by Mr. Beach, seconded by Ms. Hoechst, the Board voted to approve the application with a 5-1 vote. Mr. Homich declined to approve the Site Plan application due to the access easement.

D. Request for Minor Site Plan; Millers Ale House (Project Name); 17314 US Hwy 441 (Site Address); CFT NV Development, LLC (Owner); Millers Ale House c/o Cuhaci Peterson (Applicant); CPH Engineers, Inc (Engineer); CPH Engineers, Inc (Landscape Architect); Cuhaci Peterson (Architect). Project No. SP22-12.

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Ms. Janiszewski gave a summary of the application and stated that staff recommends approval of the above-referenced Minor Site Plan request subject to the Applicant satisfactorily demonstrating compliance with the Land Development Code. Approval subject to engineering requirements prior to submittal of the Site Development Permit. Approval subject to satisfactory addressing outstanding DRC comments and item provided in the attached City correspondence dated October 4, 2022.

Ms. Haukoos, Mr. Homich and Ms. Janiszewski had a conversation regarding the access road in front of Target and Panda Express.

Ms. Haukoos and Mr. Homich stated that they do not believe it will be accessible to the public, without causing traffic back-up. They recommended correcting the damaged area and widening the cross access easement.

Mr. Romano stated that CPH currently has no plans to address, if deemed by DRC to be substantial, it can be provided in resubmittal.

Ms. Simoens stated that this a ground lease and as the applicant, they are leasing property within a boundary. She further stated that the improvements outside of their application are left up to the land owner to maintain.

Ms. Simoens clarified that Panda Express is the owner of the property being leased.

Ms. Simoens also stated that there are existing OEA & ERA declarations that have been recorded, controlling the common area access. Ms. Simoens recommended contacting the owners to correct and maintain the area.

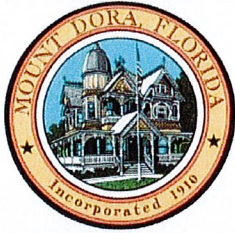
Ms. Sutphen stated for clarification purposes, that if access point needs to be repaired/maintained the committee has right to request the applicant/owner to do so under the code.

Mr. Massey, Ms. Haukoos and the applicant discussed possible issues at the current turning lane Westbound on US Hwy 441.

Mr. Massey recommended the issue being brought to the attention of the state.

Ms. Simoens asked if these comments are something that can be worked with staff on to resolve for their Site Plan application.

Ms. Janiszewski stated that it's up to the board's discretion to table item until next meeting or approve with conditions.



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Mr. Homich recommended staff working with adjacent owner of property to improve area and questioned what authority the city has to enforce improvements.

Ms. Sutphen stated that the city has no authority over the property owner but can condition the application on the restructure of the access point, in addition to other conditions being requested. Ms. Sutphen clarified that the applicant can relay conditions for improvement to the owner.

Ms. Simoens asked for clarification on how the approval would be conditioned upon on, if the owners redact, don't want to make improvements or allow additional space.

Ms. Sutphen stated that the approval with conditions does not include any issues with the adjacent property, limiting access revisions to what the property owner owns.

Ms. Haukoos and Ms. Sutphen had a conversation for clarification on the approval with conditions process for the proposed application.

Mr. Homich motioned to approve with conditions from DRC. He further motioned that the necessary improvements to the east access be worked out with the owner.

Ms. Hoechst seconded the motion to approve with conditions.

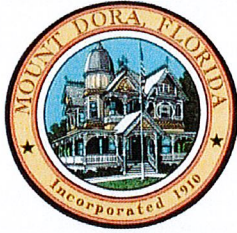
Mr. Sandersfeld revised the motion and stated that it needs to be a condition worked out with city staff to their satisfaction, meeting the engineering design standards of the ingress/egress to eliminate any issues.

On a motion by Mr. Homich, seconded by Ms. Hoechst, the Board voted to approve the application with conditions with a 6-0 vote.

E. Request for Site Plan; Mount Dora Self Storage (Project Name); 19630 US 441 (Site Address); Simpson Family Partnership LTD (Owner); The Huber Group, LLC (Applicant); Kimley-Horn and Associates Inc. (Engineer); Kimley-Horn and Associates Inc. (Landscape Architect); Total Solutions Group (Architect). Project No. SP22-04.

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Ms. Janiszewski gave a summary of the application and stated that staff recommends approval of the above-referenced request. The approval subject to engineering requirements prior to submittal of the Site Development Permit. For clarification, the exterior color of the building to be earth tone. The illustration provided appears to be "red" exterior color trim, which is not acceptable earth-tone color scheme.

Mr. Homich addressed concerns with the second entrance on the Southside of the location, due to the lack of stacking at the intersection.

Mr. Sandersfeld stated that in this case, the city would require an ingress/egress and that larger vehicles need 2 access points. In emergency situations, entrance would provide alternative route.

The applicant Mr. Bradley addressed the colors on the pictures provided in the Site Plan.

Mr. Bradley specified that the earth tone colors are considered as accent colors rather than feature colors.

Mr. Bradley stated that some will have smooth or stucco finishes.

Mr. Beach asked if the city accepts or requires physical samples.

Mr. Sandersfeld stated that the city requires actual paint numbers/code. He further clarified that they must be earth tone colors and the earth tone pallet samples must be submitted to the city at the time of permitting.

Mr. Bradley confirmed that he can provide sample chips.

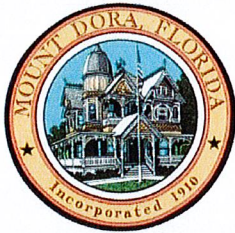
On a motion by Ms. Hoechst, seconded by Ms. Haukoos, the Board voted to approve the application with a 6-0 vote.

Other Business

Mr. Homich inquired about the status of the downtown parking exempt district.

Mr. Sandersfeld stated that the city's intent is to address after the building height topic is settled.

Mr. Sandersfeld explained that it will be done systematically. In the future, the goal is to conduct a data collection study. Provided a brief description of how study would be conducted.



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Mr. Homich, Ms. Hoechst and Mr. Sandersfeld discussed costs associated with data collection study.

Ms. Hoechst asked if paid parking will be implemented in the future.

Mr. Sandersfeld stated that paid parking may potentially be implemented in the future.

Ms. Haukoos and members discussed whether or not parking restrictions are being enforced downtown.

Ms. Hoechst stated that the intent is to be enforced, but she has not witnessed it being done while in the downtown area.

Ms. Haukoos addressed the committee continuing to approve housing developments being built in areas where schools are already at capacity.

Ms. Haukoos stated there is an overdevelopment with housing but underdevelopment with schools and asked committee to consider when approving future projects.

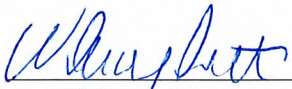
Mr. Sandersfeld stated that staff meet with school representative last year to talk about capacity issue and future capital improvement programs.

Announcement of next scheduled meeting date

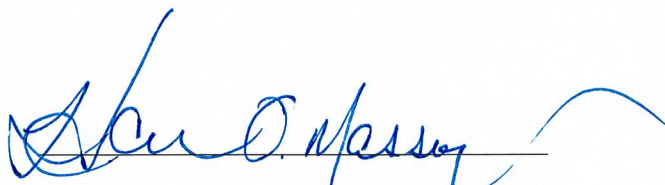
A. Regularly Scheduled Meeting: Wednesday, December 21, 2022 (10:00 am)

Adjournment

The meeting was adjourned at 11:16 a.m.



Whitney Scott,
Administrative Coordinator



Harmon Massey, Commission Chair