LAKE MARY PLANNING AND ZONING BOARD

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
MINUTES

TUESDAY, February 13, 2024, 6:00 PM

NO VIDEO RECORDING WAS MADE FOR THIS MEETING

1. **Call to Order**
   The meeting was called to order by Chairman Hawkins at 5:58 PM

2. **Moment of Silence**

3. **Pledge of Allegiance**

4. **Roll Call – Determination of Quorum**

Robert Hawkins, Chairman
Benjamin Vogt – Member
Thomas Peet, Member
Brittany Walker, Member (6:01 PM)
Nick Carlin, Alternate Member
Sabreena Colbert, Community Development Director
Christopher Carson, Senior Planner
Michael Lopez - Planner
Judy Edwards, Permit Technician

Election of Chair and Vice Chair for calendar year 2024

Member Vogt nominated Dr. Hawkins for Chairman. Member Peet seconded the motion and the motion carried unanimously 4 to 0.

Member Vogt nominated Ms. Taylor for Vice Chairman. Member Peet seconded the motion and the motion carried unanimously 4 to 0.

5. Approval of Planning and Zoning Board Minutes

A. Draft Planning & Zoning Board Minutes

Member Vogt made a motion to approve the Draft Planning and Zoning Board Meeting Minutes of December 12, 2023. Member Peet seconded the motion and the motion carried unanimously 4 to 0.

6. Citizen Participation: This is an opportunity for anyone to come forward and address the Commission on any matter relating to the City or of concern to our citizens. This also includes: 1) any item discussed at a previous work session; 2) any item not specifically listed on a previous agenda but discussed at a previous Commission meeting or 3) any item on tonight's agenda not labeled as a public hearing. Items requiring a public hearing are generally noted on the agenda and public input will be taken when the item is considered.

No one came forward and the citizen participation section was closed.

7. P&Z Public Participation Process: City staff and the applicant, or the agent for the applicant, will make their presentations first, followed by questions from the Planning and Zoning Board members. After the presentations from staff and the applicant, the Chairman will open the public hearing portion of the meeting to allow interested parties to speak for or against the item being considered. The public is instructed to keep their presentation factual, not be redundant, and to direct all comments to the Board, not to the applicant or to staff. From time to time, it may become necessary for the Chairman to limit the time that speakers may have. If a time limit is to be imposed, it will be announced at the time that the Public Hearing is opened. If a speaker wishes to be heard for the record but does not have any new information regarding the item being considered, the speaker shall give his/her name and address for the record and state that they agree with the presentation made by a previous speaker, giving the specific name of the person. When the Chairman believes that no additional information is forthcoming, the Chairman shall close the public hearing portion of the meeting.

8. Old Business

There was no old business.

9. New Business

A. 2023-SP-02, A request for site plan approval for the construction of a 127 room, 5-story hotel and a 2-story, +/- 8,400 sq. ft., retail/office building, located at 3522 and 3534 Lake Emma Rd. Applicant: Sima Patel, North Point Lodging, LLC. (Quasi-Judicial – Public Hearing) (Chris Carson, Project Manager)

Chris Carson, Project Manager, came forward to present Item A. The applicant is requesting site plan approval to construct a 127 room, 5-story hotel and a 2-story, +/- 8,400 sq. ft. retail/office building located at 3522 and 3534 Lake Emma Rd. The property is part of the Top Golf North Point PUD and is located at the northwest corner of Lake Emma Rd. and Greenwood Blvd., east of I-4.

The future land use is commercial, and the zoning is PUD (Planned Unit Development). The final PUD was approved in 2018. The site plan was previously approved in 2020 but due to COVID-19, it was never constructed, and that approval expired. The plan before you today includes minor site modifications from the original plan.

The subject property is platted as lot 3 and is approved for hotel, retail and office uses. The PUD allows a building height of 100 ft. for a hotel and 50 ft. for retail/office uses. The applicant is proposing a building height of 64' 2" for the hotel and 30' for the retail/office building. Both meet the PUD requirements. The PUD requires a building setback of 25 ft. which is being met.

There are two existing driveways to the property as you can see on the arial map, which also provides access to Top Golf through an existing easement. Access to Lake Emma Rd. is through a right-in/right-out drive isle. Greenwood Blvd. is accessible through a full access driveway. There are additional internal curb cuts proposed to tie the proposed development to the existing drive isles.

The development will generate 73 morning peak hour trips and 103 evening peak hour trips. The development does not require a full traffic study as the project is vested as part of the PUD.

There is an internal sidewalk network proposed that will provide access to the proposed buildings and connect to the public sidewalk along Lake Emma Rd. and Greenwood Blvd. 168 parking spaces are required to meet the code requirements of 1.05 parking spaces per hotel room and 1 parking space per 250 sq. ft. of retail/office space. The applicant is providing 168 parking spaces, including 8 ADA spaces. A bicycle rack is located immediately northeast of the hotel building to accommodate 12 bicycles.

The landscaping requirements are outlined in the PUD, including a type A buffer along Greenwood Blvd., a type B buffer along Lake Emma and a modified type A buffer to the north. Foundation landscaping will be planted around the buildings and 10% of the parking area will be landscaped consistent with Chapter 157.

A condition of approval has been added for the applicant to add one additional canopy tree to the Greenwood Blvd. buffer. Lot 3 of the PUD has a maximum pervious ratio of 70%. The plan meets the requirement by providing 69% impervious.

The PUD has a master stormwater system on lot 2 designed for the 25-year, 24-hr storm events within an open basin. Water, Sewer, and Reclaimed water connections will be made to the existing stub outs that were constructed with Top Golf.

An environmental assessment was conducted and found two potentially occupied gopher tortoise burrows. The applicant will be required to go through the appropriate FFWCC permitting prior to any species relocation and/or site work.

A monument sign is proposed along the Lake Emma Rd. frontage and will meet the PUD requirements and Chapter 155, Appendix I. There are two proposed dumpsters, one serving each building.
Staff finds all criteria have been met for granting approval of the proposed site plan and recommends approval with the 5 conditions as outlined in the staff report.

Chairman Hawkins asked if the mechanical equipment was a rooftop unit or ground unit. Mr. Carson stated it will be a rooftop unit. There is a condition of approval that all mechanical equipment must be screened completely.

Brent Lenzen with Kimley-Horn, 189 S. Orange Ave., Suite 1000 Orlando, FL, came forward on behalf of the applicant. There were no questions for Mr. Lenzen.

The item was opened for public hearing.

James Barron, 964 Helmsley Ct #202 came forward. He owns a condo directly across from Top Golf. This project has a lot of potential to affect home prices and he was wondering if any thought or studies have been done as to what this will do to the price of homes nearby. Mr. Carson stated that no market studies have been completed. This is a PUD with existing entitlements. The height of the hotel is allowed to go up to 100 ft., and they are well below at 64 ft. height. The retail/office building is allowed to go up to 50 ft. and that building is proposed at 30 ft. height. Given what the PUD allows versus what is proposed, the development is within their entitled approvals.

Chairman Hawkins stated that all the traffic studies have already been completed and Mr. Carson confirmed that is correct. As part of the PUD, they are fully vested and fully entitled up to a certain square footage of office and retail use, and they are well beneath that with this proposed development. Chairman Hawkins wanted to confirm that there will not be a curb cut on Lake Emma Rd. Mr. Carson stated that was correct. The existing access will remain. Chairman Hawkins asked that even though a study hasn't been done, would a small hotel benefit the economy or detract from it. Mr. Carson stated that based on what we have seen, he feels strongly that the development of the currently vacant property would increase the property value.

Mr. Barron asked if it would be office or retail and have any particular tenants expressed an interest in the leasing space? Mr. Carson stated that it is a 2-story 8,400 sq. ft. retail/office building proposed to the North. To his knowledge, there are no tenant leases currently. The type of uses allowed are those consistent with the C-1 and C-2 zoning, with certain uses being prohibited such as fast food. Acceptable uses include restaurant, office, or personal service establishments such as barbershops, beauty salons, etc.

No one else came forward and Chairman Hawkins opened the item for board discussion.

Member Peet made a motion to recommend approval of 2023-SP-02, A request for site plan approval for the construction of a 127 room, 5-story hotel and a 2-story, +/- 8,400 sq. ft., retail/office building, located at 3522 and 3534 Lake Emma Rd. with the 5 findings of fact. Member Vogt seconded the motion, and the motion carried 5 to 0.

The 5 Conditions of Approval are as follows:

1. The photometrics for the site shall not exceed 0.5 ft. candles at the property line.

2. All mechanical equipment, including rooftop air conditioner units, ventilation equipment, and similar appurtenances shall be screened from view from any adjacent lots or property and the right of way.

3. The dumpster enclosure shall be a minimum 6' tall masonry wall and must be constructed of a permanent, low maintenance finish such as patterned concrete, rock-salted concrete, split face or ribbed concrete, stone, brick, or tile. Stucco and raw concrete are not acceptable finishes. Gates necessary to access the refuse area shall be minimum of six-foot-high and may be constructed of wood.

4. Signage shall require a separate building permit prior to construction. Signage shall comply with the TopGolf/North Point PUD Development Agreement and Chapter 155 Appendix I of the Land Development Code.

5. Prior to issuance of a Site Construction Permit, the applicant shall provide complete following:
   a. Update the required building setback (east) from 35 ft. to 25 ft. on sheet C4.
   b. Update the Greenwood Blvd. landscape buffer to provide one additional canopy tree as required.
   c. Provide wheel stops or curbing to prevent vehicles from overhanging the sidewalk to maintain a 36 in. minimum pathway on sheet C4.1.
   d. Provide the crossing detail between the proposed sewer and water, just after the meter/backflows.
   e. Include the Hotel's complete water saving development standards from the DRI in the notes section on sheet C4.1.
   f. Include the trip generation summary on the site data table on sheet C4.1.
   g. Include the development name "Fairfield by Marriot" on sheet C.00.

10. Community Development Director's Report

Sabreena Colbert, Community Development Director. Ordinance 1698, rezoning the property at 2801 W. Lake Mary Blvd. from A-1 to PO was approved by the commission. A reminder that Celebrate Lake Mary is this weekend and hopes that everyone has an opportunity to come out. The next meeting will be planned for March 26, 2024. There are projects in review so hopefully there will be more than one item on the agenda.

At the previous meeting, concerns were raised about the inlet height on the west side of Twelve Oaks on Washington Ave. The contractor has corrected the issue, and the inlet has been lowered to meet the grading so the water can flow into it. The Fontaine project just received their DEP clearances for the offsite right-of-way work and the on-site DEP clearances are pending. Once that is received, they will continue to make the improvements along the right-of-way to finish the sitework. The subdivision plat has been recorded so the developer will be moving forward with building permits.

11. Other Business

There was no other business.

12. Reports of Other Members

There were no other reports.

13. Adjournment

There being no further business, the meeting adjourned at 6:12 PM.

Robert Hawkins, Chairman

Judy Edwards, Permit Technician