LAKE MARY PLANNING AND ZONING BOARD

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
AGENDA

TUESDAY, DECEMBER 10, 2024 6:00 PM

1. **Call to Order**

2. **Moment of Silence**

3. **Pledge of Allegiance**

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

5. **Approval of Planning and Zoning Board Minutes**

    A. Draft Planning and Zoning Board Minutes - November 12, 2024

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 so noted on the agenda and public input will be taken when the item is considered.**

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**

9. **New Business**

   A. **2024-SP-04, A request for minor site plan approval for an existing McDonald's restaurant located at 4210 W. Lake Mary Blvd. Applicant: Ms. Katie Fitzjarrald, Kimley Horn and Associates, Inc. (Quasi-Judicial – Public Hearing) (Michael Lopez, Project Manager)**

   B. **2024-RZ-05, Ordinance No. 1713, A recommendation to the Mayor and City Commission regarding a request for rezoning of property located at 127 E. Crystal Lake Ave. and on E. Lakeview Ave. from C-1, General Commercial, to GU, Government Use. Applicant: City of Lake Mary (Quasi-Judicial – Public Hearing) (Michael Lopez, Project Manager)**

10. **Community Development Director's Report**

11. **Other Business**

12. **Reports of Other Members**

13. **Adjournment**

THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

NOTE: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he or she may need a verbatim record of the proceedings including the testimony and evidence, which record is not provided by the City of Lake Mary.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE IN ORDER TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.

LAKE MARY PLANNING AND ZONING BOARD

Lake Mary City Hall
100 N. Country Club Road

Regular Meeting
MINUTES

TUESDAY, DECEMBER 10, 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 5:59 PM.

2. **Moment of Silence**

3. **Pledge of Allegiance**

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

Robert Hawkins, Chairman
Thomas Peet, Member
Benjamin Vogt, Member
Nick Carlin, Member
Frederic Schott, Alternate Member
Sabreena Colbert, Community Development Director
Michael Lopez, Planner
Patrick Martin, Community Development Administrative Coordinator
Aeriel McCann, Assistant City Attorney

5. Approval of Planning and Zoning Board Minutes

A. Draft Planning & Zoning Board Minutes

Member Carlin made a motion to approve the Draft Planning and Zoning Board Meeting Minutes of November 12, 2024. Member Vogt 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 so 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. 2024-SP-04, A request for minor site plan approval for an existing McDonald's restaurant located at 4210 W. Lake Mary Blvd. Applicant: Ms. Katie Fitzjarrald, Kimley Horn and Associates, Inc. (Quasi-Judicial – Public Hearing) (Michael Lopez, Project Manager)

Michael Lopez, Project Manager, came forward to present Item A.

The applicant is requesting minor site plan approval for an existing McDonald's restaurant located on a +/- 1.46-acre property at 4210 West Lake Mary Boulevard. The subject property is located on the north side of West Lake Mary Boulevard, and east and south of North Sun Drive.

The property is zoned C-2, Commercial District, has a future land use designation of COM, Commercial, and is within the Lake Mary Boulevard Gateway Corridor overlay.

As outlined in the staff report, the work for this project will include saw-cutting and removing asphalt, sidewalk, pavers, concrete, curb, and gutter within select areas to the north, west, and east of the restaurant. To the east and west, the existing chain link fence will be removed and replaced with a black aluminum fence. To the north, the existing chain link fence will be removed and replaced with landscape screening.

To the west, there will be a 162-sq. ft. building addition to accommodate a third pick-up window, a grate inlet in-line with the existing stormwater system is to be modified, and a landscape island is to be replanted to match the existing.

To the east, the crosswalk and handicap striping is to be removed and restriped. The existing building's setbacks and height currently meet Code requirements and will remain the same.

The existing right-in/right-out access driveway onto West Lake Mary Boulevard and full access driveway onto North Sun Drive, as well as the pedestrian access provided by existing sidewalks along West Lake Mary Boulevard and North Sun Drive, will remain as is.

Since the site is currently developed, and the use is not being expanded, a traffic statement or study was not required. No environmental study was required as the site is currently developed.

The existing site currently meets the buffer width requirements per Chapter 157. Additional trees, shrubs, and groundcover plants are proposed within the buffers and the interior parking lot islands as shown on sheet L-4, bringing the plantings on site into compliance with Chapter 157.

The proposed plan meets the open space requirement of 35% by providing 36.76% open space.

Parking requirements are per Chapter 155, Appendix B, which requires restaurants or other eating establishments to provide 1 parking space for each 2.5 seats, plus 1 parking space for each employee on the largest shift. For the 57-seat restaurant with a 12-person shift, 35 parking spaces are required. The applicant is providing 40 parking spaces, including 2 handicap accessible parking spaces as required, and the existing parking meets and exceeds the minimum code requirements.

No new signs are proposed as part of this project.

The stormwater system is existing and meets the 25-year, 24-hour storm event without exceeding the pre-development peak rates of discharge. The property is within an open basin. No modifications are being proposed to the existing stormwater system other than raising a storm inlet to meet the proposed grade adjacent to a parking stall, which will not affect how the system functions as currently designed.

There is an existing dumpster enclosure in the northwest portion of the site. That enclosure will be upgraded to provide landscape screening per Code, as noted in the third condition of approval in the staff report.

All existing utility connections will remain as is.

Staff find that the proposed minor site plan is consistent with the relevant criteria of the City's Code of Ordinances and Comprehensive Plan and recommends approval with the three conditions as outlined in the staff report. The Planning & Zoning Board is the terminal body for this item.

Daniel Blasco, Kimley-Horn and Associates, 445 24th St., Vero Beach, FL, came forward to speak on behalf of the applicant.

Chairman Hawkins asked Mr. Blasco if he had anything to add to the presentation.

Mr. Blasco responded that he did not have anything to add and that staff did a great job representing the project.

Item A was then opened for a public hearing.

John Ryan, Medplex Condo Association, 4106 West Lake Mary Blvd, Lake Mary, FL, came forward to speak on the item.

Dr. Ryan stated that he is not concerned with the details of the project, but he wants to be sure that the plan includes a continuous fence between the McDonald's and the neighboring Medplex property in order to prevent people from parking in the Medplex parking lot and accessing the McDonald's.

He continued that there is currently a gate in the existing fence that they would like that removed as long as it meets the criteria for safety.

Chairman Hawkins asked if the existing fence was installed during the last renovation of the site. Dr. Ryan responded affirmatively. Chairman Hawkins asked if it was to his satisfaction except for the gate. Dr. Ryan responded that the gate was put in the fence, but they subsequently spoke with a manager at the McDonald's who placed a lock on the gate. He continued that he just wants to be sure that the details of the proposed fence include that it be continuous to not allow cross-access between the properties.

No one else came forward, and the public hearing was closed.

Chairman Hawkins asked if the proposed fence was sufficient to satisfy Dr. Ryan's request.

Ms. Colbert responded that the applicant is replacing the existing chain-link fence in order to meet City Code requirements because chain-link fence is not allowed. They are replacing the fence as it currently is with a fence material that meets code. She continued that a condition can be modified or added to incorporate a continuous fence.

Chairman Hawkins responded that a condition would be added for a continuous fence without a gate.

Member Vogt made a motion to recommend approval of 2024-SP-04, A request for minor site plan approval for an existing McDonald's restaurant located at 4210 W. Lake Mary Blvd. with an added condition for a continuous fence without a gate along the east side of the property. Applicant: Ms. Katie Fitzjarrald, Kimley Horn and Associates, Inc. Member Carlin seconded the motion, and the motion carried 4 to 0.

B. 2024-RZ-05, Ordinance No. 1713, A recommendation to the Mayor and City Commission regarding a request for rezoning of property located at 127 E. Crystal Lake Ave. and on E. Lakeview Ave. from C-1, General Commercial, to GU, Government Use. Applicant: City of Lake Mary (Quasi-Judicial – Public Hearing) (Michael Lopez, Project Manager)

Michael Lopez, Project Manager, came forward to present Item B.

The City is requesting to rezone two city-owned properties at 127 East Crystal Lake Avenue and on East Lakeview Avenue from C-1, General Commercial, to GU, Government Use, for consistency with the City's Comprehensive Plan and to be used for a trail connection between Lakeview Avenue and the City's parks system.

According to the City's Comprehensive Plan, the GU zoning district is compatible with the properties' Downtown Development District future land use designation.

The northern property is located on the south side of East Crystal Lake Avenue, just east of North Country Club Road, and is +/- 0.38 acres. This property is currently occupied by a +/-803-square foot commercial building that was built in 1965 and will be demolished by the city.

The southern property is located on the north side of East Lakeview Avenue, just east of North Country Club Road, and is +/- 0.19 acres. This property is currently vacant.

The findings of fact on page 2 of the staff report provide support for the request to rezone the subject properties located at 127 East Crystal Lake Avenue and on East Lakeview Avenue from C-1 to GU by establishing consistency and compatibility.

Staff find all conditions to have been met and recommend approval of Ordinance Number 1713.

The Mayor and City Commission will hear this item on January 16th for First Reading and February 6th for Second Reading.

Item B was then opened for a public hearing.

T. Gray Frazier, 137 East Crystal Lake Avenue, Lake Mary, FL, came forward to speak on the item. Mr. Frazier asked where the project was in the design process for the park, and if there are any preliminary plans.

Ms. Colbert responded that the subject properties will not be a park. There is a proposed sidewalk connection from SunRail to the Crystal Lake Stormwater Park that is currently under construction. She continued that park has already been approved through engineering. The proposed sidewalk connection is only conceptual at this point, however the properties are city-owned and due to the potential use of a sidewalk connection the properties are being rezoned for consistency with the Comprehensive Plan which is all that is being considered at this time.

Mr. Frazier asked if the project would go out for competitive bids before improvements are made there. Mr. Colbert responded she would have to defer to the Parks and Recreation Director, Mr. Bryan Nipe, and the Public Works Director, Mrs. Danielle Koury, on any details of the project which she could forward to Mr. Frazier.

Mr. Frazier stated that he has a concern with the possibility of the sidewalk connection that there be screen walls to protect his property on the neighboring parcel. He also asked if there would be any additional parking on East Crystal Lake Avenue.

Chairman Hawkins responded that the current item is only a rezoning of the property so there aren't any details as to how the properties will be developed. He continued, Ms. Colbert previously stated that she would get the information for you to contact the appropriate Departments to get any preliminary plans they have. Chairman Hawkins reiterated only the rezoning was being considered at this time.

Ms. Colbert responded that she would defer to Mr. Nipe on any details, but the properties are currently zoned C-1, Commercial, and they are City-owned. The City intends to use them for government use so it needs to be rezoned to be consistent.

Mr. Frazier stated that he would love to see some stormwater retention on the subject properties for the properties on the south side of East Crytal Lake Avenue.

Ms. Colbert responded she would pass that along to Ms. Koury and would provide follow-up.

No one else came forward, and the public hearing was closed.

Member Vogt made a motion to recommend approval of 2024-RZ-05, Ordinance No. 1713, A recommendation to the Mayor and City Commission regarding a request for rezoning of property located at 127 E. Crystal Lake Ave. and on E. Lakeview Ave. from C-1, General Commercial, to GU, Government Use. Applicant: City of Lake Mary. Member Peet seconded the motion, and the motion carried 4 to 0.

10. Community Development Director's Report

Sabreena Colbert, Community Development Director, stated she wanted to wish the Board a Happy Holiday and a Happy New Year as this will be the final meeting of the year. The next meeting will be January 14, 2025.

There is a new Alternate Board member, Retired Judge Frederic Schott. The Board members welcomed Alternate Member Schott.

Ms. Colbert also introduced Assistant City Attorney, Aeriel McCann, who is filling in for Mr. Elkind.

Chairman Hawkins asked if the applicant for the proposed Chick-fil-A project had provided the necessary information to staff. Ms. Colbert responded she has a meeting with the applicant on Thursday, but nothing formal has been submitted.

Chairman Hawkins asked if there would be enough time for review before the item is to be heard again. Ms. Colbert responded because the item was a date certain continuance for the January 14th meeting, it will be on the agenda.

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 was adjourned at 6:19 PM.

Robert Hawkins, Chairman

Patrick Martin, Community Development Administrative Coordinator