

**LONGWOOD LAND PLANNING AGENCY**  
**Longwood City Commission Chambers**  
**175 West Warren Avenue**  
**Longwood, Florida**

**AGENDA**  
**May 14, 2025**  
**6:00 PM**

- 1. CALL TO ORDER**
- 2. ADDITIONS AND DELETIONS**
- 3. APPROVAL OF MINUTES**
  - A. Approve the Minutes of the March 12, 2025, Regular Meeting.**
- 4. PUBLIC COMMENT**
- 5. PUBLIC HEARING**
  - A. Public Hearing of Ordinance 25-2267, a Small-Scale Comprehensive Plan and Longwood Development Code Amendment intended to change the Future Land Use and Zoning at 919 Orange Avenue to allow for the existing use of a daycare center to be permitted outright**
  - B. Public Hearing of Ordinance 25-2268, a non-codified Longwood Development Code Amendment to allow a standalone pharmacy at 876 South U.S. Highway 17-92**
- 6. DISCUSSION AND SCHEDULE FOR FUTURE AGENDA ITEMS**
- 7. ADJOURN**

Notice: At this meeting, interested parties may appear and be heard with respect to the request. This hearing may be continued from time to time until final action is completed. All persons are advised that if they decide to appeal any decision(s) made at these meetings/hearings, they may need a verbatim record of the proceedings and for such purposes, which record to include the testimony and evidence upon which the appeal is to be based (per Sec. 286-0105, Florida Statutes). Persons with disabilities needing assistance to participate in any of these proceedings should contact the ADA Coordinator at 407-260-3466, at least 48 hours in advance of the meeting.

This is a public meeting, and the public is invited to attend. The agenda is subject to change. Persons can obtain an electronic copy of the agenda packet for this meeting by making a public records request to the City Clerk's Office by calling (407) 260-3441 or emailing [clerk@longwoodfl.org](mailto:clerk@longwoodfl.org).

**To:** Land Planning Agency

**From:** Chris Kintner, Community Development Director

**Date:** May 14, 2025

**Subject:** Public Hearing of Ordinance 25-2267, a Small-Scale Comprehensive Plan and Longwood Development Code Amendment intended to change the Future Land Use and Zoning at 919 Orange Avenue to allow for the existing use of a daycare center to be permitted outright

### **Introduction:**

This agenda item requests that the Land Planning Agency conduct a public hearing for Ordinance 25-2267, a Small-Scale Comprehensive Plan and Longwood Development Code Amendment intended to change the Future Land Use and Zoning Maps for 919 Orange Avenue to allow for the existing use of a daycare center to be permitted outright.

### **Background/Discussion:**

- The applicant, Rafael Gonzalez, on behalf of the property owner, Kimberly English, has requested the small-scale land use change amendment at 919 Orange Avenue with Parcel ID 33-20-30-517-0A02-0000.
- The property, 0.32 acres in size, currently has a land use of Medium Density Residential (MDR) and zoning of Medium Density Residential-15 (MDR-15).
- The parcel has historically had a MDR land use designation since at least 2001. A daycare business has existed at this location since at least July 9, 2013 as a legally non-conforming use since day cares are not an allowable use in the MDR land use and MDR-15 zoning district.
- Per the City's Land Development Code, a legally non-conforming use cannot be expanded and should the use be discontinued for a period of 365 days, the daycare use would not be allowed to reestablish at that location.
- The property owner wants to refinance and could not qualify for a commercial loan because the property has a non-conforming use on it and has provided a letter stating that from the lender. Therefore, the applicant has requested a land use of Commercial (COM) and a zoning of Neighborhood Commercial (NC). Daycare is an allowable use in the NC zoning district.
- The area in question is a mix of uses. The parcel to the east of the subject property is a bank and is zoned "17-92" as is the parcel to the south which is an auto-dealership. The parcel to the west is a convenience store which is also a legally non-conforming use and

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is zoned MDR. The properties at the rear are zoned MDR and are mostly duplexes along Bryan Court.

- According to the City's Comprehensive Plan and Land Development Code, the NC zoning district is designed to serve adjacent neighborhoods in a manner consistent with the scale of the neighborhoods and in some cases acts as a buffer between the more intense commercial development or between major roads and residential development.
- Given the fact that the subject parcel is so close to the intensely commercial "17-92" zoning, staff supports assigning the more transitional type of commercial zoning like NC which would provide a buffer between Highway 17-92 and predominantly residential uses in the northeast part of the City.
- Additionally, it is unlikely that this parcel will be able to realistically support any other use which would be allowed should the property remain zoned as MDR. Most allowable uses in the MDR zoning district are residential, single-family or townhomes and the feasibility of those uses going on this parcel remains low. Furthermore, the cost involved with converting this building to a residential occupancy would also be steep.
- The City Engineer, Shad Smith, has reviewed the traffic study and found no concerns as it relates to the existing daycare.
- In providing the required notice of this action, staff sent out 31 letters to property owners within 500 feet of the subject property. Staff has to date received no letters of objection, and received one letter of support from Tammy Swiderski & David Swiderski at 900/902 Bryan Ct.

The Land Planning Agency is responsible for reviewing proposed amendments to the City's Comprehensive Plan and Development Code. The LPA makes a recommendation to the City Commission on whether the amendment should be adopted, adopted with conditions, or denied. The ordinance will appear before the City Commission for a first reading and finally the second reading and a public hearing along with the LPA's recommendation for approval or denial.

**Budget Impact:**

There is no anticipated budget impact associated with this item.

**Recommendation:**

Staff recommends that the Land Planning Agency recommend approval of Ordinance 25-2267 to the City Commission.

**REQUESTED MOTION/ACTION:**

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I move that the Land Planning Agency recommend approval of Ordinance 25-2267 to the City Commission.

**Prepared By:**

Anjum Mukherjee, Senior Planner  
Kristin Zack, Planner

**Reviewed By:**

Chris Kintner, Community Development Director

**Attachments:**

1. Ordinance 25-2267
2. SPA 01-25 - 919 Orange - Full Application Packet
3. Tammy Swiderski Email of Support
4. Business Impact Estimate - Ordinance 25-2267

**To:** Land Planning Agency

**From:** Chris Kintner, Community Development Director

**Date:** May 14, 2025

**Subject:** Public Hearing of Ordinance 25-2268, a non-codified Longwood Development Code Amendment to allow a standalone pharmacy at 876 South U.S. Highway 17-92

**Introduction:**

This agenda item requests that the Land Planning Agency conduct a public hearing for Ordinance 25-2268, a non-codified Longwood Development Code Amendment to allow a standalone pharmacy at 876 South U.S. Highway 17-92.

**Background/Discussion:**

- At the March 17, 2025 City Commission meeting, the City Commission directed staff to find a way to approve Sunshine Pharmacy at 876 South U.S. Highway 17-92.
- Sunshine Pharmacy had approached staff prior to this meeting and was informed that since the city had elected to enact distance requirements between medical marijuana dispensaries in 2023, and as state law requires municipalities to be no more restrictive on marijuana dispensaries than on pharmacies, a pharmacy would not be allowed at this location due to its proximity to AYR Cannabis Dispensary.
- The special exception process in the Longwood Development Code does not allow special exceptions for land uses. As such, a land development code amendment will need to be adopted to enact the Commission's goal.
- This ordinance, prepared in coordination with the City Attorney, is intended to enact the City Commission's direction by exempting the subject parcel from the distance requirements to allow for an equal number of standalone pharmacies and medical marijuana dispensaries (4). This limitation helps ensure that the intent of the original ordinance is not undermined.
- At its April 21, 2025 meeting, the City Commission approved a Temporary Use Agreement with Sunshine Pharmacy that will allow them to move in to their desired location prior to the changes proposed in this ordinance, with the understanding that if the ordinance does not pass they will have to vacate the premises by the end of the year.
- The owners of the pharmacy met with staff on March 27th to go over building code requirements. The owners indicated they understand the permitting requirements,

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impact and mobility fees, and other steps necessary to ensure they are open within the timeline they envision.

**Budget Impact:**

There is no anticipated budget impact associated with this item.

**Recommendation:**

Staff recommends that the Land Planning Agency recommend approval of Ordinance 25-2268 to the City Commission.

**REQUESTED MOTION/ACTION:**

I move that the Land Planning Agency recommend approval of Ordinance 25-2268 to the City Commission.

**Prepared By:**

Chris Kintner, Community Development Director

**Reviewed By:**

Chris Kintner, Community Development Director

**Attachments:**

1. Ordinance 25-2268
2. Business Impact Estimate - Ordinance 25-2268