

**MINUTES  
PLANNING AND ZONING BOARD MEETING  
January 25, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on January 25, 2022 at 5:30 p.m. in the Commission Chambers at City Hall, 201 W. Central Ave. Lake Wales Florida.

**ATTENDANCE**

**Planning Board Members (Shaded area indicates absence):**

Chairman Christopher Lutton	Vice- Chairman Charlene Bennett	John Gravel	Casey McKibben	Eric Rio	Kyra Love	Betty Wojcik
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**City Staff:**

<b>Dept. of Planning and Development</b>
Mark J. Bennett – Director of Development Services
Autumn Cochella – Development Services Manager
Jasmine Khammany – Senior Planner
Shena Rowland – Recording Secretary

1. CALL TO ORDER – Ms. Bennett called the meeting to order at 5:32 p.m.
2. ROLL CALL - Mr. Lutton arrived at 5:37 p.m. Mr. McKibben was absent.
3. APPROVAL OF MINUTES  
Special Meeting – December 15, 2021  
Motion by Ms. Love to approve and Ms. Wojcik seconded the motion. The minutes approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS – No Public in Attendance

**NEW BUSINESS**

5. Green Gables – Land Use and Zoning

**COMMUNICATIONS AND PETITIONS – No Public in Attendance**

Review Staff report by Jasmine Khammany  
Begin Report:

**PROJECT:** Green Gables  
**APPLICANT:** Laurent Meyer  
**APPROVAL:** Future Land Use & Zoning from LCI to R-3  
**PUBLIC HEARING:** Requirements have been met.

Ms. Khammany reads the staff report to the Board. Ms. Khammany then indicates that staff is available for any questions and a representative for the project is available for any questions.

Ms. Bennett asks what does 25 units per acre predict?

Ms. Khammany replies that it will most likely be apartments.

Ms. Cochella replies that it will be multi-family.

Mr. Bennett states that staff thinks that this will be a great re-development opportunity to see the property transition from a hotel that has seen better days into something else.

Ms. Love asks if the property is functioning.

Ms. Cochella defers to the applicant but does state she believes it is somewhat functioning.

Ms. Love asks if the patch of trees is owned by the applicant?

Ms. Cochella answers it is not.

Ms. Bennet then asks if the Board has further questions for staff, seeing none she asks if the applicant would like to present.

Mr. Meyer states he does not.

Ms. Bennett then asks the board if they have questions for the applicant.

Mr. Gravel asks if the applicant plans on demolishing the existing building.

Ms. Bennett then asks Mr. Meyer to approach to respond.

Mr. Meyer states his name and address for the record.

Ms. Cochella then clarifies the question for Mr. Meyer, it being whether he plans to demolish the existing building.

Mr. Meyer responds he is not sure at his time.

Mr. Gravel asks how much vacant land is there to develop?

Ms. Cochella refers to the map aerial map in the agenda.

Mr. Meyer responds it is around 6 acres.

Ms. Bennett then asks for further questions and hearing none asks for a motion.

Mr. Gravel makes a motion to approve Future Land Use Designation and Zoning to High Density Residential and R-3 Zoning.

Ms. Love seconds the motion.

Ms. Bennet recognizes the motion and second and asks for a roll call vote.

Chairman Christopher Lutton Votes Yes	Vice- Chairman Charlene Bennett Votes Yes	John Gravel Votes Yes	Casey McKibben	Eric Rio Votes Yes	Kyra Love Votes Yes	Betty Wojcik Votes Yes
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Ms. Bennett announces it passes by majority.

## 6. LDR Text Amendments

### COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Autumn Cochella

Begin Report:

<b>PROJECT:</b>	LDR Text Amendments
<b>APPLICANT:</b>	Development Services/Staff
<b>APPROVAL:</b>	Proposed Amendments to Land Development Regulations
<b>PUBLIC HEARING:</b>	Requirements have been met.

Ms. Cochella explains to the Board that they will see multiple rounds of Land Regulations come thru every month. As time allows, Staff will work thru the code for updates. She informs the Board she will read thru the proposed amendments section by section and to stop her if the Board has any questions or needs clarification. The first section is Streets and staff is asking to add an appendix to Land Development Regulations to compliment section 23-303 which is the streets and roadway section. She reads: Background and Justification. Traffic Impact Studies are required for all new development. The intent of this appendix to the code, according to the language prepared by the City's consulting transportation planning firm, is: to define the requirements, procedures and methodology for the preparation and submission of a traffic impact study (TIS) in the City of Lake Wales. She explains that whenever someone wants to develop in the City of Lake Wales, they have to submit a traffic study but before they do, they often send the methodology ahead of time for the city to approve. The goal will be to skip that step by codifying our methodology that is approved so developers can go straight to the traffic study. The rest of the information given in the report is technical transportation, planning and engineering verbiage.

Ms. Wojcik states that she finds this encouraging.

Ms. Bennett asks in what way this will change things?

Ms. Cochella states it saves time and money. She further explains that we have the Consulting Transportation Planner that approves the methodology and then approves the traffic study. This saves the applicant from having to take these steps in the process, therefore, saving time and money.

Mr. Lutton asks if this follows what the county does.

Mr. Bennett replies it does to some degree but it intended to be a bit more specific.

Mr. Lutton is concerned that it will be more constrictive than the county.

Mr. Bennett explains that what is happening now is the applicant is forced to go to the county for county roads and then to the city for city roads. The city is deferring to county wishes. There is an informal agreement that the county will now concur with our methodology. Our Staff feels this is important to lock this into place because as we grow, transportation will become more of an issue.

Ms. Wojcik stating she found it interesting where the county's right of way was 200 feet and the City's is 100 feet.

Ms. Cochella said that is jumping forward to a future item on the agenda that she will discuss at a later time but the county has made that adjustment.

Ms. Bennett then asks if there are any further questions to the street section? Seeing no one the meeting continues.

Ms. Cochella moves to landscaping portion of the agenda and states that during the review of recent Site Development Plans for residential projects, there has been a question of interpretation regarding street trees. She explains that Staff is requiring street trees in the residential developments that are coming in. What is attempting to be clarified with this coaching is the two residential trees that are required on lots do not count as street trees. What is happening now is developers are putting one tree in the front yard and claiming that as the street tree. Staff is clarifying that this is in addition to the two trees that are required for the lot. In light of this Staff would like to increase the minimum residential requirement from two to three with one being designated as a street tree. Also included is the definition of root barrier which is to protect infrastructure, sidewalks and other items the public works department gets concerned with in regards to street trees. Also listed is the definition of a street tree.

Ms. Bennett asks if this applies to all residential?

Ms. Cochella confirms it is.

Mr. Lutton asks if the city is replacing any trees on the streets are we using root barriers now?

Ms. Cochella responds that she knows it is in the plans for the downtown streetscape project.

Mr. Lutton replies that is contractors and asks if we are doing it in house?

Ms. Cochella responds that she would need to clarify with the parks department.

Mr. Lutton states this gets back to the point when a code was created to have dumpster enclosures. It was good for everyone except city owned properties because of the delay in installing them. Residents did not think it was fair that they installed when the city did not. He does not want it to repeat with root barriers.

Ms. Cochella states we have a horticulturist on staff that she is confident is on top of this issue.

Ms. Bennett asks Ms. Cochella to find out and Ms. Cochella agrees to do so.

Mr. Rio asks if there is a list of trees that can and cannot be planted?

Ms. Cochella confirms there is a list in section 23-307 which is the landscape code. It also has to be a Florida friendly tree. Any further concerns or questions Staff confers with the City's Horticulturist.

Ms. Bennett then asks if there are any more questions and seeing none moves to the next item.

Ms. Cochella then introduces permitted uses as the next item and explains the changes as follows:

- 1.) In order to reduce automobile dependency for short trips, a change to the Permitted Use Chart to allow all new residential developments to provide support non-residential uses within a portion of the development (mixed-use) through the PDP process is proposed. A note is added to ensure that such non-residential uses may be those only consistent with the C-4 Neighborhood Commercial zoning district.

Ms. Cochella further explains that this is not something that will be required but will be allowed thru the PDP process. Staff is also including language to ensure that the non-residential portion is subordinate to the residential so it is a true residential mixed use product.

- 2.) In order to open up the city's industrial zones to heavy manufacturing, it is proposed to change *Manufacturing – Heavy*, from S (special exception use permit), to P (permitted), in the I-1 zoning district.
- 3.) Within the LCI Limited-Commercial zoning district, a district designed to promote a mix of commercial and industrial uses, Staff proposes to allow small grocery or convenience stores, with or without gasoline sales, by right.
- 4.) Allow manufactured home communities through the PDP process only, in residential districts. This provision does not allow individual infill or subdivided lots to place a manufactured home.

Ms. Cochella remind the Board that a couple of months ago they added to the permitted use chart that said manufactured home but did not specifically allow it in any zoning districts. Staff has been reviewing this issue and discussing. She states that the city does have existing manufactured home communities and the intent is not to ban them but to control the design and placement. In putting it thru the PDP process it has to be presented to the Planning and Zoning Board and to the City Commission in Public Hearings for approval.

Mr. Gravel asks if this prevents the manufactured home from being put on any lot?

Mr. Cochella explains this does not apply to infill or single residential lots, it is only allowed thru PDP process which must be presented to Planning and Zoning and City Commission.

Mr. Gravel asks if he owns a vacant lot in one of the older neighborhoods he could put a mobile home on it.

Ms. Cochella reminds Mr. Gravel that several months ago they put a code change before the Board that introduced a moratorium on mobile homes because it is not allowed in any zoning district and that has not changed. What has been added to the chart is PDP.

Mr. Gravel then asks if this was done several months ago before his time on the Board.

Mr. Cochella states it was.

Mr. Lutton asks where is the I1 zoning district is located?

Ms. Cochella explains the location on the chart.

Mr. Lutton asks about the airport?

Mr. Bennett responds generally there are a couple of parcels west of the airport. The Hunt Brothers own a tract down by the packing house. The only other I-1 is the old Finley. He has reviewed the zoning map and does not see an impact. It is Staff's understanding that the Hunt Brother's property is under contract for an industrial user.

Ms. Bennett asks for further comments on this section.

Ms. Wojcik asks about the symbols under the tables.

Ms. Cochella asks if they have a copy of the Code Book.

Ms. Wojcik responds that she did not.

Mr. Cochella then states that they will get her one.

Mr. Lutton asks if there will be any further gas regulations in the C-4 district? Where it can be placed? Do you need a certain square footage?

Ms. Cochella then clarifies that there is some confusion. That provision is for the LCI. Staff is wanting to add to the LC-I not the C-4. The C-4 note was to compliment the mixed use provision for residential PDP's.

Mr. Lutton states that when the LCI was created it was to limit the traffic trips? That is why there were smaller numbers of parking. He said it seems like it is going against the original rules.

Ms. Cochella states the City does not have a large LCI area and where they do they do not have vacant land were someone can come in and build a gas station. Staff has done this because a conversation has occurred with a potential property that wants to come in South on 27 that is an existing truck stop. It would make them an illegal use under the current zoning.

Mr. Lutton then states he does not remember an LCI off of 27.

Ms. Cochella states it is not yet but as Staff reviews expansion in that direction they have to think of what Land Use and Zoning will be appropriate.

Mr. Lutton states he thought that most of the LCI was more of an infill. He is asking that the zoning is now?

Ms. Cochella states it is mostly BP in that direction but does not feel more BP is needed.

Ms. Bennett asks for any further comments? Seeing none she moves to the next item of Dimensional and Area Standards.

Ms. Cochella stats this is the area Ms. Wojcik mentioned. She further states the set backs in are set back tables reads that the set back is whatever is standard in the zoning district or ½ of the right of way of the road way that it fronts, whichever is greater. Staff is no longer wanting to adjust the set backs based on the county and FDOT changing the right of way widths. It was recently brought up with an outparcel at the mall that is hoping to develop. It was discovered that the FDOT increased the right of way to 200 feet. This means everything along 27 is subject to a 100 foot set back. It creates alot of unbuildable lots. Staff is proposing to remove the right of way language all together and add a note that says in the C-3 which Highway Commercial Corridor that the front set back is 50 feet so it will be consistent.

Ms. Wojcik asks if the county will go along with that?

Ms. Cochella states they will. She further concludes this section of Dimensional and Area Standards and moves on to PDP. She introduces this section as more of a housekeeping action. She explains that a year or so ago the requirement was increased for open space in a PDP to go from 15% to 20% site-wide, but what should have been eliminated is the part of

the code that states if open space is planned as a private residential lot then credit can be given for 50% of that yard towards the overall open space. This does not make sense especially with the smaller lot sizes that are being presented. It was meant to be taken out of before so Staff is asking for it to be removed now.

Ms. Bennett states it makes sense.

Ms. Cochella then states the last item is Exemption to Impact Fees. Staff is trying to mirror the county for consistency. The code currently states that if you demolish a lot and you do not rebuild within 3 years then you have to start over with the impact fees. The county used to have a 3 year but they increased it to 5 years and Staff proposes we do the same.

Mr. Lutton discusses a lot that he knows has been demolished for some time.

Ms. Bennett asks if this would apply if a change was requested and a different type of dwelling was built.

Ms. Cochella responds that if it is in the window and they are changing, example from a 15,000 square foot to a 20,000 square foot they would charge the difference for the additional footage. If it were like for like then they would not have to pay if built within the window.

Mr. Lutton clarifies if it is a duplex in place of a single family then the difference of the fees would be accessed.

Ms. Cochella agrees that they would be charged for the additional impact.

Mr. Lutton explains the original definition of the impact fee.

Ms. Bennett opens for public hearing. Seeing no one she closes the public hearing. She then asks for a motion.

Ms. Love asks if they need to be listed separately.

Ms. Cochella responds that as long as it is clear in the motion that the Board is recommending approval of the code changes presented by Staff.

Ms. Love moves that the Board approves the proposed amendments to the following sections listed for the Land Development Regulations.

Ms. Wojcik seconds.

Chairman Christopher Lutton Votes Yes	Vice- Chairman Charlene Bennett Votes Yes	John Gravel Votes Yes	Casey McKibben	Eric Rio Votes Yes	Kyra Love Votes Yes	Betty Wojcik Votes Yes
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Ms. Bennett states the motion passes.

OTHER BUSINESS

Ms. Bennett states she has a couple of items to discuss regarding dealing with changes. She mentions over the years as changes have occurred she has never been given a copy to insert or change in her code book. She states she does not really know what the code looks like.

Ms. Cochella states that new code books will be printed and distributed to the Board reflecting all of the changes. Staff will wait for the final round of approval before they print and will ensure in the future that inserts are giving on all changes.

Mr. Gravel asks about the zoning maps.

Ms. Cochella states new updated one will be emailed to them.

Ms. Cochella asks if the Board would want two shorter meetings or one long meeting for the items in the following month.

Mr. Bennett states that if the meeting goes long it could rolled over.

The Board states they will want one long meeting.

Mr. Bennett announces Autumn Cochella's new title of Assistant Director to Development Services and offers congratulations.

Ms. Bennett suggests the staff give thought to working on a code change relative to multi-family developments with regards to EV ready regulations.

Ms. Cochella responds that it on the list.

Ms. Bennett then states she is appreciative of everyone wearing a mask and the pre-cautions being taken. She then adjourns the meeting.

The meeting adjourned at 6:15 PM.



Attest: Shena Rowland



Chairman: Christopher Lutton