

**MINUTES
PLANNING AND ZONING BOARD MEETING
March 22, 2022 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on February 22, 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
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City Staff:

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

1. CALL TO ORDER – Mr. Lutton called the meeting to order at 5:32 p.m.
2. ROLL CALL – Ms. Bennett and Mr. Gravel were not present
3. APPROVAL OF MINUTES
Meeting–February 22, 2022
Ms. Loves makes a motion to approve. Mr. Rio seconds. Minutes approved unanimously by voice vote.

4. COMMUNICATIONS AND PETITIONS – Mr. Lutton reads the following:
Public participation from residents, taxpayers, business owners and utility customers is encouraged. The Planning and Zoning Board welcomes information that would assist them in considering agenda items, City Business and otherwise fulfilling the City’s mission to make Lake Wales “a bit better or more beautiful” for its citizens. Anyone wishing to speak should give their name, state if they are inside or outside the city limits and they will have 5 minutes. Courtesy and respect is the hallmark. Speakers are not expected to address the Board and audience members and not engage in back and forth discussion that can deteriorate into argument, debate and accusations. Questions about subject matter are best directed to city staff during normal business hours.

He then opens the Communications and Petitions portion of the hearing and asks if anyone has anything to bring up to the Planning and Zoning Board? He further states if you have a comment or question regarding a specific line item then you wait for that line item to be heard and there will be a time for public communication and petition.

Mr. Lutton closes the Communications and Petitions in seeing no one approach he closes the closes the Communications and Petitions and calls for New Business.

NEW BUSINESS

5. Susan and George Williams – Special Exception Use Permit

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT:	Susan and George Williams
APPLICANT:	Susan and George Williams
APPROVAL:	Special Exception Use Permit
PUBLIC HEARING:	Requirements have been met.

Jasmine Khammany presents the staff report and informs the Board that the owner is present to answer any questions.

Mr. Lutton asks for clarification on the zoning.

Ms. Cochella responds it is R-1B.

Ms. Love asks why this is being presented to the Board?

Ms. Cochella responds that Accessory Dwelling Units in residential zoning units are a Special Exception Use Permit and are only approvable by the Planning and Zoning Board. They do not go any further as the Planning and Zoning Board is the approving authority. There is a Public Hearing associated with it because of the impact to the surrounding area.

Ms. Love asks if it is because someone will be living there?

Ms. Cochella responds that it is because the Accessory Use is only allowed thru the Special Permit Process.

Mr. Lutton states it is not an extra room it is an apartment that is rentable.

Ms. Love states they are not changing anything exterior wise.

Mr. McKibben asks if the reason it does not fall under their category is because it is rentable and is made commercial?

Ms. Cochella states it does not lose the residential status. The City does not regulate short term rentals. The reason it is residential is because it is accessory and is subordinate to its primary use which is residential.

Mr. Lutton states this is so Mother-In-Law suites and apartments can't just pop up where wanted without the surrounding community having a say. He further asks if parking will be an issue.

Ms. Cochella responds that parking will not be an issue. She further states that in most cases an accessory dwelling is detached. This one is straight forward because they are not changing the footprint.

Mr. Lutton asks if the petitioners would like to make a statement and the petitioner declines.

Mr. Lutton then opens for Public Communication in seeing none he closes the Public Hearing noting that the neighbors are present and have no objection.

Ms. Love makes a motion to approved the Special Exception Use Permit to allow the Accessory dwelling at 813 Wildabon Avenue.

Mr. McKibben seconds the motion.

Chairman Christopher Lutton Yes	Vice- Chairman Charlene Bennett	John Gravel	Casey McKibben Yes	Eric Rio Yes	Kyra Love Yes
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Mr. Lutton states the Special Exception Use Permit is Approved.

- 6. Valencia Hills – Future Land Use and Zoning
- 7. Valencia Hills – Planned Development Project

COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT: Valencia Hills
APPLICANT: Shelton Rice
APPROVAL: Future Land Use to LDR and Zoning of R-1A and PDP
PUBLIC HEARING: Requirements have been met.

Ms. Cochella states that the next two agenda items are for the same project but will need two separate motions for approvals. She further states that Ms. Khammany will present both Staff Reports and then the applicant will present a presentation before moving to comments and questions.

Jasmine Khammany presents the staff report for the re-assignment of Future Land use to LDR and Zoning of R-1A.

Ms. Love asks for clarification on zoning.

Ms. Cochella states it is R-1A.

Ms. Kahmmany then presents the Staff Report for Agenda Item 7 for the Planned Development Project and refers to the application for his presentation.

Mr. Rice takes a moment to praise city Staff, he also lets the Board know that he has also brought the Client, Mr. Gardinier and several consultants to answer questions. He gives some background on his client and consultants on prior projects. He then presents his presentation.

Mr. Lutton interrupts to ask if there is sufficient right of way on Master Piece Road for expansion

without taking away from the buffer?

Mr. Rice responds that he believes there is sufficient right of way and it they will specifically evaluate that when they get to the site development plan and if additional right of way is needed they will dedicate it at that time.

Audience member interrupts to ask a question.

Ms. Cochella explains that after the presentation it will be open for public comment.

Mr. Rice then continues his presentation. He concludes his presentation with a request that if there is public comment, he is given a chance to address or answer any questions.

Ms. Love asks if the portion in red is a trail or for golf carts?

Mr. Rice answers they are calling it a trail but it is for golf carts. It is actually a multi-use path.

Ms. Love then asks if the dotted black lines are trails?

Mr. Rice confirms they are.

Ms. Love reads that the main road will have a 5 ft wide trail on one side of the boulevard and a 5 ft wide golf path on the other. She asks if either of these are paved?

Mr. Rice states that along the boulevard they are contemplating a paved trail, he will get clarification as to whether it is paved everywhere. He further states it will not be a 5ft trail on each side of the boulevard but a 10ft wide on one side.

Ms. Love clarifies these trails are taking the place of sidewalks.

Mr. Rice agrees that is the case.

Jay Hood then introduces himself as the landscape architect and land planner. He clarifies the red trail is the multi-use trail. He further states that they are aware of a future trail along Scenic Highway that is an FDOT project and he believes it is important to tie into that trail which will then lead to downtown so it will be a great amenity. He then refers back to the multi-use trail stating that he believes the Golf Carts will be allowed on the roadway.

Ms. Love then reads that it says to eliminate visitor parking at the recreational areas. She is wondering about golf cart parking?

Mr. Rice state they have not contemplated golf cart parking at the resort community. He asks for Mr. Anthony to further elaborate.

Dave Anthony with Anthony consulting introduces himself. He gives some background stating he has designed and built several manufactured communities across the state. He states that in his experience in these communities about 90 percent of the residents buy golf carts as their mode of travel. He states that if you visit the clubhouse you may have around 6 cars vs 25 to 30 golf carts. He further states they will create golf cart parking and people will utilize the grass areas of the boulevard to pull off on. It is the lifestyle of these communities, they either ride their bikes, walk or take a golf cart.

Mr. Lutton states that some of the corners look pretty tight to drive in a manufactured home?

Mr. Anthony responds that it has been taken into consideration. He further explains that with the electric toters they have today, they can turn on a dime. He states that technology has changed drastically over the years.

Mr. Rice then address Ms. Love's question regarding golf cart parking. He states another item is that it may deviate from other single family conventional project is that the open space is intended to actually intended to be open space. They want the residents to use the amenities as opposed to pocket parks.

Mr. Lutton states that the term resort community is confusing. He is asks if this would be a permanent or temporary residence?

Mr. Rice states that this may be snowbirds that only live here seasonally. He explains that this has a lot more amenities offered than most Active Adult communities and therefore is similar to a resort.

Mr. Lutton asks if the concrete block wall is not done would the single family homes still have the option to put up privacy fences?

Mr. Cochella confirms they would.

Ms. Love asks if the wall is up for debate at this point?

Ms. Cochella states it is completely under the Boards purview to make a comment on the buffer.

Ms. Love states it says to remove fence options.

Ms. Cochella explains that this has gone back and forth with multiple revision. In light of this Staff did not see the need to submit full new plan sets over minor details. She further explains that for the record, fences are not allowed as a project perimeter buffer along a major collector roadway.

Ms. Love agrees and further states that she would not want to be driving down Masterpiece road and see different types of fences. She wants to see a more uniform buffer.

Mr. Lutton states that he would be open to something similar to what Carlsburg Estate installed.

Ms. Cochella reminds the Board that whatever revisions, recommendations or comments they have would be communicated to the City Commission because they are the approving authority so anything they want to see they need to make it part of the motion.

Mr. Rice clarifies that the proposal along Masterpiece is to remove the hedge and have a 6 ft masonry wall there. They would like to move forward on the landscaping on the other buffers to include a potential fence option.

Ms. Love asks about type C on the plans, would there still be a wall there?

Mr. Rice states they are contemplating a fence, wall or hedge there. You will still have the 6 ft height no matter what is installed.

Ms. Love asks for clarification that everything is staying the same except for Type A where it is stated to add a wall instead of a hedge?

Mr. Rice responds that she is correct along Masterpiece. He further explains that they will be creating a modified and updated landscaping plan that will address Staffs concerns about potential buffering along Scenic Highway and will accommodate the wall that is replacing the hedge on Masterpiece Road prior to City Commission.

Mr. Lutton asks if they have any plans for connectivity for utilities and trails to other developments.

Mr. Rice responds not at this time. The other developments are potential developments and are not on the table. He further explains that utilities are adjacent to the site so they have water and wastewater already available. He further states that in 2019 over 200,000 citrus trees were planted and they are wanting to see a turn on that investments before any developments are considered.

Mr. Lutton states he is trying to look ahead for having a big enough water line or sewer connections to the next property.

Mr. Rice responds there is an area contemplated on the Southeast corner of the project that they identify working with Utilities to dedicate to the city for use to extend the water lines and provide higher capacity. These issues will be addressed at site development stage.

Mr. Lutton asks if they will need to maintain an irrigation system in the resort area, a well?

Mr. Rice states that is correct.

Ms. Love asks if the road that leads to Tower Road is gated?

Mr. Rice responds it is an emergency access only. The only other access will be a gated entrance on the western side for security purposes.

Mr. Lutton asks if Tower road is a dirt road and if so will they need to upgrade the road to accommodate the emergency vehicles.

Mr. Rice responds that he traveled the road recently and although it is not paved, it is not in bad shape.

Ms. Cochella intercedes that it can support emergency apparatus and she did verify this with the City.

Mr. Lutton comments that it will be interesting to see who gets in the que first for water and sewage and traffic study.

Mr. Rice states they are conducting a major traffic study now and they are working thru the concurrency issues.

Mr. Lutton asks if he is correct is saying that Scenic Highway will not be widened?

Ms. Cochella does not believe they will.

Ms. Love asks staff what it means to decrease the minimum street frontage?

Ms. Cochella responds that it gives them flexibility on the shape of the lots.

Ms. Love then asks for definition of minimum lot width at building line?

Ms. Cochella responds that standard would be if you have a 100 ft wide lot and you want it to be 100 ft wide at the front building expression line.

Ms. Love then states she understands these are tied together. She then asks if Staff would hold the manufactured homes to the monotony standards?

Ms. Cochella states that it has never been contemplated. This is the very first manufactured home community that Staff has taken thru. She states this is a good thing because in the past they were planted by the County and then annexed into the City. In going this route, the City has more control over the design. They have not considered using the anti-monotony standards on manufactured homes. She further states the reason it really does not apply in this case is because on a regular single family product you have a builder that presents seven models, in this case they are privately leased lots and lends itself to having a unique mix.

Mr. Lutton states that each one will more than likely be custom and there is no footprint on the land. He further asks if the developers have certain builders for manufactured homes?

Mr. Anthony responds that they usually do not deal with more than two at a time. You limit the models and colors. He further states they are governed by chapter 723 which keeps things restrictive and gives parameters of what the can and cannot do. It gives the ability to control the look. They deal with Palm Harbor Homes and Homes of Merit which is owned by Clayton Homes.

Mr. Lutton asks if the resort will be doing all of the landscape maintenance?

Mr. Anthony responds that they take care of everything but weeding the flower beds. They have standards in place that it has to be kept clean and the home has to be cleaned once a year. You can set the standards using Chapter 723 to keep the aesthetics of the community. He has pictures of communities that went in 35 years ago and look just as good today.

Ms. Love asks about the variety and having same models against each other?

Mr. Anthony says that the developer owns and controls how it is set up since he keeps ownership of the land.

Mr. Lutton asks if there are any further questions. In seeing none he opens for public comment.

Mike Mathews introduces himself as living outside the City and a long time resident of Star Lake. He states that Masterpiece road is a disaster and needs to be widened. He also states that Dinner Lake has sidewalks and also mutilated oak trees in the power lines. He encourages the Board of travel Masterpiece Road. He states there is more foot traffic and fatalities are happening. He is concerned about the entrance and the blind spots. He is also concerned about the power lines with the canopy trees. He feels that something different should have been done differently. He also mentions another subdivision about 3 miles east has the density dropped from 4 houses to 2. He feels this is much more consistent with this area. He understands that traffic studies are being done but again emphasizes that the traffic is a mess. There were great plans for Chalet Suzanne road that never happened. He feels that subdivided two lane roads are needed. He

claims that bike trails and sidewalks are a necessity along Masterpiece Road. He again encourages everyone to drive the area at sunset and sunrise. He claims it is a completely blind turn to the left out of this subdivision. He states he is very pro- development but wants to think ahead at what is going to be there in 10 or 20 years as Masterpiece Road widens.

Ms. Cochella asks the Applicant if a pre-application meeting was done with the County?

Mr. Rice responds that he does not recall and the primary engineer was unable to attend. He knows a traffic study was initiated but does not know to what extent the methodology has been run by the County or DOT but cannot speak for certain.

Ms. Cochella states that the City is at the mercy of the County on Chalet Suzanne and Masterpiece Road as to whether they will improve or widen. She reminds the Board that what is under their purview is pedestrian circulation, sidewalks etc. She does know the access has come up quite a bit and they have been talking with the applicants. The City is going to defer to the traffic consultant to take a look at that when their traffic study is completed.

Ms. Khammany states that site triangles were provided and were sent to the traffic consultant and he worked out the numbers. There is a site distance of about 500 ft and he had concerns regarding this. He stated there were some trimmings that could be removed that would provide a better site triangle. She further stated that by the numbers it did appear to have a decent site triangle.

Mr. Rice states they did evaluate this access point with their engineers and staff. The site triangles and visibilities are somewhat intuitive if you move on one side or the other of the curve then you cannot see around the curve, by placing it somewhat on the corner and because it is bending the way it is, if you are on top of the corner then you have better visibility. He feels it is a safer location.

Drew Morrison with Chastain Skillman introduces himself and states that he believes that portion not only was at the top of the turn, it is also pretty close to the top of the hill in terms of elevation. It is beneficial to this placement because it is not only dealing with the hill horizontally but vertically as well.

Ms. Cochella states that really getting into the engineering, things do tend to shift around a little bit based on further study. She recognizes that the gentleman spoke about Canopy trees. One of the things the city's horticulturist may look at when he reviews is the existing code provision that they can substitute two understory trees for 1 canopy tree when overhead wires are present. There are things built into the code to mitigate these issues.

Mr. Hood states that they have the trees on the neighborhood edge of the 20 ft easement. They are placed 20 ft from the powerlines and if there is any right of way dedication required it will be even further away.

Sharon Beavis is the next speaker and she states she has lived on Star Lake most of her life. She wants to ditto what Mr. Mathews stated about traffic. She states big trucks are back and forth. She states it breaks her heart and the traffic is obscene.

Mr. Lutton states there is a dirt pit out there somewhere. He is not sure where. He then asks for further public and in seeing none he closes to public comment and brings the discussion back to the board.

Ms. Love asks if there is a reason why it is stipulated to be 2 ft from the front when normally they just say the garage is being recessed.

Ms. Khammany responds that she mentioned the recess and the applicant provided the 2 ft.

Ms. Love states she knows they do not want to stagger the set backs on the manufactured home but do they want to discuss the method of anti-monotony? Or just take them at their word.

Mr. Lutton states that they are the owners, it is a business decision, if they do not make it look right, they will not get buyers.

Ms. Love wants to address the issue brought up in public comment about removing sidewalks on Masterpiece Road. On first review, she agreed, but in light of the building of the commercial center in the front, she thinks they should help drive the pedestrians towards it. She understands there will be a whole portion of the road that they will not have. She feels it is the least they can do for the existing community is to give them access to that front.

Mr. Lutton asks if she is referring to Scenic or Masterpiece?

Ms. Love responds Masterpiece.

Mr. Lutton responds they are widening the road. They have not been making provisions for the sidewalks because it will be ripped out when the road is widened.

Ms. Love asks how does that work, if they widen the road and take out the sidewalk, who replaces it?

Ms. Cochella states that if the county rips out the sidewalk for road work then they would have to replace it.

Ms. Love then states adding a sidewalk would mean it is there forever.

Mr. Rice states he understands Masterpiece is a County road with nothing on either side of it but residential. You are talking about a cross section of sidewalk that would lead to nowhere. He feels the County should decide if a sidewalk should be placed on a County road.

Ms. Cochella concedes that the County may require it anyway.

Ms. Love states she likes the idea of a sidewalk, she understands the reason for not having it but personally likes the idea. Another item she did not agree with is removing the visitor parking.

Ms. Cochella states to eliminate the manufactured homes from this portion of the conversation. She states when you are developing a single family residential that has recreation space, you have to provide a parking area for people to come and utilize that neighborhood park. That is what they are asking to waive because it does not apply to the manufactured home and she thinks it is appropriate because of how small the single family residential is. She states Staff does support that.

Ms. Love asks if they need to stipulate this?

Ms. Love states she is confused if she is ignoring E, F and G on the original print out.

Ms. Cochella states they need to discuss the provisions. She begins with the lot lines, what they are proposing for the manufactured home community is building separation which is fine. She understands these are not real lots, these are plot lines, they are fictitious. They want the flexibility to be moved around. Staff is okay with the side building separation being the set back line. She thinks they need to establish a front set back line and from what. A typical front set back is done from the property line but we don't have that in this situation.

Mr. Lutton states the set back needs to accommodate a car being parked in front of the house and not on the sidewalk.

Ms. Cochella states that 20 ft is standard but nothing is proposed.

Mr. Rice responds that the he will touch on the proposed standards that are identified in the staff report first. Manufactured homes have a front set back that is 15 ft from the street. The intent is to be 15 ft from the street before the building can be located. The side and rear set back will be the building separation.

Mr. Lutton asks how they are getting a car off of the road, 15 ft is a little short.

Mr. Anthony states that in using Chapter 723 the can make a provision that cars must be parked under the covered parking.

Ms. Love clarifies they will either have carports or garages?

Mr. Anthony confirms this. It will be parking for two cars.

Ms. Love has questions on how to address.

Ms. Cochella then addresses the Board and says she would be more comfortable with them revising the staff given conditions to alleviate confusion.

Mr. Rice states they are agreeable to the conditions. They would prefer this method as will.

Ms. Love clarifies which document to use because of two items that were removed.

Ms. Khammany clarifies that the two items that were removed were the CDD portion because the single family will be under an HOA or POA and the Resort will be under one common ownership and the other condition was the mechanical equipment. The two that were added was establishing an HOA and the Manufactured Homes being double wide with pitched roofs.

Ms. Love further clarifies that the garages will be recessed which is moved to single families instead of manufactured homes.

Mr. Lutton states they also wanted to change the street frontage dimensions.

There is open discussion regarding the changes and conditions.

Ms. Cochella reminds the Board that there has to be two motions with the Zoning and Land Use being first.

Mr. Lutton asks if Staff will recommend the waivers.

Ms. Cochella states the waiver of strict compliance are the things that are standard to the code that they are asking for relief from to be able to accomplish this project. She further explains that conditions of approval are things above and beyond what they propose.

There is open discussion regarding the conditions of approval and waiver of strict compliance.

Ms. Love makes a motion to recommend approval to City Commission to re-assign the following use from Polk County ARR to LDR and the Zoning from Polk County ARR to R-1A.

Mr. McKibben seconds the motion.

Chairman Christopher Lutton Yes	Vice- Chairman Charlene Bennett	John Gravel	Casey McKibben Yes	Eric Rio Yes	Kyra Love Yes
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Mr. Lutton states the recommendation will move forward to the City Commission.

Ms. Love then states she is hung up on the sidewalk issue.

Ms. Cochella states that in the City Code a sidewalk would be required along the perimeter. In this case, it is a County Road so the City cannot regulate this.

There is open discussion on how to handle the sidewalk issue with the motion.

Ms. Love makes a motion to recommend approval to City Commission of the Residential Preliminary Subdivision Plat and Special Exception Use Permit for the Mixed Use PDP with waivers of strict compliance and conditions of approval including waivers of strict compliance added on by the developer also including a condition of approval to work with the County to provide access along Masterpiece Road.

Mr. McKibben seconds the motion.

Chairman Christopher Lutton Yes	Vice- Chairman Charlene Bennett	John Gravel	Casey McKibben Yes	Eric Rio Yes	Kyra Love Yes
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Mr. Lutton states the recommendation will move forward to the City Commission.

Other Business:

Ms. Cochella then reminds the Board of two meetings for the next month and if they want a review meeting to let Staff know.

Mr. Lutton then asks if there is anything further to discuss and in seeing none adjourns the meeting.

The meeting adjourned at 7:22 PM


Attest: Shena Rowland


Chairman: Christopher Lutton