

**MINUTES
PLANNING AND ZONING BOARD MEETING
REGULAR MEETING
May 25, 2021, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on May 25, 2021 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	Linda Bell	Kyra Love	Buck Scott
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City Staff:

Dept. of Planning and Development
Mark J. Bennett – Director of Development Services
Autumn Cochella – Development Services Manager
Christina Adams – Recording Secretary

1. CALL TO ORDER – Mr. Lutton called the meeting to order at 5:30 p.m.
2. ROLL CALL - Ms Bennett and Mr. Gravel were absent. Ms. Bell arrived at 5:33 p.m.
3. APPROVAL OF MINUTES
Regular Meeting via hybrid – April 27, 2021
Motion by Mr. Scott to approve and Mr. McKibben seconded the motion. The minutes approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS

NEW BUSINESS

5. 0 3rd ST. N – LAND USE AND ZONING DESIGNATION

Review Staff report by A. Cochella
Begin Report:

PROJECT: 0 3rd St. N
APPLICANT: Property Owner & City of Lake Wales
APPROVAL REQUESTED: Recommendation of approval to City Commission for a Future Land Use Designation of LDR and a Zoning Designation of R-1C
PUBLIC HEARING: Required

Ms. Cochella reviewed the staff report with the Board. Ms. Love asked if the properties had been used as a park and Mr. Bennett stated it had always been vacant land. Mr. Lutton opened the floor to the public and with no movement, he closed the public hearing. Ms. Love motioned to recommend approval to City Commission to reassign the zoning from recreation to R-1C residential and reassign the land use from public to LDR – low density residential and Mr. Scott seconded the motion. The item was approved unanimously.

6. BUCK MOORE HEIGHTS – PLANNED DEVELOPMENT PROJECT

Review Staff report by A. Cochella
Begin Report:

PROJECT: Buck Moore Heights
APPLICANT: KTSN Horizon, Owner
Sarah Case, ECON South, Agent
APPROVAL REQUESTED: Preliminary Subdivision Plat Approval / Special Exception
Use Permit Approval for a Residential Planned
Development Project (PDP)
PUBLIC HEARING: Required

Ms. Cochella reviewed the staff report with the Board. Sarah Case from ECON South was in attendance to answer any questions. Mr. Lutton was concerned about the lane width of the streets and Ms. Cochella confirmed they would meet the code requirement of 12 feet. Ms. Love asked if there would be an access point to Sunset Drive and Ms. Cochella stated there would not. Ms. Love asked if the item would come back to the Board to approve the buffer design and Ms. Cochella stated the Board could give guidance and let staff approve at the Site Development phase. Ms. Case asked if the Board could clarify a specific setback for the garage or for the front of the house and informed the Board that the current market is for houses on smaller lots, but this development would have larger park areas than required and a connection to the walking trail. Mr. Lutton asked how the corner lots in the center of the plan will be able to build since they will only have 20 feet of space and Mr. Bennett clarified that those particular lots would not be considered to have two frontages requiring two setbacks as there is a landscape buffer between the lot and the roadway. She asked the Board to consider a 25-foot garage setback and a 20-foot front building setback. Mr. Scott asked if that would accomplish the goal of not having cars parked on sidewalks and provide options to stagger the garages. Mr. Bennett stated the goal was to not have 'snout' houses where all you see in a development is the garages. Mr. Lutton opened the floor to the public and with no movement he closed the public hearing. Mr. Lutton asked how a berm would be taken care of if approved as the landscape buffer and Ms. Case stated there would be a very active HOA and it would be their responsibility to maintain. Ms. Love made a motion that was seconded by Ms. Bell and the item was approved unanimously. The motion was to recommend approval to City Commission of a Special Exception Use Permit for a residential PDP with the following conditions:

- A garage front setback of 25 feet
 - A street tree plan
 - A fence setback of 15 feet behind the building's front expression line
 - A landscape buffer that will go before staff for approval
 - A front building setback of 20 feet.
- Ms. Bell seconded the motion and the item was approved unanimously.

7. BELLE LAGO – PLANNED DEVELOPMENT PROJECT

Review Staff report by A. Cochella
Begin Report:

PROJECT: Belle Lago
APPLICANT: Tri Ben Groves, Owner
Sarah Case, ECON South, Agent
APPROVAL REQUESTED: Preliminary Subdivision Plat Approval / Special Exception
Use Permit Approval for a Residential Planned
Development Project (PDP)
PUBLIC HEARING: Required

Ms. Cochella reviewed the staff report with the Board. Sarah Case from ECON South was in attendance to answer any questions. Ms. Cochella mentioned there was a previous litigation that the City was involved in due to the level of water rising within Lake Belle and that the County implemented a regular pumping schedule to help mitigate any future issues. Ms. Case explained to the Board that the proposed Site Plan had been modified multiple times and most recently due to FDOT requesting only one entrance off Scenic Hwy where two were proposed. Mr. Lutton asked if they would be asking to increase the impervious lot coverage and Ms. Case clarified that was to ensure there would be no issues when building and to avoid confusion over what is considered an impervious surface. She stated they were aware of the past issues with the lake and intended to take the data and resources available to capture and treat the water where it is naturally going. Mr. Lutton opened the floor for a public hearing.

Ken Smith, who lives outside of City limits, addressed the Board with multiple concerns. He stated there is already bad traffic along Ridge Manor Drive and Winston Avenue and has concerns about the increased water and sewage this size of a development will generate. He stated that Jay Jarvis from Polk County told him Lake Belle will flood out again and that there has previously been pumping without the residents' knowledge. He stated the lake is currently pumped out to 5R Ranch with no gravity feed system. He said the lake is at 3 feet over normal and that is considered low for this lake and it was 12 feet above normal when it flooded. He said the ribs south of the lake are not being maintained and they have failed before.

Tom Kenny, who lives outside of City limits, stated he lives on the lake and this development could cause major changes. He stated there are interlopers that have parties late at night, as there was previously boat access through Ray Martin Road. He wanted to make sure the access would be limited to the fishing dock that is proposed with this development. Safety on the streets was also a major concern of his as there is a lot of speeding along Ridge Manor Drive and asked if the developer would consider speed bumps or signs to assist in regulating traffic. He stated the pump station is very irregular and is not transparent with the current residents and is concerned flooding could be an issue again.

Shelby Loveless, who lives outside of City limits, stated that safety and density are the biggest concerns for her entire family. She states that Winston Avenue is used as a detour to Scenic Hwy and the roads continue to get busier. She is concerned about flooding along Lake Belle as well as lake pollution and limited access as people currently cut through private yards to get to the lake. She is concerned about an increase in taxes for her home and business and stated this development does not encourage new homeowner growth nor does it cater to younger families. She is concerned about her property value decreasing and already experiences noise issues from the Soccer Park and middle school nearby. She is concerned that wildlife in the area may decrease and has concerns this property will be immediately sold after site plan approval as there is a for sale sign on the property. She stated an approval of this development may cause long-term homeowners to sell and move away and is concerned about having her property annexed into City limits.

Mr. Lutton clarified that the City cannot just annex property, the property owners would need to petition for annexation and a majority of the neighbors would need to agree as well. Ms. Cochella also stated that this project's property was already within City limits. Mr. Kenny stated

that if additional grove property nearby petitioned for annexation then the current residents could be annexed. Mr. Lutton clarified that the City does not have that mentality and Ms. Cochella stated there are currently many enclaves located near City limits and the City has not pursued involuntary annexation with them.

Chuck Loveless, who lives outside of City limits, stated his concern is traffic including school bus traffic as he drives to Frostproof every day and the roundabout along Hunt Brothers Road becomes a raceway.

Lorelai Hagen, who lives outside of City limits, had concerns about the subdivision buffer wall as the road is supposed to be 'scenic' in nature and has concerns the additional lighting may scare off wildlife in the area.

Ms. Case informed the public that they were listening to each of the concerns discussed and they are proposing a beautiful subdivision and want to be good neighbors and not intrusive to existing residents. She stated they had no problems discussing speed limit considerations and traffic calming scenarios with FDOT. She stated they are proposing a fishing dock only with no boat access and would keep the concerns of pollution in mind throughout the Site Development process. She stated that even if the property was sold and flipped, a new owner and developer would still be held to any site plan that is previously approved.

Mr. Lutton closed the public hearing and asked what the net density would be and Mr. Bennett stated a rough estimate would be 3.1 units per acre. Mr. Lutton also stated that significant oak trees were identified on the plans and those should be maintained and worked around. Ms. Love asked about boat dock and Ms. Cochella stated that boats cannot be moored and docks would have to be permitted with City staff either way. Mr. Bennett stated that no boat ramps are proposed and doing so would cause an intensification of the use and would need to be brought before the Board for review.

Mr. Scott noted that this development is unlike the previous plans reviewed in terms of not having a site line that leads to a park. He stated that requesting a 25-foot setback for a garage and 20 foot setback for a house would narrow the site path. He stated that a 25-foot setback for a house and 30 foot setback for a garage may be more aesthetically pleasing. Ms. Cochella stated that the standard setback in this zoning is 25 feet along the front and not conditioning a specific garage setback would provide some flexibility for the developer. Mr. Lutton stated if there is currently a water quality issue in this area then this development can't add to it and there needs to be retention ponds not detention ponds. Ms. Love made a motion that was seconded by Mr. McKibben and the item was approved unanimously. The motion was to recommend approval to City Commission of a Special Exception Use Permit for a residential PDP with the following conditions:

- A landscape buffer that will go before staff for approval
- The significant trees identified on the plan being maintained,
- Dark sky compliant street lighting
- A front setback that remains as Code states

8. K & M – PLANNED DEVELOPMENT PROJECT

Review Staff report by A. Cochella
Begin Report:

PROJECT: K&M Groves
APPLICANT: K&M Groves, Owner
Sarah Case, ECON South, Agent
APPROVAL REQUESTED: Preliminary Subdivision Plat Approval / Special Exception
Use Permit Approval for a Residential Planned
Development Project (PDP)
PUBLIC HEARING: Required

Ms. Cochella reviewed the staff report with the Board. Sarah Case from ECON South was in attendance to answer any questions. Ms. Case stated this project initiated annexation in December and the unimproved platted right-of-way would be vacated and dedicated to the City as it could be an access point to future development in the area. Mr. Scott asked about the lots that extended into the floodplain and Ms. Case stated that it was a marketing tool to list the lots as lakefront but not lake access as the owners would have no access through the wetlands or retention pond. Mr. Lutton opened the public hearing and with no movement, the public hearing was closed. Mr. Lutton asked about specific lots showing a property line that did not follow the curve of the road and Ms. Case stated it was a drafting layout and they could revise the issue during the permitting process. Mr. Lutton stated the design was just trying to squeeze in additional lots and had concerns of the driveway layouts for lots 33, 34, 12, and 13. Mr. Bennett clarified that staff could ensure that driveways are specifically identified and reviewed during the Site Development process. Ms. Love made a motion that was seconded by Mr. McKibben and the item was approved unanimously. The motion was to recommend approval to City Commission of a Special Exception Use Permit for a residential PDP with the following conditions:

- A garage setback of 25 feet
- A street tree plan
- A fence setback of 15 feet behind the building's front expression line
- A landscape buffer that will go before staff for approval
- A front building setback of 20 feet
- The driveways for lots 33, 34, 12, and 13 be identified in Site Development review

9. 80 ACRES – PLANNED DEVELOPMENT PROJECT

Review Staff report by A. Cochella
Begin Report:

PROJECT: 80 Acres Lake Wales
APPLICANT: CG Citrus, Owner
Dave Holden, Quigg Engineering, Agent
APPROVAL REQUESTED: Approval of residential subdivision plan and
recommendation of preliminary plat approval to City
Commission
PUBLIC HEARING: Required

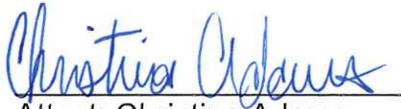
Ms. Cochella reviewed the staff report with the Board. Dave Holden from Quigg Engineering was in attendance to answer any questions from the Board. Mr. Holden stated that due to the size of the project it would be developed in three phases and the major park would be a part of phase one and the smaller parks would be a part of phase two. He stated the lot widths varied from 40 to 70 feet and the depths varied from 130 to 140 feet. Mr. Lutton asked if the County had a plan for the traffic along Buck Moore Road and Mr. Bennett stated that currently there were no plans to widen the road. Mr. Bennett mentioned that a roundabout at the intersection of Buck Moore Road and Sunset Drive might be a good idea. Mr. McKibben asked if the City wanted the smaller lots of 40 and 45 feet width and Mr. Bennett stated that this is what the

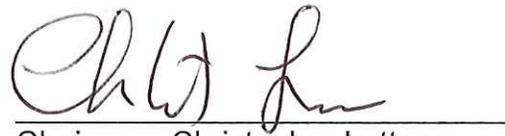
current market is asking for. Ms. Cochella stated that throughout the PDP process staff has a chance to ask for superior standards when an applicant asks for the smaller lot sizes. Mr. Holden stated his developer would not build if he did not already have a buyer for the homes and that these sizes are what the current market is asking for. Mr. Lutton opened the public hearing and with no movement, the public hearing was closed. Ms. Love made a motion that was seconded by Mr. Scott and the item was approved unanimously. The motion was to recommend approval to City Commission of a Special Exception Use Permit for a residential PDP with the following conditions:

- A fence setback of 15 feet behind the building's front expression line,
- Tract f being made available for expansion of right-of-way
- A landscape buffer that will go before staff for approval

OTHER BUSINESS

The meeting adjourned at 8:07 PM.


Attest: Christina Adams


Chairman: Christopher Lutton