

**MINUTES
PLANNING AND ZONING BOARD MEETING
REGULAR MEETING
July 27, 2021, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on July 27, 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	VACANT	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 - Mr. Scott and Mr. McKibben were absent.
3. APPROVAL OF MINUTES
Regular Meeting – June 22, 2021
Motion by Ms. Bennett to approve and Ms. Love seconded the motion. The minutes approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS

NEW BUSINESS

5. BOARD APPLICATION – ERIC RIO

Mr. Lutton asked what Mr. Rio did before retiring and he answered that he was a dog groomer. Ms. Love asked how long he has been in Lake Wales and he answered 4 years. Mr. Lutton asked if he had attended other meetings and Mr. Rio stated he had when they pertained to his neighborhood. Ms. Bennett asked him to elaborate on how the community should grow smartly which he mentioned on his application and he stated he meant that everything doesn't have to be torn down to start over and that sometimes it's better to work with what's existing first. Mr. Lutton gave a brief overview of the Board's responsibilities. The Board unanimously voted by a voice vote to recommend to City Commission the appointment of Mr. Rio to the Board.

6. WAIVER OF STRICT COMPLIANCE – K&M GROVES

Review Staff report by A. Cochella
Begin Report:

PROJECT: K&M Groves
APPLICANT: Sarah Case, ECON, Agent
APPROVAL REQUESTED: Amendment to PDP Special Exception Use Permit
PUBLIC HEARING: Not required

Ms. Cochella reviewed the staff report with the Board. Ms. Bennett stated she knew it was too late to change her vote on a PDP, but that this project looked like a regular subdivision not a PDP. With no additional comments from the Board, Ms. Love made a motion to approve the waiver as a minor modification of the PDP for a functional side setback of 15 feet on the lots specified. Mr. Gravel seconded the motion and the item was approved unanimously.

7. WAIVER OF STRICT COMPLIANCE – SINGH PROPERTY

Review Staff report by A. Cochella
Begin Report:

PROJECT: Singh Property
APPLICANT: Bickram Singh, Owner
APPROVAL REQUESTED: Waiver to allow a fence on vacant property
PUBLIC HEARING: Not required

Ms. Cochella reviewed the staff report with the Board. Ms. Bennett asked if there was an option for the Board to require the fence be a different material than chain link and Ms. Cochella stated that Code doesn't prohibit chain link fences so that would not be fair to apply. Ms. Bennett asked if it would be reasonable to approve with a statement that the Board encourages a different style of fencing. Mr. Lutton stated the Board doesn't get into the weeds of those specifics such as what color someone paints their house as it's not under their purview. Mr. Gravel made a motion to allow the waiver of a fence. Ms. Love seconded the motion and the item was approved unanimously.

8. SPECIAL EXCEPTION USE PERMIT – LAKE WALES CHEESE SHOPPE

Review Staff report by A. Cochella
Begin Report:

PROJECT: Lake Wales Cheese Shoppe
APPLICANT: BFT Holdings LLC, Owner
Lake Wales Cheese Shoppe & Deli, Agent
APPROVAL REQUESTED: Special Exception Use Permit for a Grocery/Deli use in the C-2R Zoning District
PUBLIC HEARING: Required – requirements have been met

Ms. Cochella reviewed the staff report with the Board. Mr. Lutton opened the floor to the public and there was no movement. Mr. Lutton stated that the repaving of the parking lot seemed over the top and Mr. Johnson, who is the business owner, stated a company has already come out to look and it will be resurfaced. Mr. Gravel asked if there would be access off the alley way and Mr. Johnson stated once it is improved by the City it may become a natural access and they will let customers know where the actual entrance and exit will be. Ms. Bennett stated this business would be a great improvement in the area. Ms. Love made a motion to approve the special exception use permit with the conditions of approval listed in the staff report. Ms. Bennett seconded the motion and the item was passed unanimously.

9. PLANNED DEVELOPMENT PROJECT (PDP) – ROBIN'S RUN

Review Staff report by A. Cochella
Begin Report:

PROJECT: Robin's Run
APPLICANT: Southwest Holdings LLC, Owner
Dave Schmitt, Dave Schmitt Engineering, Agent
APPROVAL REQUESTED: Preliminary Subdivision Plat Approval / Special Exception
Use Permit Approval for a Residential Planned
Development Project (PDP)
PUBLIC HEARING: Required – requirements have been met

Mr. Bennett reviewed the staff report with the Board. Dave Schmitt from Dave Schmitt Engineering was in attendance. Mr. Gravel asked what the proposed setbacks would be on the smaller lots and Ms. Cochella confirmed they are asking for 20 on the front with a 25 foot setback for garages and 5 along the sides. Ms. Bennett asked if the design would promote parking in the street and Mr. Bennett clarified that hopefully it would be avoided with a separate garage setback. He stated the City would be asking for sidewalk along the North side of Sunset Drive to complete existing sidewalk between the church and Yarnell Ave to connect to Lakeshore. Ms. Bennett asked how many single family units this Board has approved over the last two years and Mr. Bennett responded there had been close to 8000. Ms. Bennett asked when these projects would all be built out and Mr. Bennett responded that it was hard to speculate as there are many variables involved. Ms. Bennett stated that she was struggling to wrap her mind around approving many developments. Mr. Lutton stated that more people means more businesses and franchises will look at coming to the City. Ms. Love asked at what part of the development process would a traffic study be completed and Mr. Bennett responded during Site Development. Ms. Bennett asked what make a mini park and Ms. Cochella stated there has to be some type of amenity. Ms. Bennett asked what were the monotony standards to keep these houses from looking standard and cookie cutter and Mr. Bennett responded staggered setbacks, differentiating models, and street trees. Mr. Lutton opened the floor to the public.

John Smith, who lives outside of City limits, stated his biggest concern was with the next item. He stated Buck Moore Road is already impacted with traffic and the City needs to do smart development and there is no reason to build all these houses if the roads won't accommodate them.

Lisa Moore, who lives inside City limits, stated that traffic has been bad when trying to leave the Sunset Pointe developments. She stated Buck Moore Road and Burns Ave are the only corridor to Walmart and Winn Dixie. She stated the City did not have the roadway to handle the capacity.

Mr. Lutton stated that the Board recognizes those concerns and that City Commission has someone who has been active with TPO and assisting with pushing up projects on the East side of the County. Mr. Bennett stated that this project would pay \$371,000 in County transportation impact fees and there would be political pressure to ensure those funds were coming back to Lake Wales. Mr. Lutton closed the public hearing and stated that he understands residents may now want new development, but that's what is going to happen. Ms. Bennett stated that climate change is changing everything and the developers and communities should look at what they need to do to control growth or reward sustainable development. Ms. Love made a motion to recommend approval to City Commission of the preliminary plat and special exception use for a PDP with the conditions of approval as listed in the staff report. Mr. Gravel seconded the motion and the item was passed unanimously.

10. PLANNED DEVELOPMENT PROJECT (PDP) – ROBIN'S WALK

Review Staff report by A. Cochella
Begin Report:

PROJECT: Robin's Walk
APPLICANT: Southwest Holdings LLC, Owner
Dave Schmitt, Dave Schmitt Engineering, Agent
APPROVAL REQUESTED: Preliminary Subdivision Plat Approval / Special Exception
Use Permit Approval for a Residential Planned
Development Project (PDP)
PUBLIC HEARING: Required – requirements have been met

Ms. Cochella reviewed the staff report with the Board. Dave Schmitt from Dave Schmitt Engineering was in attendance. Mr. Lutton opened the floor to the public.

John Smith, who lives outside of City limits, stated his property borders this project and he is against the project and asked when the proposed start date would be, when the grove trees would be removed, how far the entrance would be from his property, and what the HOA neighborhood restrictions would be. Ms. Cochella stated that the process right now is to ask for entitlement to the property and if approved then they would apply for civil engineering where these questions would be answered.

Lisa Moore, who lives inside of City limits, stated her property abuts this project and her pool is 10 feet away from where they want to start building. She has concerned about vibration damage and asked who would be liable to her pool, patio, or house and Ms. Cochella stated that would be the developer. Ms. Moore stated that traffic and noise are major impacts, there are already people driving four wheelers next to her house, and people are walking through her property. She is concerned that these issues will increase and she will be forced to barricade herself with a privacy fence, which she never wanted to do. She stated that her development was required to put in a subdivision wall and doesn't understand why this project would not be required to and Ms. Cochella stated that a project with less than 100 homes is not required to build a subdivision wall. Mr. Lutton closed the public hearing.

Mr. Gravel stated he didn't see how a wall on the west of the property would affect people walking and asked if it would be possible to add a requirement to extend the sidewalk all the way to Buck Moore Road and Ms. Cochella stated that City code only requires that sidewalks have to be on one side of the road. Mr. Gravel stated that the additional sidewalk would be an advantage for future homeowners. Ms. Cochella stated it was the responsibility of the developer to sidewalk their project and there are sidewalk gaps all over the City.

Ms. Bennett stated she was struggling with the kinds of things the Board was approving because they are PDP's but do not look like what a PDP should look like. She stated these projects do not look special or different and do not have extra qualities. She stated it just looks like a normal subdivision and she might be having trouble imagining the anti-monotony standards. Mr. Lutton asked if this would be a CDD and Ms. Cochella responded it would not. Ms. Love asked if there was a comparable subdivision the Board could visually see and Ms. Cochella stated the anti-monotony standards were new. Ms. Love asked if the Board could include a recommendation but not a condition to continue the sidewalk to Buck Moore Road and Mr. Bennett stated that there has to be a proportional relationship between the impact of the development and what is asked of them. Ms. Love made a motion to recommend approval to City Commission of the preliminary plat and special exception use permit with the conditions of approval listed in the staff report including garages being setback 25 feet and a recommendation to City Commission to consider partnership with the developer to extend the

sidewalk to Buck Moore Road. Mr. Lutton seconded the motion and the item was approved unanimously.

11. TEXT AMENDMENT – LAND DEVELOPMENT REGULATIONS

Review Staff report by A. Cochella
Begin Report:

APPLICANT:	City of Lake Wales
APPROVAL REQUESTED:	Proposed Amendments to Zoning Regulations
PUBLIC HEARING:	Required – requirements have been met

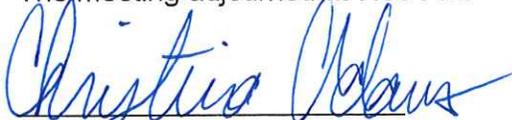
Mr. Bennett reviewed the staff report with the Board. Ms. Bennett asked where the solar guidelines came from and Mr. Bennett stated they came from a utility company and compared to other jurisdictions. Ms. Bennett stated she thinks it is great and is just concerned about the height limitation. Mr. Bennett stated if there was strong enough buffering there may be an opportunity to request for more height and the Board can include a statement that says they can review a request for additional height. Mr. Lutton stated that 15 feet is high enough already and is surprised there's a property in the City that is large enough and interested in doing this. Mr. Lutton opened the floor to the public.

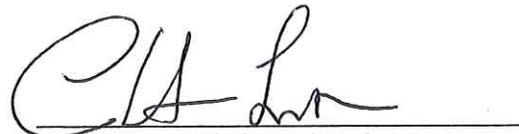
Shelton Rice with Peterson and Myers, agent for the project, wanted to commend staff for their efforts. Mr. Gravel asked how it would work since Tampa Electric Company was the applicant and they do not service much of the Lake Wales area. Kristen Mora, with Tampa Electric Company, addressed the Board and stated they do service some of the area and the solar systems interconnect into their transmission lines to help power the overall system and they sell power to other providers in the area. Mr. Lutton asked what the plan would be for final abandonment or refitting of the solar farms and Mr. Bennett stated the property owner shall be responsible for removal within 120 days. Mr. Lutton closed the public hearing. Mr. Gravel made a motion to recommend these changes to City Commission. Ms. Love seconded the motion and the item was passed unanimously.

OTHER BUSINESS

Ms. Bennett stated that she is excited to start developing a sustainability plan that is reference in the Comprehensive Plan. Ms. Cochella stated it is a very important topic and a priority, but there is limited staff and many updates that are needed to the Land Development Regulations.

The meeting adjourned at 7:38 PM.


Attest: Christina Adams


Chairman: Christopher Lutton

