

**MINUTES  
PLANNING AND ZONING BOARD MEETING  
MEETING  
April 4, 2018**

The City of Lake Wales Planning and Zoning Board held a meeting on April 4, 2018 at 5:30 p.m. in the City Commission Chambers located in the Municipal Building at 201 W. Central Avenue.

**ATTENDANCE**

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

Chairman Christopher Lutton	Charlene Bennett Vice-Chair	John Gravel (excused)	Jo Fuller	Mark Bennett	Linda Bell	Narvell Peterson
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**City Staff:**

<b>Dept. of Planning and Development</b>
Kathy Bangley - Planning Director Autumn Cochella - Planning Technician Karah Clark- Recording Secretary

1. CALL TO ORDER – Chairman Lutton called the meeting to order at 5:30 p.m.
2. ROLL CALL – John Gravel was not in attendance. Mark Bennett was in attendance but recused himself from voting due to conflict of interest with the applicants. A quorum was present.
3. APPROVAL OF MINUTES - Minutes from last meeting will be presented at next regular meeting.
4. COMMUNICATIONS AND PETITIONS

**NEW BUSINESS**

**5. SCENIC BLUFF- RESIDENTIAL SUBDIVISION**

Ms. Bangley reviewed the staff report.

**PROJECT:** Scenic Bluff Residential Subdivision  
PID: 27293500000023030

**APPLICANT:** AG Investments of Polk County, LLC  
Sloan Engineering Group, Steve Sloan, P.E.

**PLAN:** Scenic Bluff Site Plan  
Received February 20, 2018  
Prepared by: Sloan Engineering Group

**DESCRIPTION:** Residential Subdivision

**FLUM/Zoning:** MDR Medium Density Residential

R-1D Single-Family Residential

**APPROVAL REQUESTED:** Approval of subdivision plan and recommendation of preliminary plat approval to City Commission

**PUBLIC HEARING:** Not Required

**Request:**

The developer, AG Investments of Polk County, LLC is proposing a phased, 38-lot subdivision on 9.17 acres fronting on Old Scenic Highway, City Limits Road North, and Summit Avenue.

**Background:**

In February of 2017, this Board approved a request by the property owner to recommend to City Commission a re-zone of the land from R-1B single-family residential to R-1D single-family residential. City Commission approved the re-zone in April 2017.

**Proposed Development:**

Lots will be developed to exceed the requirements of the R-1D zoning district. Phase One includes 9 – 7,500 square-foot lots and 1 – 10,800 square-foot corner lot, fronting on Summit Avenue. Phase Two will also include 9 – 7,500 square-foot lots and 1 – 10,800 square-foot corner lot, fronting on City Limits Road North, and 18 – 8,100 square-foot-minimum lots. A new interior road and cul-de-sac will be built to meet local road standards providing frontage to the 18 interior lots in Phase Two.

A 5-foot side walk will be constructed along Summit Avenue in Phase One, and along Old Scenic Highway, and City Limits Road North in Phase Two. A central 5-foot sidewalk along the south side of the interior road will also be constructed in Phase Two, providing pedestrian connectivity to the 6,181 square-foot park area proposed at the head of the cul-de-sac.

Summit Avenue is currently up to City local road standards and improvements are not required in order to develop the 10 lots proposed for Phase One. At the time that Phase Two develops, improvements to City Limits Road North along the frontage of the property will be required in order to meet City local road standards. Improvements to Old Scenic Highway north of Summit Avenue along the frontage of the property will also be required in order to support Phase Two development.

**Landscaping:** The development will be required to meet current landscape standards. Per Section 23-307.2.a.3 the residential density requirement is two (2) trees per each dwelling unit on site. Per Section 23-307.4.b buffers along drainage retention areas shall be planted with at a minimum of five (5) shade trees per 300 linear feet. Per Section 23-310.d.2 a minimum of five (5) trees per acre shall be required in recreation areas.

The proposed development has 325 linear feet of drainage frontage along a travelway. This distance will require a minimum of five (5) trees to be planted.

The proposed park is 6,181 square feet in size or approximately .15 acre therefore only requiring one shade tree. Staff recommends, requesting at least two (2) trees be planted in the park.

**Staff comments:**

The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date. The planning board shall either approve, approve subject to stated conditions, or deny the preliminary site plan. In doing so, they shall enter specific findings of fact delineating their reasons.

**Attachments:**

Preliminary Site Plan by Sloan Engineering Group dated February 20, 2018

Ms. Bangley mentioned that staff recommends two trees in the park instead of one. Ms. Bennett asked if the board could require the developer to keep some of the trees that are already on site and Ms. Bangley said unfortunately not. Dan Lewis from Sloan Engineering stood to answer questions from the board. Charlene asked Mr. Lewis if they thought about retaining any of the good trees from the lot and Mr. Lewis said they would be glad to leave some if they can but they can't prevent the owners or builders from removing them in the future. Narvell Peterson made a motion to approve the preliminary site plan and Linda Bell seconded the motion. The motion passed by roll call vote. Jo Fuller made a motion to recommend the proposed plat to City Commission. Narvell Peterson seconded the motion. The motion passed by roll call vote.

**6. MCGUIRE KIA- WAIVER OF STRICT COMPLIANCE**

**PROJECT:** McGuire Kia

**APPLICANT:** Sloan Engineering Group, Inc.  
PO Box 253  
Bartow, FL 33831

**LOCATION:** US Highway 27, north of Hampton Inn and west of the Eagle Ridge Mall

**APPROVAL**

**REQUESTED:** Modification to Site Plan Approval with Waiver of Strict Compliance

**FLUM/ZONING:** C-3 – Highway Commercial /RAC – Regional Activity Center

**PUBLIC HEARING:** Not required

**Request:**

Sam Medina, P.E., agent for owner Dyer Partners, LLC, is requesting approval of a modification to the site plan approval with a waiver of strict compliance granted by this Board in May of 2017. The original waiver requested was to reduce the driveway throat depth entrance from US Highway 27 to 119 feet, where 150 feet is required by code between the intersection of any entrance road to the development

with a roadway exterior to the project and the intersection of a cross street or parking lot access. The modified waiver request is to further reduce the throat depth to 104 feet, where 150 feet is required by code.

**Background:**

The new McGuire Kia dealership project located on the west side of US Highway 27 (north of the Hampton Inn) received site plan approval with a waiver of strict compliance to reduce the driveway throat depth entrance onto US Highway 27 on May 23, 2017. During the May 23 meeting staff expressed the opinion that the site *could* be designed to accommodate the required throat depth; however, the applicant felt the waiver was necessary for their project. Board members and staff also questioned the lack of a turn lane shown, and the applicant explained that a turn lane would not be required according to a traffic study conducted. Approval was granted, and site construction plans were submitted to the City on June 20, 2017. The project moved forward as the review process by the City began.

On August 24, 2017, subsequent to receiving site plan approval from the City, a pre-application meeting was held at the FDOT District 1 office with the applicant. At this meeting, the Department of Transportation stated that safety was a main concern and a right turn lane *would* be required.

Temporary construction access was agreed upon between the applicant and the property owner just south of the site via an existing approved FDOT entry point off of US Highway 27 in October of 2017, and site construction commenced.

On February 12, 2018, in response to an inquiry by staff, the applicant explained that the permanent access application was delayed due to FDOT requiring a right turn lane and redesign of the existing traffic signal. It was stated that accommodations were made in the original design to provide room for a possible right turn lane; therefore, the approved site plan would remain unchanged. Staff requested a full size copy of the site plan submitted to FDOT. Upon receipt, staff determined that the reduced throat depth approved by the Planning Board had been further reduced to 104 feet without approval.

**Staff comments:**

*Approval Suggestions/Options:*

- 1. Grant request to modify original waiver of strict compliance for the reduction in the driveway throat depth entrance onto US Highway 27 from 119 feet to 104 feet, where 150 feet is required by code.*
- 2. Maintain original approval of waiver of strict compliance to allow a reduction in the driveway throat depth entrance onto US Highway 27 to 119 feet where 150 feet is required by code.*
- 3. Revoke original waiver request and require site to be designed to meet City Land Development Regulations.*

**Code references:**

Sec. 23-222 *Site plans*  
Sec. 23-222.5 *Waiver of strict compliance*  
Sec. 23-303.4 *Entrance roads, intersections and blocks*

**Attachments:**

Original site plan by Sloan Engineering Group approved May 23, 2017  
Revised site plan by Sloan Engineering Group dated March 9, 2018  
May 23, 2017 Planning and Zoning Board meeting minutes

Ms. Bennett asked Ms. Bangley to explain the safety feature that backs the 150' requirement and Ms. Bangley said that the 150' was designed from a best practice number. Mr. Lutton asked if there was going to be a second entrance to the north and Ms. Bangley said the parcel to the north is owned by someone different and the parcel to the south is Hampton inn. Ms. Fuller asked if there was concern about shortening the throat because there shouldn't be too much traffic and Ms. Bangley said it should not be a problem. Ms. Fuller asked the opinion of staff and Ms. Bangley said there is not a site constraint, they would just lose one and a half parking spaces to redesign. Ms. Bennett asked why they were allowed the 119' to begin with and Ms. Bangley said it was at the board's approval, she cannot answer why it was voted that way. Dan Lewis from Sloan Engineering stood to answer any questions the board had. Mr. Lewis stated that the turn lane throat does not change the flow of traffic into the site because it is a right turn and a smooth transition. Ms. Fuller asked if she could ask Mark Bennett a question and Ms. Bangley said she may not. Charlee Bennett made a motion to adopt option number 2 which states "Maintain original approval of waiver of strict compliance to allow a reduction in the driveway throat depth entrance onto US Highway 27 to 119 feet where 150 feet is required by code." Linda Bell seconded the motion. The motion passed 3 to 2.

**OTHER BUSINESS**

With no other business to be discussed, the meeting was adjourned at 5:56pm.

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Attest: Karah Clark

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Christopher Lutton, Chairman