

**MINUTES
PLANNING AND ZONING BOARD MEETING
REGULAR MEETING
May 26, 2020, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on May 26, 2020 at 5:30 p.m. virtually through the GoToWebinar platform.

ATTENDANCE

Planning Board Members (Shaded area indicates absence):

Chairman Christopher Lutton	Vice-Chairman Charlene Bennett	John Gravel	Narvell Peterson	Linda Bell	Kyra Love	VACANT
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City Staff:

Dept. of Planning and Development
Kathy Bangley – Assistant City Manager, Planning and Development Services
Autumn Cochella – Development Services Manager
Christina Adams – Recording Secretary

1. CALL TO ORDER Chairman Lutton called the meeting to order at 5:39 p.m.
2. ROLL CALL - Mr. Gravel was absent, but a quorum was present. Ms. Bell experienced technical difficulties and joined the meeting at 5:59 p.m.
3. APPROVAL OF MINUTES
Regular Meeting – February 25, 2020
Motion by Ms. Bennett to approve and Ms. Love seconded the motion. The minutes were approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS

NEW BUSINESS

5. SAN JUAN CITRUS EXTENSION OF APPROVAL

Review Staff report by A. Cochella
Begin Report:

PROJECT:	San Juan Citrus Residential Subdivision Plan: Preliminary Plat for San Juan Citrus Signed March 14, 2018
APPLICANT:	John Patrick Schirard, San Juan Citrus Scott McGuire – Knight, McGuire, & Associates, Inc.
ADDRESS OR LOCATION:	PID: 27-30-12-000000-021030/022030/022020
APPROVAL REQUESTED:	Extension of time approval of subdivision plan and recommendation of preliminary plat approval to City Commission
FLUM/ZONING:	LDR – Low Density Residential R-1B – Single-Family Residential
PUBLIC HEARING:	Not Required

Application Request:

The owner, San Juan Citrus, LLC, is requesting an extension of time on approval for the 68-lot residential subdivision on 33.41 acres along Bellview Drive, approved in April of 2018.

Background Information:

The subject property was annexed into the City in 2012 and given a Low Density Residential land use designation. Eighteen-hundred citrus trees had been planted on site, irrigated with City reuse water, and no development was proposed in the near term at that time.

Code References:

- Sec. 23-222.3 Preliminary Subdivision Plat Review
- Table 23-422A Dimensional Area Standards – Residential Districts
- Sec. 23-303.3.c. Street access requirements – Residential Development
- Sec. 23-307 – Landscaping

Staff Comments:

The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date. The owner has indicated that he has received some development interest and requests additional time to pursue the prospect. 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:

Reduced Approved Overall Site Plan.

End Report.

Ms. Cochella reviewed the staff report with the Board. Mr. Lutton asked if this extension would be for one or two years and Ms. Cochella confirmed it would be for one year. Ms. Bennett asked if there were any changes to the request or if everything is staying the same as what was previously approved. Ms. Cochella confirmed there were no changes and this was just to extend the previous approval of the project. Mr. Lutton asked if the Board had any further questions to which there was no response. Mr. Lutton asked the Board for a motion and Ms. Bennett moved to recommend the approval of the extension to City Commission. Mr. Peterson seconded the motion and the motion was passed.

6. MAJOR SITE PLAN APPROVAL WITH WAIVER OF STRICT COMPLIANCE
 BOK ACADEMY NORTH CAMPUS
 PID: 27-30-01-883000-012000 & 27-30-01-883000-017070

Review Staff report by A. Cochella
Begin Report:

PROJECT:

Bok Academy North Campus
Plan: Bok Academy North Campus Site Plan
Received May 12, 2020 and drawn April 24, 2020
Prepared by: LP Engineering Services, LLC

APPLICANT:

Kendall Phillips, LP Engineering, on behalf of Lake Wales Charter Schools

ADDRESS OR LOCATION:

PID: 27-30-01-883000-012000 & 27-30-01-883000-017070

APPROVAL REQUESTED:

Major Site Plan with Waiver of Strict Compliance and Phasing

FLUM/ZONING:

MDR – Medium Density Residential
R-1C – Single-Family Residential

PUBLIC HEARING:

Requirements have been met

Application Request:

Major Site Plan approval for the redevelopment of the historic “1919 High School Building” campus in four phases, including the temporary placement of portable classroom buildings. A Waiver of Strict Compliance is requested in order to increase the maximum impervious surface allowed for this site.

Background Information:

The subject property is currently owned by the Lake Wales Community Redevelopment Agency (CRA). At the April 9, 2020 CRA Board meeting, the Board approved the sale of the 1919 High School Complex property to Lake Wales Charter Schools (LWCS) for the development of their Bok Academy North Campus. This transaction has not yet been completed.

Ownership of the additional .62 acres at the southeast corner of 3rd Street and Seminole Avenue will be retained by the CRA; however, LWCS has moved forward with requesting permission from the CRA Board to utilize the property on a temporary basis for the use of additional classrooms during the phased construction process.

Code References:

Sec. 23-222 Site Plans

Sec 23.307.3 Landscape Buffers

Table 23422A Dimensional and Area Standards – Residential Districts

Staff Comments:

Staff brings this site plan before Board with a positive recommendation of approval, including the Waiver of Strict Compliance to maximize the allowable impervious surface to 56.9% where 40% is permitted by code in a residential zoning district. An educational facility is a non-residential use permitted in a residential zoning district. Impervious surface maximums in non-residential zoning districts range from 50% to 100%.

Although a Public Hearing advertisement with abutter notices is not required by code for the approval of a Major Site Plan, staff proceeded with these practices for this project in an effort to afford the surrounding neighborhood, as well as the community, the opportunity to be part of the approval process if desired.

The duties of the Planning Board for this project are to evaluate the site plan for the redevelopment of this property and its compliance with the Land Development Code, its impact on the surrounding neighborhood, and to evaluate the appropriateness of the requested Waiver of Strict Compliance. The Community Redevelopment Agency Board is the only approving authority to consider the lease of CRA-owned property. The Planning Board shall either approve, approve subject to stated conditions, or deny the site plan. In doing so, they shall enter specific findings of fact delineating their reasons.

Recommended Conditions of Approval:

Approval of the main campus is contingent upon the finalization of the purchase of the property by the LWCS from the CRA. Approval of the additional classrooms proposed on property retained by the CRA is contingent upon approval from the CRA Board for the lease of the property.

Adjustments to the proposed site plan and/or the four-phase construction timeline must be brought back before the Planning and Zoning Board by LWCS for approval.

All portables on both sites must be removed by December 31, 2022 and the leased CRA property must be restored to a satisfactory condition.

Attachments:

Plan: Bok Academy North Campus Site Plan received May 12, 2020 and drawn April 24, 2020, prepared by: LP Engineering Services, LLC

(Site plan sheet 2 incorrectly says “South Campus”).

End Report.

Ms. Cochella and Ms. Bangley reviewed the staff report with the Board. Kendall Phillips was present to address any questions or concerns from the Board. Ms. Bennett asked if the cafeteria was noted on the site plan to which Ms. Bangley replied that it was. Ms. Bennett asked if there was a designated area for recess and physical education and asked if the gym across the street would be used. Ms. Bangley stated that the Kirkland Gym is not part of the plan and that program information was not provided to staff, and it is not under the purview of the Board. Ms. Bennett stated that wasn't an answer and asked if there was a

designated space inside or outside. Ms. Bangley stated that, that information was not given to staff so she did not have an answer.

Ms. Love asked if they owned the property or were planning to buy the extra area and Ms. Bangley stated that was not part of this plan. Ms. Bennet was curious to why the new paving was impervious and asked if it had to be. Mr. Phillips stated that pervious paving could be considered if made a condition of approval. Mr. Lutton stated that pervious pavement is not usually in the traffic areas because it isn't strong enough to withhold. Mr. Phillips stated that drive aisles don't hold up and that the site is full. He stated that a Storm Tech chamber system will be under the pavement and that 100% of the storm water will be retained and returned to ground.

Ms. Cochella stated the impervious calculation started at a much higher percentage. Ms. Bennett asked if pervious parking would be possible instead of a drive aisle. Ms. Bangley proposed possible pervious walkways and gathering areas and leaving the drive aisles and parking lots as is.

Mr. Lutton asked about the circular drive for bus drop off. Mr. Phillips stated the functionality hasn't been fully discussed. Ms. Bennett asked where the car rider area would be and Ms. Bangley stated it would be off Seminole Ave. She stated due to the residential streets they may want to keep the buses off the streets. Mr. Lutton asked if the drive at the North East entrance would be for two-way traffic and Mr. Phillips stated it would be, and staff parking wouldn't be too busy. Mr. Lutton asked if the bus lanes could run along the old railroad tracks nearby. Ms. Bangley stated if the Board was not comfortable with this site plan it could be sent back for redesign and not take action. Mr. Lutton and Mr. Phillips discussed a couple options for bus lanes. Mr. Lutton asked why there would be over 130 parking spaces with a staff of only 75 and Ms. Cochella stated Code requires 105 and they proposed 131. Mr. Lutton stated that due to site constraints he would prefer it be kept to a minimum. Mr. Lutton was concerned the iconic view of the 1919 building being blocked by a parking lot.

Ms. Bennett stated that due to the Board identifying several things for reconsideration and clarification she would like to ask that the Board request the Applicant rethink and redesign, and bring back to the Board. Ms. Bell, Mr. Peterson, and Mr. Lutton agreed. Mr. Lutton asked if the Board had a consensus to request that the applicant re-work their plan and resubmit to which the Board members all agreed. Ms. Bangley clarified with the Board their main concerns to communicate with the applicant. Ms. Bell asked about the location of a gym or recreation area for students and Ms. Bangley explained that information is not part of our process and that staff did not have an answer. Ms. Bennett requested the applicant provide that information to the Board at resubmittal.

7. PROPOSED AMENDMENTS TO ZONING REGULATIONS FOR MIXED USE MASTER DEVELOPMENT PLAN POLICY

Review Staff report by K. Bangley
Begin Report:

DESCRIPTION: Proposed Amendments to Zoning Regulations

Application Request:

The proposed regulations are to enable the recently adopted Mixed Use Master Development Plan Policy (2.18) of the Lake Wales Comprehensive Plan. The Board is requested to make a recommendation to the City Commission regarding the regulations.

There will need to be amendments to existing parts of the code as well as the creation of new portions of the code.

Table 23-211 will be amended to include the Master Development Plan requiring Administrative – recommendation, Planning Board – recommendation with public hearing, and City Commission – approval with public hearing.

Section 23-242. Establishment of review fees.

Section 23-222.4.a.3 Master Development Plans (MDP) proposed language in attachment A on page 15.

Section 23-228 Master Development (MDP) Review Process – this is a brand new section of code to provide the framework for review and approval. It can be found starting on page 15 of the attachment A.

Table 23-421 Permitted and special exception uses allowed in zoning districts is amended to include the new district. Attachment B.

The majority of the new regulations are the establishment of Division 5. Master Development Plan Regulations and subsequent Sections found on pages 1 through 14 of the attachment A.

The proposed regulations were drafted in collaboration with Diane Chadwick and Katie LaBarr of Stantec.

Attachments:

A – Proposed regulations

B – Proposed Use Chart amendments

End Report.

Ms. Bangley reviewed the staff report with the Board. Diane Chadwick, Jack Brandon, and Phil Angel were present to answer any questions from the Board. Mr. Lutton asked who authored the material to which Ms. Bangley responded that it was a group effort between Ms. Cochella, Ms. Chadwick, and Ms. LaBarr. Ms. Bangley stated this was a follow up to enable the language that was already approved and the hope is to assimilate into City Code as easy as possible.

Ms. Chadwick went over the projects process with the Board stating that this was around the 4th hearing and the minimum would be around ten. The text amendment language establishment was just created and the next step is to create the Planned Development Mixed Use Zoning. She stated how important a tracking system is for a larger project and that it should be updated and included with each Site Plan submittal. Ms. Chadwick informed the Board that they anticipate to implement the tracking system in the future site plan and that a comprehensive map should be underway in a few weeks and a re-zone right after.

Mr. Lutton opened the floor to the public and with no response he closed the public hearing. Ms. Bennett was concerned with generalized words without clarification such as “superior design”. Ms. Bangley stated that superior design is used to describe going above and beyond Code and the vagueness is for Design Professionals to have more options. Ms. Bennett asked to make Dark Sky compliant lights a requirement and Mr. Lutton stated that was on page 10 of attachment A. She asked if native low water species of plants can be made a requirement rather than encouraged and Mr. Lutton stated that would limit the design, and that encouraging makes for a better project overall rather than limiting to a very small amount of species. Ms. Bennett stated that was untrue and wanted to know what would be wrong with requiring it as it makes sense for the environment. She stated that native and low water use species should be the only option and any high water usage shouldn’t be allowed.

Mr. Lutton had a concern about using too soft of words as this will need to be a playbook for future developers. Ms. Bangley stated this meeting would create what would go to City Commission for approval and asked if the Board was wanting the minimum expectations to be more clear and Mr. Lutton confirmed as the current Board members will not see the end of this project. Ms. Bangley stated that this would be the groundwork for future developments. Mr. Lutton asked about adding a clause in regards to deed restrictions and covenants. Ms. Chadwick stated that it would be a little unusual to detail that information before a master developer has been chosen. Mr. Brandon stated that this project would be creating a general concept and framework and throughout each project, requirements and specifications will be addressed. Mr. Lutton was concerned about future projects being sold and new developers wanting to negotiate items that were discussed with staff and not outlined as requirements. Ms. Bangley stated that once an MDP has been approved, everything will have to remain exactly the same whether a

new buyer or developer becomes involved and if any changes were requested, the process would start from the beginning.

Mr. Brandon stated that with all MDP projects any new developers would need to come to the City for any variations and show why it may be needed to the Planning and Zoning Board, and then City Commission. The goal would be to create a Master Plan that the City is comfortable with and leave some flexibility, such as landscaping for eventual developers who will bring specificity later in the process. Ms. Bennett stated that Mr. Brandon is continuing to speak only on this project and Mr. Lutton is speaking for future projects as well.

Mr. Lutton had some questions about the impervious and landscape calculation. Ms. Chadwick stated that the baseline would be a minimum of 20% of the 1,800 acres would be required to be landscaping or pervious surfaces. Ms. Bangley stated this regulation would apply to properties 500 acres or more and does not include the impervious area requirements of commercial and development areas. Mr. Lutton proposed changing soft words in regards to landscaped medians to state 'may have landscaped medians' to 'endeavor to design landscape medians' and encourage the developers to save significant trees or replace. Mr. Lutton stated he would like to drop off some notes with Ms. Bangley and discuss this project further.

Ms. Bangley asked if the Board would like to see this information again with changes or if staff can make changes with guidance from the Chairman and move to City Commission. Ms. Love and Ms. Bell stated they would be comfortable with staff making changes. Ms. Bennett reiterated she would like the language to say 'required' rather than 'encouraged' in regards to landscaping species. Ms. Chadwick stated she would discuss with a landscape architect for input on the language that should be used. Ms. Bangley asked if the Board would recommend that she review notes and make changes with Mr. Lutton, the Chairman of the Board, and move to City Commission. Mr. Peterson motioned that City Staff work with Mr. Lutton and then proceed to City Commission, Ms. Bell seconded the motion. The motion was passed unanimously.

OTHER BUSINESS

Ms. Bangley informed the Board that the 425 F Street project had entered into the permitting process with the Building Department and would be moving forward. Mr. Peterson asked about the parking and she responded that the applicant meet all conditions from the Board.

The meeting was adjourned at 7:31 PM.

Attest: Christina Adams

Chairman – Christopher Lutton