

**MINUTES
PLANNING AND ZONING BOARD MEETING
REGULAR MEETING
January 28, 2020, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on January 28, 2020 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	Vice-Chairman Charlene Bennett	John Gravel	Narvell Peterson	Linda Bell	Diane Sims	Kyra Love
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City Staff:

Dept. of Planning and Development
Kathy Bangley – Director of 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 5:30 p.m.
2. ROLL CALL - Ms. Love was absent, but a quorum was present.
3. APPROVAL OF MINUTES
Special Meeting – December 18, 2019
Motion by Ms. Bennett to approve and Mr. Peterson seconded the motion. The minutes were approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS

NEW BUSINESS

5. SITE PLAN APPROVAL INCLUDING WAIVERS OF STRICT COMPLIANCE – 425 F ST.
PID: 27-29-34-874000-002060

Review Staff report by A. Cochella
Begin Report:

PROJECT: Rehabilitation of 425 F Street.
APPLICANT: Russell Brightman and Andrew Snider, Agents
 Almar Properties, LLC, Owner
ADDRESS OR LOCATION: 425 F. St.
 PID: 27-29-34-874000-002060
APPROVAL REQUESTED: Site Plan Approval, Including a Waiver of Strict Compliance to Allow Gravel Parking in Lieu of Paving, and a Waiver of Strict Compliance to Allow Off-Site Parking
FLUM/ZONING: MDR – Medium Density Residential
 R-1C - Residential
PUBLIC HEARING: Not Required

Application Request:

Russell Brightman and Andrew Snider, agents for Almar Properties, LLC, are proposing the rehabilitation of 425 F Street, a vacant multi-family building in poor condition. Included in this request is a waiver of strict compliance to allow for gravel, off-site parking.

Background Information:

The subject property was originally a 2-story, 16-unit multi-family building. Almar Properties purchased the building in August of 2019 with plans to renovate, and reduce the number of units from sixteen to eight. Four units will be roughly 720 square-feet, and the other four units will be around 840 square-feet.

The site does not provide adequate space for the required parking; therefore, off-site parking must be granted in order to proceed. The multi-family use of this site is a pre-existing nonconforming use of land; however, code allows for a multi-family use to continue, so long as the Planning Board determines there is adequate parking to serve the use (Sec. 23-372 Nonconforming regulations).

Code References:

Sec. 23-222 Site Plans

Table 23-306B Parking Space Requirements

Sec. 23-372 Nonconforming regulations

Sec. 23-307 Landscaping requirements

Staff Comments:

In light of the applicant's efforts to provide required parking and the drastic reduction in the number of apartment units, and the fact that the renovated building will be far preferable than the vacant, hazardous structure now standing on the site, staff recommends some compromise of standards

Suggested Conditions of Approval:

1. A concrete apron meeting City requirements shall be constructed at the entrance to the parking lot. The area between the parking lot and the F Street curb (City right-of-way) shall be landscaped.
2. The parking spaces and access aisle shall be compacted and stabilized.
3. The handicapped parking space shown on the plan shall be paved with asphalt or concrete and shall meet the size and marking requirements of Section 23-306. (If spaces are allowed in front of the building: All spaces in front of the building shall be paved. The area on each side of the spaces shall be landscaped. A revised plan will be required prior to issuance of a building permit.)
4. Off-street parking areas shall have a properly maintained landscaped separation strip with irrigation, along all sides of the off-street parking area. Vehicular wheel stops or barriers shall also be properly located along the edge of the required separation strip.
5. A concrete sidewalk shall be constructed to connect the apartment building with the parking lot. The sidewalk shall be 5 feet in width and shall be located in the City right-of-way along lots 8 and 9. The sidewalk shall be at the head of the parking spaces in front of the building.
6. A landscaping plan shall be submitted for the approval of the administrative official showing parking lot fence and landscaping, courtyard, and landscaping between the parking area and the F Street curb.
7. An inventory of trees on site shall be provided to the administrative official with the landscaping plan for the purpose of determining whether valuable trees can be saved.

The Planning Board shall either approve, approve subject to stated conditions, or deny the major site plan. In doing so, they shall enter specific findings of fact delineating their reasons.

Attachments:

Site Plan: Multifamily Residential 425 F Street prepared by Taylor Design Consultants, received November 19, 2019.

End Report.

Ms. Cochella reviewed the staff report with the Board. Mr. Brightman and Mr. Snider, agents for the owner, were both present to address any questions or concerns. Ms. Bennett stated she drove by the property to look, but she thought the lot to be used for parking was on the right side of the property. Ms. Cochella informed her the parking would be two lots to the left as the owner of the lot to the right has not permitted access to be used for parking. Mr. Lutton noted that there are four parking spots proposed on site.

Mr. Peterson voiced a concern about current traffic along Florida Ave and suggested speed bumps possibly be placed if traffic along that road will be increased. Ms. Bangley stated this property does not front Florida Ave and Mr. Peterson stated that Florida Ave would be used by the tenants of the property. Ms. Bangley stated that she was unaware of the process for implementing speed bumps and she didn't believe it was something that could be taken care of by the Planning Board. She stated it may be an item that would need to be addressed by City Commission as a traffic calming scenario. Ms. Cochella stated that staff could also bring up this concern at the next Development Review Committee meeting which will have a representative from the Streets Department as well as a representative from the Police Department. Mr. Lutton stated that the Board couldn't deny someone the use of their property and Mr. Peterson stated he didn't want to deny, but to bring up an existing concern. Ms. Bangley confirmed this concern would be brought up to the Development Review Committee and that she would also have a conversation with the City Manager about it.

Mr. Lutton asked if the Board would like to hear from the agents representing the property owners. Mr. Brightman gave background information on the property owners and how they became involved with this project. Mr. Brightman stated Almar Properties was originally just the investors and due to unforeseen circumstances they are now hands-on with this project and eager to develop. Ms. Bangley informed the Board that someone previously involved in the project had come to her office and discussed plans and that the current plan being submitted is similar to that first conversation.

Mr. Lutton asked if someone from the design professional company was in attendance as he was concerned about the plan not showing the sidewalk connecting completely across the property. Ms. Bangley stated that would be a requirement and that issue would have been noticed and corrected during Site Development if not before.

Mr. Gravel mentioned that there is a power pole on the lot that is proposed to be the parking lot and it would have to be moved and Mr. Brightman stated they were aware. Mr. Gravel stated the property is currently an eyesore and he believes a remodel would be more pleasant. Ms. Bangley stated the property originally had double the amount of units that are proposed and Ms. Bennett asked the previous unit sizes. Ms. Bangley was unsure of the original sizes and stated this property has had police and code compliance issues in the past and the hope is for this property to become a valuable asset to the community.

Mr. Lutton stated it seemed this property would be in line with the Dover Kohl project and due to size they would most likely be affordable housing. Mr. Brightman stated these would be aimed towards citizens with lower incomes and Mr. Peterson stated he had a concern with low income neighborhoods as the tenants don't always have respect for others' properties.

Mr. Gravel asked if they had a timeline and Ms. Bangley responded a timeline hasn't been discussed as this is the first step of approval. She stated the full process may take about 12-18 months. Mr. Lutton asked if this would be a 12-month approval if approved and Ms. Cochella confirmed it would be a 2-year approval.

Ms. Bennett stated she believed this project could be a good asset to the community, but apologized that she wasn't able to look at the correct lot that is proposed for parking and she is unsure of what trees are existing on that lot. Mr. Brightman stated there are great trees on that lot and they are hoping to save the trees. He is currently aware of a tree in the front that will need a limb removed and 2-3 trees in the back.

Ms. Bangley stated if removed re-planting would be required by code. Ms. Bennett stated she would not be happy with eliminating the landscape buffer and she would prefer to see what the landscape would be before she could vote on this item. She also asked how the units could have 3 bedrooms if they were only around 800 square feet and Mr. Snider stated the two styles of units were going to be one that was just under 1,000 square feet and the other style would be just over 1,000 square feet. Ms. Bennett stated she would want to see a more accurate plan for the unit sizing and for the landscape.

Mr. Lutton clarified that the items the Board should be taking action on are site plan approval with a waiver of strict compliance to allow for gravel parking and a waiver of strict compliance to allow for off-site parking. He stated the only way for the property owners to be able to keep the landscape buffer would be by eliminating one of the parking spots. Ms. Bennett stated that due to on-street parking nearby she would be in favor of eliminating a spot to allow for a buffer. Mr. Lutton asked for clarification on the amount of parking spots the property needed and Ms. Cochella stated there needed to be 12. Ms. Cochella stated that the owners are not asking for parking reduction, but the Board could include that in their conditions. Ms. Bennett reiterated that she did not want to approve without seeing the corrected unit sizing and the landscape plan. Mr. Lutton stated that the size of the units is not under the Board's purview and Ms. Cochella clarified that they were requesting site plan approval not floor plan approval. Mr. Lutton asked if the Board wanted to review the landscape at a later time what the next step would be and Ms. Bangley clarified landscaping would be required to meet code, but asking for the landscape plan to be brought before the Board would be asking the applicants to go above and beyond code as staff reviews landscaping to meet City Code's minimum requirements.

Mr. Lutton stated if the Board wanted to asked the applicants to remove a parking spot to be able to keep the landscape buffer and if any trees have to be removed, by code they will have to be re-planted. Mr. Gravel stated that a reduction in parking may be an issue if there are multiple vehicles per unit. Mr. Lutton discussed the size of the road being too narrow to allow for street parking.

Mr. Lutton asked the Board for a motion or recommendations. He asked the Board if there were issues with the request for gravel parking to which they stated no. He asked the Board their thoughts on the landscape buffer. Mr. Peterson motioned for the item to be brought back to the Board next month and Ms. Bennett seconded the motion. This motion did not pass. Mr. Gravel motioned to approve the item and the three waivers that were presented and Ms. Sims seconded the motion. This motion did not pass. Ms. Bennett motioned for the item to be returned with a plan including the landscape buffer in the offsite parking lot and the continuing sidewalk at the properties, approval of the offsite parking waiver, and approval of the waiver for gravel instead of pavement. Ms. Bell seconded the motion and all Board members voted in favor of this motion except for Mr. Gravel. The motion passed with a majority vote.

6. RECOMMENDATION TO THE CITY COMMISSION ON PROPOSED NEW LAND USE CATEGORY

Review Staff report by K. Bangley
Begin Report:

PROJECT:	Comprehensive Plan Amendment
APPLICANT:	Stantec
APPROVAL REQUESTED:	Recommendation to the City Commission
PUBLIC HEARING:	Required – requirements have been met

Application Request:
Recommendation to the City Commission on proposed amendments to the Goals, Objectives and Policies in the Future Land Use Element section of the Comprehensive Plan of the City of Lake Wales.

Background Information:

Staff has been working with a large landowner and their development team to establish a new land use category to facilitate large scale mixed-use development. In the coming weeks land use regulation amendments to support the new category will also be forthcoming.

Policy 2.18 Mixed Use (MU):

The primary function of the Mixed Use (MU) category is to establish centers of master planned suburban/urban activity, in areas with a high level of public facility availability and intended to develop with a horizontal or vertical mix of residential and nonresidential uses, achieving internal trip capture and the development of a high quality environment for living, working, or visiting.

Location criteria: MUs shall

- Have frontage on an arterial
- Be a minimum of 500 acres
- Be served by City water and sewer services

Typical uses/density/intensity: Commercial, office, and light industrial uses mixed with suburban or urban residential uses and support uses such as recreational uses, schools, hospitals, and entertainment uses.

Range of potential density/intensity:

Maximum gross residential density is nine (9) units to the acre.

Maximum floor area ratio (FAR) is 1.0.

Development in areas designated with the Mixed Use (MU) category shall contain a percentage of at least three (3) of the following general categories of land uses (measured in acres district wide, not per development site or phase):

- Minimum ten (10) percent residential
- Minimum ten (10) percent Commercial/Professional
- Minimum ten (10) percent Light Industrial/Distribution
- Minimum five (5) percent Recreation/Open space; or
- Minimum three (3) percent Public Use

Development criteria:

The land development regulations shall include provisions applicable to the MU to ensure coherent and integrated development, avoid piecemeal development and inefficient transportation facilities, to protect natural resources, and to provide adequate green space and buffers.

The regulations shall implement the following development criteria:

Mixed use development shall require a Planned Development Project approval.

Pedestrian, bicycle, and vehicular connections among residential and nonresidential uses shall be required.

Developers shall provide for public transportation accessibility and facilities such as bus shelters.

Green space shall be provided in developments to provide for visual relief, public gathering places, and buffering where necessary.

Natural resources such as wetlands and ponds shall be protected and featured as integral components of developments for common open space and visual enhancement.

End Report.

Ms. Bangley reviewed the staff report with the Board. Diane Chadwick and Katie LaBarr from Stantec were in attendance, Jack Brandon from Peterson & Myers PA was in attendance, and Phillip Angel from Winter Haven Corp. was in attendance to address any questions or concerns from the Board. Ms. Bennett asked for the acreage of the property and Ms. Bangley stated it was 1,800 acres and the Land Use request would facilitate properties at 500 acres or more. Mr. Brandon gave some of his background information

and stated that the property owners are a family owned corporation. He stated the property was annexed into the City in 1995 but was never given Zoning and has mainly been used for Agricultural purposes.

Mr. Angel introduced himself to the Board and stated he was the President of Winter Haven Corp. He gave some background information on the family owned Corporation. He stated they did not want to divide the property into multiple pieces to sell and want to find a way to meet the City's needs. Mr. Brandon stated the problem with the City's current Comprehensive Plan is that it is for smaller parcels and this proposed Land Use would require properties to meet a minimum of 500 acres.

Ms. Chadwick gave some of her background information and shared a PowerPoint presentation with the Board of other communities that have implemented a similar Land Use concept to promote high quality and unified development. Ms. Bangley stated that each phase would go through a Site Plan approval process where details would be presented to the Board. Ms. Chadwick stated they implement tracking tables for site plans and Ms. Bangley stated that would be very beneficial over the course of a ten-year project many variables could change such as staff and Board members.

Mr. Lutton opened the floor to the public and after no movement he closed the public hearing and asked the Board if they had any questions. Ms. Bennett asked how well wildlife corridors and wetlands had been researched and asked what they considered to be the importance of these types of things. Mr. Brandon stated that the environmental firm Modica & Associates had already been on site starting a couple of years ago with recommendations and started mapping wetlands, reviewing for endangered species, and evaluating the flood plain. Ms. Bennett stated she was not into good ol' boy stuff and when Mr. Brandon asked for her definition of good ol' boy stuff, Ms. Bennett continued with saying she had no objections to the mixed use she is just very interested in the environment and doesn't want the wetlands to be disconnected. Mr. Brandon agreed that these items need to be considered as the wetlands should ideally remain viable to the community.

Mr. Angel stated he began working for the Environmental Protection Agency in the 1970's and when Ms. Bennett interrupted and asked if it was for the State or National Agency, Mr. Angel clarified that it was for the National Agency. He stated that he is majorly committed to environmental preservation. Mr. Gravel stated this Land Use would affect other properties that meet the criteria and that the concerns Ms. Bennett has will be addressed at later stages of each project. Ms. Bangley stated that this would be an enhancement to the current Comprehensive Plan.

Mr. Lutton asked the Board for a motion. Mr. Gravel motioned to recommend this item move forward to City Commission and Ms. Sims seconded the motion. The motion passed unanimously.

7. PROPOSED AMENDMENT TO LAND DEVELOPMENT REGULATIONS CHAPTER 23 IN REGARDS TO MOBILE FOOD VENDING REGULATIONS

Review Staff report by K. Bangley
Begin Report:

PROJECT:	Mobile Food Vending Regulations
APPROVAL REQUESTED:	Recommendation to City Commission
PUBLIC HEARING:	Required – requirements have been met

Application Request:

The owner, Roger Ingley, is proposing the interior renovation of an existing single-family residence at 200 East Tillman Avenue, to convert the use of the building from residential to non-residential.

Background Information:

The proposed regulations for mobile food vending below were discussed with the Board in February of 2019. Action by the Board to approve the regulations prepared by staff is requested at this time.

Attachments:

§23-358 Mobile Food Vending/Mobile Food Dispensing Vehicles & § 23-802 Definitions

End Report.

Ms. Bangley reviewed the staff report with the Board and stated the hope was for the Board to review and recommend to City Commission. Mr. Lutton opened the floor for public hearing and after no movement, closed the public hearing.

Mr. Peterson asked if anyone could come and sell or if they would still need to participate as a vendor during events and Ms. Bangley stated they couldn't operate at an event without being a vendor. Mr. Lutton had questions about the insurance and if the mobile food vendors would be on City property and Ms. Bangley stated they would not. Mr. Lutton asked about the 10-day denial verbiage and Ms. Bangley stated the goal is to send written notice of denial within 10 days, but if no contact has been made within 10 days then the request is denied and that is a clause to protect the City. She stated the property owners would need to sign the application or a letter of authorization would need to be provided. She stated vending would not be allowed within the hours of 9 PM and 6 AM except during an event where the vending would fall under the rules and hours of the event.

Mr. Lutton asked the Board for a motion. Mr. Gravel motioned for the item to be recommended to City Commission and Ms. Bennett seconded the motion. The motion passed unanimously.

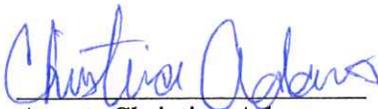
8. 2020 MEETING DATES AND HOLIDAY MEETING DATE PROPOSALS –
DISCUSSION

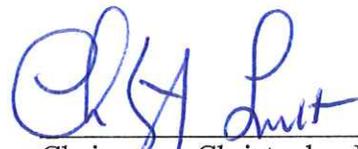
Ms. Bangley provided the Board the 2020 meeting dates as well as holiday proposal dates. She informed them that the September date could not be confirmed just yet as City Commission Budget Workshops may interfere and staff won't know until a later date.

OTHER BUSINESS

Mr. Peterson addressed garbage pickup concerns and garbage bins being left out. He reiterated the traffic concern on Florida Ave. Ms. Bangley asked if the traffic was due to a dead end and Mr. Peterson stated there were thru trucks that were causing some of the issue. Ms. Bangley stated this concern would be brought up at the next Development Review Committee meeting on Thursday February 6th.

The meeting was adjourned at 7:17 PM.


Attest: Christina Adams


Chairman – Christopher Lutton

