

**MINUTES
PLANNING AND ZONING BOARD MEETING
February 28, 2023 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on February 28, 2023 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-Chair Kyra Love	Eugene Fultz	Casey McKibben	Eric Rio	Courtney McCrystal	Larry Bossarte
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City Staff:

Dept. of Planning and Development
Autumn Cochella – Interim Director of Development Services
Jasmine Khammany – Senior Planner
Ivo Cardentey – Planning Technician
Fany Lozano – Recording Secretary

1. CALL TO ORDER – Mr. Lutton called the meeting to order at 5:30 p.m.
2. ROLL CALL – All Board Members were present.
3. APPROVAL OF MINUTES
Meeting–January 5, 2023
Ms. Love made a motion to approve with corrections and Mr. Bossarte seconded the motion. The minutes were approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS – Mr. Lutton opened up the Meeting to communications and petitions. He states you will have a time to talk on each agenda item, this is a time to bring up anything about Planning in the City.

Catherine Price, who lives inside of City limits, stated she was part of a group that had concerns related to the plastic pipe plant which was scheduled for a special meeting that was cancelled. She wanted to inform the Board of information that the group had been finding out and to express that this is an item that should go before the Planning Board for many reasons. She stated the Comprehensive Plan needs to be compatible with this proposed project and that she classifies this as a zoning change from light industrial to heavy industrial rather than just a special exception use permit and she believes that it should have a site plan submitted for review by the Planning Board. She stated she would leave packets stating her group of residents' concerns with the attending secretary, Ms. Lozano.

Donna Rourke, who lives inside of City limits, stated she also had concerns about the plastic factory and referenced issues in Ohio with toxic waste and how it's affecting that community. She stated she loves this town and the people in it and that we need to do what's necessary to stop this project.

Allen Tatem, who lives inside of City limits, stated he owns multiple business in Lake Wales and wanted to discuss a specific agenda item. Mr. Lutton let him know there would be a public hearing before the item and he would have a chance to speak directly on that item.

With no further movement, Mr. Lutton closed the public hearing.

NEW BUSINESS

5. Lake Ashton Storage – Major Site Plan

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT: Major Site Plan for Lake Ashton Storage Addition
APPLICANT: Chastain-Skillman, Inc.
APPROVAL: Site Plan Approval with Conditions
PUBLIC HEARING: Not Required

Ms. Khammany presented the staff report and advised that the applicant and staff were available for questions.

Ms. Love asked if the DRC comments from the Fire Marshall needed to have action taken by the Board as it was not listed in the conditions of approval and Ms. Khammany confirmed that those would be addressed during the building permitting process. Mr. Lutton asked if the buildings would be constructed on the existing paved areas and Ms. Khammany confirmed that they would.

Mr. Lutton asked if these buildings would be for regular storage for rent or for golf equipment. Mr. Sergio Garcia, Chastain-Skillman, and Bill Drost, owner, addressed the Board and clarified that it would be a typical self-storage building.

Mr. Lutton asked the Board for questions and with no movement he asked for a recommendation. Ms. Love made a motion to recommend the approval of the major site plan and Mr. Bossarte seconded the motion.

Mr. Lutton asks for roll call vote.

Chairman Christopher Lutton Yes	Vice-Chair Kyra Love Yes	Eugene Fultz Yes	Casey McKibben Yes	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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The item was passed unanimously.

6. Waverly & 27 – Land Use and Zoning

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT: Waverly & 27 – Land Use and Zoning
APPLICANT: 360 Lake Wales LLC

APPROVAL: Zoning Map and Future Land Use of the Comprehensive Plan Amendment

PUBLIC HEARING: Requirements have been met.

Mr. Lutton asked if all of the property in discussion was within the City's Utility Service Area and Ms. Cochella confirmed it was. Ms. Khammany presented the staff report. She clarified there is one parcel still not within City limits, but staff would be presenting the annexation to Commission at the same time as the Board's recommendation for Land Use and Zoning on March 21st.

Ms. Cochella stated that this property was previously part of the Hunter's Glen project and there's no development currently contemplated, but the owners are hoping for a mixed use development when the time comes. She stated there was someone in attendance on behalf of the project if the Board had any questions.

Mr. Lutton asked the Board for questions and with no movement he opened the floor for the Public Hearing. With no movement from the audience, Mr. Lutton closed the Public Hearing and asked the Board for a motion.

Mr. Fultz made a motion to recommend approval to assign the following Land Use and Zoning designations which would be Neighborhood Activity Center (NAC) and proposed zoning C-5, Village Center District. Ms. McCrystal seconded the motion and Mr. Lutton asked for a roll call vote.

Chairman Christopher Lutton Yes	Vice-Chair Kyra Love Yes	Eugene Fultz Yes	Casey McKibben Yes	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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The item was passed unanimously.

7. Rezone DMU (Downtown Mixed Use)

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT: Rezone DMU
APPLICANT: City Staff
APPROVAL: Zoning Map Amendment
PUBLIC HEARING: Requirements have been met.

Ms. Khammany presented the staff report. She stated for the record that 282 Park Avenue was also included in this proposed amendment, even though it was recently rezoned in November, for compatibility.

Mr. Lutton asked for clarification on the proposed rezoning boundaries and Ms. Cochella confirmed. Mr. Lutton asked if a housing complex would be permitted in the DMU and Ms. Cochella confirmed it would.

Ms. Love asked how a property could be zoned DMU and C-1A and Ms. Cochella stated there is an overlay zoning that would apply to that specific area but not the surrounding area within that

zoning and explained the Historic overlay as well. She stated this would be implementing the Downtown Design Standards by creating this Downtown Mixed Use zoning area.

Ms. Love asked what the difference was between Bar-Wine/Beer and Bar within the permitted use chart and Ms. Cochella clarified that alcohol licenses are regulated by the State and they are classified under different license approvals. Ms. Love asked is Bar-Wine/Beer meant no liquor and Ms. Cochella confirmed that was correct. She stated that the state licensure works by either providing a beer and wine license or a restaurant with alcohol sales which does allow for liquor sales.

Ms. Love asked about banks not being allowed with a drive up window in the DMU and pointed out the existing Wells Fargo and Ms. Cochella confirmed it would be considered a pre-existing legally non-conforming use as it was established prior to the proposed changes.

Mr. Lutton asked for the clarification between this agenda item and the next agenda item as they both included the Crystal Lake Overlay and Ms. Cochella stated this is just establishing the zoning district on the map and the next item would be regarding downtown design standards.

Mr. Lutton opened the floor for the Public Hearing and with no movement he closed the Public Hearing and asked the Board for a motion.

Ms. Love made a motion to recommend approval to City Commission to reassign the following zoning from C-1 Downtown and C-1A Downtown Core District to DMU Downtown Mixed Use including the Downtown Historic Overlay and the Crystal Lake Overlay Districts. Mr. Fultz seconded the motion and Mr. Lutton asked for a roll call vote.

Chairman Christopher Lutton Yes	Vice-Chair Kyra Love Yes	Eugene Fultz Yes	Casey McKibben Yes	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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The item was approved unanimously.

8. Downtown Design Standards Revision

Review Staff report by Megan McLaughlin
Begin Report:

PROJECT: Downtown Design Standards Revision
APPLICANT: City Staff
APPROVAL: Amendments to LDR's – Crystal Lake Overlay
PUBLIC HEARING: Requirements have been met.

Ms. Megan McLaughlin presented the staff report. She stated that these revisions were being proposed to help clarify language that may not have been clear enough regarding setbacks along 3rd street. The other intent was to clean up language on the type of public meetings that would be held for any type of site plan application within this district.

Mr. Lutton stated he wanted the verbiage to state no closer to the easement of the road than the library is because he doesn't want to set rules for properties if the City won't even be following

them. Mr. Bossarte stated that since it's an existing building the Board and staff can't expect it to meet new zoning regulations as there are many pre-existing non-conformities within the City under similar circumstances. Ms. McLaughlin continued with her report and a presentation showing historical photos of Downtown Lake Wales. She informed the Board that the Historic District Regulatory Board has reviewed these revisions and recommended approval and Lake Wales Main Street reviewed and provided a letter of support.

Mr. Lutton stated ha has concerns for future developers being able to meet these guidelines. Mr. Lutton asked the property owner to come up to the podium as he was trying to review the agenda item through the eye of the owner and potential redevelopment. Patty McKeeman, who owns property that would be preserved with these guidelines, stated she appreciated that and fully supported the revisions as this is a special piece of property and her family doesn't want a Developer to come in and ruin it.

Ms. McKeeman presented the Board with some background information on the Plantation Inn property and reiterated her family's support of these guidelines.

Mr. Lutton opened the floor for the Public Hearing and with no movement he closed the Public Hearing. He stated that knowing what the Kahler family wanted for the property helps seal his position rather than thinking the City was overreaching. He stated that he believes the City should reevaluate the frontage of the Library and find a way to have the front towards the lake rather than Scenic Highway as it was originally intended.

Mr. Lutton asked the Board for a motion. Ms. Love made a motion to recommend approval of the proposed changes to the Land Development Regulations to the City Commission and Mr. McKibben seconded the motion. Mr. Lutton asked for a roll call vote.

Chairman Christopher Lutton Yes	Vice-Chair Kyra Love Yes	Eugene Fultz Yes	Casey McKibben Yes	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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The item was approved unanimously.

9. Sign Code Amendment

Review Staff report by Autumn Cochella
Begin Report:

PROJECT: Sign Code LDR Amendment
APPLICANT: City Staff
APPROVAL: Amendments to the City's Sign Code Ordinance
PUBLIC HEARING: Requirements have been met.

Ms. Cochella presented the staff report and informed the Board that she would have a working document to update with the Board's comments and recommendations as necessary.

Mr. Lutton asked if the steering committee had any discussions related to sign code height and Ms. Cochella confirmed height was addressed. Ms. Love asked why temporary political signs would be limited to two especially in the case of larger properties when there can be multiple

elections happening at the same time and Ms. Cochella asked what a better number would be. Ms. Love responded ten possibly and asked if properties near voting polls would also be regulated as there are multiple signs all around voting poll locations at every election that far exceed this limit. Ms. Cochella stated that she would be looking for a consensus from the Board of what number to change the limit to before the item is presented to City Commission. The Board discussed different limits and couldn't decide on a compromise number but some, not all, of the Board members felt five or six signs would be a good limit. Ms. Cochella stated she would bring the limit numbers and Board concerns to City Commission and let them decide.

Ms. Love questioned why special event signs were limited to three times a year and Ms. Cochella stated it was added to give an opportunity to businesses to be able to display while being in compliance with our regulations as some dealerships, for example, are required to host events to comply with specific brands they sell. Mr. McKibben made a suggestion to have the code state brand specific three times a year and Ms. Cochella stated that wouldn't be possible because then it would be specifying content which is not something staff can regulate. Ms. Love stated she thought the limit of three was too low.

Mr. Lutton asked about electronic message boards being allowed in the LCI zoning district as there are some properties along Scenic Highway that are zoned LCI and Ms. Cochella asked the Board for their thoughts and comments. Mr. Lutton stated he was concerned because when Margaret Swanson was the Director she and staff were adamant about not allowing them along Central Avenue and he is against allowing them within this district. Ms. Cochella stated she would remove that zoning district from the section of code.

Ms. Love questioned language related to internally illuminated or externally illuminated and was repeated in multiple areas and Ms. Cochella confirmed that was correct because it was in reference to the specific zoning districts and locations.

Mr. Lutton asked about halo lit signage and Ms. Cochella stated she could look into it and make a revision to the Code in the future.

Ms. Cochella continued with the report and specifying the changes being made and what the differences are from what the Code previously read.

Mr. Lutton referenced sign height related to pole signs and there was discussion about limiting the height and locations where they could be placed. He referenced the City of Boca Raton and Ms. Cochella stated this is something she would like staff to look into.

Ms. Cochella stated her summary that would be presented to City Commission would include there was discussion from the Board about the number of special event type signs and that a glitch document would be prepared relating to sign height and any other concerns that may be brought up while enforcing the new sign regulations.

Mr. Lutton opened the floor for the Public Hearing. Allen Tatem, who lives inside of City limits, stated some of his concerns were already addressed by Ms. Cochella and he appreciated her efforts. He stated a major concern of his was that the DMU zoning district would have to adhere to the same regulations as the Historic Overlay district which has been quite restrictive in the past. He presented the Board with some sign project examples and stated with the new guidelines presented, none of those businesses would be able to have those signs and they would all be out of compliance. He asked Ms. Cochella about acrylic signage to which she responded the Historic Board had an issue with the plastic acrylic looking signs and after discussion with Ronni Wood it

was decided that acrylic signs could be used as long as they are quality with a matte style finish which would satisfy the Historic Board's concerns. Mr. Tatem stated he's not as concerned with the downtown limitations as he is about the DMU limitations. He stated his business on Central Avenue would currently be able to have lit signage but with these new regulations he would not be able to.

Ms. Cochella stated to the Board that Mr. Tatem was invited twice to be a part of the steering committee for these sign changes and he declined. She clarified that the downtown would still be allowed their different types of signs, such as awning and building signs, and it would count towards the calculations. She stated the goal for the downtown was to help encourage being able to see through a business's windows and storefront and utilizing the existing architecture to place signs such as hanging signs or projected signs.

Mr. Rio stated the regulations for the downtown and historic area were too strict in his opinion. Mr. McKibben stated he was against the sign limitations as a business owner personally and stated specifics of dealerships and how they are paid by signage and he believes with these restrictions the City may have dealerships leave City limits. Mr. Bossarte stated signage in the downtown should be geared more towards walkability rather than vehicular traffic compared to a highway which would potentially need larger or lit signs.

Ronni Wood, who lives inside of City limits, stated that one of the main priorities of the Lake Wales Connected Plan for downtown is to focus on design. She stated that as the City continues to grow and expand so will the downtown district and with Dover Kohl's recommendation, it's better to establish design standards now rather than during or after the expansion. She stated that Central Avenue is the front image of those visiting Lake Wales and it shouldn't be a visual clutter as that will deter people from exploring or buying property downtown.

With no further movement, Mr. Lutton closed the Public Hearing and asked the Board for a motion. Mr. Bossarte made a motion to recommend approval to City Commission and Mr. Fultz seconded the motion.

Mr. Lutton asked for a roll call vote.

Chairman Christopher Lutton Yes	Vice-Chair Kyra Love Yes	Eugene Fultz Yes	Casey McKibben Yes	Eric Rio No	Courtney McCrystal Yes	Larry Bossarte Yes
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The item was approved with six votes for and one vote against.

Other Business:

Ms. Cochella stated staff passed out documentation regarding Lake Wales Envisioned to the Board. Mr. Lutton stated he went to the meeting regarding the Crystal Lake Overlay and they presented an option that would require moving a property line and he feels that option needs to be removed. Ms. Cochella confirmed she took notes down related to the library frontage and how the City can improve it to face the lake.

Ms. Love asked if there was an update to the Plastic Manufacturing warehouse that the Board didn't get to meet and discuss. Ms. Cochella stated there were multiple attorney's involved and at

this point it is out of her hands and this Board's hands and currently up to City Commission and that the City Attorney is working with other Attorney's on how to proceed. Mr. Lutton asked if the initial meeting was canceled due to lack of notice and Ms. Cochella advised that the confusion was whether the item was a Special Exception Use Permit or not since City Commission took action last year changing the use to being permitted by right, and in October that section was pulled by E-Laws and they hadn't codified that update making it a scrivener's error. Ms. Love stated that an article claimed the Planning & Zoning Board had voted on this item in October and Ms. Cochella clarified that the Board voted on lots of record within the CRA-3 district and moving that section and the incorrect table was included in that Ordinance which is where the mistake happened. Mr. Fultz stated that it was implied Planning and Zoning Board took action and Ms. Love agreed and stated she appreciated the clarification of what transpired but wished the Board would have been informed sooner rather than waiting until this meeting.

The meeting adjourned at 7:51 PM



Attest: Recording Secretary



Chair: Christopher Lutton