

**MINUTES
PLANNING AND ZONING BOARD MEETING
JULY 26, 2022 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on July 26 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	Kyra Love	Eugen Fultz	Casey McKibben	Eric Rio	Courtney McCrystal	Larry Bossarte
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City Staff:

Dept. of Planning and Development
Mark J. Bennett – Director of Development Services Jasmine Khammany – Senior Planner Shena Rowland – Recording Secretary

1. CALL TO ORDER – Mr. Lutton called the meeting to order at 5:30 p.m.
2. ROLL CALL –Mr. McKibben was not present. The absenteeism policy was read by Mr. Bennett and re-introduced.

Ms. Love asks if the language can be changed to not say consecutive.

Mr. Bennett states not without changing the code.

Ms. Love asks that it be looked at in the future. She also questions what counts as excused or unexcused. She feels like it is important to do this but thinks the language and guidelines should be clearer.

It is decided it will be part of procedure beginning with next meeting since roll call was already done.

The Agenda is then changed in order.
3. APPOINTMENT OF NEW CHAIR/VICE CHAIR – A Chair and Vice Chair per code should be declared on a yearly basis. Mr. Lutton opens it up to the Board for nominations. No one makes a nomination and it is unanimously voted in to continue as Chair.

Mr. Lutton then opens to the Board for nominations for Vice Chair. Ms. Love volunteers for Vice Chair and is unanimously voted in as Vice Chair.
4. APPROVAL OF MINUTES
Meeting–June 28, 2022
Ms. Love makes a motion to approve.
Mr. Fultz seconds.
Minutes approved unanimously by voice vote.

5. COMMUNICATIONS AND PETITIONS – Mr. Lutton reads the following:

Public participation from residents, taxpayers, business owners and utility customers is encouraged. The Planning and Zoning Board welcomes information that would assist them in considering agenda items, City Business and otherwise fulfilling the City's mission to make Lake Wales "a bit better or more beautiful" for its citizens. Anyone wishing to speak should give their name, state if they are inside or outside the city limits and they will have 5 minutes. Courtesy and respect is the hallmark. Speakers are not expected to address the Board and audience members and not engage in back and forth discussion that can deteriorate into argument, debate and accusations. Questions about subject matter are best directed to city staff during normal business hours.

He then opens the Communications and Petitions portion of the hearing and asks if anyone has anything to bring up to the Planning and Zoning Board? He further states if you have a comment or question regarding a specific line item then you wait for that line item to be heard and there will be a time for public communication and petition.

Mr. Lutton then calls for any further communication and in seeing no one else approach, he closes the Communications and Petitions and calls for New Business.

NEW BUSINESS

6. Downtown Design Standards/Chapter 23 Amendments

Review Staff report by Mark Bennett
Begin Report:

PROJECT: Downtown Design Standards/LDR Amendments
APPROVAL: Recommendation to City Commission for Approval of the proposed changes.
PUBLIC HEARING: Requirements have been met.

Mr. Bennett does a brief presentation and introduces Victor Dover and Amy Grove (who has joined the meeting virtually), they are the consultants from Dover Kohl.

Mr. Dover begins the presentation with Ms. Grove taking over midway and completing the presentation.

Mr. Lutton interrupts for clarification on the location of the overlay district.

Ms. Grove confirms this for Mr. Lutton and continues her presentation.

Ms. Love asks about the number of bars, she is ask if it is liquor license not including restaurants that serve alcohol currently?

Mr. Bossarte responds it is straight bars.

Mr. Dover responds they will have to comply with all of the other requirements. The state, county and local. The first three will be permitted and after that will have to go thru the extra steps.

Ms. Love asks of notice will be given to the establishments that are already existing so they would have first chance. She mentions Wales Pointe as someone that only serves wine and beer.

Mr. Fultz confirms that the owner of Wales Pointe has been asking.

There is open conversation regarding the definition of bar.

Mr. Bennett states it will be first come first serve.

Ms. Love then asks again if they will be given notice that it is allowed.

Mr. Bossarte states it is a stand alone bar not a restaurant and bar.

Mr. Bennett states that a restaurant is an establishment whose sales of food are at least 51 percent.

Ms. Love asks if any establishment will be allowed.

Mr. Bennett states they would need to get their license.

Ms. Khammany clarifies that they would need to obtain their liquor license since it will be allowed under these standards but they would keep their status as a restaurant so therefore would not be one of the 3 straight bars that will be allowed.

Mr. Dover asks Ms. Grove to ensure that is being interpreted correctly.

Ms. Grove clarifies the limit on 3 is bars and not a restaurant.

Mr. Bossarte asks if an existing restaurant can sell liquor under the current guidelines.

There is open discussion in regards to this.

Mr. Fultz asks if a business owner approaches him and asks for clarification on whether they could sell liquor is his answer to come and speak to planning and zoning?

Mr. Bennett confirms that would be correct.

Mr. Bennett states the distance requirements will need to be addressed once these amendments have passed.

Mr. Lutton opens to public hearing and seeing no movement closes the public hearing and brings it back to the Board.

Mr. Fultz makes a motion to recommend to City Commission with the addition of the questions that were asked concerning the Bars.

Ms. Love seconds the motion.

Mr. Lutton calls for a roll call vote.

Chairman Christopher Lutton Yes	Kyra Love Vice Chair Yes	Eugen Fultz Yes	Casey McKibben	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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Mr. Lutton states it is approved and asks for the next item.

6. Rama Project – Land Use and Zoning

COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT: Rama Project
APPLICANT: Property Owners
APPROVAL: Future Land Use and Zoning Map Amendment
PUBLIC HEARING: Requirements have been met.

Jasmine Khammany begins the presentation of the staff report and states Staff is available for questions.

Mr. Lutton asks if it is near Eager Beaver for location clarification.

Mr. Bennett confirms it is.

Ms. Khammany continues the presentation.

Mr. Bossarte asks about the BP zoning, it backs up to LDR, he asks if MDR would be a better buffer than Business Park?

Mr. Lutton agrees that they are trying to buffer a BP section with a BP section which does not make sense from a planning perspective.

Mr. Bennett states that the BP would require further buffering next to the LDR. That would address compatibility issues.

Ms. Love asks what the difference is between what would be developed on BP versus what Mr. Bossarte suggested?

Mr. Bennett states light industrial for BP, MDR in contrast is more residential. He further states the question is where the transition should be.

Mr. Bossarte states his thought was a higher density would offer a better transition.

Mr. Lutton states that a simplistic role was taken in making the entire block BP.

Mr. Bennett suggests making the west half to be BP and the east half to be MDR?

The Board does not agree with this.

Mr. Lutton opens for public hearing and in seeing no one approach closes the public hearing and brings it back to the Board for discussion. He further states to the Board it does not have to be accepted as drawn.

Ms. Love agrees it does not make sense. She asks if they should approve what they do like or send the entire project back.

Mr. Lutton says to send the entire project back with suggestions.

Ms. Love states do they send it thru to City Commission with their recommendation because she feels that didn't go well last time.

Mr. Bennett suggests it can be continued to the following month and have the applicant here?

Mr. Fultz states if questions are going to be asked that cannot be answered then they would have to take it back anyway.

Ms. Love makes a motion to continue to the following month.

Mr. Fultz seconds the motion.

Mr. Lutton calls for a roll call vote.

Chairman Christopher Lutton Yes	Kyra Love Yes	Eugen Fultz Yes	Casey McKibben	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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Mr. Lutton calls for the next item.

7. Starbucks – Major Site Plan

COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Jasmine Khammany
Begin Report:

PROJECT: Starbucks
APPLICANT: Morgan Hampton
APPROVAL: Major Site Plan
PUBLIC HEARING: Requirements have been met.

Ms. Khammany presents the staff report and states the applicant and Staff are present for any questions.

Mr, Fultz states that he mentioned WaWa because he is in hopes that they will not get upset with Starbucks coming in.

There is open conversation and agreeance it will not affect WaWa.

Mr. Bossarte asks just for identification is lot 1 the larger area? Is the gray area is paving area? It appears to go down into lot 2? Is this included on the coverage ratio?

Ms. Khammany states this is just for lot 1, she states it will be taken into consideration when lot 2 is leased.

Mr. Rio asks if the shaded area is on lot 2 and if so whoever leases it will have to deal with it? He asks why they do not adjust the property lines?

Ms. Khammany states that overall site they are at 50 percent.

Mr. Bennett suggests the Board should hear from the applicant.

Mr. Jeremy Anderson introduces himself. He states WaWa is aware of the project and there are no restrictions on coffee sales. He further explains they will not be closing the access from Highway 27 during construction. The concept is shared driveways, cross connection. Utilities and storm water drainage is already in place.

Mr. Fultz states he is pleased that they are using the good neighbor policy.

Mr. Rio asks who will maintain lot 2 while it is vacant?

Mr. Anderson states that the owner will be responsible for the maintenance.

Mr. Lutton asks about the property on the right hand side of WaWa, he is wondering because of the trucks that park there and a pole was already damaged. He asks if something will be put there, it appears to drop off into a pond.

Will Anderson introduces himself and states it is a temporary swale area. It will be filled in for the cross connection. There are future development plans just nothing concrete.

Ms. Khammany corrects a previous statement that on lot 1 it is 77.7 percent. The lower half lot 2 is 30 percent.

Mr. Rio states he is not comfortable with it being on the second lot. He is confused as to why one business is on two lots?

Ms. Khammany states it is one parcel.

Mr. Rio states it is being called lot 1 and lot 2 so it does not sound like 1 parcel.

Mr. Anderson responds that lot 1 will stand alone and lot 2 will stand alone from a lease perspective.

Mr. Rio asks why the building is on 2 lots?

Mr. Anderson responds the building and parking is all on 1 lot.

Mr. Rio asks what the gray shaded area is?
Mr. Anderson responds it is a bypass for the drive thru lane.

Mr. Rio clarifies it is all road.

Mr. Anderson confirms this.

Ms. Love asks for lot 2 where is the entrance point?

Mr. Lutton points out on the map where this will be.

Mr. Anderson explains the cross connection concept.

Mr. Lutton opens for a public hearing and in seeing no movement closes the public hearing and brings it back to the Board.

Mr. Fultz makes a motion to approve the major site plan with with waivers of strict compliance and conditions of approval.

Ms. Love seconds.

Mr. Lutton calls for a roll call vote.

Chairman Christopher Lutton Yes	Kyra Love Yes	Eugen Fultz Yes	Casey McKibben	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
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7. Merle Bishop – Planning Board Training

COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Mark Bennett
Begin Report:

Mr. Bennett gives a brief introduction for Mr. Bishop and explains the need for training.

Mr. Bishop announces in October there will be training sessions available that will go into more detail.

Mr. Bennett states there is normally a charge that the City will cover if the Board members are interested.

Mr. Bishop then begins his training.

Mr. Bishop concludes his training and asks for questions.

Mr. Lutton asks what his definition of Urban Sprawl is?

Mr. Bishop responds it is when you are allowing low density development in an area where you have to extend infrastructure and services to the extent that you have allowed lower density development to take place and you have had to extend water and sewer out to that area. He does not have a hard and fast definition. He states it is a matter of timing and a matter of density and it is being able to provide services. He states Urban Sprawl is very costly to all involved. It puts a burden on infrastructure.

Mr. Lutton states they are taking rural grove lands and putting small lot sizes. He states some people call it urban sprawl.

Mr. Bishop states he has some good projects come in with smaller lots, open space, recreation that he does not feel is urban sprawl. He states what he is against is building a row of houses that are all the same. He wants to see 40 ft wide lots that is a community. He further states that choices of housing is important.

Mr. Fultz agrees variety is good.

Mr. Bishop then states he hopes he has been helpful and concludes.

8. Public Records Review Sunshine Law

Mr. Bennett ask the Board due to the time if they would like to continue the Sunshine Law video to the next meeting.

The Board decided to continue and watch the video.

A quick recess is taken and then the video is started.

At the conclusion of the video Mr. Fultz shares a story as to the importance of obeying the Sunshine Law.

Mr. Bennett then thanks everyone for their time.

The meeting adjourned at 8:20 PM

Attest: Shena Rowland

Chair: Christopher Lutton