

**MINUTES  
PLANNING AND ZONING BOARD MEETING  
AUGUST 23, 2022 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on August 23, 2022 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	Eugene Fultz	Casey McKibben	Eric Rio	Courtney McCrystal	Larry Bossarte
-----------------------------------	-----------	-----------------	-------------------	----------	-----------------------	-------------------

**City Staff:**

<b>Dept. of Planning and Development</b>
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.

It was made known to the Board that Mr. McKibben did let Staff know upon reaching out for confirmation that he would be out of town. Ms. Rowland does ask the Board if they would like to make a motion to excuse his absence.

Mr. Lutton asks if he said why.

Ms. Rowland responds he is out of town on business.

Mr. Lutton then asks if a motion will be made each time.

Mr. Bennett states that Staff would like to keep a record of the excused and unexcused absences so that if an issue arises on being unable to make a quorum then it can be presented to administration to make a decision to remove the Board member.

Mr. Lutton then states if anyone would like to make a motion to excuse the absence. He asks the Board to signify with aye to excuse the absence. Mr. Rio, Ms. McCourtney, Mr. Fultz and Mr. Bossarte respond aye. He asks if anyone opposes and Ms. Love responds. The absence is excused.

3. APPROVAL OF MINUTES  
Meeting–July 26, 2022  
Mr. Fultz makes a motion to approve.  
Mr. Bossarte seconds.  
Minutes approved unanimously by voice vote.

4. 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.

Mr. Robin Gibson then approaches the podium, he states he is a resident of Lake Wales and is a member of the City Commission and wants to give a proposal on the importance of City Staff, Planning and Zoning Board and City Commission working together. He states that he has a hand out for the Board. He then asks for more than the 5 minutes and Mr. Lutton states he will be allowed 10 minutes to speak. Mr. Gibson then begins his presentation. His focus is on growth and making it better not just bigger.

Ms. Love then asks a follow up question. She states a problem is that most of the roads in these projects that the Planning and Zoning Board are presented with are County roads. She asked how to overcome that obstacle.

Mr. Gibson replies that he has appeared before the County Commission and has asked that they enter into a joint use agreement and the County was receptive. They would like the Administrator's to confer which has occurred.

Mr. Lutton thanks Mr. Gibson and asked if anyone else would like to speak.

Mr. Skip Alford from Lake Wales Chamber of Commerce and Economic Development Council introduces himself and states that he welcomed in the Vice President for Enterprise Florida. He states that he is receiving many leads. He then speaks on the importance of keeping the revenue in the City. He states that having 10,000 new homes is no good with no jobs. He asks that the Land be used wisely with this in mind. He thanks the Board for their time.

Mr. Lutton then asks if anyone else would like to speak and in seeing no one he closes the Communication and Petitions and moves to the next item.

## NEW BUSINESS

### 5. Grove @ Orchard Hills PDP

Review Staff report by Jasmine Khammany  
Begin Report:

**PROJECT:** Grove @ Orchard Hills  
**APPLICANT:** Dave Schmitt  
**APPROVAL:** Preliminary Subdivision Plat Approval/Special Exception  
Use Permit Approval for a Residential Planned  
Development Project  
**PUBLIC HEARING:** Requirements have been met.

Ms. Khammany presents the staff report and advises that the applicant and staff are available for questions.

Mr. Lutton asks if there is more open space?

Dave Schmitt from Schmitt engineering introduces himself and responds that they did take Staff recommendations into account. They did mix the 45, 50 and 55 ft lots thru out the community so then are not the same size. They interconnected the greens spaces. The open space was increased. He also mentions the right of way dedications and the road improvements. He also states Mr. Waronoker is a developer that is willing to work with staff in order to make a better project.

Mr. Fultz states he is glad to hear this. He brings up developments in Haines City and how close the houses are to each other. He feels that mixing the different types of homes will help.

Ms. Love mentions that the open space provided was to interconnect the trail. She asks for clarification.

Mr. Schmitt responds that the round a bout in the middle had lots removed to interconnect the trails.

Ms. Love states she understands.

Mr. Bennett asks Mr. Schmitt to mention the interconnection to other developments.

Mr. Schmitt then points out the Board the access that will connect to the trail to the development to the East which is Belleview. He stated the access will allow the parks in both developments to be interconnected.

Mr. Bennett states they will try to accomplish the same when the property to the west is developed.

Mr. Lutton states the calming traffic circles are nice. It will keep the speed down on the straight streets. He state it gives more interest to the community. He feels it is making it better.

Mr. Bossarte asks in what phase the commercial section will be developed.

Mr. Schmitt responds it will be in phase 3.

Mr. Bossarte asks what the anticipated usage will be of the commercial area?

Mr. Schmitt responds it will be retail.

Mr. Bennett asks if Ms. Khammany can bring up the aerial. He points out an industrial zoned property that is near this development and interest has been expressed in. He stated that the industrial user will provide a larger buffer.

Mr. Bossarte asks if the retention areas are calculated with open space?

There is open discussion and it is advised that it is counted as open space but not counted towards recreational space even though it can be used for recreation.

Mr. Lutton then opens for public comments and in seeing no one he brings it back to the Board for discussion.

Ms. Love asks if the issues are normal?

Ms. Khammany states there were discrepancies and to keep it less confusing they left it as is and these revisions will be made before it is presented to City Commission.

Ms. Love understands. She further states she feels it was rushed but feels like it could have been presented later to Planning and Zoning with these made.

Mr. Bossarte expresses concern over the density. He asks where the point is where you stick to LDR, or is this the trend?

Mr. Bennett states that this is the development trend that we are seeing. People want smaller lots, they do not want to mow or maintain. He further states that some of the things that Staff is recommending is staggered set backs and anti monotony standards to ensure that the same models are not side by side. He also mentions street trees. He also states it is required the fence be 15' back from the building line to create more open space and to put AC units in the back. He states again this is the trend Staff is seeing but these are some examples in dealing with the trend.

Mr. Bossarte understands he just wants to ensure it is within their plan.

Mr. Lutton states this is 5 units per GROSS acres this is what allows the lots to become smaller. The only way to make the lots bigger or houses further apart is to change the LDR back to 3 units per gross acres. The landowners are at the point that it makes more sense to sell to developers than to maintain the groves.

Mr. Fultz states he feels the staggered set backs will help, it will not cure it. He is wondering how long this trend will last before larger areas are wanted. He feels that families will start looking for more space. He feels we need to look at this for the further. He feels maybe a revision is needed.

Mr. Lutton states that they have not as a Planning Board or City Commission actually carved out sections to assign density. The City does not own land they approve compliance with our

standards. He mentions Margaret Swanson and how she did a moratorium on development to get this worked out. He says it was great because they did not end up with empty houses.

Mr. Fultz states again no one knows how long this trend will last.

Mr. Lutton states that as long as people want to commute. He also feels that the phrase of urban sprawl is getting abused with City Commission. He states the only way to reverse urban sprawl is to take the larger houses out and start putting in apartment buildings or you do 3 or 4 story buildings condos. He further states we do not have the commercial activity in the downtown area to support that.

Mr. Bossarte asks about housing prices?

Mr. Schmitt states he does not know.

Mr. Bennett states if you look at Scenic Bluff it was around 300K to 350K.

Mr. Fultz makes statements that more affordable housing is needed.

Mr. Lutton then asks if there are any further questions on this development?

Ms. Love makes a motion to recommend to City Commission to approve the Preliminary Subdivision Plat and Special Exception Use Permit with the Waivers of Strict Compliance and conditions of approval.

Mr. Fultz 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
--	--------------------------------	---------------------------	-------------------	---------------------	----------------------------------	------------------------------

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.

Mark Bennett begins the presentation of the staff report and states Staff is available for questions.

Mr. Fultz feels this will help and is what Skip was talking about with the need for business to be developed.

Mr. Corby Myers introduces himself to the Board to speak on behalf of the property owners. He understands there were concerns at the last meeting regarding the compatibility with the proposed Land Use and Zoning and he is hoping to address that. He also introduces Mr. Tom Woodrich as a member of the American Institute of Certified Planners who has prepared a presentation.

Mr. Woodrich then presents to the Board to support the proposed land use and zoning.

Mr. Myers supports the presentation by stating the property owner feels that with the business park center you have much more space that you can utilize for buffering than if you are trying to put in a residential development at an LDR level.

Mr. Lutton then asks about the parcel directly north, he asks Mr. Woodrich his thoughts on what that should be?

Mr. Woodrich states it could be BPC or just half of the northern quarter be BPC, he feels it could mirror what is being proposed or split between LDR and BPC.

Mr. Bossarte states in looking at the overall plan, to the west along 27, that is all BP, the 5 acre parcel being discussed is has a 10,000 sq ft building on it. He believes it was built about 30 years ago. It has never been zoned industrial by the county it is currently RR along with the remainder of the property being discussed. He states the Heath Corporation owns this building. He believes before they can do any expansion industrial wise they will need to have it rezoned with the County or annexed into the City which the City would then control and consider BP. If you go to their east property line and south to the City limit that would make a perpendicular line north and south end the BP right there and you will have all of that with access from highway 27 and that makes sense to him. If you jump over another 10 acres and use that one parcel doesn't make sense. You are bordered on all 4 boundaries with dirt roads and currently no access. You just push the buffering needed for LDR out even further. He feels it leaves it open for someone to come in directly to the south and make an excuse as to why it should not be BP.

Ms. Love points out that there is a house north of Myers along 27.

Mr. Bossarte thinks it is pushing out of the boundaries.

Mr. Woodrich responds that since the existing use is there, thru the County process they do have the ability to expand up to 20 percent and can ask for more with a bigger history. He states it has not gone away yet and feels it is being honored with the goals of putting BP there. They did not extend south because of the existing residential in that area.

Mr. Bossarte asks about access?

Mr. Myers states it will have to out to 27. He recognizes the need for buffering and feels it is easier on BP.

Mr. Lutton asks if there are further questions. He then opens for a public hearing.

Mr. Skip Alford then approaches and speaks to the project. He feels this is the perfect scenario to his earlier statements. He states that Mr. Bossarte is his mentor so he does not want to step on toes. He mentions when he ran the Chamber of Commerce in Palm Harbor, Florida they had a corporation there that generated about 75 million in revenue and employ about 125 people. They also have one of the nicest buildings surrounded by residential and business. His point being he does not want the Board to associate the idea of industrial with grime and dirt. He states we can be picky and choosy and ensure that it will be nice. It is also a way to keep the revenue in town. He states this is the scenario they will continue to see.

Mr. Bossarte reminds Mr. Alford in his earlier statement he mentioned the need for development ready land and this is not. It is land locked. It has no utilities or access.

Mr. Alford states he agrees with this but he also feels this will happen again and wants them to be prepared for a win/win scenario.

Mr. Lutton asks for further comment and in seeing no one he closes the public hearing and brings it back to the Board for discussion.

Ms. Love asks if they can only approve a portion due to the hesitation on the BP

Mr. Lutton states that the Board either approved or disapproves what is presented.

Mr. Bennett states the Board can make a recommendation that the property shown BP on the map can be designated LDR and R-1A. They can make a recommendation for all or a portion of the BP be approved.

Ms. Love states she is not comfortable making a decision on what that should be. She feels that Mr. Bossarte made valid points.

Mr. Bossarte states he would be comfortable making a motion to recommend it all be approved as LDR.

Mr. Bennett asks with the LCI?

Mr. Lutton states yes, he feels the LCI is appropriate.

Ms. Love asks if that is the actual motion and if so seconds it.

Mr. Lutton asks if everyone is clear on the motion? That they will recommend approval with the BP being LDR.

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
--	----------------------	-----------------------	-------------------	---------------------	----------------------------------	------------------------------

Mr. Lutton calls for the next item.

7. Victory Ridge Academy – Major Site Plan

COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Jasmine Khammany  
Begin Report:

<b>PROJECT:</b>	Victory Ridge Academy
<b>APPLICANT:</b>	Steve Boggs
<b>APPROVAL:</b>	Major Site Plan
<b>PUBLIC HEARING:</b>	Requirements have been met.

Ms. Khammany presents the staff report and advises that the applicant and staff are available for questions.

Ms. Love reads the statement that the landscaping will be finished in Phase III, she asks what landscaping will be completed in each phase.

Ms. Khammany explains visually what landscaping will be completed with each phase.

Mr. Bossarte states that he is on the VRA Board and needs to recuse himself from voting.

Mr. Bennett states he does not need to leave the room since he is not an elected official.

Mr. Steve Whitaker introduces himself to the Board and gives a brief presentation on the project.

Mr. Fultz states that this was the anticipated result from when the project first started. The portables were meant to be removed with the building being developed and he congratulates them on a job well done.

Mr. Whitaker continues his presentation.

Mr. Lutton then recognizes that they also service a great part of Polk County. They are bigger than just Lake Wales. He states it is a good wholesome business that deserves support.

Mr. Fultz states it is much needed.

Mr. Lutton opens for public hearing. In seeing no one he closes the public hearing brings it back to the Board for a motion.

Mr. Fultz makes a motion to approve Victory Ridge Academy major site plan.

Ms. Love seconds with the conditions of approval.

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 Recused
--	------------------	-----------------------	-------------------	-----------------	------------------------------	------------------------------

## 6. Land Development Regulations

### COMMUNICATIONS AND PETITIONS – No Public in Attendance

Review Staff report by Mark Bennett  
Begin Report:

**PROJECT:** Land Development Regulation Amendments  
**APPLICANT:** Mark Bennett – Development Services  
**APPROVAL:** LDR ( Chapter 23 ) Amendments  
**PUBLIC HEARING:** Requirements have been met.  
Other Business:

Mr. Bennett presents the proposed amendments and stands for any questions.

Mr. Lutton asks if the wording is the same as what is in the States? He feels it is soft.

Mr. Bennett states it is.

Mr. Fultz states it is good to have a definition.

Mr. Lutton then opens for public hearing and in seeing no one he closes and brings it back to the Board for discussion.

Ms. Love makes a motion to recommend approval of the proposed changes to the Land Development Regulation to the City Commission.

Mr. Bossarte seconds the motion.

Chairman Christopher Lutton Yes	Kyra Love Yes	Eugen Fultz Yes	Casey McKibben	Eric Rio Yes	Courtney McCrystal Yes	Larry Bossarte Yes
--	------------------	-----------------------	-------------------	-----------------	------------------------------	--------------------------

Mr. Lutton then calls for other business.

Other Business:

Mr. Bennett states that he does not disagree with Deputy Mayor Gibson. He states that what Staff tries to do is continue to bring changes to LDR's. He also states that if the Planning and Zoning Board has any suggestion to please let Staff know.

There is open discussion in regards to this.

Mr. Lutton then asks for further business and in seeing none he adjourns.

The meeting adjourned at 7:02 PM

\_\_\_\_\_  
Attest: Shena Rowland

\_\_\_\_\_  
Chair: Christopher Lutton

DRAFT