

**MINUTES
PLANNING AND ZONING BOARD MEETING
SPECIAL MEETING
September 28, 2021, 5:30PM**

The City of Lake Wales Planning and Zoning Board held a meeting on September 28, 2021 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- Chairman Charlene Bennett	John Gravel	Casey McKibben	Eric Rio	Kyra Love	Betty Wojcik
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City Staff:

Dept. of Planning and Development
Mark J. Bennett – Director of Development Services Autumn Cochella – Development Services Manager Christina Adams – Recording Secretary

1. CALL TO ORDER – Mr. Lutton called the meeting to order at 5:31 p.m.
2. ROLL CALL - Ms. Bennett and Mr. Gravel were absent.
3. APPROVAL OF MINUTES
Special Meeting – August 31, 2021
Motion by Ms. Love to approve and Mr. Rio seconded the motion. The minutes approved unanimously by voice vote.
4. COMMUNICATIONS AND PETITIONS

NEW BUSINESS

5. PRESENTATION ON REAL ESTATE MARKET TRENDS – DAVID HITCHCOCK, ALC, CCIM

Mr. Hitchcock introduced himself to the Board. He explained Community Development Districts (CDD) and explained they only work when the neighborhoods sell enough homes to pay for the bonds. He stated there are currently an estimated 20,200 new dwelling units coming to East Polk County and stated the estimated time lines from application to completion of civil engineering were close to two years. The demand for houses is being driven by the population growth and the average price for a home has doubled since 2012. He stated the rising costs for land is creating a demand for smaller lots and affordable housing. He stated the 2008 recession had an excess supply of homes and now there is a limited supply and heavy demand.

Mr. Lutton asked if it was logical that lots in Haines City and Davenport would sell way before lots in Lake Wales or if it would be around the same time. Mr. Hitchcock stated there isn't much left in those areas and there is a natural slide down the ridge and developers wouldn't build houses if they didn't have buyers. He stated the major difference between now and the recession is the lack of supply and rise of demand right now.

6. SPECIAL EXCEPTION USE PERMIT – TEC SOLAR POWER GENERATION FACILITY

Review Staff report by M. Bennett
Begin Report:

PROJECT:	TEC Solar Power Generation Facility
APPLICANT:	Wheeler Farms, Inc. & Wheeler Waverly Grove, LLC, Owner Shelton T. Rice, Peterson Myers, Agent for BFT Holdings, Applicant
APPROVAL REQUESTED:	Special Exception Use Permit with conditions of approval
PUBLIC HEARING:	Required – requirements have been met

Mr. Bennett reviewed the staff report with the Board. Bart Allen with Petersen Myers, Kristin Mora and John Hunter with TECO and Darren Stowe with ECT were present. Mr. Bennett prepared a presentation for the Board and Mr. Allen gave a presentation to give an overview of the project. Ms. Mora explained that although Lake Wales is an area supplied by Duke Energy, all power grids are interconnected and power companies sell power to each other so this solar farm could still energize Lake Wales. Mr. Rio asked who would maintain the vegetation and landscape buffer of fruit trees and Ms. Mora stated this was a unique situation since TECO does not have projects with fruit trees and stated they may start a program, but they would not let the property fall into despair.

Mr. Lutton asked why there was a large 385-foot buffer along the south side of Scenic Hwy and only an 80-foot buffer on the north side. Mr. Stowe stated that was due to the layout of the panels and the function of the arrays to get as many megawatts of power possible without exceeding the power limits allowed. Mr. Lutton asked about the buffer areas on the Lake Hancock property and Mr. Allen clarified that was a different situation as it was part of a Planned Development Project for a multifamily use and their buffer was only 50 feet. He stated they could look into adjustments to add a more even buffer along the north and south of Scenic Hwy.

Mr. Lutton opened the public hearing and asked participants to address the Board directly rather than the applicants.

Paul Tomlinson, who lives outside of City limits, asked why there were areas with a small 50-foot buffer where the trees are only 4-5 feet in height, where the entrance would be, who would maintain the landscape because dead trees and fruit could be an issue, and where the line is near the substation.

Janice Skelton, who lives outside of City limits, stated that solar farms are ugly and depreciate property values and that Lake Wales is her home and she has a right to protect her property and make sure it isn't desecrated and that her value isn't taken away from her. She stated that TECO did not have a good plan and that 4-foot tall peach trees were not a sufficient buffer and the rotted fruit would bring rats and raccoons. She stated there was no area for wildlife preservation and that most of the residents nearby are on wells and solar farms leave waste. She asked how they would protect the wells and if they would add filters for the nearby residents and storms would cause waste that will drain into the lakes. She stated the 55-foot buffer was along her property and would encroach on her house and wanted the applicant to think about the water and the environment.

Alex Kelp, who lives outside of City limits, stated he was concerned about vandalism. He asked if there would be barbed wire along the fencing, if the panels will leak or break and leak

cadmium into the ground water, and if there would be assurance that the water will not affect the health of the residents. He stated there is a lot of development coming to Lake Wales and there will not be a positive impact when people plan to move to the country and see a solar farm that could affect property values and the demand of people coming.

Mary Barbery, who lives outside of City limits, stated the buffer near her property wasn't wide enough and she did not want to maintain their limbs and believes a gopher survey will be necessary. She stated the water source is important and there may be existing wells and specific types of piping for the citrus. She stated she worked in real estate and this project would definitely hurt property values in the area and potentially hinder growth.

Mr. Lutton closed the public hearing and asked the applicant if there was a potential of contamination to ground water if a panel breaks. Mr. Hunter stated the technology is cadmium telluride and contained to the structure and even if the panel were to break, it would not leak as it remains in a solid state. If a panel breaks, TECO would be required to remove and replace per state guidelines. He stated this would be a benefit, as it would mean less pesticides and herbicides being sprayed in the area. Mr. Lutton asked if there would be a requirement for onsite storm retention and Mr. Hunter stated they would design based on conditions and would manage it with vegetative buffering inside of the fence. Ms. Love asked if these solar panels were considered more dangerous than ones installed on homes and Mr. Hunter replied they were just more rigid.

Mr. Lutton stated that citrus and peach trees don't grow very tall and that trees at other sites are more conducive to long term buffering. Mr. Allen stated that the use of existing plant vegetation is new to TECO and they would agree to making sure there is irrigation and a maintenance program and they would work with staff on replanting if any trees died. Mr. Lutton stated he understands that trees can't be planted that will shade the panels, but keeping the existing citrus may be the wrong direction and the grove wells and piping locations may be an issue. He stated his opinion would be to have an active grove management company tied into the development. Mr. Bennett proposed that the Board add another condition of approval to require a buffer or maintenance plan. Ms. Love stated she liked the idea of keeping citrus trees, but doesn't want to create a problem with dead fruit and would like for the adjacent residential properties to have priority in buffer width consideration. Mr. Allen stated he was hearing the concerns and had a few ideas of how to update the buffer. Mr. Bennett proposed that the Board could add a condition for the applicant to provide a maintenance plan for existing vegetation or provide an alternate landscape buffer plan for staff to review. Mr. Rio asked when the Board would know the alternate plan and asked if the landscape plan could come back to the Board for review. Mr. Allen stated the applicant's concern was that it would take weeks to compare options and weeks to redesign the plan before coming to the Board again and this could delay the project by months.

Mr. Lutton confirmed the Board had no issue with the use but stated he was not comfortable allowing staff to administratively approve a revised landscape plan. Mr. Allen asked if the Board would consider tabling this item to the next meeting and they could provide an alternate landscape plan. Ms. Love made a motion to table the item and Ms. Wojcik seconded the motion. The motion to table this item was approved unanimously.

7. TEXT AMENDMENT – LAND DEVELOPMENT REGULATIONS

Review Staff report by A. Cochella
Begin Report:

APPLICANT: City of Lake Wales
APPROVAL REQUESTED: Recommendation of approval to City Commission
PUBLIC HEARING: Required – requirements have been met

Ms. Cochella reviewed the staff report with the Board. She explained this would be a two-step process and would put a short moratorium on manufactured homes in the City until staff can continue researching. She explained the second portion of the text amendment is to help promote more revitalization within the CRA 3 district. Ms. Love mad a motion to recommend approval of the Land Development Regulation text amendments defined in the staff report. Ms. Wojcik seconded the motion and the item was approved unanimously.

OTHER BUSINESS

Mr. Lutton wanted to share that he noticed dirt work being done on the Leoma's Landing property. Mr. Bennett shared that the City will be hiring another planner who will be starting on October 25th.

The meeting adjourned at 7:06 PM.

Attest: Christina Adams

Chairman: Christopher Lutton