

City Commission Workshop Minutes

November 10, 2021

(APPROVED)

11/10/2021 - Minutes

1. CALL TO ORDER & ROLL CALL

Commission Members Present: Terrye Howell, Robin Gibson, Jack Hilligoss, Daniel Williams

Commission Members Absent: Eugene Fultz

Staff Present: James Slaton, City Manager; Jennifer Nanek, City Clerk, Albert Galloway, Jr., City Attorney

Deputy Mayor Gibson called the meeting to order at approximately 2:00p.m.

2. City Manager Comments

James Slaton, City Manager, said he is planning a work session dedicated to growth management. They will bring in some subject matter experts on growth and have meaningful discussion. He is planning to have this in early December.

3. Ordinance 2021-14 -Chapter 14 Code Of Ordinances Amendment Mobile Car Wash/Auto Detail Business Regulations 1st Reading And Public Hearing – Notice Requirements Have Been Met

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2021-14 proposes an amendment to Chapter 14 – Licenses and Business Regulations, Lake Wales Code of Ordinances. This amendment is necessary to address specific concerns of the community, and to better-regulate mobile auto detailing businesses in Lake Wales.

RECOMMENDATION Staff recommends approval at first reading of Ordinance 2021-14, following a public hearing.

BACKGROUND

Both the Code Compliance Division and the Police Department have recognized an increased volume of calls and complaints regarding disruptive mobile car washing practices in the City. In order to reduce certain impacts of this service type on neighborhoods and businesses, the intent of Article VIII Mobile Car Wash/Auto Detail Businesses is to provide specific guidance on lawfully conducting a mobile detailing business within the City.

On June 15, 2021, this request was brought before the City Commission for consideration. Based on feedback provided at the meeting from mobile car wash vendors, the request was tabled.

Since that time, staff has held several meetings with mobile car wash vendors. The purpose of these meetings was to obtain feedback and review subsequent drafts of the revised ordinance.

The attached ordinance represents the 7th draft of the proposed regulations. The new ordinance, which has

been reduced in scope from 13 to 9 sections, now addresses only the following items:

- Licensing
- Listing of Unlawful activities
- Vehicle Registration
- Documentation Requirements
- Signage
- Time Limits
- Location Restrictions
- Enforcement and Penalties

Items removed from the previous draft of the ordinance include the following:

- License Fee
- Display of License & Business Information
- Decal Requirement for Vendors
- Property Owner Authorization
- Impoundment Provisions

Additionally, the revised ordinance increases the amount of time that a mobile vendor may be on a site from 3 to 4 hours, modifies the hours of operation to be consistent with the City's Noise Ordinance provisions, and clarifies the enforcement provisions by listing specific penalties for each offense. Based on the feedback from mobile car wash vendors, the revised ordinance addresses their concerns, while still accomplishing the goal of protecting the public interest by providing safeguards to protect residents.

OTHER OPTIONS Decline to amend Chapter 14.

FISCAL IMPACT None

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item. This draft came from discussions with local business owners.

Deputy Mayor Gibson said that 10:00 p.m. sounds late. Ms. Cochella said that is consistent with the City noise ordinance.

James Slaton, City Manager, said that it was a positive process coming up with a draft that meets our needs without causing hardships. This can be changed if something becomes a problem or doesn't work.

Deputy Mayor Gibson asked where these mobile car washes are allowed to operate. Mr. Slaton said private property or residences. Ms. Cochella said the license fee requirement was removed.

Commissioner Williams said that he spoke to 2 business owners who said that they agreed with it. The

partnership was done well.

James Slaton said that this will legitimize their businesses.

Deputy Mayor Robin Gibson said this was a rational, calm, reasonable solution. Commissioner Howell agreed and said she was glad their voices were heard.

Commissioner Howell asked if they have to have both a county and city license. Ms. Cochella confirmed that they have to have both. Commissioner Howell asked about enforcement. Ms. Cochella said Police and Code Enforcement.

Mr. Slaton said that because of the process many of the problems have been worked out but we still need a functional law.

4. Gardinier Master Annexation Agreement

[Begin Agenda Memo]

SYNOPSIS: The Gardinier Master Annexation Agreement contemplates the eventual annexation over the next 20 years of property located east of State Road 17, and north of Masterpiece Road.

RECOMMENDATION The City Commission authorize the Mayor to execute the Agreement.

BACKGROUND

Over the past year, staff has been in discussions with representatives of Gardinier Florida Citrus, Inc., and PCGP, LLC, regarding 932 acres located north of Masterpiece Road, and east of State Road 17 (please see attached map). These entities are owned by the Gardinier family, and are collectively referred to as "Gardinier". Based on these discussions, an annexation agreement has been prepared for consideration by the City Commission.

The proposed agreement, to be known as the "Gardinier Master Annexation Agreement" (Agreement), contains the following provisions:

- The property is identified as separate areas (known as the West, Central, and East areas).
- A separate annexation agreement for just the West area is expected within 10 days of approval of the Master Annexation Agreement. It is anticipated that subsequent applications for land use, zoning, and a Planned Development Project will soon be received thereafter.
- The Central and East areas would be annexed within 20 years. Separate annexation agreements will be created for those areas at that time.
- The Agreement gives the City the ability to annex the property if Gardinier does not act within the 20-year time frame.
- The City agrees to accept annexation upon receipt of annexation agreements, unless otherwise precluded by Florida or Federal law.
- The Master Annexation Agreement includes a provision regarding utilities. The Agreement contemplates that the City will provide potable water and sanitary sewer to these properties within the City limits. The Agreement also contains a provision that it shall not be interpreted to obligate the City to extend water or sanitary sewer lines at its own expense, nor shall it prohibit joint participation in extension of utilities.

Annexation agreements are not normally presented to the City Commission for consideration. The

subsequent annexation ordinance is the action taken to determine whether property would be annexed into the City. However, because of the utilities provision, it is necessary to bring the Agreement for consideration. Another reason for having the Commission consider the Agreement is to ensure that there is consensus for the future annexation of a large area.

Approval of the Agreement is important because it will allow the City (as opposed to Polk County and/or the Town of Dundee) to control the development of these properties. The City can then ensure that quality development occurs by controlling the eventual use and design of the properties. By asserting control of property development, conducting proper planning, and governing the timing of annexation, the City can also ensure that any possible adverse impacts due to urban sprawl are prevented.

OTHER OPTIONS Decline to approve the Agreement.

FISCAL IMPACT Because the Agreement only provides the framework for the eventual annexation of property, it is not possible to provide an estimate of projected revenues.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item. James Slaton, City Manager, also reviewed this item.

Deputy Mayor Gibson asked if they are interested in developing. Mr. Slaton confirmed they are but haven't decided exactly what yet. We don't want the County to be in control of this development. Deputy Mayor Gibson confirmed that this is not the annexation but an agreement to annex in the future. Ms. Cochella confirmed this but if after 20 years all the phases aren't annexed in then they will be annexed automatically. She said the first phase will likely come forward soon.

Commissioner Howell asked what happens if they want to build something we don't want. Ms. Cochella said whatever they want to do will come before the planning board and the City Commission for approval.

Shelton Rice, Petersen & Myers law firm, representing the Gardiniers reviewed their request and plans.

Deputy Mayor Gibson found the exact location on the map across from Dinner Lake subdivision

Deputy Mayor Gibson asked if our utilities extend there. Ms. Cochella confirmed both water and wastewater go up that way to Brookshire. Mr. Rice said there might be capacity issues so they might provide an area for a lift station.

Deputy Mayor Gibson said that they are interested in good quality of life for our community.

5. Ordinance D2021-18 Belleview CPA First Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Belleview Drive LLC, owner, requests approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan to the above-mentioned parcels totaling approximately 10 acres of land.

RECOMMENDATION Approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations, as recommended by the Planning and Zoning Board at a regular meeting on October 26, 2021:

Current Land Use: County Residential Suburban/Southeast SAP Current Zoning: County RSX

Proposed Land Use: LDR Proposed Zoning: R-1B

BACKGROUND The subject property is located at the northeast corner of Grove Road #3 and GR Road/9th Street South, just west of 11th Street. The property owner petitioned annexation into the corporate city limits of Lake Wales on August 26, 2021 and was officially annexed on October 5, 2021. The next step in the process is to assign Land Use and Zoning which has been presented to the Planning & Zoning Board at a regular meeting on October 26, 2021. This parcel will become part of a larger residential development; however, development plans have not yet been submitted to the City. A Future Land Use Designation of LDR – Low Density Residential at 5 units per gross acre, and a Zoning designation of R-1B is compatible with the surrounding area and will complement the built environment.

CODE REFERENCES AND REVIEW CRITERIA The City Commission assigns future Land Use and zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

FISCAL IMPACT Re-assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Deputy Mayor Gibson asked about green spaces. Ms. Cochella said they will monitor this during the development portion.

James Slaton, City Manager, there will be an opportunity to have discussion about areas just outside the City limits. We can establish the future land use of areas within our utilities service area. This will be worked on this year.

Deputy Mayor Gibson said people like the natural qualities of the Lake Wales Ridge. Developers will make more money with higher quality developments. We can't stop growth but we can regulate it. Mr. Slaton said that staff is working hard to control it and asking developers for quite a bit. Deputy Mayor Gibson said we can make good choices. Autumn Cochella said they really work with developers on their plan before it comes to commission.

Commissioner Howell said we are doing well addressing the urban sprawl concerns raised by Deputy Mayor Gibson

6. Ordinance D2021-19 Belleview Zoning First Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Belleview Drive LLC, owner, requests approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan to the above-mentioned parcels totaling approximately 10 acres of land.

RECOMMENDATION Approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations, as recommended by the Planning and Zoning Board at a regular meeting on October 26, 2021:

Current Land Use: County Residential Suburban/Southeast SAP

Current Zoning: County RSX

Proposed Land Use: LDR

Proposed Zoning: R-1B

BACKGROUND The subject property is located at the northeast corner of Grove Road #3 and GR Road/9th Street South, just west of 11th Street. The property owner petitioned annexation into the corporate city limits of Lake Wales on August 26, 2021 and was officially annexed on October 5, 2021. The next step in the process is to assign Land Use and Zoning which has been presented to the Planning & Zoning Board at a regular meeting on October 26, 2021.

This parcel will become part of a larger residential development; however, development plans have not yet been submitted to the City.

A Future Land Use Designation of LDR – Low Density Residential at 5 units per gross acre, and a Zoning designation of R-1B is compatible with the surrounding area and will complement the built environment.

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FISCAL IMPACT Re-assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

7. Ordinance D2021- 20 Hunt Club CPA First Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Dave Schmitt Engineering, Inc, agent for owners, requests approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on above-referenced parcels of land.

RECOMMENDATION At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Hunt Club North Current Land Use: Polk County RL-1 Residential Low

Current Zoning: N/A Proposed Land Use: LDR low-Density Residential

Proposed Zoning: R-1C Hunt Club South

Current Land Use: LDR Low-Density Residential

Current Zoning: R-1B Proposed Land Use: MDR Medium-Density

Residential Proposed Zoning: No change is proposed

BACKGROUND Hunt Club Grove North has a project area of about 130 acres of vacant grove land, and it is planned for residential development. Approximately 62 acres of land were petitioned for annexation into the City and it was approved at first reading on October 19, 2021 and was adopted on November 2, 2021.

Hunt Club South, a separate phase of the overall development, has a total project area of 104 acres of vacant grove land and is also planned for residential development. These parcels did not require annexation as they were already incorporated; however, a land use change on 24.66 acres of the site from LDR Low-Density Residential, to MDR Medium-Density Residential is requested.

Low-Density Residential = 5 units per gross acre

Medium-Density Residential = 12 units per gross acre

The Planning and Zoning Board has recommended approval of reassigning land use and zoning designations at a regular meeting on October 26, 2021.

CODE REFERENCES AND REVIEW CRITERIA The City Commission assigns Future Land Use and Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

FISCAL IMPACT Re-assignment would enable the development of both properties and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 1,149 dwelling units based on what's conceptually proposed, it could potentially result in over \$229 million in taxable value, and generate \$1.5 million in ad valorem taxes.

*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item. She showed the location on the screen. She explained the developer will improve the road network in this area. She shared slides on the location of the project.

Deputy Mayor Gibson asked who the owners of the properties are. Ms. Cochella said the Hunt Brothers and Richard McKinley own many of the nearby parcels.

Ms. Cochella explained that the developers will help improve the roads in that area.

Deputy Mayor Gibson asked about mixed-use. Ms. Cochella said there is a mix of housing types but no commercial development. Deputy Mayor Gibson said they are close to commercial and shopping. Ms. Cochella confirmed this.

Ms. Cochella said the developer has put a lot of detail in this plan.

8. ORDINANCE D2021-21 First Reading And Public Hearing – Hunt Club Zoning

[Begin Agenda Memo]

SYNOPSIS: Dave Schmitt Engineering, Inc, agent for owners, requests approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on above-referenced parcels of land.

RECOMMENDATION At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Hunt Club North Current Land Use: Polk County RL-1 Residential Low Current Zoning: N/A Proposed Land Use: LDR low-Density Residential Proposed Zoning: R-1C

Hunt Club South Current Land Use: LDR Low-Density Residential Current Zoning: R-1B Proposed Land Use: MDR Medium-Density Residential Proposed Zoning: No change is proposed

BACKGROUND Hunt Club Grove North has a project area of about 130 acres of vacant grove land, and it is planned for residential development. Approximately 62 acres of land were petitioned for annexation into the City and it was approved at first reading on October 19, 2021 and was adopted on November 2, 2021.

Hunt Club South, a separate phase of the overall development, has a total project area of 104 acres of vacant grove land and is also planned for residential development. These parcels did not require annexation as they were already incorporated; however, a land use change on 24.66 acres of the site from LDR Low-Density Residential, to MDR Medium-Density Residential is requested.

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Medium-Density Residential = 12 units per gross acre

The Planning and Zoning Board has recommended approval of reassigning land use and zoning designations at a regular meeting on October 26, 2021.

CODE REFERENCES AND REVIEW CRITERIA The City Commission assigns Future Land Use and Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

FISCAL IMPACT Re-assignment would enable the development of both properties and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 1,149 dwelling units based on what's conceptually proposed, it could potentially result in over \$229 million in taxable value, and generate \$1.5 million in ad valorem taxes.

*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

9. Ordinance D2021- 22 Hunt Club South CPA First Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Dave Schmitt Engineering, Inc, agent for owners, requests approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on above-referenced parcels of land.

RECOMMENDATION At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval at first reading, and adoption at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Hunt Club North Current Land Use: Polk County RL-1 Residential Low Current Zoning: N/A Proposed Land Use: LDR low-Density Residential Proposed Zoning: R-1C

Hunt Club South Current Land Use: LDR Low-Density Residential Current Zoning: R-1B Proposed Land Use: MDR Medium-Density Residential Proposed Zoning: No change is proposed

BACKGROUND Hunt Club Grove North has a project area of about 130 acres of vacant grove land, and it is planned for residential development. Approximately 62 acres of land were petitioned for annexation into the City and it was approved at first reading on October 19, 2021 and was adopted on November 2, 2021. Hunt Club South, a separate phase of the overall development, has a total project area of 104 acres of vacant grove land and is also planned for residential development. These parcels did not require annexation as they were already incorporated; however, a land use change on 24.66 acres of the site from LDR Low-Density Residential, to MDR Medium-Density Residential is requested.

Low-Density Residential = 5 units per gross acre Medium-Density Residential = 12 units per gross acre

The Planning and Zoning Board has recommended approval of reassigning land use and zoning designations at a regular meeting on October 26, 2021.

CODE REFERENCES AND REVIEW CRITERIA The City Commission assigns Future Land Use and Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

FISCAL IMPACT Re-assignment would enable the development of both properties and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 1,149 dwelling units based on what's conceptually proposed, it could potentially result in over \$229 million in taxable value, and generate \$1.5 million in ad valorem taxes.

*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

10. Preliminary Subdivision Plat Approval / Special Exception Use Permit - Tangelo Street Subdivision

[Begin Agenda Memo]

SYNOPSIS: Sloan Engineering Group, agent representing Kahler Family Trust, Mow Groves LLC, and Prince Storage LLC, owners, is requesting approval of City Commission, of a 108-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on 28 acres of land just east of Tangelo Street, and south of State Road 60.

RECOMMENDATION The applicant requests approval of City Commission of a 108-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP, with conditions of approval, as recommended by the Planning and Zoning Board at a regular meeting on October 26, 2021.

BACKGROUND *General:* The 28-acre vacant grove land is located just east of Tangelo Street, south of State Road 60 and the self-storage facility on Tangelo Street. The subject properties were annexed into the City through petition by the owners this year, and on August 24, 2021, Planning Board made a recommendation to City Commission to approve a zoning of R-1D, and a future land use designation of MDR medium-density residential at a maximum of 12 units per gross acre.

The proposed single-family subdivision is designed as a Planned Development Project, including requested Waivers of Strict Compliance.

Maximum density allowed on the site is calculated at 12 units per gross acre, or 336 homes, under the Comprehensive Plan for MDR Medium-Density Residential; a density of only 3.1 dwelling units per acre, or 108 homes, is proposed.

Typical lot sizes range from 6,000 square feet to 7,200 square feet, with lot widths ranging from 50-foot-wide to 60-foot-wide. The 50-foot-wide lots are a slight deviation from the R1D zoning dimensional and area standards, which requires a minimum lot width of 60 feet. The lot sizes meet the underlying zoning, which requires a minimum lot size of 6,000 square feet.

Roadways & Access: One entrance to the site is shown from Tangelo Street. Tangelo will be improved to minor collector standards along the project boundary and to the development entrance. Tangelo Street is a city-maintained road.

Five-foot-wide sidewalks will be constructed on both sides of interior streets, as well as along the length of the property exterior to the development along Tangelo Street only. Additionally, a new local road will be

constructed through the project which will connect to an existing roadway grid for future connections. Lastly, the development designates Tract A on the plan as right-of-way dedication to the City for future growth and improvements.

Landscaping and Buffering: A landscape plan will be required at Site Development Plan submittal, and will be reviewed and approved by Staff after consultation with the City's horticulturist. The proposed buffer may be a wall or berm, and will be planted with shrubs, canopy trees, and understory trees.

Residential tree density requirements will be enforced at building permit issuance, pursuant to section 23-307.2.a.3: *a minimum of two, two-inch caliper shade trees, minimum of eight feet at planting.*

Recreation: The project is designed with over an acre of recreation tracts, including a centralized neighborhood park, a mini-park, and a natural multi-purpose trail which loops around the property and interconnects with the sidewalk system. The neighborhood park will feature playground equipment, and the trail will include at least 3 benches throughout.

The recreational trail does not count towards the overall recreation area provided, as it is narrower than 25 feet in width. More than 27% of the site will remain as open space, where 20% open space is required at a minimum by code.

Waivers of Strict Compliance: The applicant requests the following Waivers of Strict Compliance from certain dimensional and area standards in the R-1D zoning district:

- 1.) Minimum lot width at building line: 50 feet wide is requested for specific lots where 60 feet wide is required by code.
- 2.) Side building setback: 5 feet is requested where 7.5 feet is required by code.
- 3.) Corner lot functional side-yard setback of 15 feet is requested where 25 feet is required by code, for the following lots: a. 1, 6, 17, 22, 23, 28, 29, 49, 72, 73, 90, 91, & 108
- 4.) Increase in the allowable lot coverage not to exceed 70% is requested where 40% is required by code.
- 5.) Allow the neighborhood park to be further than 600 feet from lots it serves.
- 6.) *Eliminate the visitor parking requirement at recreation areas. (Code reference: 23-443.1.d. Parking spaces. In single-family and duplex PDPs where reductions in minimum lot size are granted, and in all multi-family PDPs, visitor parking areas with spaces in a ratio of one space per 10 dwelling units shall be provided in each neighborhood in addition to the minimum of 2 parking spaces for each dwelling unit. In projects of 100 units or more, parking spaces shall be provided at the recreation area in a ratio of one space per ten dwelling units. Recreation area parking in projects with less than 100 units may be used to meet the visitor parking requirement.)*

Proposed Superior Design Standards: In exchange for the consideration of the above-mentioned Waivers of Strict Compliance requested, the applicant provided justification within the project narrative delineating the ways in which the plan is superior to a standard subdivision:

"The proposed PDP is superior to a standard subdivision because it provides an interconnected trail along the northern and eastern extent of the project. The trail will loop the southern stormwater pond and will have multiple connections to the internal sidewalk as well as the proposed sidewalk along Tangelo Street. The trail and sidewalks will create a unique opportunity for residents to exercise and enjoy the park areas that will be a part of the trail system".

Additionally, the plan will provide recreation and open space in excess of the minimum standards.

- Recreation required: .41 acres; Recreation provided: 1.23 acres

- Open space required: 20% of site; Open space provided: 27% of site Code Analysis: Section 23-443 Design guidelines for residential PDPs.

Guidelines in this section are intended to assist the applicant in designing the project and the city in assessing the quality of the proposed development.

a. Relationship to surrounding area. The development is not isolated from the surrounding community, but is an integral part of the community. Methods for achieving:

Roadways and pedestrian/bike paths connect to the surrounding roadways, neighborhoods, commercial areas, and parks. **-Achieved**

Streets extend or expand the existing street pattern. Collector streets do not terminate within the development. **-Achieved**

Perimeter walls are discouraged in developments with under one hundred (100) units. In "gated" communities, perimeter walls are inconspicuous and heavily landscaped. Landscaping has a natural, rather than formalized appearance. **-Achieved**

Entrances to the development are understated and do not promote the concept of a development that is separate from the surrounding community. **-Achieved**

Pedestrian connections to surrounding streets are provided through landscaped buffers and perimeter walls. **-Achieved**

b. Overall design. The layout of the development is suited to the configuration and characteristics of the land and integrates natural features into the overall design.

Methods of achieving: Natural features of the land, including wetlands, ponds, hills, and vegetation, are preserved and become the basis for the layout of the development. **-Unable to be determined**

Parks and open areas incorporate natural features for the enjoyment of all residents and become focal points for the development and for neighborhoods. **-Not achieved**

Roadways provide views of natural features and open space. **-Not achieved**

Changes in elevation are used as a design feature to provide interest. **-Unable to be determined**

Commercial areas in mixed-use developments are located for convenient and safe access from outside and inside the development by vehicles and pedestrians. **-Mixed-use not proposed**

Location of buildings on ridges is avoided so that the rooftops do not dominate the landscape. **-Unable to be determined**

c. Neighborhoods. The development establishes identifiable neighborhoods engendering a feeling of belonging.

Methods of achieving: Dwellings are clustered rather than located in linear patterns on long streets. The number of dwellings in each single-family neighborhood does not exceed fifty (50). **-Not achieved**

Each neighborhood has its own common open space designed as a focal point and visible from most units. Central greens are encouraged. **-Not achieved, but one is commonly located**

Housing styles/types and streetscapes are chosen and designed to distinguish neighborhoods. **-Unable to be determined**

Front porches, small front yards, and walkways connecting to the street provide opportunities for social interaction. **-Unable to be determined**

d. Streetscapes. Streetscapes are designed to provide interest and variety; views of the street are attractive from the dwelling units and from the point of view of the pedestrian walking along the street. Methods of achieving: Collector roads have landscaped medians or adjacent, landscaped pedestrian/bike corridors. Driveways intersecting collector roads are minimized. **-Not achieved**

Visual interest is provided along the street through distinctive landscaping and street lighting, and varied street and sidewalk patterns. **-Not achieved**

Location and orientation of houses or buildings on sites provides variety and distinctiveness to the street. **-Not achieved** Building facades and entrance features are varied. **-Unable to be determined**

Building sizes and types are designed specifically for the lot size and shape. **-Unable to be determined**

Setbacks between houses are varied or breaks are provided in rows of houses for visual relief. **-Unable to be determined**

Mini-parks, neighborhood parks, and open space areas are located and landscaped to provide rest stops for pedestrians and to visually punctuate the streetscape. Benches or retaining walls provide seating. **-Partially achieved**

Spine roads and long sections of local streets meander and are attractively landscaped **-Not achieved**

Long blocks are broken up with landscaped islands. **-Not achieved**

Plantings are chosen to distinguish the street or neighborhood from others. **-Unable to be determined**

Streets are oriented to provide views of open areas and vistas from hillsides. **-Unable to be determined**

Intersections have landscaping and design features to add interest and shield houses on corner lots. **-Not achieved**

Clutter along the street is minimized in dense neighborhoods by grouping mail boxes and trash collection stations, keeping signage to a minimum, and providing visitor parking areas. **-Not achieved** See also Lighting.

e. Street system. A well-planned street system establishes coherence to the development, provides safe and efficient circulation for vehicles and pedestrians, and defines neighborhoods. Methods of achieving:

A hierarchy of streets is established, providing a coherent circulation system; a maze of local streets is avoided. **-Achieved**

Loop roads and branches from a spine road provide access to neighborhoods. The use of culs de sac is minimized. **-Achieved**

Streets within neighborhoods are designed to provide unity and definition to the neighborhood. **-Not achieved**

Streets are designed to allow for expansion of the development into nearby areas via collector roads. **-Achieved**

f. Pedestrian circulation. A comprehensive system of sidewalks and bike paths throughout the development connects dwelling units to recreation areas, parking areas, public transportation stops, common buildings,

and adjacent neighborhoods, and provides a safe and attractive walking environment for recreational and practical use. **-Achieved**

The pedestrian/bike circulation system is planned as an integral part of the overall design of the development, providing connections between dwelling units and all facilities in the development. **-Achieved**

Pedestrian/bike paths running along streets are buffered from the travel ways of streets by landscaped strips. **-Achieved** Pedestrian/bike paths are designed as recreational features or to double as recreational features. Paths that are separate from the vehicular ways are encouraged, provided they are in landscaped corridors and there are sufficient connections between dwelling units and likely destinations. **-Achieved**

Paths meander through landscaped areas providing alternative routes for recreational walks and visual variety for the pedestrian; paths do not run unvaryingly parallel to streets. **-Achieved**

Paths provide views of open areas, water bodies, wetlands, landscaped areas, streets, and neighborhoods. **-Achieved**

g. Focal points and gathering places. Attractive and distinctive focal points and places for residents to gather, meet, and enjoy the outdoors are provided in the development. In keeping with a principle of Frederick Law Olmsted, the best part of the site is kept for the public.

Methods of achieving:

In addition to neighborhood and mini-parks, recreation areas are provided to serve the entire community; these are located for easy access by all residents and incorporate and enhance natural features (whether existing or created), such as water bodies and groves of trees. **-Achieved**

Landscaped areas double as recreation areas. **-Achieved**

Recreation areas are designed to encourage gathering and interaction of residents. Paths intersect, and benches or picnic areas are provided at intersections; gazebos, plazas, community buildings, playgrounds, picnic areas, seating near play courts, or similar facilities are provided. **-Not achieved**

In mixed-use developments, green areas are used to connect and integrate residential and mixed-use or commercial/professional areas. **-Mixed-use not proposed**

Small parks provide focal points and gathering places within each neighborhood or for a group of neighborhoods. **-Not achieved**

Facilities in common areas are provided appropriate to the residents' ages and interests. Playgrounds, play courts, community buildings, bike paths, swimming pools, jogging paths, are examples. **-Achieved**

h. Landscaping. Landscaping in the development provides visual interest, screening where needed, incorporates existing mature trees and other valuable vegetation, enhances natural features such as wetlands, and minimizes water use.

Methods of achieving:

An overall landscaping concept is prepared for the development with attention to streetscape, plantings in recreation and common areas, attractive landscaping around buildings and in yards, retention of existing trees, and appropriateness of plant selections to the environment. **-Unable to be determined**

Streets, lot lines, and building envelopes are located to preserve existing trees, particularly in parks, front yards and in landscaped islands and street edges. **-Unable to be determined**

Native plant types and low water use species are used extensively. **-Unable to be determined**

Rear yards are buffered from roadways by landscaped buffers. A proliferation of individual privacy fences along streets is avoided. **-Unable to be determined**

Landscaping is provided to screen lots where a double line of lots is located so that back yards or side yards abut. **-Unable to be determined**

Where side building setbacks are small, plant materials are placed to screen side lot lines from the street. **-Unable to be determined**

All dumpsters and other mechanical facilities are screened attractively. **-Unable to be determined**

Frameworks for plants to grow on, such as trellises or arbors, are provided in parks and yards. **-Unable to be determined**

Existing or new large-caliper trees are used at focal points, providing the immediate impact of mature trees. **-Unable to be determined**

i. Parking and access. Sufficient provision is made for resident and visitor parking and access for services, such as deliveries and garbage pick-up, without street congestion or interference with sidewalks. Parking facilities do not dominate the streetscape.

Methods for achieving:

Garages are recessed or oriented so that garage doors do not face the street. **-Not Achieved**

Driveways run along the side of dwellings or extend to the back of the dwelling. **-Unable to be determined**

Parking areas are located to the side and rear of buildings; parking areas along street frontages are minimized. **-Unable to be determined**

Parking areas are set back from the road and are screened with landscaping, fences, or berms. **-Parking not proposed**

Small pods of parking are designed rather than large parking lots. **-Parking not proposed**

There is adequate street width where street parking is permitted. **-Unable to be determined**

Alleys provide service access and additional parking. **-Not achieved**

Driveways to dwellings are of adequate length to provide parking without vehicles encroaching on sidewalk. **-Achieved**

Additional parking is provided for visitors and for recreation areas. **-Not achieved**

j. Lighting. Lighting is adequate for safety and enhances the streetscape, residential sites, parking areas, signs, and recreation facilities without being excessive or creating glare.

Methods for achieving:

Light fixtures are directed downward to the areas targeted for illumination and do not create glare. **-Unable to be determined**

Decorative lighting is provided in recreation areas and along streets and pedestrian paths. **-Unable to be**

determined

Signage is illuminated by upward directed spot lights and is not internally lit. **-Unable to be determined**

Bus stops, trash receptacles, mailboxes, and other facilities are well lit and accessed by pedestrian paths. **-Unable to be determined**

k. Neighborhood scale. Buildings are of appropriate scale for the lot or site and are compatible with adjacent existing or proposed development.

Methods for achieving:

Architectural styles are chosen or guidelines are developed for each neighborhood in keeping with the lot sizes and layout in the neighborhood. **-Unable to be determined**

Multi-family buildings are broken into house-size building elements, especially where there is a building height transition from adjoining development. **-Multi-family not proposed**

Open space and landscaping separate neighborhoods or buildings with different scales. **-Not achieved**

Infill development is of the same scale as existing development in the neighborhood. Where proposed buildings are larger than existing buildings, the mass of the building is set back from the street, and the portion of the building along the street is compatible in scale with adjacent buildings. **-Not infill**

Upper story planter boxes and roof plantings are provided for interest. **-Unable to be determined**

l. Privacy, safety, and security. Buildings and neighborhoods are designed to provide privacy, safety, and security for residents.

Methods for achieving:

Window placement and landscaping provide privacy between houses, particularly on lots with small side yard setbacks. **-Unable to be determined**

Upper floors are stepped back to increase the distance of windows from the property lines. **-Unable to be determined**

Side and rear setbacks are not uniform; a side setback on one (1) side of a house is greater than on the other. **-Not achieved**

A greater side setback is provided for two-story houses than for one-story. **-Not achieved**

Front windows provide views of streets and neighborhood parks. **-Unable to be determined**

Rear yards are screened from adjacent rear yards through careful building configuration and landscaping. **-Unable to be determined**

Neighborhoods are small and have distinct entrances to promote a neighborhood identity and a sense of belonging for residents. **-Not achieved**

Where street parking is permitted, sidewalks are provided. **-Achieved**

Staff Findings

1. The use is compatible with the intentions of Policy I.1.2.12 Medium Density Residential of the City's

Comprehensive Plan. 2. This site is located within the City's utility service area and will connect to municipal water and sewer.

3. The development will maximize existing infrastructure investments by connecting to municipal water and sewer lines.

4. Project does not include cul-de-sacs which can inhibit integration with the surrounding area; instead, proposed roads interconnect with the existing roadway network.

5. The project area is less than 300 feet from a major shopping center, which may reduce the need for automobile dependency for short trips.

6. Recreation trail and sidewalk system promotes walkability and bike-ability.

7. Lots sizes are reduced so to minimize the area of land consumed for new development.

Recommended Conditions of Approval

8. Staff recommends the following conditions of approval:

a. Fences must be setback a minimum of 15 feet behind the front building expression line.

b. Housing will adhere to the City's monotony standards.

c. Landscape Plan is required at Site Development plan submittal and will be reviewed and approved by Staff and the City's horticulturist.

d. Decorative, dark sky friendly street lighting to minimize glare and reduce light pollution. Street lighting design/type to be approved by the City, and maintained by the HOA.

e. Garages shall be recessed from the front building expression line unless oriented away from the street.

f. Staggered front building setbacks at a minimum of two feet difference between adjacent lots.

g. A street tree plan is required at landscape plan submittal.

OTHER OPTIONS Decline to approve the preliminary subdivision plat and PDP.

FISCAL IMPACT Approval of the preliminary plat and PDP would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, it could potentially result in over \$21 million in taxable value, and generate \$146,000 in ad valorem taxes.

*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Deputy Mayor Gibson asked if they will be connected to water and sewer. Ms. Cochella confirmed they would. Ms. Cochella reviewed planned improvements to Tangelo Street and other roadway improvements. There will also be a trail to connect to sidewalks.

Commissioner Howell asked about the waiver for less parking. Ms. Cochella said that neighborhood parks have parking requirements and they are asking a waiver due to size.

11. Agreement With Chastain-Skillman, Inc. (CS) Northwest Sidewalk And Street Tree Improvement Plan

[Begin Agenda Memo]

SYNOPSIS: The City Commission will consider entering into an agreement with Chastain-Skillman, Inc. for Professional Engineering Services related to implementation of a portion of the Northwest Sidewalk and Street Tree Improvement Plan.

RECOMMENDATION It is recommended that the City Commission consider the following action(s):

1. Approve the agreement with Chastain-Skillman, Inc. for Professional Engineering Services related to the CDBG-CV Northwest Sidewalk and Street Tree Improvement Plan.
2. Authorize the City Manager to execute the appropriate documents, following the Department of Economic Opportunity's approval of the grant application.

BACKGROUND On November 1, 2021, the City of Lake Wales submitted a proposal for CDBG-CV grant funding that would accelerate the implementation of the design and construction of the Northwest Sidewalk and Street Tree Improvement Plan (attached as Exhibit A). The City published a RFQ and received two submittals. Following the competitive selection process, Chastain-Skillman was selected as the winning firm. The City will only enter into this agreement if it is successful in its pursuit for CDBG-CV funding. In the event the City is not selected as a grant recipient, the City Manager will not enter into the agreement. The primary objective will be to provide planning and design services and produce site work construction drawings with permit application packages for the proposed CDBG-CV scope.

Included in the project are the following streets, Florida, Harding, Washington, Jackson, Lincoln, Booker, JA Wiltshire, Alabama, "F", Jewell, Pearl, "E", "G", and the alley between Washington to Lincoln.

OTHER OPTIONS The City Commission may direct staff to not move forward with the agreement with Chastain-Skillman.

FISCAL IMPACT Chastain-Skillman, Inc. will be compensated a fixed fee of \$153,660, plus reimbursable expenses, to be paid with CDBG-CV grant funding. The total project will total approximately \$1.2M (breakdown below). Tentative Budget Breakdown (100% CDBG-CV Funding) Activity Estimated Cost Grant Administration \$ 50,000 Engineering \$ 153,660 Construction \$ 990,000 Total \$ 1,193,660

[End Agenda Memo]

Michael Manning, Assistant to the City Manager, reviewed this item.

Deputy Mayor Gibson said that we have a good relationship with Chastain Skillman. Mr. Manning confirmed this.

Commissioner Howell asked about why certain streets were chosen. Mr. Manning said these streets fit the amount we are applying for but over the next few years all the streets will be done.

Commissioner Hilligoss asked when the award date is. Mr. Manning said no but it was just submitted so it will be awhile. James Slaton, City Manager said sometime next year.

12. EPA Brownfields Grant

[Begin Agenda Memo]

SYNOPSIS: The purpose of this memorandum is to request that the City Commission authorize the submittal of an Environmental Protection Agency (EPA) Brownfields Grant in the amount of \$500,000.

RECOMMENDATION Authorize submittal of grant.

BACKGROUND A brownfield site is defined in CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) § 101(39) as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land. Due to multiple potential brownfields sites located in the City of Lake Wales, staff is seeking funds to assess, clean, and redevelop these blighted areas.

On September 8, 2021, City Commission approved Cardno as the City's Brownfields Consultant. Cardno is preparing the application at no expense to the City. Applications are due by December 1, 2021.

FISCAL IMPACT None – No matching funds are required for this grant.

OTHER OPTIONS Not applicable.

[End Agenda Memo]

Darrell Starling, CRA Coordinator, reviewed this item. James Slaton, City manager, said the company we are working with have not completed the application. The application will come before the Commission once complete.

Mr. Starling reviewed the sites to be reviewed. Deputy Mayor Gibson asked who owns the sites and who will be develop it. Mr. Starling said they are assessing various sites as step 1. Once identified then we can go to phase 2. There will be an opportunity to get community involvement to see what should be developed at certain sites.

James Slaton, City Manager, said we need to remediate these contaminated sites before they can be developed.

Commissioner Howell asked if the cement place was not evaluated when they left. Albert Galloway, Jr. City Attorney, said no.

13. RESOLUTION 2021-25 - Opioid Settlement

[Begin Agenda Memo]

Synopsis: Resolution 2021-25 concerns the City's participation in a unified plan for the proposed allocation and use of opioid settlement proceeds related to an action filed by the State of Florida pending in Pasco County, Florida, along with a number of Florida Cities and Counties participating in an action styled In re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation"). The City is not a litigating participant in that action; however, the State of Florida and lawyers representing certain various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from the opioid related litigation. The Florida Memorandum of Understanding (the "Florida Plan") sets forth a framework whereby Polk County and several local cities will participate in the Florida Plan for the benefit of the citizens of Lake Wales. There is also a Polk County, Florida Opioid Abatement Plan as referred to in the Interlocal Agreement between the County and several Polk County municipalities for implementation of the Florida Plan.

Recommendation: That the City Commission approve the adoption of Resolution 2021 - 25.

Fiscal impact: None

Alternatives: None that address the purpose of alleviating the impacts of the harm which opioids have inflicted on the citizens of the City, County and State of Florida.

[End Agenda Memo]

Albert Galloway, Jr., City Attorney, reviewed this item.

Deputy Mayor Gibson said there are no numbers this is just the distribution plan. Mr. Galloway confirmed this. He has no clue about the amount.

14. ORDINANCE 2021-27, FY20'21 Budget Amendment #1, 2nd Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS: The City Commission will consider approval of the first amendment of FY 20'21 Budget that was adopted on September 22, 2020.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2021-27 after second reading and public hearing.

The City Commission approved first reading of the ordinance on November 2, 2021. The advertisement requirement for second reading and public reading has been met.

BACKGROUND

Ordinance 2020-12 estimating revenues and appropriating funds for Fiscal Year 2020'21 was adopted by the City Commission September 22, 2020.

We are presenting Ordinance 2021-27 to modify the estimates of revenues and appropriations budgeted in various funds. This is primarily a housekeeping ordinance to conform the adopted budget to realized or expected changes within the current fiscal year. Explanation of change, for significant items has been provided on both Exhibit A and B.

OTHER OPTIONS

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required, the amendment must be adopted in the same manner as the original budget.

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2021-27

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

15. Special Event Permit Application - Lake Wales Main Street Special Event "Make It Magical" 2021

[Begin Agenda Memo]

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RECOMMENDATION

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FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2021-27

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this event.

16. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Hilligoss said he looks forward to the growth and development workshop. He would like to discuss how to better work with the county. This is important. How do we attract the right kind of development?

Commissioner Williams agreed that he is looking forward to the meeting. We need to all be on the same page.

Deputy Mayor Gibson said that the buck stops with us. This is very important.

17. ADJOURN

The meeting was adjourned at 3:21 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk