

City Commission Meeting

Minutes

November 16, 2021

(APPROVED)

11/16/2021 - Minutes

1. INVOCATION

Dr. Scott Markley gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 6:00 P.M. after the invocation and pledge of allegiance.

4. ROLL CALL

Commission Members Present: Mayor Eugene Fultz, Terrye Howell, Jack Hilligoss, Deputy Mayor Robin Gibson

Commission Members Absent: Daniel Williams

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

5. PROCLAMATIONS AND AWARDS

5.I. PROCLAMATION - American Indian Heritage Month 2021

Mayor Fultz proclaimed November as American Indian Heritage Month. Representatives from the DAR accepted the proclamation.

6. COMMENTS AND PETITIONS

7. CONSENT AGENDA

Deputy Mayor Robin Gibson asked to pull items 7.3 Preliminary Subdivision Plat Approval / Special Exception Use Permit - Tangelo Street Subdivision and 7.5 Gardinier Master Annexation Agreement from the agenda.

Deputy Mayor Gibson made a motion to approve the rest of the Consent Agenda. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

Deputy Mayor Gibson made a motion to approve items 7.3 Preliminary Subdivision Plat Approval / Special Exception Use Permit - Tangelo Street Subdivision and 7.5 Gardinier Master Annexation Agreement . Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

7.I. Minutes - November 2, 2021

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

[Begin Agenda Memo]

SYNOPSIS: The approval of the special event permit application will allow the Lake Wales Main Street to hold a holiday event "Make It Magical" on December 10, 2021 between the hours of 5:00 p.m. and 8:00 p.m. and allow for the temporary closing of the Marketplace, a portion of Stuart and Park Avenues and several city parking lots in the downtown area.

RECOMMENDATION

It is recommended that the City Commission consider taking the following action:

1. Approve the special event permit application from the Lake Wales Main Street to hold a holiday event "Make It Magical" on Friday, December 10, 2021 between the hours of 5:00 p.m. and 8:00 p.m. with set up beginning at 7:00 a.m.

2. Approve the temporary closing of the following on Friday December 10, 2021:

- Close a portion of Stuart and Park Avenues from First Street to Scenic Highway (SR17) from 2:00 p.m. – 8:00p.m..

- Close the Marketplace, the Marketplace parking lot, and both city lots on the east end of Stuart Avenue at Scenic Highway (SR17) from 7:00a.m. – 8:00 p.m.

- Close the alley between Stuart Avenue and Park Avenue from SR17 to First Street from 7:00 a.m. –

8:00 p.m.

- Close Market Street at Park and Central Avenues for food vendors 2:00p.m. – 8:00p.m. (Wells Fargo has agreed to close their drive through at 5:00 p.m.)

BACKGROUND

Lake Wales Main Street submitted a special event permit application to hold their seventh annual holiday event “Make It Magical” on Friday, December 10, 2021 between the hours of 5:00 p.m. and 8:00 p.m. in the downtown area. Set up time for the event will begin at 7:00 a.m. with clean up and take down until 9:00 p.m. This event will provide a holiday destination for the entire family and will feature musicians and vocalists, numerous craft and food vendors in the Marketplace and a horse and carriage ride along Stuart Avenue. Local downtown restaurants will remain open providing a variety of food and refreshments and local shops will stay open as well giving the public an opportunity to shop while attending a special holiday event.

The Lake Wales Main Street is requesting the temporary closing of a portion of Stuart Avenue from South Market Street to Scenic Highway (SR17), the temporary closing of several parking spaces on the west side of South Market Street at Stuart Avenue, the temporary closing of the Marketplace and the Marketplace parking lot, the temporary closing of the alley between Stuart Avenue and Park Avenue, and the temporary closing of the two city lots on the east end of Stuart Avenue at Scenic Highway (SR17).

The City's special event review staff has reviewed the application and has no issues with the event. The Streets Department will close the streets and parking lots, provide additional trash containers and at the conclusion of the event they will empty the trash containers and transport them back to the storage location. Main Street may request the assistance of the Lake Wales Police Department with off-duty officers for security reasons only. Any trash clean up during the event will be the responsibility of Main Street. Insurance has been provided as required. Main Street will be responsible for sanitary facilities and a dumpster.

OTHER OPTION

Do not approve this special event permit application or the request for the temporary closing of a portion of Stuart Avenue, the Marketplace or three city parking lots

FISCAL IMPACT

The total cost for in-kind services from the City is in the proposed budget for FY21/22 in the amount of \$1069 of which the Arts Council would be responsible for 25% or approximately \$267.

[End Agenda Memo]

7.III. 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 R- 1D 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. Path 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]

Deputy Mayor Gibson asked how we are reducing urban sprawl with this design.

Mark Bennett, Development Services Director, said the location is near a commercial area, Wal-Mart, and will be designed to be linked to nearby properties. There is more open space in this plan than is required. Another method to reduce urban sprawl is transportation. There will be more right of way dedicated to the City along Tangelo. Utilities are available to this project.

Deputy Mayor Gibson said that being near Wal-Mart is near walking distance getting people off the highways.

7.IV. 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	Activity	Estimated Cost
(100% CDBG-CV Funding)	Grant Administration	\$ 50,000
	Engineering	\$ 153,660
	Construction	\$990,000
	Total	\$ 1,193,660

[End Agenda Memo]

7.V. 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]

Deputy Mayor Gibson asked how we are addressing urban sprawl with this.

Mark Bennett, Development Services Director, said this is at the conceptual stage and one way to reduce urban sprawl is proper planning and controlling the development. While this is a large tract it will not be brought in all at once it will be done in phases. The west will come in first. The others will come later. Timing can help control urban sprawl.

Deputy Mayor Gibson asked if there will be commercial there. Mr. Bennett said that has not been decided yet but the owner is considering it.

Mayor Fultz asked if the conceptual plans for each phase will come before Commission for approval. Mr. Bennett confirmed this.

Mr. Bennett said they may come up with a master development plan for the rest of the property. Mayor Fultz said that would be a good thing.

Deputy Mayor Gibson asked about utilities. Mr. Bennett said utilities are available. They may need to provide property to add utilities expansion.

Deputy Mayor Gibson asked about open space. Mr. Bennett said its too early for this.

7.VI. Grant Application - EPA Brownfields

[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

It is recommended the City Commission approve the following actions:

1. Authorize City Manager to sign the grant application and or other related documents.
2. Authorize the submittal of the grant application.

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.

[End Agenda Memo]

8. OLD BUSINESS

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

[Begin Agenda Memo]

SYNOPSIS:

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]

Jennifer Nanek, City Clerk, read **ORDINANCE 2021-27** by title only.

ORDINANCE 2021-27

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2020-12 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2020-2021 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson made a motion to adopt **ORDINANCE 2021-27** after 2nd reading and public hearing. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

- 8.II. 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.

[End Agenda memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2021-14** by title only.

ORDINANCE 2021-14

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 14, AMENDING ARTICLE VIII. MOBILE CAR WASH/AUTO DETAIL BUSINESSES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Mayor Fultz reviewed this history of this item. He said that city staff and business owners came together on this and the business owners are happy about this.

Deputy Mayor Gibson commended both for working together constructively.

Deputy Mayor Gibson made a motion to adopt **ORDINANCE 2021-14** after 2nd reading and public hearing. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

9. NEW BUSINESS

9.I. 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]

Jennifer Nanek, City clerk, read **RESOLUTION 2021-25** by title only.

RESOLUTION 2021-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE CITY OF LAKE WALES, FLORIDA, TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN FOR THE ALLOCATION AND USE OF PROSPECTIVE SETTLEMENT FUNDS FROM THE OPIOID RELATED LITIGATION; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Fultz reviewed this item.

Deputy Mayor Gibson asked about implementation. Mayor Fultz said the money will be distributed to local facilities and they have documentation on what they have done.

Albert Galloway, City Attorney, reviewed the stakeholders mentioned in the agreement.

Deputy Mayor Gibson made a motion to adopt **RESOLUTION 2021-25**. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

9.II. 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]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-18** by title only.

ORDINANCE D2021-18

(CPA/Future Land Use Map Amendment for approximately 10 acres of land southwest of Belleview Drive and west of 11th Street)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 10 ACRES OF LAND LOCATED SOUTHWEST OF BELLEVIEW DRIVE AND WEST OF 11TH STREET, FROM COUNTY DESIGNATION RESIDENTIAL SUBURBAN/SOUTHEAST SAP, TO CITY OF LAKE WALES DESIGNATION LDR LOW-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

Susan Swift, Planner with Colliers Engineering and Design, representing the owner and applicant. She said she understands their concerns. This is attached to a nearby parcel and will give a better shape to the City.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE D2021-18** after first reading and public hearing. Deputy Mayor Gibson seconded the motion.

By voice vote:

Commissioner Howell "YES"

Deputy Mayor Gibson "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

9.III. 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.

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]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-19** by title only.

ORDINANCE D2021-19

(Zoning Map Amendment for approximately 10 acres of land southwest of Belleview Drive and west of 11th Street)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 10 ACRES OF LAND LOCATED SOUTHWEST OF BELLEVIEW DRIVE AND WEST OF 11TH STREET, FROM COUNTY DESIGNATION RESIDENTIAL SUBURBAN/SOUTHEAST SAP, TO CITY OF LAKE WALES DESIGNATION R-1B RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson asked if this was a different parcel. Susan Swift, Planner with Colliers Engineering and Design, representing the owner and applicant explained that this was the same parcel as the previous item.

Deputy Mayor Gibson made a motion to approve **ORDINANCE D2021-19** after first reading and public hearing. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

[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]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-20** by title only.

ORDINANCE D2021-20

(Large-Scale CPA/Future Land Use Map Amendment for approximately 68.06 acres of land south of State Road 60 E)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 68.06 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 60 EAST, FROM COUNTY DESIGNATION RL-1 RESIDENTIAL LOW, TO CITY OF LAKE WALES DESIGNATION LDR LOW-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson said this is close to commercial keeping people off the highways.

James Slaton, City Manager, asked if this was mixed development. Mark Bennett, Development Services Director, said yes it consists of single family homes and townhomes and plenty of open space.

Commissioner Hilligoss made a motion to approve **ORDINANCE D2021-20** after first reading and public hearing. Deputy Mayor Gibson seconded the motion.

By voice vote:

Commissioner Hilligoss "YES"

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Mayor Fultz "YES"

Motion approved 4-0.

9.V. **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.

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]

Jennifer Nanek, City Clerk, read **ORDINANCE 2021-21** by title only.

ORDINANCE D2021-21

(Zoning Map Amendment for approximately 68.06 acres of land south of State Road 60 East)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE ZONING DESIGNATIONS ON APPROXIMATELY 68.06 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 60 EAST, FROM COUNTY DESIGNATION RL-1 RESIDENTIAL LOW, TO CITY OF LAKE WALES DESIGNATION R-1C; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson made a motion to approve **ORDINANCE D2021-21** after first reading and public hearing. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

9.VI. 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]

Jennifer Nanek, City Clerk, read **ORDINANCE D2021-22** by title only.

ORDINANCE D2021-22

(CPA/Future Land Use Map Amendment for approximately 24.66 acres of land east of 11th Street, west of Hunt Brothers Road, and south of Post Salter Road)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 24.66 ACRES OF LAND LOCATED EAST OF 11TH STREET, WEST OF HUNT BROTHERS ROAD, AND SOUTH OF POST SALTER ROAD, FROM CITY OF LAKE WALES DESIGNATION LDR LOW-DENSITY RESIDENTIAL, TO CITY OF LAKE WALES DESIGNATION MDR MEDIUM-DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Deputy Mayor Gibson asked if this is the same project as North or separate. Mark Bennett, Development Services Director said this is separate and reviewed this project.

Deputy Mayor Gibson made a motion to approve **ORDINANCE D2021-22** after first reading and public hearing. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Gibson "YES"

Commissioner Howell "YES"

Commissioner Hilligoss "YES"

Mayor Fultz "YES"

Motion approved 4-0.

10. CITY ATTORNEY

Albert Galloway, City Attorney, reported that they had a mediation session to work out an agreement concerning the Seminole hotel. It is a good agreement. They convinced Mr. Kebabjin to unload the Seminole Hotel for \$50,000. There will be other expenses related to title insurance. It will come to the Commission next meeting for approval.

11. CITY MANAGER

James Slaton, City Management, said there will be a dedicated workshop on growth management on December 10.

Mr. Slaton reported that Lake Wales Live is Friday night and Thursday is the 3rd Thursday Market and the Rockin Main Street concert. The Saturday after Thanksgiving is the Shop Small Saturday.

Mr. Slaton asked for the City Manager evaluation forms to be turned in by Friday for the next agenda.

11.I. Tracking Report

11.II. Commission Meeting Calendar

Mr. Slaton said that the Commission has the next two weeks off. The next meeting is December 1, 2021 which is a work session.

12. CITY COMMISSION COMMENTS

Commissioner Hilligoss said he attended the legacy Housing Dedication Friday. He enjoyed that and is pleased with using CRA funds for this. He said he is looking forward to the growth management workshop as it is a critical issue.

Commissioner Howell said that she is glad that Deputy Mayor Gibson and Mark Bennett are on top of urban sprawl concerns. She does not want cookie cutter homes. Mr. Bennett said those are our monotony standards that prevent that cookie cutter look.

Deputy Mayor Gibson said he is also glad about the growth management workshop and the techniques we can employ to reduce urban sprawl. He asked about the CRA expert Jeff. James Slaton, City Manager, said we won't hear from him for awhile. It will take him 120 days but he is off and running.

13. MAYOR COMMENTS

Mayor Fultz thanked the staff for keeping an eye on things so the Commission can make good decisions about what is coming in here. Many are concerned about the fast growth coming. We can't stop this but we can be sure it is what we want. He would like to see the City squared off.

Mayor Fultz reported on the concert at the Arts Center Saturday night. It was great. He encouraged everyone to attend their events.

14. ADJOURNMENT

The meeting was adjourned at 6:45 p.m.

Eugene Fultz

Mayor

ATTEST;

City Clerk