

City Commission meeting Minutes

July 5, 2023

(APPROVED)

7/5/2023 - Minutes

1. INVOCATION

Rev Scott Markley gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

In absence of the Mayor, Deputy Mayor Robin Gibson called the meeting to order at approximately after the invocation and pledge of allegiance.

4. ROLL CALL

Commission Members Present: Robin Gibson, Keith Thompson, Danny Krueger

Commission Member Absent: Mayor Jack Hilligoss, Daniel Williams

Staff Present: James Slaton, City Manager; Jennifer Nanek, City Clerk;

5. COMMENTS AND PETITIONS

6. CONSENT AGENDA

Commissioner Krueger made a motion to approve the Consent Agenda. Commissioner Thompson seconded the motion.

by voice vote:

Commissioner Krueger "YES"

Commissioner Thompson "YES"

Deputy Mayor Gibson "YES"

Motion approved 5-0.

6.I. Minutes - July 20 & 28, 2023

6.II. 2006 Vactor Truck Repairs
[Begin Agenda Memo]

SYNOPSIS: Staff requests commission approval to expend funds of \$29,554.07 to Texas Underground, Inc. for the repair of the vactor truck.

STAFF RECOMMENDATION It is recommended the City Commission consider taking the following action:

1. Approve the repairs to the 2006 vactor truck for the Waste Water Department from Texas Underground, Inc. for \$29,554.07.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND The Wastewater department currently operates a 2017 and a 2006 vactor truck. The piece of equipment in need of repairs is the 2006 vactor. The 2006 vactor was taken to Texas Underground, Inc. in Ocala, Florida to be examined for repairs, which cost a \$1000.00. It would cost an additional \$1000.00 or more to have the vactor reassembled and taken to another company to have it analyzed for repairs. Once the factor arrives at another vendor for evaluation, additional fees would be paid to determine the repairs again. This equipment is used for sewer emergencies and storm water overflows. Due to the constant use of the vactor, it is in need of a rehabilitation to remain in operation. Keeping this piece of equipment operable will enable staff the ability to respond to multiple emergencies at once. If the 2017 vactor is being used to address storm water issues and the back-up equipment is inoperable, staff is unavailable to address sewer emergencies that arise. Completing these repairs allows staff to have the ability to respond to multiple emergencies at once. The vactor is a vital piece of equipment to the waste department's daily operations.

Staff recommends the Commission take the following action, authorize the expenditure of funds for \$29,554.07 to Texas Underground, Inc., and authorize the City Manager to execute appropriate documents on the City's behalf.

OTHER OPTIONS None. If the vactor truck is not repaired, it will not be able to remain in operation.

FISCAL IMPACT \$50,000 is placed in the 2022-2023 Capital Improvement budget for this repair.

[End Agenda Memo]

Sarah Kirkland, Public Works Director, reviewed this item.

- 6.III. South Hwy 27 / Oakley Force Main Cleaning
[Begin Agenda memo]

SYNOPSIS: Staff is recommending the approval to expend funds for \$80,792.00 for the force main cleaning services provided by Professional Piping Services.

STAFF RECOMMENDATION Staff recommends the City Commission consider taking the following action:

1. Approve the expenditure of funds for \$80,792.00 for force main cleaning performed by

Professional Piping Inc.

2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND The South Hwy 27 / Oakley force main requires cleaning due to the distance this line has to travel to reach the wastewater treatment plant and the low flow conditions that exist during non-peak hours. Sediment such as sand, plastics, grease and paper tend to settle to the bottom of the pipe due to the low velocities of the liquid pushing the sediment. As a result, the force main could clog, crippling the collections system for the Southern service area. The method proposed for the cleaning of these sections of force main is called the progressive poly pig procedure.

Each time staff has gone out to bid for these services, the amount of responsive bidders has been less each year. A piggyback agreement that had already been bid out by Manatee County is in force. In addition, Professional Piping Services (PPS) has performed this cleaning for the past several years. Staff has been satisfied with both the performance and the reports submitted, which are a required component of this contract. Staff is recommending the City Commission approve the expenditure of funds for \$80,792.00 to Professional Piping Inc. for the cleaning of the South Hwy 27 / Oakley Force Main. Staff is also recommending the City Commission authorized the City Manager to execute the appropriate documents associated with this service on the City's behalf.

OTHER OPTION None. Without this required annual cleaning, the force main would become plugged and be inoperable. This in turn would cut off the sewer service for the business and residential service area.

FISCAL IMPACT \$200,000.00 is budgeted in the Wastewater Division's FY '22-'23 M & R Lines and Mains Operating Budget for this purpose.

[End Agenda Memo]

Sarah Kirkland, Public Works Director, reviewed this item.

Commissioner Thompson asked when the last time it was cleaned. Ms. Kirkland said it has been more than 20 years. Commissioner Thompson asked how often the North side is cleaned. Ms. Kirkland said once a year.

6.IV. Winston Avenue And 4th St Water Line Replacement

[Begin Agenda Memo]

SYNOPSIS: Installation of 1,280 feet of water main by the directional drill method.

RECOMMENDATION It is recommended the City Commission take the following action: 1. Approve the expenditure of funds for the installation of 1,280 feet of water pipe by Two Boring Kin for \$40,960.00. 2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND The City owns and maintains One hundred seventy-six miles of water mains,

ranging in size from two inches to twenty-four inches. It becomes necessary from time to time to replace/upsized water mains in areas to improve pressure and flows for fire protection. McLaughlin Middle School located at 800 S. 4th Street, is doing some onsite improvements and upon the request of the city, will be installing sidewalks on the perimeter of where the construction will be taking place. In order to install this sidewalk a water line will need to be relocated. On June 20, 2023, the City Commission approved the purchase of the pipe and parts to replace this water line. These 1,280 feet of 10' water pipe will be installed by directional bore. The upsizing of the water main will give the residents and school in the area added volume for fire protection.

Staff recommends the Commission take the following action, approve the expenditure of funds for \$40,960.00 to Two Boring Kin for the water main installation, and to authorize the City Manager to execute the appropriate documents, on the City's behalf.

OTHER OPTIONS The Commission could choose not to approve the request listed above, in turn, eliminating the installation of the sidewalk in the area of the school.

FISCAL IMPACT The 22' – 23' M & R Water mains line item has a budgeted amount of \$175,000.00 to be used for projects like this.

[End Agenda Memo]

- 6.V. Interlocal Agreement For Ridge Scenic Highway Connector Trail LAP Certified Project
[Begin Agenda memo]

SYNOPSIS: The city has received a TPO grant from FDOT to implement the RSH Connector Trail. The city is not a Local Agency Program (LAP) Certified entity, which is an FDOT requirement to manage the project. Polk County has agreed to manage the project as a LAP certified entity on the city's behalf.

RECOMMENDATION Approve the Interlocal Agreement with Polk County to manage the RSH through construction as required by the FDOT LAP Agreement.

BACKGROUND The city submitted a TPO/FDOT Priority Transportation Project Application in January 2021, for the Ridge Scenic Highway Connector Trail. The city was awarded the Grant and staff has been working with FDOT and the County to get all the agreements and documents submitted to keep the project moving forward. The city will be responsible for the fiscal management and project oversight of the grant. There is no cost to have the County be the LAP certified project manager. Staff is working on drafting the RFP for Design Services.

FISCAL IMPACT None to enter into the Interlocal with the County. The Grant is \$940,840 with a local match of \$44,160.

[End Agenda Memo]

- 6.VI. Harper Estates Final Plat – Phase I
[Begin Agenda Memo]

SYNOPSIS: Heritage Investments of Polk II LLC., owner, requests approval of the Harper

Estates Final Plat Phase I.

RECOMMENDATION Staff recommends approval of the Phase I Final Plat. Neither a recommendation from the Planning Board, nor a public hearing is necessary for approval of a final plat. Provided the plat meets all of the requirements of state statutes and local ordinances, approval by the City Commission is a formality.

BACKGROUND The subject property is located west of US Highway 27 and south of Mountain Lake Cutoff Road. The subdivision Harper Estates, formerly known as K & M Groves, was approved in May of 2021 by Planning and Zoning Board for a 67-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP. City Commission approved this PDP with conditions of approval and waivers of strict compliance in June of 2021. Harper Estates Phase 1 consists of 29 single-family lots.

An application for the Site Development Permit was submitted to the City in November of 2021, and construction plans were approved in late March of 2022. The pre-construction meeting was held in July of 2022. The City consulting surveyor approved the Harper Estates Ph. 1 final plat on June 3, 2023. The City worked on extending water and sewer down Mountain Lake Cutoff Road, a required improvement prior to approval of the Final Plat. The project received utility clearance for water in April 2023 and sewer in June 2023.

Pursuant to Section 23-223.4 of the City's Land Development Code, the developer is providing a performance bond in lieu of constructing certain improvements, as allowed by code. The performance bond language was reviewed and approved to form by the City Attorney on June 8, 2023.

FISCAL IMPACT Approval of the final plat enables the construction of 29 new single-family homes. Conservatively estimating a taxable value of \$200,000 per unit, it could potentially result in over \$5.8 million in taxable value, and generate an estimated \$36,900 in ad valorem taxes.

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

[End Agenda Memo]

7. OLD BUSINESS

7.1. ORDINANCE 2023-17 Amend Stormwater System Article IV – 2nd Reading And Public Hearing [Begin Agenda Memo]

SYNOPSIS: Ordinance 2023-17 will amend Stormwater System Article IV. This update will add verbiage to the code providing definitions, findings, and legal authority to control discharges to the municipal separate storm sewer system (MS4).

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

1. Adopt Ordinance 2023-17 after 2nd reading and public hearing to amend Stormwater

System Article IV adding sections 21-98 thru 21-111.

BACKGROUND The United States Environmental Protection Agency, pursuant to Title 40, Section 122.26 of the Code of Federal Regulations, has mandated that municipalities provide the legal authority to control discharges to the municipal separate storm sewer system (MS4) under the National Pollutant Discharge Elimination System (NPDES) in order to control the quality of discharges from the MS4. In 1996, the City Commission approved the addition of a stormwater ordinance; however, it was insufficient in definition and defining legal authority to control discharge into the MS4. The code was further amended in 2019 to include verbiage for implementing a stormwater utility fee, but was still lacking in enforcement.

The added verbiage is underlined. No change will be made to the existing Sections 21-96 and 21- 97. Staff recommends the City Commission approve Ordinance 23-17 so that the City is in compliance with State and Federal regulation and Polk County Co-permittee permit requirements (NPDES Permit # FLS000015-004).

OTHER OPTION None. The City of Lake Wales, as a Co-Permittee of Polk County for the (MS4), under mandate by Federal Regulation is required to have Code in place which provides the legal authority to control discharge.

FISCAL IMPACT None.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2023-17** by title only.

ORDINANCE 2023-17

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING CHAPTER 21 "UTILITIES" OF THE CODE OF ORDINANCES OF THE CITY OF LAKE WALES, BY ADDING SECTIONS 21-98 TO 21-111 TITLED "STORMWATER QUALITY MANAGEMENT", RELATING TO THE IMPLEMENTATION OF DEFINITIONS, FINDINGS AND LEGAL AUTHORITY TO CONTROL DISCHARGES TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4); PROVIDING THAT THIS ORDINANCE IS AN ADDITIONAL AND ALTERNATIVE METHOD; PROVIDING FOR ADJUSTMENTS AND APPEALS; PROVIDING NO LIABILITY FOR FLOODING; PROVIDING FOR SEVERABILITY AND CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Thompson made a motion to adopt **ORDINANCE 2023-17** after 2nd reading and public hearing. Commissioner Krueger seconded the motion.

by roll call vote:

Commissioner Thompson "YES"

Commissioner Krueger "YES"

Deputy Mayor Gibson "YES"

Motion approved 3-0.

8. NEW BUSINESS

- 8.1. ORDINANCE 2023-20 Future Land Use Amendment For 8.66 Acres Of Land South Of Passion Play Road And West Of 11th Street South - First Reading And Public Hearing
[Begin Agenda Memo]

SYNOPSIS: Heritage Investments of Polk II LLC., owner, requests approval of the Harper Estates Final Plat Phase I.

RECOMMENDATION Staff recommends approval of the Phase I Final Plat. Neither a recommendation from the Planning Board, nor a public hearing is necessary for approval of a final plat. Provided the plat meets all of the requirements of state statutes and local ordinances, approval by the City Commission is a formality.

BACKGROUND The subject property is located west of US Highway 27 and south of Mountain Lake Cutoff Road. The subdivision Harper Estates, formerly known as K & M Groves, was approved in May of 2021 by Planning and Zoning Board for a 67-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP. City Commission approved this PDP with conditions of approval and waivers of strict compliance in June of 2021. Harper Estates Phase 1 consists of 29 single-family lots.

An application for the Site Development Permit was submitted to the City in November of 2021, and construction plans were approved in late March of 2022. The pre-construction meeting was held in July of 2022. The City consulting surveyor approved the Harper Estates Ph. 1 final plat on June 3, 2023. The City worked on extending water and sewer down Mountain Lake Cutoff Road, a required improvement prior to approval of the Final Plat. The project received utility clearance for water in April 2023 and sewer in June 2023.

Pursuant to Section 23-223.4 of the City's Land Development Code, the developer is providing a performance bond in lieu of constructing certain improvements, as allowed by code. The performance bond language was reviewed and approved to form by the City Attorney on June 8, 2023.

FISCAL IMPACT Approval of the final plat enables the construction of 29 new single-family homes. Conservatively estimating a taxable value of \$200,000 per unit, it could potentially result in over \$5.8 million in taxable value, and generate an estimated \$36,900 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 2023-20 by title only.

ORDINANCE 2023-20 (Small-Scale CPA/Future Land Use Map Amendment for approximately 8.66 acres of land south of Passion Play Road and west of 11th Street South)

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 8.66 ACRES OF LAND SOUTH OF PASSION PLAY ROAD AND WEST OF 11TH STREET SOUTH, FROM CITY OF LAKE WALES DESIGNATION AND NEIGHBORHOOD ACTIVITY CENTER (NAC) TO LOW-DENSITY RESIDENTIAL (LDR); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Autumn Cochella, Interim Director of Development Services, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Krueger made a motion to approve **ORDINANCE 2023-20** after 1st reading and public hearing. Commissioner Thompson seconded the motion.

by roll call vote:

Commissioner Krueger "YES"

Commissioner Thompson "YES"

Deputy Mayor Gibson "YES"

Motion approved 3-0.

- 8.II. ORDINANCE 2023-21 Zoning Map Amendment For 8.66 Acres Of Land South Of Passion Play Road And West Of 11th Street South - 1st Reading And Public Hearing
[Begin Agenda memo]

SYNOPSIS: Dave Holden, P.E., authorized agent for owner, requests approval of City Commission to amend the Zoning Map on parcels of land totaling approximately 8.66 acres.

RECOMMENDATION Approval at first reading, and adoption at second reading, following a public hearing to re-assign following zoning designation:

Current Zoning: C-4

Proposed Zoning: R-1A

The Planning and Zoning Board will make a recommendation regarding Ordinance 2023- 21 at a regular meeting on June 27, 2023.

BACKGROUND The subject property is located south of Passion Play Road and west of 11th Street South, south of the Whispering Ridge subdivision. The property was annexed in July

2022 and assigned land use designations of Low Density Residential, LDR, and Neighborhood Activity Commercial, NAC, along with zoning designations of Residential, R-1A, and Neighborhood Commercial, C-4. No development was contemplated at the time of annexation, zoning, and land use assignments. The applicant requested a special exception use permit to allow for a Planned Development Project which received a recommendation to City Commission for approval from the Planning and Zoning Board in May 2023. The PDP was unanimously approved by City Commission on June 20, 2023 with the following condition of approval:

Approval of the PDP shall be contingent upon adoption of Future Land Use and Zoning Map amendments to retract a portion of the NAC, re-designating 8.66 acres to LDR Low Density Residential, and R-1A single-family residential zoning.

The land use re-assignment is necessary in order for the proposed development to be consistent with the Future Land Use Element of the Comprehensive Plan for NAC Neighborhood Activity Center, which allows for up to 40% of the development to be residential. The project will connect to the existing 5-acre property zoned C-4 for future support commercial.

With the recently-approved Grove at Orchard Hills Subdivision north of the subject property, which provides over 8 acres of commercial, and the determination from Plusurbia's peer review of the Passion Play PDP which suggests reducing the amount of commercial area, staff concurs that the amendment is appropriate.

CODE REFERENCES AND REVIEW CRITERIA The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

FISCAL IMPACT Assignment would enable the development of this property and the potential increase in property value.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2023-21** by title only.

ORDINANCE 2023-21 (Zoning Map Amendment for approximately 8.66 acres of land south of Passion Play Road and west of 11th Street South)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP TO CHANGE ZONING DESIGNATIONS ON APPROXIMATELY 8.66 ACRES OF LAND SOUTH OF PASSION PLAY ROAD AND WEST OF 11TH STREET SOUTH, FROM CITY OF LAKE WALES DESIGNATION C-4 TO R-1A; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Autumn Cochella, Interim Director of Development Services, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Krueger made a motion to approve **ORDINANCE 2023-21** after 1st reading and

public hearing. Commissioner Thompson seconded the motion.

by roll call vote:

Commissioner Krueger "YES"

Commissioner Thompson "YES"

Deputy Mayor Gibson "YES"

Motion approved 3-0.

- 8.III. Preliminary Subdivision Plat Approval / Special Exception Use Permit Approval For A Residential Planned Development Project (PDP) Ridge Luxury Townhomes PUBLIC HEARING – Requirements Have Been Met.

[Begin Agenda Memo]

SYNOPSIS: Ivan D. Urdaneta, P.E., authorized agent for owner, is requesting a recommendation of approval to City Commission, of a 300-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on approximately 29.94 acres of land south and west of Old Scenic Highway, and east of Scenic Highway North.

RECOMMENDATION Staff recommends approval of City Commission for a 300-lot single-family Preliminary Subdivision Plat and Special Exception Use Permit for a Residential PDP, with waivers of strict compliance and conditions of approval.

BACKGROUND General: The subject property, comprising of approximately 29.94 acres of vacant land and citrus, is located south and west of Old Scenic Highway and east of Scenic Highway North. The project is adjacent to the Duke Energy Facility, directly south of Mountain Lake Estates, and located behind Towerview Motel and Al's Place.

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

The property has a land use designation of MDR Medium-Density Residential and a zoning designation of R-3. Maximum density allowed on the site is calculated at 12 units per gross acre, or 359 dwelling units, under the Comprehensive Plan for MDR Medium-Density Residential; a density of 10 dwelling units per acre, or 300 dwelling units, is proposed.

The development proposes single-family attached, townhome products with approximately 68% of the townhomes being alley-loaded. Each individual unit will be platted. Waivers are being requested for most R-3 dimensional and area standards.

R-3 Standards per Table 23-422

Minimum Lot Size 12,000 sq. ft.

Minimum Street Frontage 50 feet

Minimum Lot Width at Building Line 100 feet

Minimum Floor Area 650 sq. ft.

Minimum Front Setback 30 feet

Minimum Side Setback 10 feet

Minimum Rear Setback 20 feet

Maximum Lot Coverage 50%

Maximum Building Height 45 feet / 2.5 stories

Dimensional requirements for the R-3 district apply for residential structures in non-residential districts.

Proposed Standards

Interior 20' Wide Townhomes

Minimum Lot Size 1,800 sq. ft.

Minimum Street Frontage 20 feet

Minimum Lot Width at Building Line 20 feet

Minimum Living Area 1,000 sq. ft.

Front Building Setback 25 feet

Side Building Setback 0 feet

Rear Building Setback 15 feet

Maximum Lot Coverage 60%

Exterior 22' Wide Townhomes

Minimum Lot Size 2,880 sq. ft.

Minimum Street Frontage 32 feet

Minimum Lot Width at Building Line 32 feet

Minimum Living Area 1,000 sq. ft.

Front Building Setback 25 feet

Side Building Setback 10 feet

Rear Building Setback 15 feet

Functional Corner-Side Setback 10 feet

Maximum Lot Coverage 60%

Alley-Loaded Townhome Setbacks

Front Setback 15 feet

Interior Setback 0 feet

Exterior Setback 10 feet

Corner Setback 10 feet

Rear Setback 10 feet

Planning in Progress

The Ridge Luxury Townhomes PDP, formerly known as Bok Estates, was presented to the Planning & Zoning Board on October 25, 2022, and was recommended to City Commission. This development has undergone over eight (8) revisions with City Staff, and the applicant has been amenable to every request the City has asked for. Finally, in December of 2022, the PDP and Special Exception Use Permit was scheduled to be heard by City Commission.

During this time, the Lake Wales Envisioned efforts were ongoing and City Commission was contemplating the City's development policy. With additional citizens coming out to speak on the current development trends and decisions made by Commission, the item was continued to the January meeting so that City Commission could make their determination regarding development in the City of Lake Wales. Due to this, Ridge Luxury Townhomes was required to meet the eight (8) aspirations for developments in progress, and additional revisions were made.

The plan was sent to Plusurbia for peer review regarding design, and in good faith, the developer agreed to building a community reflecting the concept drawn by Plusurbia, attached.

The 8 Aspirations

1. We will seek to assemble an enduring green network of open spaces and conservation lands; **The project provides connected open space in excess of the minimum code requirement.**

2. We will partner with landowners, investors, and the community to encourage input, collaboration, and respect property rights; **The applicant has willingly and patiently worked with staff to redesign the site in order to better align with the PDP guidelines and Aspirations. At no cost to the applicant, the City hired an Urban Design firm to re-design the site and provide**

recommendations on how to improve the site layout.

3. We will make infill development and revitalization. The site is infill in nature, as it is adjacent to Mountain Lake to the north, and non-residential uses to the west.

4. We will emphasize economic prosperity by increasing property values through quality development; The quality of the neighborhood design improved significantly through coordination with Planning Staff and went through multiple plan revisions in an attempt to better-align with the vision.

5. We will facilitate employment opportunities by supporting a mix of land uses and industries; The project does not directly contribute to facilitating employment opportunities.

6. We will seek to make traditional neighborhoods with walkable, connected streets that create a high-quality public realm the norm; The project includes alley-loaded townhomes where possible, and pedestrian connectivity to the central green and amenity center. Buildings are oriented towards the public realm throughout the development.

7. We will discourage conventional urban sprawl as defined in Florida Statutes Chapter 163; and The project is adjacent to developed areas and will connect to municipal water and sewer.

8. We will grow a livable transportation network by implementing the Lake Wales Mobility Plan and including context-sensitive Complete Streets. The project will be subject to the City's multi-modal impact fee at building construction, and is designed with complete street elements such as sidewalks on both sides of the road.

Roadways & Access: Access to the development will be along Old Scenic Highway. Internal roadways will have a public right-of-way of 50 feet, including 12 feet drive aisles and 5 feet wide sidewalks on both sides of the road. Private alleys will have a minimum 20' wide drive aisle, meeting standards required by the Fire Department. The development provides an excess amount of parking spaces for residents and visitors. The traffic study will determine any off-site improvements needed for the development and will be reviewed and approved prior to site development approval. Any off-site improvements such as turn lanes will need to be installed prior to issuance of the first building certificate of occupancy.

Landscaping and Buffering: A detailed landscape plan will be required at Site Development Plan submittal, and will be reviewed and approved by Staff. 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 three, two-inch caliper shade trees, minimum of eight feet at planting for lots less than 10,000 sq. ft. and four, two-inch caliper shade trees, minimum of eight feet at planting for lots greater than 10,000 sq. ft. At least one of the shade trees shall be a street tree. Corner lots shall have a minimum of one additional tree to ensure that each frontage has at least one street tree.*

NOTE: Street Trees are required to have root barriers. Root barriers shall be approved by the Administrative Official prior to planting. The project proposes a 10' wide buffer along Old Scenic Highway, with a 6' high wall and canopy trees every 50 linear feet. A 5' wide buffer is

proposed for the remaining project boundaries with a 6' high privacy fence. A condition of approval is included to implement enhanced buffering adjacent to the Duke Energy Facility.

Recreation & Open Space: The overall development provides a range of amenities including outdoor seating areas, playground equipment, and a 2,000 sq. ft. amenity center with a pool and cabana, as well as a basketball court.

Open Space Calculation:

Recreation 1.88 ac.

Open Space 0.90 ac.

Retention Ponds 3.88 ac.

Wetland/Conservation 1.08 ac. **TOTAL 7.74 ACRES**

More than 25.8% of the overall 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-3 zoning district:

1. Minimum lot size reduced from the required 7,500 sq. ft. to 1,800 sq. ft. for interior townhomes and 2,880 sq. ft. for exterior townhomes.
2. Minimum street frontage reduced from the required 50 feet to 20 feet for interior townhomes and 32 feet for exterior townhomes.
3. Side building setback reduced from the required 10 feet to 0 feet for interior townhomes.
4. Functional corner-side setback reduced from the required 25 feet to 10 feet for exterior townhomes.
5. Maximum lot coverage increased from the maximum 40% to 60%.
6. Minimum entrance road distance reduced from the required 250 feet to 90 feet.

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 development will enhance the quality of living of the future residents as this is a family oriented residential development bringing the state of the art services and amenities for the enjoyment of the whole family. The development will have playground equipment, seating areas, amenity center, a basketball court, and the existing environmental wetland area, located on the south side, will remain untouched as an additional feature of this development."

- Recreation required: 1.31 acres; Recreation provided: 1.88 acres

- Open space required: 20% of site; Open space provided: 25.8% of overall site

Staff Findings

1. The use is compatible with the intentions of Policy I.1.2.13 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.
4. Internal and external sidewalk system promotes walkability.
5. Redesign proposes traditional neighborhood design features as emphasized in the initial aspirations.
6. The townhome development provides a missing middle housing type to the city's current housing inventory.

Recommended Conditions of Approval

7. Staff recommends the following conditions of approval:
 - a. Different architectural elevations and color schemes shall be provided to staff for approval, prior to site development approval, which meets the intent of the anti-monotony regulations.
 - b. The traffic study must be approved by the Administrative Official prior to issuance of Site Development Permit.
 - c. 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 developer, HOA, or similar managing entity.
 - d. Mechanical equipment shall be located at the rear of the home and not permitted within side yards for all lots in the development.
 - e. A detailed Landscaping Plan is required at Site Development plan submittal and will be reviewed and approved by Staff.
 - f. A street tree plan, tree survey, and tree removal/replacement plan will be required at Site Development plan submittal.
 - g. An enhanced buffer, to be determined at site development review, shall be implemented adjacent to the Duke Energy Facility.

h. Perimeter privacy fences noted on plans shall be made of PVC or Vinyl and shall be neutral/earth-toned in color.

i. Wall design shall not be a simple masonry wall, but additional design features shall enhance the aesthetics of the perimeter wall.

OTHER OPTIONS Decline to recommend approval of 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 \$60 million in taxable value, and generate a little over \$380,000 in ad valorem taxes.

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

[End Agenda Memo]

Autumn Cochella, Interim Director of Development Services, reviewed this item.

Deputy Mayor Gibson said they were willing to go further but for safety reasons cited by the Fire Marshall the changes were scaled back.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Thompson made a motion to approve this item after public hearing.
Commissioner Krueger seconded the motion.

by roll call vote:

Commissioner Thompson "YES"

Commissioner Krueger "YES"

Deputy Mayor Gibson "YES"

Motion approved 3-0.

Deputy Mayor Gibson said he was grateful to the folks for changing midstream.

9. CITY MANAGER

James Slaton, City Manager, commended the Lake Wales Police Department for their recent accreditation.

Mr. Slaton commended Stephanie Lutton and Shay Irvis for their hard work on the 4th of July festivities.

Mr. Slaton reminded the Commission that next Tuesday is an update on Lake Wales Envisioned at the

Austin Center.

9.I. Commission Meeting Calendar

James Slaton, City Manager, said that there is a CRA meeting on Tuesday and Work Session on Wednesday.

10. CITY COMMISSION COMMENTS

Commissioner Krueger, in honor of Independence Day, shared some thoughts on the importance of the Declaration of Independence and the freedoms we enjoy.

Commissioner Thompson commended Stephanie Lutton for addressing a concern on social media.

Commissioner Thompson thanked the developers of the Ridge Townhomes for their redesign. We need to help developers become traditional neighborhood designers.

Deputy Mayor Gibson recognized the passing of Shirley Goldstein and offered condolences to her husband Al.

11. MAYOR COMMENTS

12. ADJOURNMENT

Meeting was adjourned at 6:30 p.m.



Mayor

ATTEST:

City Clerk