

City Commission Workshop

January 12, 2022

(APPROVED)

1/12/2022 - Minutes

1. CALL TO ORDER & ROLL CALL

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

Commission Members Absent:

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

2. City Manager Comments

James Slaton, City Manager, said there will be an agreement with the railroad as part of the northwest water main extension project.

Mr. Slaton reported on efforts concerning the Dixie-Walesbilt Hotel. The Commission set a deadline of January 15 which is Saturday. They are still far apart on coming to an agreement. He advised the Commission to be prepared to make a decision next week.

3. Agreement For Annual Property Maintenance Services For Privately Owned Properties With Ray And Sons Lawn Service, LLC

[Begin Agenda Memo]

SYNOPSIS

The proposed Property Maintenance Services Agreement will provide the Code Compliance Division with a company qualified to perform abatement services requested.

RECOMMENDATION

Staff recommends Approval of the Agreement for Annual Property Maintenance Services for Privately Owned Properties with Ray and Sons Lawn Service, LLC, and authorize the City Manager to execute the Agreement.

BACKGROUND

The Code Compliance Division is in need of an on-contract company qualified to perform maintenance at various lots throughout the city as requested, including cleanup of waste and debris, vegetation cutting, and the proper disposal of debris and vegetation cuttings. The City has previously had a contract in place with Ray and Sons Lawn Service, but the agreement will expire this month.

In response to Invitation To Bid (ITB) No. 22-500 Annual Property Maintenance Services for Privately Owned Properties, the City received two responsive bids from Ray and Sons Lawn Service, LLC and

JDMF, LLC. Ray and Sons has local preference as well as previous history working with the Code Compliance Division. Due to these reasons, staff is recommending approval of the agreement with Ray and Sons.

The attached Agreement will be for 3 years, with the option to renew for 2 one-year terms upon mutual agreement of both parties.

FISCAL IMPACT

The FY 21-22 Budget includes \$15,000.00 for Contract Services (Abatement)

[End Agenda Memo]

Autumn Cochella, Development Services manager, reviewed this item.

Commissioner Howell confirmed that this is the same group charging high costs to mow lawns on small yards. Ms. Cochella said yes. Ms. Cochella confirmed they are and she reviewed the bid process. Commissioner Howell asked what the rates were. Fany Lozano reviewed the rates to clean and mow the property and explained that sometimes the rates are higher if the grass is especially high.

Commissioner Howell expressed concerns that the costs are high for small parcels. Ms. Cochella said the costs are meant to be punitive as the City is not in the lawn care business. James Slaton, City Manager, said the costs from the local company are within 5% of a larger out of town firm. This situation is a last resort. Ms. Lozano reviewed the procedure to calculate the cost to clean the property. The company's staff reviews with City staff the property to determine if trees should come down.

Deputy Mayor Gibson said we could contract for all lawns to be mowed but he would prefer not to be in the lawn care business.

Mayor Fultz said this is the best way to handle it as property owners are given several chances to clean the property themselves. We don't want repeat violators.

Mr. Slaton reviewed the process to address concerns in the northwest area.

4. Agreement With The YMCA Of West Central Florida (YMCA) For Staffing And Management Arrangement For The Administration Of The Albert Kirkland, Sr. Gymnasium (Gymnasium).

[Begin Agenda Memo]

SYNOPSIS:

Staff is requesting Commission approval for staffing and management arrangement for administration of the Gymnasium.

RECOMMENDATION

It is recommended that the City Commission take the following actions:

1. Approve the Agreement with the YMCA.
2. Authorize the City Manager to execute the agreement on behalf of the City.

BACKGROUND

The current fiscal year budget reflex two full time staff to staff and manage the gymnasium. On December 7,

2021, the City Commission agreed to enter into an MOU agreement for temporary staffing and management so staff could work on a definitive Management Agreement to be executed. City staff recommends the expansion of the current partnership with the YMCA of West Central Florida and entering into an agreement for the staffing and management of the Gymnasium.

OTHER OPTIONS

1. The City Commission may choose not to enter into this agreement and direct staff to assume the responsibility of city staff.
2. The City Commission may choose not to enter into this agreement and direct staff to solicit for other management services.

If the Commission chooses either of these other options, staff recommends extending the MOU through March 31, 2022.

FISCAL IMPACT

The monthly fee for this Agreement is \$6,750. This rate is comparable to the amount currently budgeted for City Staff.

[End Agenda Memo]

Stephanie Edwards, Support Services/Recreation manager reviewed this item. James Slaton, City Manager, asked if there have been problems with the current arrangement. Ms. Edwards said she is not aware of any.

Commissioner Howell asked that the YMCA staff treat everyone the same and respectfully. Ms. Edwards reported that they monitor this issue and address problems immediately and discuss them.

Commissioner Williams agreed that we just need to stay on top of this.

Mayor Fultz said he is glad that no problems have been reported. Commissioner Howell said she doesn't want to go backward.

Commissioner Hillgoss asked about staffing this facility ourselves. Mr. Slaton said this is an easier option as hiring is tough right now.

5. Preliminary Subdivision Plat Approval / Special Exception Use Permit Approval For A Residential Planned Development Project (PDP) Hunt Club Grove North

[Begin Agenda Memo]

SYNOPSIS:

Dave Schmitt Engineering, Inc., agent representing owners, is requesting approval of City Commission, of a 600-lot single-family Preliminary Subdivision Plat and a Special Exception Use Permit for a Residential PDP on approximately 130.38 acres of land just west of Hunt Brothers Road, and south of State Road 60.

RECOMMENDATION

The applicant requests approval of City Commission of a 600-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 December 15, 2021.

BACKGROUND

General: The 130-acre vacant grove land is located just west of Hunt Brothers Road, south of State Road 60 and the East Gate Shopping Center (Rural King & Winn-Dixie). Portions of the subject properties were annexed into the City through petition by the owners this year. On October 26, 2021, the Planning Board made a recommendation to City Commission to approve a zoning of R-1C, and a future land use designation of LDR low-density residential at a maximum of 5 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 5 units per gross acre, or 652 homes, under the Comprehensive Plan for LDR Low-Density Residential; a density of only 4.6 dwelling units per acre, or 600 homes, is proposed.

Typical single-family lot sizes range from 4,400 square feet to 6,600 square feet, with lot widths of 40', 50', and 60'. The rear setbacks exceed the minimum setbacks required by R-1C standards and all units will meet the minimum floor area of 1,200 square feet. A waiver of strict compliance is requested for all other R-1C dimensional standards.

Proposed Minimum Standards:

Single-Family: Minimum lot size – 4,400 sq. ft. Minimum street frontage – 40 ft. Minimum lot width at building line– 40 ft. Minimum floor area – 1,200 sq. ft. Front setback – 20 ft. Side setback – 5 ft. Rear setback – 20 ft. Maximum lot coverage – 50%

Townhomes: Minimum lot size – 2,200/2,750 sq. ft. (interior unit/exterior unit) Minimum street frontage – 20/25 ft. Minimum lot width at building line – 20/25 ft. Minimum floor area – 1,200 sq. ft. Front setback – 20/25 ft. Side setback – 0/5 ft. Rear setback – 20/25 ft. Maximum lot coverage – 50%

Roadways & Access: One entrance to the site is shown from 11th Street S, five entrances are located on Hamlin Street, and two entrances to the site are shown on Hunt Brothers Road. Hamlin Street will be improved to minor collector standards along the project boundary to Post Salter Road.

Five-foot-wide sidewalks will be constructed on both sides of interior streets. The existing pedestrian network on the north side of Grove Avenue will be filled in by the development and sidewalks up along Hamlin will be constructed to connect to SR 60. Additionally, Grove Avenue will be constructed and extended through the project which will connect to an existing roadway grid for future connections.

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 central green space for the development is approximately 17.5 acres. The size of this park is comparable to Kiwanis Park which is approximately 12 acres. In addition, the developer has designated 6.85 acres of active recreation space. Included in the design of the development, is an open space corridor for pedestrian connectivity to the central green space. More than 36.5% 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-1C zoning district: 1.) Minimum lot size: 4,400/5,500/6,600/2,200/2,750 square feet (40'/50'/60'/interior TH/exterior TH) is requested where 8,000 square feet is required by code. 2.) Minimum street frontage: 40 feet wide for 40' wide single-family lots and 20/25 feet wide for interior and exterior townhomes is requested where 50 feet is required by code. 3.) Minimum lot width at building line: 40/50/60/20/25 feet (40'/50'/60'/interior TH/exterior TH) is requested

where 65 feet wide is required by code. 4.) Front building setback: 20 feet for single family lots and interior townhomes is requested where 25 feet is required by code. 5.) Side building setback: 5 feet for single family lots and 0/5 feet for interior and exterior townhomes is requested where 10 feet is required by code. 6.) Corner lot functional side-yard setback of 15 feet is requested where 25 feet is required by code for corner lots. 7.) Increase in the allowable lot coverage not to exceed 50% is requested where 40% is required by code. 8.) Allow the neighborhood park to be further than 600 feet from certain lots it serves.

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 the flexibility provides a balance between the proposed number of lots and to maximize the open space for landscaping and active recreation. The flexibility of different type of lot sizes gives the neighborhood a diverse perception and not a flatness community. Providing two sidewalks will give future residents safe leisure around the community and provide enjoyable activities for each household. Maximizing the open space will create originality in designs for landscaping which will enhance the natural features of the property. Proposing more lots will generate new residents which will help increase revenue for the City of Lake Wales".

Additionally, the plan will provide recreation and open space in excess of the minimum standards. ?
Recreation required: 2.625 acres; Recreation provided: 6.85 acres ? Open space required: 20% of site;
Open space provided: 36.5% of site

Staff Findings 1. The use is compatible with the intentions of Policy I.1.2.12 Low 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. 8. New roadways and pedestrian connectivity will be constructed to extend the city's roadway grid for future connectivity.

Recommended Conditions of Approval

9. Staff and Planning & Zoning Board recommends the following conditions of approval: a. Fences shall be setback a minimum of 15 feet behind the front building expression line. b. Housing shall 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. It is recommended that some orange trees be retained to keep the character and theme of "Grove". h. The traffic study must be approved by the Administrative Official prior to issuance of Site Development Permit. i. A bus stop along Hunt Brothers Road shall be coordinated with Polk County Transit. j. A development agreement is required for road improvements. k. A utilities agreement is required for the transfer of wells to the City of Lake Wales. l. A financial mechanism such as a Community Development District or Special Taxing District shall be established to provide a source of funding for transportation improvements, including those improvements defined in the development agreement. m. Sidewalks shall be constructed on the north side of Grove Avenue to connect the sidewalks of existing residential homes. Sidewalks shall also be constructed along the western side of Hamlin Street to connect to SR 60. n. ROW shall be dedicated for Hamlin Street. o. Approval of the Residential PDP is contingent upon the Department of Economic Opportunity's approval for the land use amendment, and the approval of the zoning amendment by City Commission. p. Mechanical equipment to be located at the rear of the home and not permitted within side yards. q. Canopy trees within open spaces shall be increased by 25% in excess of current standards.

10. Staff recommends the following plan revisions prior to site development approval: a. Existing zoning on plans say R-1A, this needs to be corrected to R-1C. Check the surrounding zoning listed. b. The proposed land use needs to be corrected to say LDR not just Residential. c. Please include the requested waivers for single-family and townhomes on the plans. d. Include typical lot layouts for single-family and townhomes. e. Townhome lot dimensions and setbacks are needed on plans. f. The recreation space calculation shall be separate and apart from the open space calculation. g. Add a parking space as the required parking is 1 space per 10 dwelling units – 600 units warrants 60 parking spaces. h. The typical 60' ROW section is needed for Grove Avenue. i. The landscape buffer typical needs to be corrected to have the buffer outside of the rear yard on the other side of the property line. j. Hamlin Road needs to be corrected to Hamlin Street. k. Landscaping and sign locations shall be included at the entryway on plans. l. Proposed street names, park amenities, site lighting, and irrigation shall be included in construction plans. m. One tree per lot shall be included for townhomes. n. Street trees shall be moved to the ROW in between the curb and sidewalk within root barriers, separate and apart from the two lot trees, to be maintained by the HOA, or a separate street tree easement shall be included to be maintained by the HOA. o. Landscaping around the western-most mini-park is needed to distinguish the mini-park from the rear yards of residential lots. p. Landscaping for drainage retention areas shall meet Section 23-307.4 of the Land Development Regulations.

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 \$89 million in taxable value, and generate \$812,364 in ad valorem taxes.

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

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Deputy Mayor Gibson asked about the undeveloped parcel in the middle. Ms. Cochella said this owner did not want to sell or be involved in this project.

Mayor Fultz asked if the sidewalks will be completed on the north side of Grove Ave. Ms. Cochella said yes. Mayor Fultz said that is outstanding. This has been needed for awhile. He asked if sidewalks will be down Hamlin too. Ms. Cochella said yes all the way down to 60. Mayor Fultz said that makes it easier for people to walk to stores. Ms. Cochella said they are looking into a Polk Transit stop in the area.

Deputy Mayor Gibson said this project checks all the boxes concerning urban sprawl. This is a good developer. Ms. Cochella said these developers have been easy to work with. Ms. Cochella said the developer is David Warnicker. He understands and cares about the area. They will have a few orange trees on the property. He is doing several other projects in the City. Deputy Mayor Gibson said its good to get this cooperation.

Mayor Fultz asked if this is in the design phase yet. Ms. Cochella said no. She said the approval of the future land use amendment is contingent on DEO's review.

Deputy Mayor Gibson asked how much the developer does. Ms. Cochella said there are plans to have 2 developers but Mr. Warnicker is very much involved.

Mayor Fultz asked if this is one phase that will be done at once. Ms. Cochella said that is the plan.

Commissioner Howell asked if the 600 homes are townhomes or single family. Ms. Cochella said its a combination. 152 are townhomes and the rest are single family detached homes. Commissioner Howell is that 8600 homes in Lake Wales. Ms. Cochella said its 9000 at this point.

Mayor Fultz reviewed the history of sidewalks in his neighborhood and why they are unfinished. Ms. Cochella said we will get that fixed.

6. ORDINANCE 2022-03 Amendments To Ch 23 LDR - 1st Reading And Public Hearing

[Begin Agenda Memo]

SYNOPSIS:

Staff proposes amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances):

Table 23-242 Establishment of review fees Section 23-303 Streets

RECOMMENDATION At a regular meeting on November 30, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission for the proposed changes to the Land Development Regulations.

BACKGROUND Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments.

1. Table 23-242 Establishment of review fees

Through the Request for Qualifications process with the City's Purchasing Department, the Planning Division retains professional planning firms for consulting services. Such disciplines include specialties like Historic Preservation, Environmental, Transportation, and Comprehensive Planning on an as-needed basis. As development in the city continues to intensify, City planning staff has recognized the increased potential need for professional consulting to supplement and assist staff. In order to share these development-related consulting costs with the developer, Staff recommends the following note under the fee table regarding "Extraordinary expenses":

*** EXTRAORDINARY EXPENSES.

In addition to the fee schedule set forth above, the applicant shall also be responsible for the payment of any and all extraordinary expenses, which may be incurred by the City in analyzing or reviewing all or any part of an application. These expenses may include the City's retention of a third party consultant. These expenses will be billed at-cost, separately from and in addition to the development review fees set forth herein. The applicant will be advised of the necessity of such expenses prior to such expenses being incurred. The owner/developer and the Development Director, with the advice and consent of the City Manager, shall jointly approve in writing an estimated cost amount before these charges can be authorized. The cost for any such expenses shall be paid in advance to the City prior to incurring such expenses. Upon request of the owner/developer, the City Commission may review such expenses as to the necessity and amount.

2. Section 23-303 Streets

Staff has recognized an increase in development interest in areas south of State Road 60 East, and east of 11th Street where many groves and unimproved "grove roads" exist. As residential growth continues in this area, a roadway network will need to be created through a partnership of contributions between the City and developers over time. The attached ordinance to this memo illustrates the City's future transportation plan to help distribute traffic throughout this area by mapping future minor and major collector roads.

Collector roads gather traffic from local roads and funnel them to an arterial road network, or in this case, State Road 60. Staff proposes to include the SR 60 /11th Street Roadway Network Map within our Streets code section.

CODE REFERENCES AND REVIEW CRITERIA Table 23-242 Establishment of review fees Section 23-303 Streets

FISCAL IMPACT Adoption of a fee for extraordinary expenses may relieve some of the City's expenses incurred from utilizing contracted consulting firms to assist in reviewing certain development projects.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

7. Ordinance 2022-01 Annexation – 1st Reading And Public Hearing 29.94 Acres Of Land South Of Old Scenic Highway And East Of Scenic Highway North

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2022-01 proposes the voluntary annexation of approximately 29.94 acres of land located south of Old Scenic Highway, east of Scenic Highway North, and contiguous to the incorporated City limits.

RECOMMENDATION Staff recommends approval at first reading, and adoption after second reading of Ordinance 2022-01 following a public hearing. Public Hearing notice requirements have been met. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

BACKGROUND Story Family Limited Partnership LLLP, owner, petitioned annexation into the corporate city limits of Lake Wales on November 22, 2021. "Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits along its western boundary.

OTHER OPTIONS Decline to annex the property.

FISCAL IMPACT The annexation will add to the City's tax roll. The property is valued at \$191,967, which would bring in additional property taxes. Additionally, the approval of the annexation would allow the applicant to assemble a tract of land for potential residential development.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Deputy Mayor Gibson asked if we knew of any plans by Duke Energy to expand. Ms. Cochella said we did not.

8. ORDINANCE 2022-02 Annexation – 1st Reading And Public Hearing 236.57 Acres Of Land South Of Belleview Drive, East Of Scenic Highway South, North Of Passion Play Road, And West Of 11th Street South

[Begin Agenda memo]

SYNOPSIS: Ordinance 2022-02 proposes the voluntary annexation of approximately 236.57 acres of land located south of Belleview Drive, east of Scenic Highway South, north of Passion Play Road, and west of 11th Street South, and contiguous to the incorporated City limits.

RECOMMENDATION Staff recommends approval at first reading, and adoption after second reading of Ordinance 2022-02 following a public hearing. Public Hearing notice requirements have been met. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

BACKGROUND Hunt Bros, Inc., owner, petitioned annexation into the corporate city limits of Lake Wales on December 9, 2021. "Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits along its northeastern boundaries.

OTHER OPTIONS Decline to annex the property.

FISCAL IMPACT The annexation will add to the City's tax roll. The properties are valued at a total of \$2,469,512, which would bring in additional property taxes. Additionally, the approval of the annexation would allow the applicant to assemble a tract of land for potential residential development.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Mayor Fultz asked if infrastructure is in this area. Ms. Cochella said yes and showed on the map where utilities were located nearby.

Mayor Fultz asked Mr. Slaton the status of water rights from these former grove areas. Ms. Cochella said its now a condition of approval to turn over well capacity to the City's permit. It helps but won't be a wash. Sarah Kirkland, Utilities Director, said we won't get the full amount just a percentage.

9. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Hilligoss asked for more details on the Dixie Walesbilt hotel. James Slaton, City Manager, said he has no further update at the moment. Our attorney will update the Commission soon. Should we be prepared to have a CRA meeting after the Commission meeting again? Deputy Mayor Gibson said that is a good idea. Mr. Slaton agreed. He said details of this are still being worked out. We aren't done yet and haven't hit the deadline yet.

Commissioner Williams said he is excited to see that we are operating at the highest level of efficiency as we grow the City of Lake Wales.

Mayor Fultz asked about the status of the exploration well for the AWS? Has our attorney reviewed the proposal to bring us back to the old contract to do another exploration well through the Polk Regional Water Cooperative. Mr. Slaton said the City should not be obligated to contribute every time they want to build a test well for \$4 million and he told the PRWC that is our stance. The City Commission opted to sign in as a project associate to have an option to jump on board later. We are not part of the southeast wellfield project. They want to do more. Sarah Kirkland, Utilities Director, said that SWFWMD want the 60% on ramp provision removed before they guarantee funding. Mr. Slaton said we are waiting to see while all this sorts out. Ms. Kirkland said as far as our test well the engineer is working on the task order that is dealing with water use permit and renewal and design of test well. When we are ready for installation it will come back to Commission with more information. Mr. Slaton said this will be awhile. Mayor Fultz said we are looking out for our finances and our citizens. Mr. Slaton said the PRWC are hoping the district pays for half of the guesstimated cost of \$400 million. Mayor Fultz said they want everyone in to guarantee their funding. Mr. Slaton said the Southeast wellfield project hasn't been designed yet and the cost to get it to the cities has not really been discussed yet.

Commissioner Howell said she would like staff to look into allowing drinks downtown. Mr. Slaton said that staff is looking into this as part of a broader plan. The Commission will get a chance to review this.

Mayor Fultz said that Wales Pointe has some excellent live music there.

Deputy Mayor Gibson said we have had outstanding consultants help us. Lets keep on getting quality people to help us. Mayor Fultz agreed as this helps address concerns. Mr. Slaton agreed and said we have more coming and these experts are committed to serving Lake Wales.

10. ADJOURN

The meeting was adjourned at 3:10 p.m.

Mayor

ATTEST:

City Clerk