

**PLANNING AND ZONING BOARD
MINUTES
CITY COMMISSION CHAMBERS
THURSDAY, JANUARY 13, 2022
6:00 P.M.**

Chair Fountain called the Planning and Zoning Board to order at 6:00 p.m. in the City Hall Chambers located at 120 E. Pomelo Street, Lake Alfred, Florida.

Chair Fountain provided the invocation and the Pledge of Allegiance.

Board Members in Attendance: Chair Ike Fountain, Board Member Herb Nigg, Board Member Loretta Vittorio, Board Member Charles Lake (6:18 pm), and Alternate Board Member Cathy Long. A quorum was present.

Board Member Absent: Board Member Wanda Daley, Vice-Chair Brenda Arnold (Zoom), and Alternate Board Member Brandon Davis (Zoom) were absent.

Staff: Community Development Director Ameen Bailey, Assistant City Attorney Seth Claytor, City Planner Erika Tulloch, and City Clerk Linda Bourgeois.

Chair Fountain presented the minutes from the December 9, 2021, Planning and Zoning Board meeting for approval.

Board Member Nigg made a motion to approve the December 9, 2021 meeting minutes. The motion was seconded by **Board Member Vittorio**. The motion was unanimously approved.

Assistant City Attorney Claytor read the general procedures into the record. He performed the swearing-in ceremony to all staff and audience members providing testimony.

Chair Fountain presented the first business item for consideration.

Community Development Director presented the business item.

1. Adams Estate PUD Modification

Request: Request to modify the Mixed-Use Planned Unit Development (PUD-Mixed Use) by removing Phases 2 and 3 from the PUD-MU.

The City Commission approved the Mixed-Use Planned Unit Development (PUD-MU) for the Adams Estate property in January of 2017 (Ordinance 1375-16). The PUD-MU created three (3) phases of development for the property. Phase 1 consists of the special event facility for weddings, conferences, and similar events including 26 cottages.

The PUD-MU was approved based on the standards in the 742-93 Unified Land Development Code (ULDC). The updated Unified Land Development Code (Ord 1444-20) was adopted in February of 2021. At that time all PUDs were converted to an overlay and base zoning was re-assigned. The Adams Estate Property now has a future land use category of Mixed Use and a zoning district of Mixed-Use Corridor (C-2).

The new ULDC provides new development standards to address mixed-use development that was lacking in the 742-93 ULDC. The Mixed-Use Corridor (C-2) district provides for mixed residential and commercial uses extending along and oriented to collector and arterial roads, at

intensities compatible with adjacent neighborhoods. A mixture of land uses is specifically encouraged. Some specific changes that would be allowed based on the C-2 zoning include:

- Residential densities between 6-12 units per acre
- Non-residential FAR of 1.5

The new clustering provisions would allow for a mixture of residential types including single-unit, townhomes, and apartments. In addition, it allows the commercial and residential to mix and cross the existing phase lines to allow for greater design flexibility. The higher FAR would allow for the proposed hotel in addition to commercial store-fronts. The ISR remains the same as approved in the PUD-MU. The 1444-20 ULDC also includes architectural standards not currently included in the PUD-MU and the new ULDC also provides street design standards and new landscaping standards.

A modification of the PUD-MU would be required to process Phases 2 and 3 since there are very few standards for the development to follow. Any modifications would most likely incorporate the current ULDC text. Removing the acreage from the PUD-MU allows the development to follow the new guidelines and provides a clear path of development.

The staff has based the proposed amendment on the requirements and language provided by Florida Statutes, staff finds that the proposed ULDC updates are consistent with the Lake Alfred Comprehensive Plan and recommends approval to the City Commission of the City-initiated text amendments to the City's Comprehensive Plan. There were no responses from the mailers.

A board discussion ensued about a traffic study will be required before any development can occur in phases II and III, Adams Barn Road being a County Road, the cottages being transient housing under the hotel/motel standards, and the removal of phases II and III from the PUD would cause it to revert to straight zoning standards.

Additional discussion surrounded the nearest residential developments, the potential for a hotel in the C-2 zoning category, and the future site plans for development may or may not come back before the planning and zoning board because it is dependent on the Unified Land Development Code.

Chair Fountain opened the public hearing.

Scott Guiel of 124 Valencia Ridge Drive shared he lived across the street from the site in Auburndale. He said he has a better understanding of the request from being in attendance this evening. He shared his concerns about the potential for a hotel on the property and the impact it would have on the surrounding residents.

A brief discussion ensued regarding notification of the residents and whether or not a hotel would require a public hearing.

Community Development Director Bailey said it would depend upon the size of the hotel.

Scott Guiel requested for the developers to be considerate of the neighbors and said he wanted to voice his concerns.

Rachel Guiel of 124 Valencia Ridge Drive shared she had visited the estate and said it was a beautiful piece of property. She encouraged the developers to release a site plan or provide

information to the public regarding the development plans. She said she would like to see a good faith effort on their part to communicate with the surrounding neighborhood. She complimented the owners and said it was a beautiful property and they did things well. She questioned the potential entrances and exits from the property.

Community Development Director Bailey said there would be multiple entrances and said there would be at least two access points, and Assistant City Attorney Claytor said it would be based upon a transportation study.

Rachel Guiel asked what would the benefit be to the City by removing phases II and III from the Planned Unit Development.

Community Development Director Bailey explained the existing conditions were written without having an up-to-date code. She said the City worked for three years to write and adopt new development standards and now we have parameters.

Chair Fountain closed the public hearing.

Board Member Nigg moved that the Planning and Zoning Board forward the PUD modification to the City Commission with a recommendation of approval. The motion was seconded by **Board Member Lake**. The motion was unanimously approved.

Chair Fountain presented the next business items for discussion and consideration.

2. Waylanco Rd. FLU
3. Waylanco Rd. Zoning

Applicants: A request by Rohlfing Groves Company Gen PRT.

Requests: Future Land Use Assignments- approximately 19.7 ac. Heavy Commercial/Industrial and approximately 20.2 ac. Conservation. Zoning District Assignments - approximately 19.7 ac. Light Industrial (I-1) and approximately 20.2 ac. Conservation (CN).

Parcel 262708-000000-013000, further described as 0 CR 557, located north of Waylanco Road and east of CR 557.

Site: 39.9 ac

Staff Recommendation:

The applicant has requested the future land use assignments of Heavy Commercial/ Industrial (HCI) and Conservation (CON). The applicant also requested the zoning district assignments of Light Industrial (I-1) and Conservation (CN). The staff has reviewed the applications and finds that the requests are consistent with the surrounding uses, the Future Land Use Element of the Comprehensive Plan, and the Unified Land Development Code (ULDC). The transition from Agricultural/Residential Rural (A/RR) to Heavy Commercial/ Industrial (HCI) and Conservation (CON) is consistent with other sites surrounding the subject properties. Therefore, staff recommends approval of the request to assign the future land use classifications of Heavy Commercial/ Industrial (HCI) and Conservation (CON), and the request to assign the zoning

districts of Light Industrial (I-1) and Conservation (CN). There were no responses from the mailers.

Board discussion surrounded the clarification of the parcel location, the developable area being the existing orange grove, the light industrial zoning assignment being at the applicant's request, and the plans are for a warehouse.

Further discussion surrounded that the warehouse would not be seen from CR 557, the road would need improvements, the pocket areas in the Green Swamp, the request being consistent with the surrounding properties, and this is the northernmost parcel annexed into the City of Lake Alfred.

Chair Fountain opened the public hearing.

Saxon Evans, Director of Brokerage for Realty Capital Advisors said thank you for the opportunity. He said that the request for a warehouse was to potentially bring 100-120 industrial and retail jobs to the area. He said it makes more sense than to make it a residential area and reiterated that it would not be seen from CR 557. He concluded by thanking them for their consideration.

Chair Fountain closed the public hearing.

Board Member Nigg moved that the Planning and Zoning Board forward the request to assign the future land use classifications of Heavy Commercial/ Industrial (HCI) and Conservation (CON) to the City Commission with a recommendation of approval. The motion was seconded by **Board Member Lake**. The motion was unanimously approved.

Chair Fountain opened the public hearing and seeing no one, he closed the public hearing.

Board Member Lake moved that the Planning and Zoning Board forward the request to assign the zoning districts of Light Industrial (I-1) and Conservation (CN) to the City Commission with a recommendation of approval. The motion was seconded by **Board Member Nigg**. The motion was unanimously approved.

Chair Fountain presented the next business items for discussion and consideration.

4. Florida Gas FLU
5. Florida Gas Zoning

Applicant(s):	City of Lake Alfred.
Requests:	Future Land Use Assignment-Public Buildings and Grounds. (PBG). Zoning District Assignments - Public Buildings and Grounds (PBG).
Location:	Parcel 262729-000000-013020, further described as 0 CR 557, located at the northeast corner of the intersection of CR 557 and Evenhouse Rd.
Site:	0.09± acres.

Staff Recommendation:

City Staff suggests the future land use assignment of Public Buildings and Grounds (PBG) and the zoning district assignments of Public Buildings and Grounds (PBG). Staff finds that the assignments are consistent with the surrounding uses, the Future Land Use Element of the Comprehensive Plan, and the Unified Land Development Code (ULDC). The transition from Agricultural/Residential Rural (A/RR) to Public Buildings and Grounds (PBG) is consistent with other sites surrounding the subject properties. Therefore, staff recommends approval of the request to assign the future land use classification of Public Buildings and Grounds (PBG) and the request to assign the zoning district of Public Buildings and Grounds (PBG). There were no responses from the mailers.

Board discussion clarified the location of the parcel, and that there was not much potential for development. This is more of a housekeeping issue.

Chair Fountain opened the public hearing and seeing no one, he closed the public hearing.

Board Member Vittorio moved that the Planning and Zoning Board forward the request to assign the future land use of Public Buildings and Grounds (PBG) to the City Commission with a recommendation of approval. The motion was seconded by **Alternate Board Member Long**. The motion was unanimously approved.

Chair Fountain opened the public hearing and seeing no one, he closed the public hearing.

Board Member Vittorio moved that the Planning and Zoning Board forward the request to assign the zoning district of Public Buildings and Grounds (PBG) to the City Commission with a recommendation of approval. The motion was seconded by **Board Member Lake**. The motion was unanimously approved.

Chair Fountain presented the next business item for discussion and consideration.

6. Comp Plan Amendment – Property Rights Element

Applicants: City of Lake Alfred

Request: A City-initiated request to create a Property Rights Element for the City's Comprehensive Plan

Overview:

Section 163.3177(6)(i)2, Florida Statutes (Chapter 2021-195, Laws of Florida), requires a local government to adopt and include the property rights element in its comprehensive plan for any proposed plan amendment initiated after July 1, 2021.

If the comprehensive plan amendment was first considered at a local planning agency's hearing on or after July 2, 2021, then Section 163.3177(6)(i), Florida Statutes, requires the local government to also adopt the property rights element into its comprehensive plan on the date of adoption of that next proposed amendment.

Recommendation:

The staff has based the proposed amendment on the requirements and language provided by Florida Statutes. Staff finds that the proposed ULDC updates are consistent with the City of Lake

Alfred's Comprehensive Plan and recommends approval to the City Commission of the City-initiated text amendments, to the City's Comprehensive Plan.

PROPERTY RIGHTS ELEMENT

- GOAL IT SHALL BE A GOAL OF THE CITY OF LAKE ALFRED TO RESPECT, JUDICIALLY ACKNOWLEDGED, AND CONSTITUTIONALLY PROTECT PRIVATE PROPERTY RIGHTS.

- OBJECTIVE 1: ENSURE ACCESS TO FACILITIES

THE CITY OF LAKE ALFRED SHALL ENSURE THE CONSIDERATION OF PROPERTY RIGHTS DURING LOCAL DECISION-MAKING PROCESSES.

- Policy 1.1: The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

- Policy 1.2: The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

- Policy 1.3: The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

- Policy 1.4: The right of a property owner to dispose of his or her property through sale or gift.

Board Member Vittorio moved that the Planning and Zoning Board forward the Property Rights Element language for the city-initiated text amendments to the Comprehensive Plan to the City Commission with a recommendation of approval. The motion was seconded by **Board Member Lake**. The motion was unanimously approved.

The next Planning and Zoning Board meeting will be held on Thursday, February 10, 2022.

A brief discussion ensued regarding the new businesses coming into the City of Lake Alfred.

Without any further business, the Planning and Zoning Board meeting was adjourned at 7:32 p.m.

Respectfully submitted,



Linda Bourgeois, BAS, MMC,
City Clerk