

**MINUTES  
PLANNING BOARD MEETING  
October 9<sup>th</sup>, 2018  
6:00 P.M.**

**CALL TO ORDER: CHAIR JOSEPH HULTS**

**INVOCATION AND PLEDGE OF CHAIR JOSEPH HULTS**

**ROLL CALL: DEPUTY CITY CLERK MAMIE DRANE**

**Members in Attendance**, Chairman Joseph Hults, Vice Chair Deborah Byrne, Board member Loretta Vittorio, Member Karen Abdul Hameed, Member Wanda Daley (arrived @ 6:04) and Member Matthew Noone.

**Members not in attendance:** Board Member Bette Biggar.

Also in attendance: Community Development Director Ameen Bailey, Deputy Clerk Mamie Drane and Jennifer Codo-Salisbury

**APPROVAL OF MINUTES:** August 14, 2018 Meeting

**Board Member Vittorio** moved to approve the minutes from August 14, 2018 meeting seconded by **Vice Chair Byrne**. The motion was approved by unanimous voice call vote.

**Chair Hults** read the procedures and guidelines for the audience.

**BUSINESS ITEMS - PUBLIC HEARING:**

**1) PFW, LLC – FUTURE LAND USE REQUEST**

**Community Development Director Bailey** stated PFW, LLC has requested a Future Land Use Map amendment and a zoning amendment. Since both requests concern the same property, the Board will hear them simultaneously. Both cases were advertised and mailers were sent out to property owners within 300 feet. The site is approximately 33.9 acres, south of the Green Swamp area of critical state concern, Grassy Lake, and Cass Road, east of Adams Barn Road and Lake Griffin, west of Lake Eva and CR 557 and north of Lake Alfred (Lake). The existing Land Future Use is 28.4 acres of Very Low Density Residential (VLDR) and 5.5 acres on Conservation (CON). The applicant has purposed 31.7 acres of Low Density Residential (LDR), 2.2 acres of Conservation (CON) and 3.3 acres of the conservation is being requested for Low Density Residential. The zoning follows this request, there will be 28.4 acres of Single Family Residential (R-1AAA) and 5.5 acres of Conservation (CON) and the request is for 31.7 acres of Single Family Residential in the R-1B zoning district and 2.2 acres of Conservation (CON).

This property was part of several other application processes from the past. In the past the properties have always been considered together. All of the properties are in the Green Swamp Area of Critical Concern as Cass Road is the designated dividing line between the City and the Green Swamp Area. Generally there is Low Density Residential zoning to the south of the

Cass/Green Swamp line. All the residential properties north of the line have the Very Low Density Residential zoning.

The request is to change the property zoning to Low Density Residential with 2.2 acres of Conservation. The City hasn't received approval from the Water Management District that the property meets the jurisdictional wetland, but it is probably a much closer representation than the 5.5 acres currently mapped.

There are eight different categories within the Single Family Low Density District. The cluster zoning rather than the traditional zoning is the category most developers favor. There is a maximum density of three dwelling units per acre, maximum lot size of 8,000 square feet and the minimum lot width of 70 feet. The minimum house size is 1,200 square feet, the maximum pervious surface, and setbacks, are all consistent with the agreement the City has with the state. This is the only parcel that the owners can increase the zoning, it is the most intensive of the Single Family Residential zoning districts and it allows for 6 dwellings per acre.

The proposed Plan Amendment is consistent with the goals of the City of Lake Alfred Comprehensive Plan. Objectives and policies of the Plan may be proposed for modification by the Amendment.

Staff looks for compatibility with the Comprehensive Plan and the Future Land Use. The idea of this property going to Low Density Residential is consistent with the other areas south of the Green Swamp, the Comprehensive Plan, it's a standard category that the City uses the difference between Low Density and the Very Low Density is going from a maximum of three units to six units per acre.

The Conservation Land Use that has been requested has changed from prior maps because the developers made a more detailed record of the site including the recent delineation of the flood zones by the Federal Emergency Management Agency. The area is in transition the property at large has been approved for residential. It is anticipated that the remaining property will develop in the future. The property is in citrus groves at present. The density and development standards are the most questionable elements of this request. Determining if 6 dwellings per acre is compatible is the item for discussion.

**Board Member Karen Abdul Hameed** asked how binding the site plan would be, if it's at 4.2 units per acre would the developer be able to change it to six units per acre.

**Director Bailey** stated that the site is still under a development agreement that states the maximum is three units per acre. If the developer succeeds in changing the land use and zoning they would still be required to change the development agreement. The site plan is not binding and there is nothing in zoning to hold the developer to the proposed plan.

**Rennie Heath**, Cassidy Group, 346 E Central Ave. Winter Haven, FL representing both the property owner and the developer, stated the reason the developer is asking for the R1-B is because they develop property for National Builders. They require lot sized to be a specific size 50' wide and 110 to 115' deep. They develop the lots and sell them to the builder, the R1-B fits

the builders specifications. Site plan is a conceptual site plan based on what the developer would like to see, and it is not binding. The partnership will commit, in the developers agreement, the maximum density on this property will be 4.2 per acre.

**Chair Hults** opened the public hearing seeing no one closed the public hearing.

**Board Member Loretta Vittorio** asked to Mr. Heath to clarify the number of units per acre.

**Mr. Heath** stated when the development agreement is brought before the Commission the developers will commit to the 4.2 units per acre. In the process of providing lots for the builders they have found that the product the builders offer will not fit on the smaller lots.

**Board Member Abdul Hameed** asked if the developer had specific plans for recreational space.

**Mr. Heath** stated the partnership will do whatever it takes to make sure that the recreational space requirement is met. They will be providing a large recreational site to the north of the development, but this site will stand on its own.

**Board Member Noone** moved to forward a recommendation of approval to the City Commission on the request by PFW, LLC to amend the future land designation; seconded by **Vice Chair Byrne**. The motion was approved by unanimous voice call vote.

## **2) PFW, LLC – ZONING REQUEST**

**Board Member Abdul Hameed** asked if the City had adequate police and fire coverage for the added subdivision and if the roads were wide enough for the fire department to access.

**Director Bailey** stated the roads will be addressed in the site plan review. The City does have police and fire capacity. As the population grows staff evaluates the need of both police and firemen. Due to the requirement of the School Resource Officer (SRO's) the City is hiring three new officers, not only to serve as SRO's but they will also be available to serve other areas of the City as well.

**Board Member Vittorio** requested Director Bailey to address what the impact would be on the local schools. She also asked which adjacent schools would the students have to attend when the local schools reach capacity and what the timing would be.

**Board Member Noone** noted that the list did not take into account the charter or magnet schools in the area. Pending approval of both recommendations, what is the time frame for developmental review.

**Director Bailey** stated the letter provided by School Board explains that they first will look at schools zoned for that property then they look at the adjacent zones. There is capacity within the schools in the surrounding areas, if not the immediate schools. Addressing the question concerning the adjacent schools, she referenced a list in the staff report. She said the Polk County School Board will only base capacity on the public schools even though the charter schools are under their purview. In answer to Board Member Noone's question she stated,

timing depends on when the development agreement is submitted, and that the next step is for the agreement to go before the City Commission. The applicant has stated they would like to go before the City Commission by the second meeting in January. The site plan is a staff review only, and that would be on their time.

**Board Member Noone** stated the City has had residents come to the board complaining about having a five foot set back on the side. If the incoming developments aren't building to suit the consumers' subdivisions remain empty and that creates a problem for the City.

**Mr. Heath** commented that he understands the concern, but PFW, LLC doesn't develop any property unless the lots are under contract with the end user. There has been concern with the five foot side setbacks, what the developers require from the builder is for the air conditioners to be placed in an area conducive to allow more room on the side. They do have a builder that has made a commitment to the lots and the lots will be under contract before moving forward.

**Chair Hults** stated he shares the concerns, but

**Board Member Abdul Hameed** asked if the developers were responsible for connecting to the water and sewer. She also asked if the proposed lines the City is installing is not in place by the time the home construction starts, will the builder still be able to connect.

**Director Bailey** stated the applicant would be responsible for connecting to the utilities. They have to connect there's no other option.

**Chair Hults** stated Swift Mud hasn't weighed in with their comments, the zoning is up to 5 units per acre, but 4.2 may be the limit.

**Board Member Vittorio** stated the three already versus the six, that's a lot of houses in a small area.

**Chair Hults** opened the public hearing seeing no one closed the public hearing.

**Board Member Vittorio** moved to forward a recommendation of approval to the City Commission on the request by PFW, LLC on the future land designation seconded by **Board Member Noone**. The motion was approved by unanimous voice call vote.

**PUBLIC COMMENTS** seeing no one closed the public hearing

#### **BOARD MEMBER COMMENTS**

**Board Member Vittorio** thanked City staff for getting everything ready for the meeting.

**Chair Hults** asked if staff will remind the board which steps come in the process of the developments.

**Director Bailey** said not all properties will have a development agreement, this is a unique property in the sense that it does have a development agreement. Also it's mentioned in the staff report that the developers have applied for a Community Development District. A Community Development District is a funding mechanism, the developer can take out bonds to pay for the infrastructure. It also allows them the authority to assess a special assessment on the property, therefore they do not have to collect fees through an HOA they will vote, as a

board, on what the fees should be assessed on each property to pay for the infrastructure and bonds.

**Board Member Abdul Hameed** asked if the developers could still opt for the six units per acre in the future.

**Director Bailey** stated currently the development agreement in place requires three units per acre, the only way to void that development agreement is to let it expire.

The Board continued the discussion about setbacks and fences and future development.

The meeting was adjourned at 7:28 pm.

Respectively Submitted,



Mamie Drane  
Deputy City Clerk