

**MINUTES  
CITY OF LAKE ALFRED  
PLANNING BOARD MEETING  
TUESDAY, FEBRUARY 25, 2020  
CITY HALL**

**Call to Order:** Chair Joe Hults

**Invocation and Pledge of Allegiance:** Board Member Bette Biggar

Board Members in attendance were Chair Joe Hults, Board Members Betty Biggar, Wanda Daley, Herb Nigg, and Matthew Noone

Board Members Absent/Excused, Loretta Vittorio and Karen Abdul-Hameed

Staff in attendance: Community Development Director Ameen Bailey, Planner Felicia Hutchinson, and Deputy City Clerk Mamie Drane,

**Board Member Nigg** made a motion to approve the minutes from the December 10, 2019 meeting, seconded by **Board Member Biggar**. A unanimous voice call vote approved the motion.

**Chair Hults** reviewed the meeting procedures and administered the witness oath.

**Chair Hults** asked Director Bailey to present the first item.

**1.) Ace Hardware Variances**

**Director Bailey** stated this case was advertised in the News Chief on February 10, 2020, and 34 notices were mailed out to the property owners within 300' of the site. The site is located at 120 Lake Shore Way, and there are 1.68 acres. It is within the Downtown Overlay District (DOD). Director Bailey defined the site pointing out the property surrounding the parcel in question. She stated the applicant is requesting alternative design alterations variances to increase the fence height from eight (8) to fourteen (14) feet, to reduce the minimum buffer yard width from fifteen (15) feet to 2.5 – 3.5 feet, and to reduce the accessory setback from five (5) to 2.5 feet.

The applicant proposes a 14' high chain link fence for the east side of the exterior of the building, the west, south and north sides of the garden center would be constructed in the same material as the rest of the building. The fence is serving as the fourth wall of the garden center. The fence allows access for externally stored merchandise and is a common feature in hardware stores. The height of 14 feet is necessary to prevent theft of items sold in the exterior garden center. They are also asking for a variance on the setbacks, the requirement, in the DOD, is for the buildings to be against the road. To develop according to the existing setbacks, the building would be where the trees are. That placement would also take away the entrance on Hwy 17/92. Since the developer is planning on using both buildings, staff looked at maximizing parking for both businesses, because of the non-conforming residential property abutting the commercial site, the design criteria changes. There is a requirement for a landscape buffer. To accommodate both a buffer and achieve maximum parking, staff suggested a reduction in the buffer. The accessory structure or the dumpster would typically be at the rear of the building; that would be

the eastern property line, which is the same side as the residential property. Because the change is residential to commercial, a buffer of 5' is required. The accessory structure would be required to be placed outside of the landscaping. The placement of the accessory structure has been added as an alternate design alteration to allow for a minimum 2.5' setback. There will be landscaping surrounding the accessory structure, aiding with the buffering. The applicant has volunteered to install a fence bordering the residential property; however, the staffs' recommendation is not to require the fence. If there were a fence, the vegetative element of the buffer would be facing the resident, and the PVC fence will be the first thing anyone sees driving into the property. There are large trees and landscaping already on the site along with the dense vegetative buffer the applicant has proposed, that will meet the intent of the code. Staff is satisfied that the alternate design considerations help meet the use that is proposed. The recommendation for conditions is only for this property and these uses. The 14' fence may be installed as part of the proposed garden center. The compact parking spaces may be used in place of standard parking spaces along the eastern side of the property. A 3.5' – 2.5' full landscape buffer must be provided between the subject property and the non-conforming residential property. A minimum of four (4) trees and 30 shrubs per 100' must be planted, and the accessory structure may have a reduced setback of 2.5' along the eastern property line. Approval of this request does not grant authority to alter any other portion of the property, nor does it waive any required permits.

Staff recommends approval of the request.

**Jessie Blackstock**, Blackstock Engineering, Tampa FL, stated he echoed Director Bailey's comments, and he will gladly answer any questions.

**Chair Hults** opened the public hearing.

**Robert Hart**, 2903 CR 557 stated this is great for the City he is looking forward to having an Ace Hardware store in Lake Alfred.

**Mike Brian** 175 S Seminole Ave., asked about the structure around the dumpster.

**Director Bailey** stated the City Code for the Downtown Area is for a minimum 7' wall around the dumpster with a planting buffer on each side. The dumpster structure will match the building design

**Chair Hults** closed the public hearing

**Chair Hults** stated he is glad to see a hardware store coming into the City. He is concerned about the egress and ingress of the property.

**Director Bailey** stated cars can enter only on Lake Shore, per an FDOT requirement, and there will be an entrance and exit on Orange St. During the lane repurposing the FDOT may reconsider and allow the Lake Shore entrance to become an exit. Still, the proximity to the light prevents that being an exit at this time.

**Board Member Nigg** asked how long the surrounding structures have been in place, and if there will there be lighting in the parking lot. He went on to ask if the goal of the buffer is to protect the residence from the light and noise, and how high will the planned buffer be.

**Director Bailey** stated the house had been there since 1952; the Bank has been there for some time as well. She said it is the goal of the buffer to lessen the light and noise from the commercial businesses. The new landscaping will be installed to grow the plants into place. The shrubs will provide a buffer at the car level; the lights from the site will taper off at the edge of the property.

**Board Member Nigg** asked the applicant if his company would consider motion-activated, dark-sky lighting. Otherwise, it will look like a jail. He also asked about the developer using Florida friendly plants.

**Mr. Blackstock** stated he could not speak for the owner, but from a dark-sky ordinance, developers have to meet that criterion. The landscape buffer is more of a visual screen, not to prevent the off-site glare of lights vertically as well as horizontally. He said the lighting Mr. Nigg suggested is required in the Lake Alfred Code. Mr. Blackstock noted the planting of Florida friendly landscape is also in the Lake Alfred Code.

**Director Bailey** stated the landscaping plan was in the packet for this meeting. The Downtown Overlay code does require that all plantings be native Florida vegetation.

Discussion ensued concerning the different types of lighting.

**Board Member Biggar** asked if the fence will be an exception to only this property, or will other businesses be allowed to have 14' barriers.

**Director Bailey** stated if another fence permit were submitted, it would go through a review process. Approval depends on the use and the application of the requested fence. The City is not changing the Citywide code to allow a 14' fence in the Downtown Overlay District.

**Board Member Daley** made a motion to approve the alternative design alterations and variance as presented, with the staff conditions of approval, and hereby authorize the Chairman to sign a Development Order to be recorded in Polk County Public Records; seconded by **Board Member Bette Biggar**. A vote approved the motion of 4 to 1.

**Chair Hults** moved to the second agenda item; The Wales Rezoning 200 County Road 557A

## **2) Wales Rezoning – 200 County Road 557A**

**Director Bailey** stated this item was advertised in The News Chief on February 10<sup>th</sup>, and five (5) letters were mailed to property owners within 300 feet. The property is located at 200 County Road 557A. It is a 6.92-acre site. It is east of CR 557A and west of CR 557. This property is also in the green swamp of critical state concern. The current Future Land Use (FLU) is Neighborhood Convenience Center Limited. Director Bailey gave a brief history of the property. The zoning on the property has remained residential R-1AAA. The applicant, Thomas E Wales, and Janice B Wales, have requested to change/match the Zoning District to the FLU, which would be C-4.

The proposed rezoning is consistent with the City of Lake Alfred Comprehensive Plan. The rezoning will not degrade the Level of Service and does not increase the cost of improvements to be undertaken by the City, as stated in the Capital Improvements Element.

The proposed rezoning and all permitted uses are compatible with development on the surrounding property, or compatibility can be achieved by the imposition of conditions, buffers, or limitations on the uses within the zone, which are specified in the Board's recommendation. By this analysis, the Planning Board determines whether or not the proposed rezoning provides "appropriate use" of the property.

Staff recommends approval of the request.

**Board Member Nigg** asked what comprises C-4 zoning.

**Director Bailey** stated C-4 zoning is designed to be low-impact commercial uses such as retail, offices, or low impact commercial uses.

**Chair Hults** opened the public hearing.

**Robert Hart** 2903 CR 557 asked about the location of land the City had been given for a fire station concerning the triangle.

**Director Bailey** stated the location was not on the map she was using, and there are no plans to move a station to the CR 557 location.

**Chair Hults** closed the public hearing.

**Board Member Biggar** moved the Planning Board recommend approval of the request by Thomas and Janice Wales to change the zoning district of the property from the Very Low-Density Residential (R-1AAA) to neighborhood Convenience Center (C-4). **Board Member Daley** seconded the motion. A unanimous vote approved the motion.

**Director Bailey** stated this item would go before the City Commission on March 16<sup>th</sup>. The next Planning Board meeting will be March 24<sup>th</sup> to begin the code rewrite discussion.

With no further business, Chair Hults adjourned the meeting at 7:15 pm

Respectfully Submitted,



Mamie Drane  
Deputy City Clerk