

**Agenda**  
**City of Winter Haven Planning Commission Meeting**  
**September 7, 2021, 6:00 p.m.**  
**John Fuller Auditorium, 451 Third Street, NW, Winter Haven, Florida**

1. Call to Order
2. Roll Call
3. Invocation and Pledge of Allegiance
4. Approval of August 3, 2021 Minutes
5. Explanation of Hearings by Chair
6. Hearings
  - a. New Business
    - i. **Case Number P-21-03-S:** Request by Shirley Augustin for Special Use Approval for a large-scale drinking establishment located in the Commercial- Highway (C-3) zoning district. **General Location:** 1084 Havendale Boulevard. The area covered by this request is 0.04± acres.
7. Other Business
  - a. Comments from Staff
  - b. Comments from Planning Commissioners
  - c. Comments from the Public
8. Adjournment

All interested parties who decide to appeal any decision made by this Commission with respect to the matter considered at such meeting or hearing will need a record of the proceedings, and that, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Please be advised that you must make your own arrangements to produce this record. If you need assistance with language, contact the Planning Division at least four (4) days prior to the meeting. The Planning Division may be reached at **(863) 291-5600**, at **City Hall, 451 Third Street, NW, Winter Haven, Florida, 33881**, or online at **[www.mywinterhaven.com/government/planning](http://www.mywinterhaven.com/government/planning)**. In accordance with the Americans with Disabilities Act and Florida Statutes, Section 286.26, persons with disabilities needing special accommodations to participate in this proceeding, should contact the City Clerk's Office, 451 Third Street, NW, Winter Haven Florida 33881, in writing, no later than 48 hours prior to the proceeding; if not in writing, then not later than four (4) days prior to the proceeding at (863) 291-5600. Vision or hearing impaired please call (800) 955-8771 for assistance.

**CITY OF WINTER HAVEN  
PLANNING COMMISSION MEETING MINUTES  
August 3, 2021**

1. **CALL TO ORDER**

Chair Sakagawa called the meeting to order at 6:00 p.m.

2. **ROLL CALL**

**Commissioners Present:** Chair Tamara Sakagawa, Vice-Chair Jennifer Fasking, David Lane, Rick Hemenway, Wendy Venters

**Commissioners Absent:** Elizabeth Davis, Craig Fuller, Charles Smith, Ex-Officio Toby Tiller

Ms. Smith confirmed a quorum.

**Staff Present:**

Eric Labbe, Economic Opportunity & Community Investment Director; Sean Byers, Planning Manager; Heather Reuter, Planner II; Rebecca Smith, Planning Assistant;

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation and Pledge of Allegiance led by Commissioner Hemenway.

4. **APPROVAL OF MINUTES**

**Chair Sakagawa asked for a motion to approve the June 1, 2021 Planning Commission Meeting Minutes. Motion was made by Commissioner Hemenway for approval of the June 1, 2021 Planning Commission Meeting Minutes; Commissioner Lane seconded the motion. Motion carried by a unanimous voice vote. (5:0)**

5. **EXPLANATION OF HEARINGS**

**Chair Sakagawa provided the explanation of hearings.**

Ms. Smith swore in those wishing to speak for or against a case.

6. **HEARINGS**

a. New Business

- i. **Case Number P-21-02-S:** Request by Richard Pierre, agent for Sixth Street Realty, LLC, for Special Use Approval to permit a child care facility in the Mixed Use (MX) zoning district. **General Location:** 1513 Sixth Street, SE. The area covered by this request is 0.08± acres.

Ms. Reuter gave an overview of the request via a slideshow presentation.

**Chair Sakagawa asked the Commissioners if there were any questions for staff.**

Commissioner Hemenway questioned if a previous Special Use Approval in this plaza is still open. Discussion ensued.

**Chair Sakagawa asked the Commissioners if there were any other questions for staff. Hearing and seeing none, Chair Sakagawa closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.**

Robert Youngmeyer of 1510 Oakview Circle, SE, Winter Haven and hereafter known as Citizen Youngmeyer stated the following:

- Brought up concerns of noise issues and capacity of the facility.

Ms. Reuter confirmed the application proposes 4 employees and child capacity is determined by the Department of Children and Families.

**Chair Sakagawa anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record. Hearing and seeing none, Chair Sakagawa closed the public hearing, and reopened the regular meeting.**

Chair Sakagawa asked about the outdoor space and operation hours of the proposal. Discussion ensued.

**Chair Sakagawa asked if there were any other questions. Hearing and seeing none, Chair Sakagawa sought a motion for the case. Motion was made by Commissioner Hemenway to approve Case Number P-21-02-S in accordance with the fact sheet. Vice-Chair Fasking seconded the motion. Motion carried by a unanimous voice vote (5:0).**

- ii. **Case Number P-21-56:** Request by Suntech Investments, Inc. /Belmar Development, Inc. to rezone a parcel from Planned Unit Development (PUD) and Conservation (CN) zoning districts to Single Family Residential- Small Lot (R-2) zoning district. **General Location:** Vacant parcel generally located south of Old Lucerne Park Road, south of Tilden Road. The area covered by these requests is 45.43± acres.

Mr. Byers gave an overview of the request via a slideshow presentation.

**Chair Sakagawa asked the Commissioners if there were any questions for staff.**

Vice-Chair Fasking questioned the state of the trees and conservation. Discussion ensued.

Chair Sakagawa questioned the original PUD. Discussion ensued.

**Chair Sakagawa asked the Commissioners if there were any other questions for staff. Hearing and seeing none, Chair Sakagawa closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.**

Sarah Case of Econ South of 6700 South Florida Avenue, Lakeland and hereafter known as Agent Sarah stated the following:

- Provided background on the property and request and the reasoning of the density changes.

**Chair Sakagawa asked anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.**

Citizen Youngmeyer stated the following:

- Mentioned concerns of smaller lot sizes

**Chair Sakagawa anyone else wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record. Hearing and seeing none, Chair Sakagawa closed the public hearing, and reopened the regular meeting.**

**Chair Sakagawa asked if there were any other questions. Hearing and seeing none, Chair Sakagawa sought a motion for the case. Motion was made by Commissioner Venters to approve Case Number P-21-56 in accordance with the fact sheet. Vice-Chair Fasking seconded the motion. Motion carried by a unanimous voice vote (5:0).**

- iii. **Case Number P-21-57:** Administrative request to amend the Winter Haven Code of Ordinances, Chapter 21, Article II, Division 2, Section 21-42, Mixed Use (MX) zoning district for the purpose of revising development standards and requirements.

Ms. Reuter gave an overview of the request via a slideshow presentation.

**Chair Sakagawa asked staff if any developers have come forward with projects related to this request. Discussion ensued.**

**Chair Sakagawa asked the Commissioners if there were any other questions for staff. Hearing and seeing none, Chair Sakagawa closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.**

**Hearing and seeing none, Chair Sakagawa closed the public hearing, and reopened the regular meeting.**

**Chair Sakagawa asked if there were any questions. Hearing and seeing none, Chair Sakagawa sought a motion for the case. Motion was made by Vice-Chair Fasking to approve Case Number P-21-57 in accordance with the fact sheet. Commissioner Hemenway seconded the motion. Motion carried by a unanimous voice vote (5:0).**

- iv. **Case Number P-21-58:** Administrative request to revise the Winter Haven Code of Ordinances, Chapter 21, for the purpose of updating names of established zoning districts and removing obsolete language referenced throughout Chapter 21.

Mr. Byers gave an overview of the request via a slideshow presentation.

**Chair Sakagawa asked the Commissioners if there were any questions for staff. Hearing and seeing none, Chair Sakagawa closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.**

**Hearing and seeing none, Chair Sakagawa closed the public hearing, and reopened the regular meeting.**

**Chair Sakagawa asked if there were any other questions. Hearing and seeing none, Chair Sakagawa sought a motion for the case. Motion was made by Commissioner Hemenway to approve Case Number P-21-58 in accordance with the fact sheet. Commissioner Venters seconded the motion. Motion carried by a unanimous voice vote (5:0).**

- v. **Case Number P-21-60:** Administrative request to revise the 2025 Winter Haven Comprehensive Plan for the purpose of adding policies regarding private property rights to the Future Land Use Element as required by Florida House Bill 59.

Mr. Byers gave an overview of the request via a slideshow presentation.

**Chair Sakagawa asked the Commissioners if there were any questions for staff.**

**Hearing and seeing none, Chair Sakagawa closed the regular meeting and opened the public hearing, asking anyone wishing to speak for or against this request to come to the podium, and if they have not yet done so, state their name and address for the record.**

**Hearing and seeing none, Chair Sakagawa closed the public hearing, and reopened the regular meeting.**

**Chair Sakagawa asked if there were any other questions. Hearing and seeing none, Chair Sakagawa sought a motion for the case. Motion was made by Vice-Chair Fasking to approve Case Number P-21-60 in accordance with the fact sheet. Commissioner Venters seconded the motion. Motion carried by a unanimous voice vote (5:0).**

**7. Other Business**

a. Comments from Staff

- Mr. Byers gave an update on past cases.
- Reminder of Re-appointment letters.
- Confirmed the September meeting date of September 7.
- Acknowledged the resignation of Steve Lockhart and express gratitude for his 30 years of service on the Planning Commission
- Applications for the current vacancy are being accepted until August 20.

b. Comments from Planning Commissioners

- Chair Sakagawa asked staff to address the concern of smaller lots as mentioned by Citizen Youngmeyer. Discussion ensued.
- Commissioner Lane asked about the current status of an affordable housing project on Martin Luther King Boulevard. Discussion ensued.
- Commissioner Lane mentioned an article from The Ledger and asked if procedures need to be changed for voting on development. Discussion ensued.
- Chair Sakagawa wanted to recognize Steve Lockhart's service and time on the Planning Commission.

c. Comments from the Public

- Citizen Youngmeyer thanked the commission for allowing him to speak and attend this evening.

**8. Adjournment – 6:54 P.M**

**CITY OF WINTER HAVEN, FLORIDA  
PLANNING COMMISSION**

\_\_\_\_\_  
Chair

**ATTEST:**

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Planning Commission Clerk

**CITY OF WINTER HAVEN FACT SHEET  
PLANNING COMMISSION MEETING  
September 7, 2021**

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**DATE:** August 13, 2021

**TO:** Winter Haven Planning Commissioners

**VIA:** Eric Labbe, Economic Opportunity & Community Investment Director  
Sean Byers, Planning Manager

**FROM:** Heather Reuter, Senior Planner

**SUBJECT: Case Number P-21-03-S:** Request by Shirley Augustin for Special Use Approval for a large-scale drinking establishment located in the Commercial-Highway (C-3) zoning district. **General Location:** 1084 Havendale Boulevard. The area covered by this request is 0.04± acres.

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**BACKGROUND:**

The petitioner, Shirley Augustin, requests Special Use Approval for a large-scale drinking establishment located in the Commercial- Highway (C-3) zoning district. The property subject to this request is located at 1084 Havendale Boulevard in the Spring Lake Square shopping center. The applicant proposes to operate a hookah lounge with alcohol called Shisha Mist Lounge in the approximately 1,580-square foot leased space.

While the C-3 zoning district allows for residential uses, the nearest residential zoning district is located approximately 740 feet to the west. Separations from the nearest church and school facilities are provided in the table below.

<b>Nearest Facility</b>	<b>Required Separation</b>	<b>Actual Separation</b>
Bible Church of God 914 Havendale Boulevard (In Spring Lake Square)	400 feet door to door by way of pedestrian travel	417± feet to the southeast
St. Joseph's Catholic School 535 Avenue M, NW	400 feet door to nearest property line by way of pedestrian travel	3,500± feet to the southeast

The applicant proposes to have 36 seats. Per Section 21-96, the applicant has developed a security plan that has been approved by the Chief of Police. A large-scale drinking establishment with 1,580 square feet of gross floor area will require 24 off-street parking spaces. This location within Spring Lake Square has adequate parking to meet this requirement.

Concerns stemming from the history of this area as it relates to previous alcohol establishments located within Spring Lake Square, specifically issues within the parking lot,

have been addressed in the submitted security plan and through proposed conditions for the Special Use Approval.

**SURROUNDING USES:**

The subject property is located in Spring Lake Square which has a mixture of commercial uses including retail, restaurants, offices, a gym, and a movie theater. Both units immediately adjacent to the subject property are currently vacant.

**NOTIFICATION:**

All public notification requirements for this request were met.

**CONCLUSION:**

The location of Shisha Mist Lounge in Spring Lake Square is compatible with the mixture of uses in the large shopping center as well as the Havendale Boulevard corridor. Minimal off-site impacts are expected as a result of this request. The applicant's security plan has been reviewed and approved by the Chief of Police.

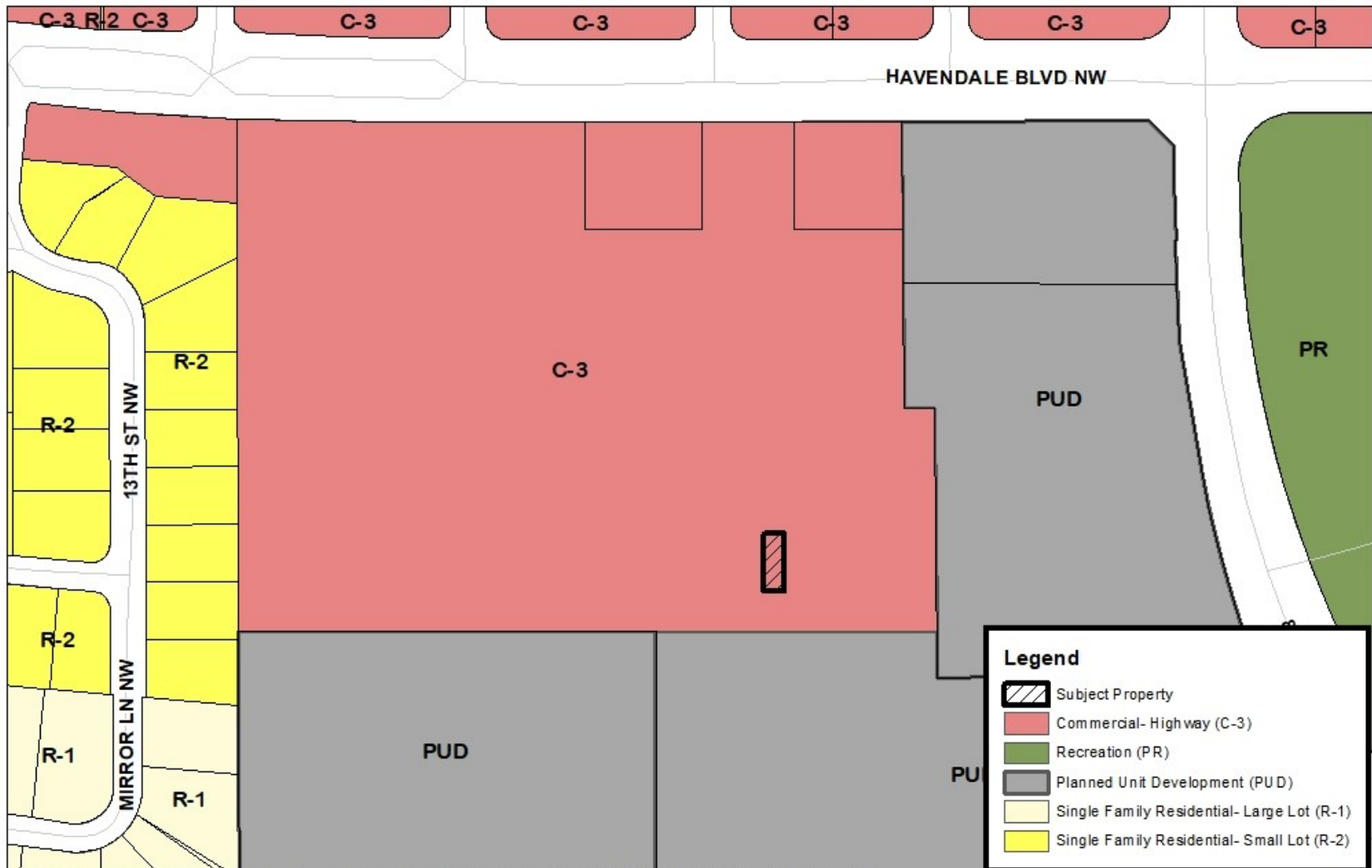
**RECOMMENDATION:**

Staff recommends the Planning Commission approve this request with the following conditions:

1. If the establishment plans to have an outside entertainment event (especially that which is promoted or advertised), they shall be required to hire a minimum of two off-duty officers to work the parking lot and outside the establishment for the duration of the event.
2. If the establishment is at maximum occupancy, no more than 30% over the maximum occupancy may wait directly outside on the sidewalk of the establishment for admittance.
3. The maximum of occupancy shall be either 60 persons or the number as determined by the City of Winter Haven Fire Marshal, whichever is less.

**ATTACHMENTS:**

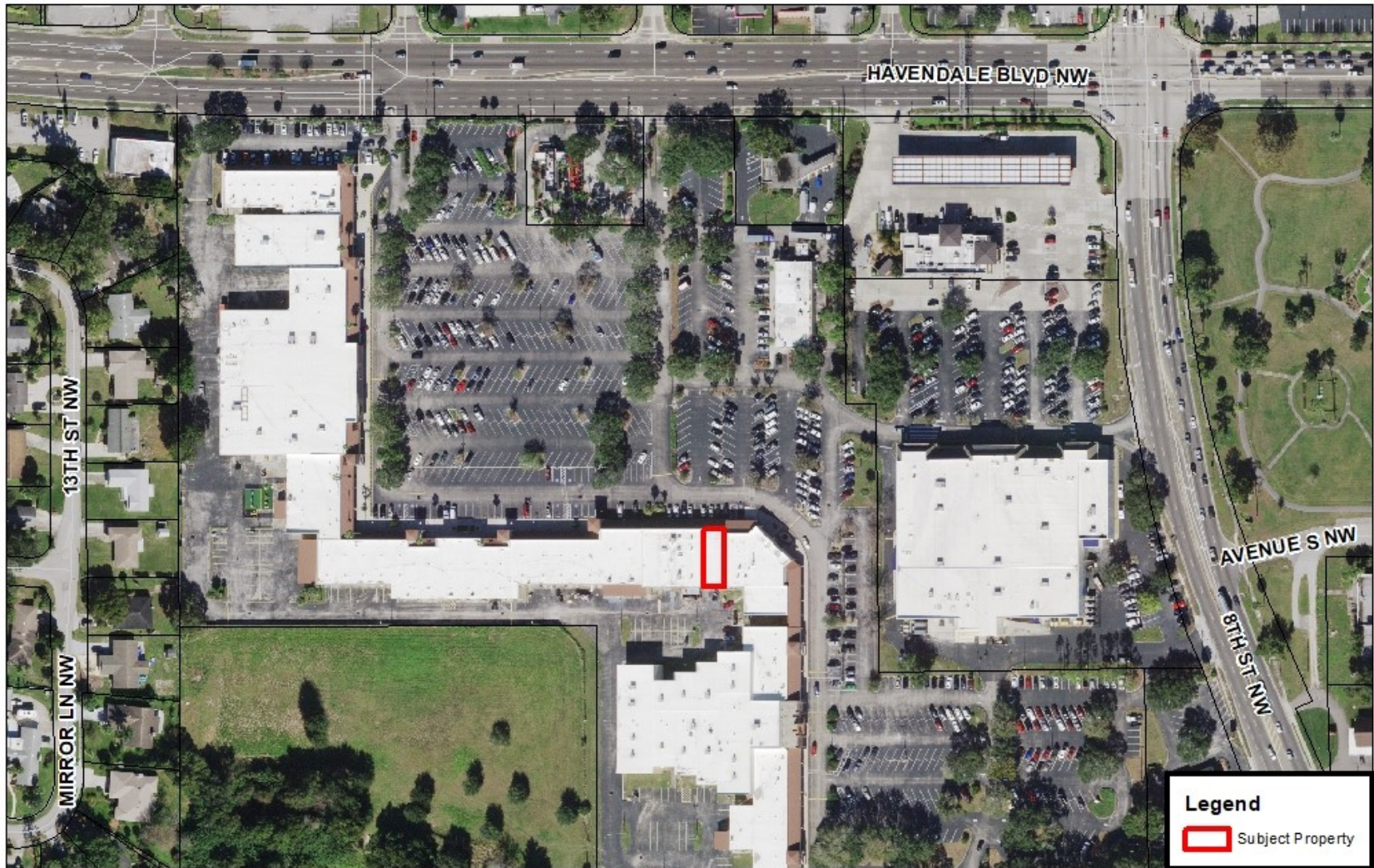
Zoning Map  
Aerial Map  
Floor Plan



The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.







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Floor Plan

