AGENDA

Planning & Zoning Board
City Commission Chambers
July 19, 2022 8:30 a.m.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Jenny Sykes, no later than 48 hours prior to the proceeding, at **(863) 834-8444**, Email: **Jennifer.Sykes@lakelandgov.net**. If hearing impaired, please contact the TDD numbers: Local - **(863) 834-8333** or **1-800-955-8771** (TDD-Telecommunications Device for the Dear) or the Florida Relay Service Number **1-800-955-8770 (VOICE)**, for assistance.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, 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.

PUBLIC HEARING

ITEM 1: Major modification of PUD (Planned Unit Development) zoning to increase the maximum building floor area for an existing self-storage facility from 72,000 sq. ft. to 99,536 sq. ft. and allow for a two-story expansion on property located at 5230 N. State Road 33. Owner: Acorn Lakeland LLC. Applicant: Shelton Rice, Peterson & Myers, P.A. (PUD22-012)

ITEM 2:

a. Minor modification of PUD (Planned Unit Development) zoning to allow for a 3,570 sq. ft. office/service bay addition to an existing motor vehicle dealership on property located at 4141 N. Florida Avenue. Owner: Fields Motorcars of Florida, Inc. Applicant: Kathy McBride. (PUD22-013)

b. Consideration of final decision.

GENERAL MEETING

ITEM 3: Review minutes of the June meeting.

ITEM 4: Change in land use from Residential Low (RL) to Residential Medium (RM) on approximately 25.92 acres, a change in land use from NAC (Neighborhood Activity Center) to Residential Medium (RM) on approximately 3.81 acres, and a major modification of PUD zoning for Towne Park Estates (Ordinance 4471, as amended) to allow a four-story, multi-family residential development with a maximum of 356 dwelling units on 29.73 acres located south of Towne Park Boulevard and west of Yates Road. Owner: English Creek LLC. Applicant: Sarah Case, Next Level Planning Permitting. (LUS21-007/PUD21-023). **Note: Staff requests an additional one-month continuance for the applicant to redesign the project to address concerns pertaining to compatibility, unit mix and density and complete the required transportation analysis.**

ITEM 5: Major modification of Planned Unit Development (PUD) zoning to increase the maximum number of multi-family dwelling units allowed from 152 to 288, increase the maximum allowable building height from two-stories to three-stories, and adopt a site plan for a new multi-family development project on 26.8-acres generally located south of the Polk Parkway, east of Harden Blvd, and west of The Villas III (1020 Parkway Frontage Road S.) Owner: GG III Investments LC. Applicant: Nick Everly, Hillpointe, LLC. (PUD22-006) **Note: Staff requests an additional one-month continuance while the applicant works to address access issues.**

ITEM 6: Large scale land use amendment to allow a change in future land use from Residential Medium (RM) to Residential Low (RL) on approximately 19.02 acres, from Residential Low (RL) to Residential Medium on approximately 24.42 acres, and from Residential Medium (RM) to Residential High (RH) on approximately 44.67 acres, and a major modification of PUD (Planned Unit Development) zoning to allow for the redevelopment of the former Wedgewood Golf Course for 1,028 multi-family dwelling units, 204 single-family attached (townhome) dwelling units, 16 single-family detached dwelling units and a 150-bed assisted living facility on approximately 128.5 acres generally located north of Interstate-4, south of Heatherpoint Drive, east and west of Carpenters Way, and north and south of Wedgewood Estates Boulevard (401 Carpenters Way). Owner: SJD Development LLC. Applicant: Jonathan Hall, SJD Development LLC. (LUL22-002/PUD21-013). **Note: Staff requests a one-month continuance to provide the applicant with additional time to revise the application in response to the comments received at the May 17th public hearing.**

ITEM 7: Major modification of PUD (Planned Unit Development) zoning to allow C-6 (Downtown Commercial) office, commercial and residential uses on property located at 300 W. Lime Street. Owner: Lakeland West Lime LLC. Applicant: The Lunz Group, LLC. (PUD22-011)

ITEM 8: Small scale land use amendment on approximately 0.9 acres from Business Park (BP) to Residential Medium (RM), and a change in zoning from I-1 (Light Industrial) and RA-4 (Single-Family Residential) to PUD (Planned unit Development) on approximately 9.1 acres, concurrent with a City-initiated application to apply the Urban Neighborhood (UNH) context sub-district on approximately 0.6 acres, to allow a three-story, multi-family residential development with a maximum of 96 dwelling units on property generally located south of Olive Street, east of Oregon Avenue and west of Beech Avenue (1506 Olive Street). Owner: True Investors Development LLC. Applicant: Tom Wodrich, TDW Land Planning. (LUS22-005/PUD22-008/ZON22-006)

ITEM 9: Major modification of PUD (Planned Unit Development) zoning for Tract E of Morgan Creek Preserve to allow for the construction of five single-family detached homes on approximately 35.08 acres on property generally located south of Medulla Road, east of Hamilton Road, and north of W. Pipkin Road (4806 Hamilton Road). Owner: English Creek LLC. Applicant: William J Molloy. (PUD22-004)

ITEM 10: Election of new officers.

Current officers: Lyle Philipson, Chair
Leigh Ann Lunz, Vice-Chair

ITEM 11: Overview of Administrative Adjustments approved from January to June.

ITEM 12: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.

ITEM 13: Audience.

ITEM 14: Adjourn.

Planning & Zoning Board General Application

General Information:				
Project No:	PUD22-012	**Application Date:**	6/1/2022	
Project Name:	ACORN LAKELAND, LLC			
Subject Property Address:	5320 N RD 33			
Parcel ID:	242729000000011410	**Total Acreage:**	5.8	
Applicant Name:	SHELTON RICE			
Applicant Address:	225 EAST LEMON STREET, SUITE 300	LAKELAND	FL	33801
Owner Name:	ACORN LAKELAND LLC			
Owner Address:	1515 US HIGHWAY 1 STE 103	SEBASTIAN	FL	329581612

Request:		
Application Type:	**PLANNED UNIT DEVELOPMENT**	**MAJOR MODIFICATION**
Proposed		**Current**
Zoning:	PUD (Planned Unit Development)	(PUD) 5596 Planned Unit Development
Land Use:	BP-Business Park	Business Park (BP)
Context:	SNH-Suburban Neighborhood	Suburban Neighborhood (SNH)
Explanation of Request:	Applicant requests extension of an internal building and permission to construct Building 6 as a two-story structure. Proposed expansion would add an additional 24,518 SF of self-storage space.	
Justification:	Property is currently utilized for self-storage uses, as was previously approved through a PUD. The proposed change is minor in nature, will not create any significant impact on existing infrastructure, is consistent with existing development, and is compatible with surrounding properties.	

Concurrency:								
Proposed Dwelling Units:		0	**Project Floor Area:**		**24518**		Square feet	
Type of Use:	Mini-Warehouse				Phase	2	Year	2022
Estimate of Public Service Demand								
Roadways	**Daily Trips:**	0		**PM Peak Hour Trips:**			0	
Potable Water		GPD	**Wastewater**		GPD	**Solid Waste**		PPD

0 80' 160'

SCALE: 1" = 80'

SITE NOTES

1. DEVELOPER: ACORN MINI STORAGE, INC.
   DAVID FAHMIE
   1515 US HWY 1, STE 103
   SEBASTIAN, FLORIDA 32958
   TELEPHONE: (772) 589-6350

2. PROPERTY LOCATION INFORMATION
   ADDRESS: 5320 STATE ROAD 33
   LAKELAND, FLORIDA 33805

   SECTION 29, TOWNSHIP 27 SOUTH, RANGE 24 EAST, POLK COUNTY
   PARCEL ID#: 242729000000011410

3. EXISTING PROPERTY INFORMATION
   CURRENT ZONING: PUD 5346
   FUTURE LAND USE: BP - BUSINESS PARK
   CURRENT USE: SELF STORAGE

4. PROJECT DESCRIPTION
THIS PROJECT WAS PREVIOUSLY APPROVED BY THE CITY OF LAKELAND NOV. 16, 2018 UNDER CITY PROJECT NO. SIT16-035 FOR THE CONSTRUCTION OF BUILDINGS 1-6 FOR A TOTAL GROSS BUILDING AREA OF 71,200 SF. THIS SITE PLAN PROPOSES TO CONSTRUCT THE APPROVED BUILDING 6 AND EXPAND IT BY 42.42'± FOR A TOTAL OF 3,818 SF ADDITIONAL PROJECTED AREA AND PROVIDE AN ADDITIONAL STORY FOR AN ADDITIONAL 28,336 SF GROSS AREA OF SELF STORAGE.

LEGEND

ADDITIONAL BUILDING AREA

ADDITIONAL FLOORS TO APPROVED BUILDING

BUILDING 6

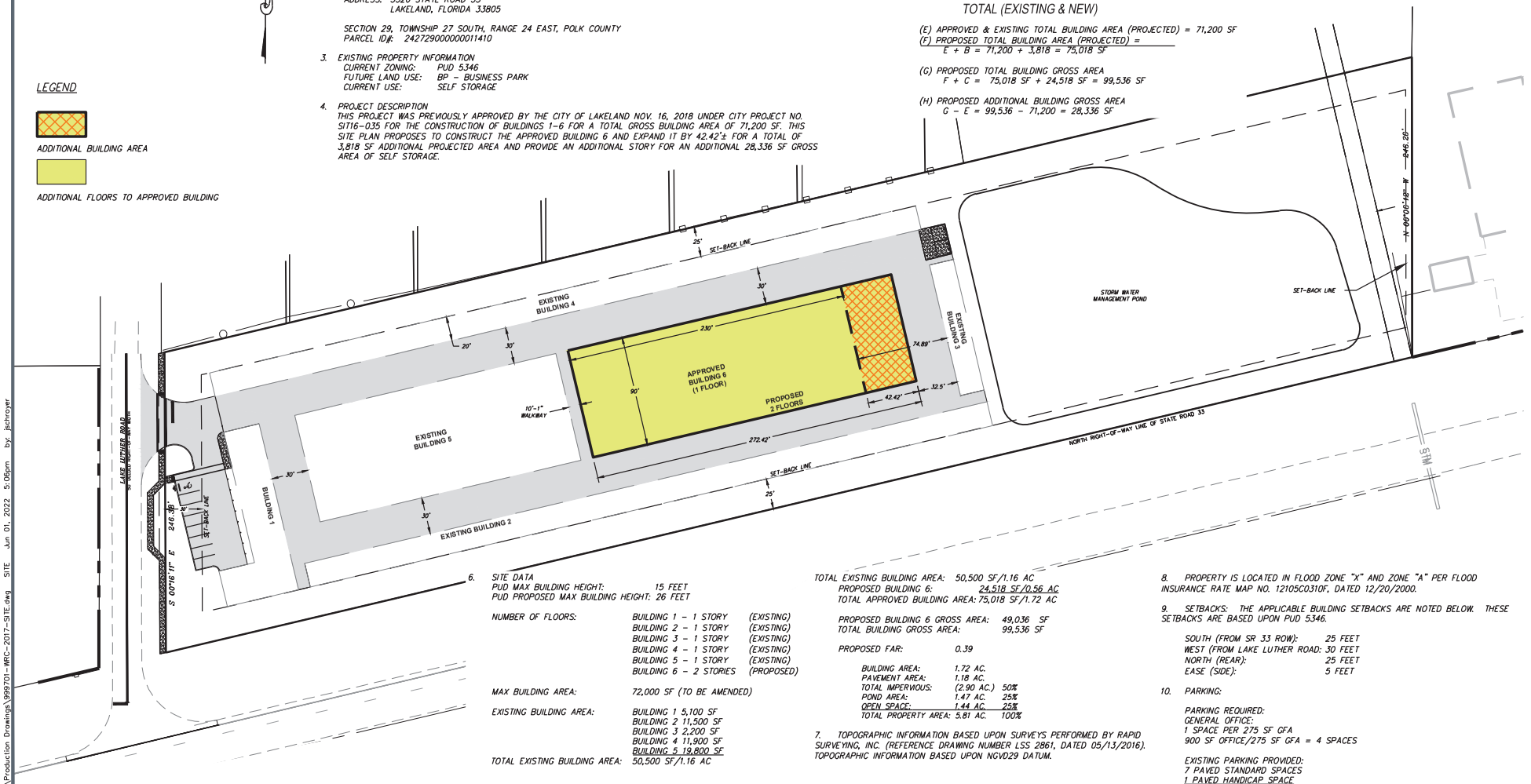
(A) BUILDING 6 APPROVED PROJECTED SF = 20,700
(B) BUILDING 6 ADDITIONAL PROJECTED SF = 3,818
(C) BUILDING 6 TOTAL PROJECTED SF = 24,518
(D) BUILDING 6 TOTAL GROSS SF
D=2C 24,518 SF X 2 FLOORS = 49,036 SF

TOTAL (EXISTING & NEW)

(E) APPROVED & EXISTING TOTAL BUILDING AREA (PROJECTED) = 71,200 SF
(F) PROPOSED TOTAL BUILDING AREA (PROJECTED) =
E + B = 71,200 + 3,818 = 75,018 SF

(G) PROPOSED TOTAL BUILDING GROSS AREA
F + C = 75,018 SF + 24,518 SF = 99,536 SF

(H) PROPOSED ADDITIONAL BUILDING GROSS AREA
G - E = 99,536 - 71,200 = 28,336 SF



6. SITE DATA
PUD MAX BUILDING HEIGHT: 15 FEET
PUD PROPOSED MAX BUILDING HEIGHT: 26 FEET

NUMBER OF FLOORS:
BUILDING 1 - 1 STORY (EXISTING)
BUILDING 2 - 1 STORY (EXISTING)
BUILDING 3 - 1 STORY (EXISTING)
BUILDING 4 - 1 STORY (EXISTING)
BUILDING 5 - 1 STORY (EXISTING)
BUILDING 6 - 2 STORIES (PROPOSED)

MAX BUILDING AREA: 72,000 SF (TO BE AMENDED)

EXISTING BUILDING AREA:
BUILDING 1 5,100 SF
BUILDING 2 11,500 SF
BUILDING 3 2,200 SF
BUILDING 4 11,900 SF
BUILDING 5 19,800 SF
TOTAL EXISTING BUILDING AREA: 50,500 SF/1.16 AC

TOTAL EXISTING BUILDING AREA: 50,500 SF/1.16 AC
PROPOSED BUILDING 6: 24,518 SF/0.56 AC
TOTAL APPROVED BUILDING AREA: 75,018 SF/1.72 AC

PROPOSED BUILDING 6 GROSS AREA: 49,036 SF
TOTAL BUILDING GROSS AREA: 99,536 SF

PROPOSED FAR: 0.39

BUILDING AREA:	1.72 AC.	
PAVEMENT AREA:	1.18 AC.	
TOTAL IMPERVIOUS:	(2.90 AC.)	50%
POND AREA:	1.47 AC.	25%
OPEN SPACE:	1.44 AC.	25%
TOTAL PROPERTY AREA:	5.81 AC.	100%

7. TOPOGRAPHIC INFORMATION BASED UPON SURVEYS PERFORMED BY RAPID SURVEYING, INC. (REFERENCE DRAWING NUMBER LSS 2861, DATED 05/13/2016). TOPOGRAPHIC INFORMATION BASED UPON NGVD29 DATUM.

8. PROPERTY IS LOCATED IN FLOOD ZONE "X" AND ZONE "A" PER FLOOD INSURANCE RATE MAP NO. 12105C0310F, DATED 12/20/2000.

9. SETBACKS: THE APPLICABLE BUILDING SETBACKS ARE NOTED BELOW. THESE SETBACKS ARE BASED UPON PUD 5346.

SOUTH (FROM SR 33 ROW):	25 FEET
WEST (FROM LAKE LUTHER ROAD:	30 FEET
NORTH (REAR):	25 FEET
EASE (SIDE):	5 FEET

10. PARKING:

PARKING REQUIRED:
GENERAL OFFICE:
1 SPACE PER 275 SF GFA
900 SF OFFICE/275 SF GFA = 4 SPACES

EXISTING PARKING PROVIDED:
7 PAVED STANDARD SPACES
1 PAVED HANDICAP SPACE
8 TOTAL SPACES

NUMBER	DATE	DESCRIPTION
P-2	06/01/2022	2nd DRT REVIEW
P-1	04/19/2022	2nd PD MOD REVIEW
P-0	09/15/2021	PD MODIFICATION REVIEW

CHASTAIN-SKILLMAN
205 EAST ORANGE STREET
SUITE #110
LAKELAND, FL 33801-4611
(863) 646-1402

© 2021 CHASTAIN SKILLMAN C. A. NO. 262

CHASTAIN SKILLMAN

ACORN LAKELAND, LLC
5320 N STATE ROAD 33 SELF STORAGE
LAKELAND, FLORIDA

SITE PLAN

PROJECT NUMBER: 9997.01

SHEET NUMBER: C-01

P:\9997\01\CAD\Civil\WRC17016\Production Drawings\9997-01-WRC-2017-SITE.dwg SITE Jun 01, 2022 5:06pm by: jschroyer

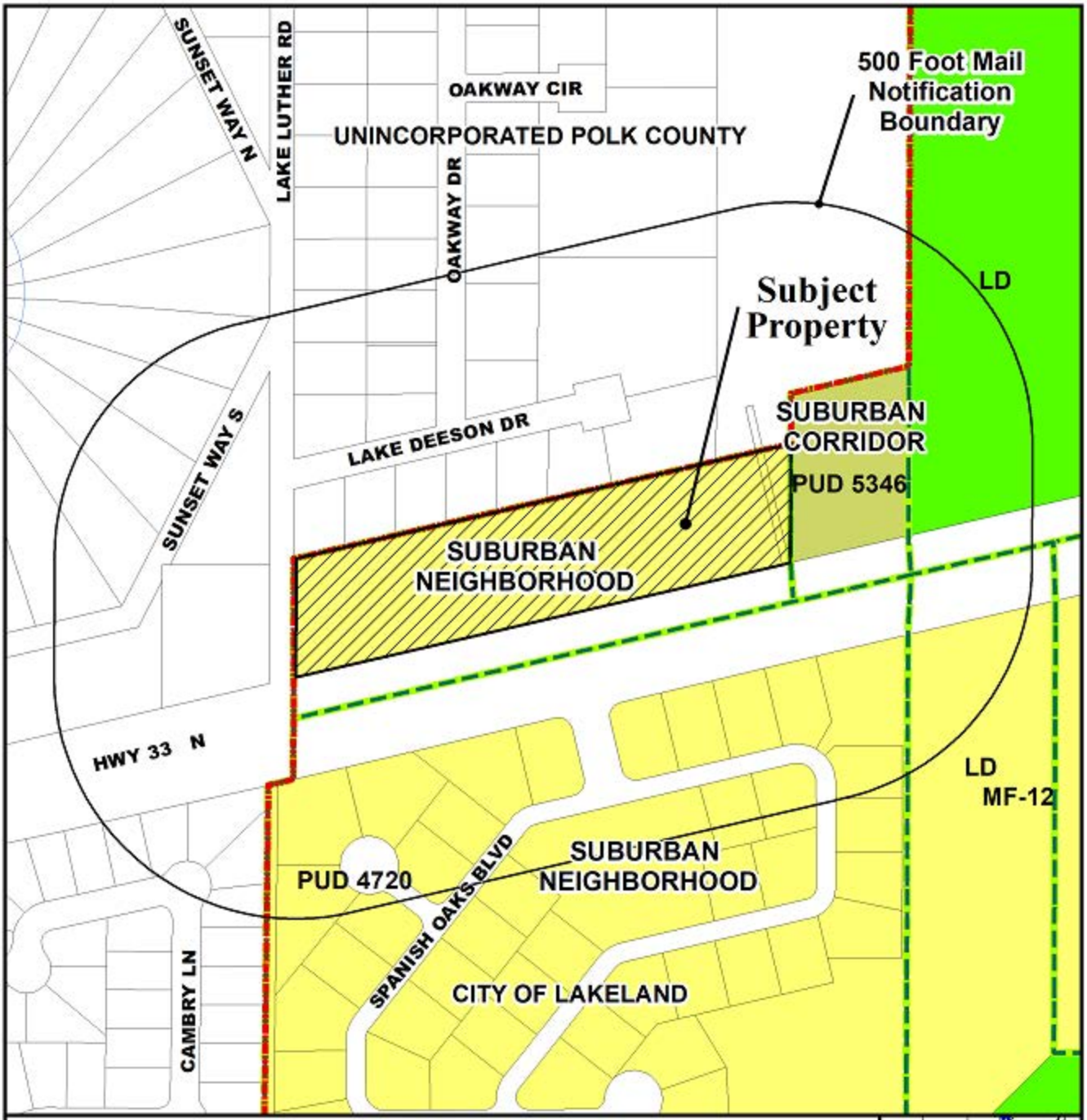
File Number: PUD22-012

Present Zoning: PUD 5596
Present Context: Suburban Neighborhood
Proposed Zoning: Major Modification of PUD to Increase the Maximum Building Floor Area from 72,000 to 99,536 sq. ft and Allow for a Two-Story Expansion

July 2022

- Subject Property
- 500 Foot Mail Notification Boundary
- City Limits
- Zoning
- 4567 Conditional Use
- SPI
- Parcels
- Railroad
- Water Body

N



File Number: PUD22-012

Present Zoning: PUD 5596
Present Context: Suburban Neighborhood
Proposed Zoning: Major Modification of PUD to Increase the Maximum Building Floor Area from 72,000 to 99,536 sq. ft and Allow for a Two-Story Expansion

July 2022

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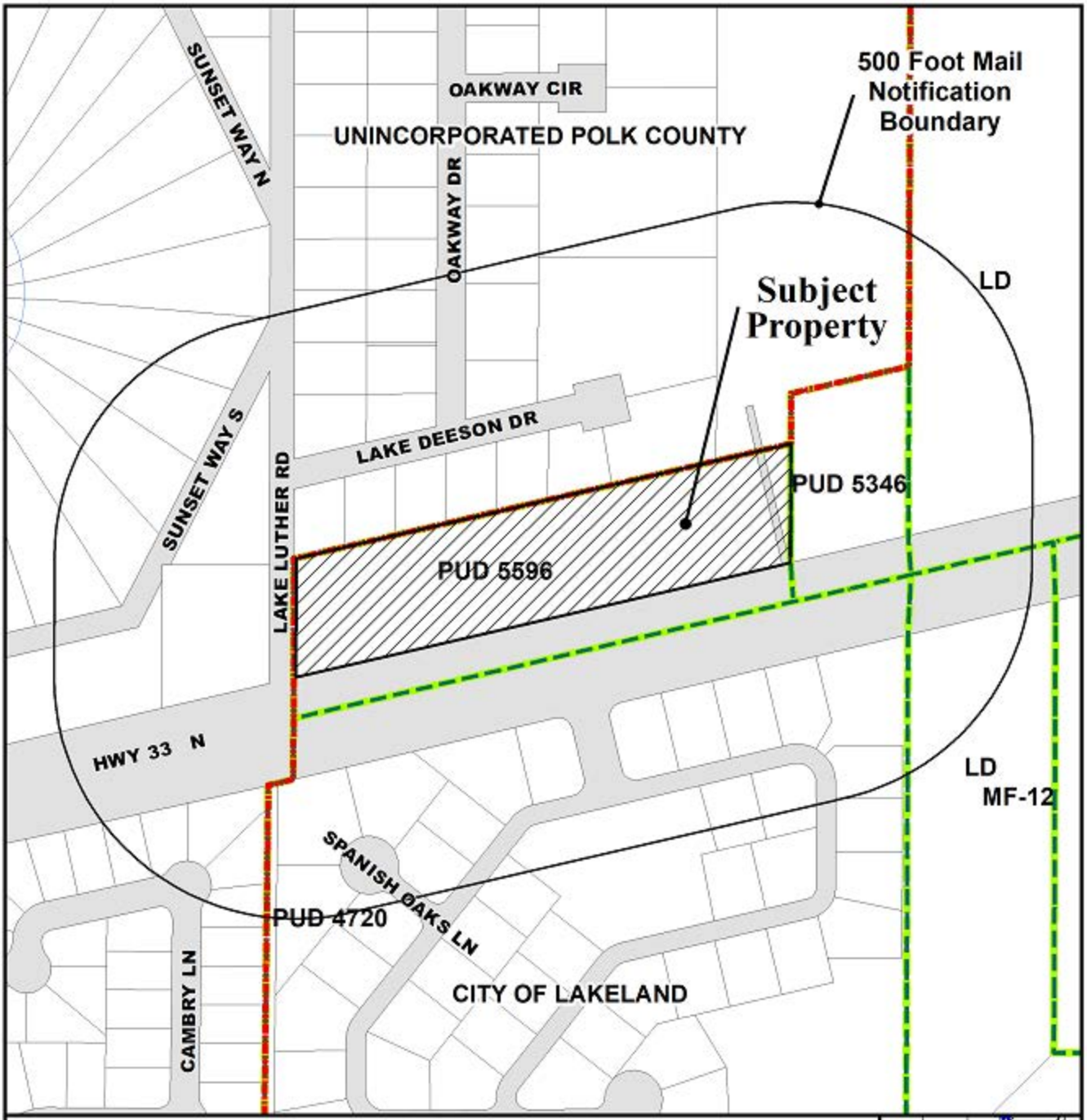
N



File Number: PUD22-012

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Proposed Zoning: Major Modification of PUD to Increase the Maximum Building Floor Area from 72,000 to 99,536 sq. ft and Allow for a Two-Story Expansion

July 2022

- Subject Property
- 500 Foot Mail Notification Boundary
- City Limits
- Zoning
- 4567 Conditional Use
- SPI
- Parcels
- Railroad
- Water Body
- Roadway/Railway

N

228 S MASSACHUSETTS AVE
LAKELAND, FLORIDA 33801
PLANNING@LAKELANDGOV.NET

July 1, 2022

RE: 5320 N RD 33 - Project No. PUD22-012

Dear Property Owner:

This is to advise you that Shelton Rice, Peterson & Myers, P.A., requests a major modification of PUD zoning to increase the maximum building floor area for an existing self-storage facility from 72,000 sq. ft. to 99,536 sq. ft. and allow for a two-story expansion on property located at 5230 N. State Road 33. The subject property is legally described as:

> Begin at the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 27 South, Range 24 East, Polk County, Florida; run thence South along the West line of said Southeast 1/4 of the Northeast 1/4 246.35 feet to the North right of way line of State Road No. 33; thence Northeasterly along said right of way line 1106.97 feet to the North line of the Southeast 1/4 of the Northeast 1/4; thence North 246.35 feet; thence Southwesterly parallel to the said right of way line 1106.97 feet to the Point of Beginning. Less and except maintained right of way and less and except additional road right of way for Lake Luther Road as described in O.R. Book 7631, Page 517 and less and except the outfall ditch as described in DB 551-113. (A complete legal description is available in the Community & Economic Development Department).

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, July 19, 2022** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the Tuesday, July 19th meeting.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, 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.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Jenny Sykes, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: Jennifer.Sykes@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local - (863) 834-8333 or 1-800-955-8771 (TDD-Telecommunications Device for the Dear) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

Planning & Zoning Board General Application

General Information:				
Project No:	PUD22-013	**Application Date:**	6/20/2022	
Project Name:	4141 N FLORIDA AVE_NEW SPRINTER ADDITION			
Subject Property Address:	4141 N FLORIDA AV #CARWASH			
Parcel ID:	242731164000001171	**Total Acreage:**	6.55	
Applicant Name:	KATHY MCBRIDE			
Applicant Address:	205 E. ORANGE STREET	LAKELAND	FL	33801
Owner Name:	FIELDS MOTORCARS OF FLORIDA, INC.			
Owner Address:	4141 N. FLORIDA AVENUE	LAKELAND	FL	33805

Request:		
Application Type:	**PLANNED UNIT DEVELOPMENT**	**MINOR MODIFICATION**
Proposed		**Current**
Zoning:	PUD (Planned Unit Development)	PUD 5265
Land Use:	Not Applicable	IAC
Context:	Not Applicable	Urban Corridor
Explanation of Request:	Construction of 4 proposed sprinter service bays and a waiting room/office area along with associated site improvements.	
Justification:	To accommodate the size of sprinter vehicles that need to be serviced	

Concurrency:								
Proposed Dwelling Units:		0	**Project Floor Area:**		3570		Square feet	
Type of Use:	Other				Phase	0	Year	N/A
Estimate of Public Service Demand								
Roadways	**Daily Trips:**	221		**PM Peak Hour Trips:**			22	
Potable Water	564	GPD	**Wastewater**	480	GPD	**Solid Waste**	20	PPD

MASTER PLAN NOTES:

1. PROJECT DESCRIPTION:
   THIS PROJECT CONSISTS OF THE CONSTRUCTION OF 4 PROPOSED SPRINTER SERVICE BAYS AND A WAITING ROOM/OFFICE AREA ALONG WITH ASSOCIATED SITE IMPROVEMENTS.

2. OWNER/DEVELOPER:

   GARY M. GORDON, GENERAL MANAGER
   FIELDS MOTORCARS OF FLORIDA, INC.
   4141 N. FLORIDA AVENUE
   LAKELAND, FLORIDA 33805
   TELEPHONE: (863) 816-1234

3. PROPERTY LOCATION INFORMATION

   ADDRESS:

   4141 NORTH FLORIDA AVENUE
   LAKELAND, FLORIDA

   SECTION 31, TOWNSHIP 27 SOUTH, RANGE 24 EAST

4. SETBACKS: THE APPLICABLE BUILDING SETBACKS ARE NOTED BELOW. THESE SETBACKS ARE BASED UPON CITY OF LAKELAND REQUIREMENTS.

   FRONT: 30 FEET FROM NORTH FLORIDA AVENUE.
   65 FEET FROM LAKELAND HILLS BLVD.
   REAR: 20 FEET FROM PROPERTY LINE
   SIDE: 5 FEET FROM PROPERTY LINE

5. ZONING: PUD (ORDINANCE NO. 5265)
   FLU: SPI
   CURRENT USE: COMMERCIAL

6. DEVELOPMENT CHARACTERISTICS:

NUMBER OF FLOORS:	1 STORY
TOTAL PROPERTY SIZE:	6.55± ACRES
EXISTING SALES/PARTS/SERVICE BUILDING AREA (FOOTPRINT):	26,349 SF
EXISTING CARWASH AREA (FOOTPRINT):	1,271 SF
EXISTING CAR PREP. AREA (FOOTPRINT):	2,334 SF
PROPOSED SPRINTER ADDITION:	3,570 SF
TOTAL BUILDING AREA:	33,524 SF
BUILDING EAVES HEIGHT:	16 FEET (TYPICAL)
PROPOSED FAR:	0.10
IMPERVIOUS AREA:	1.67 AC

7. EXISTING PARKING:

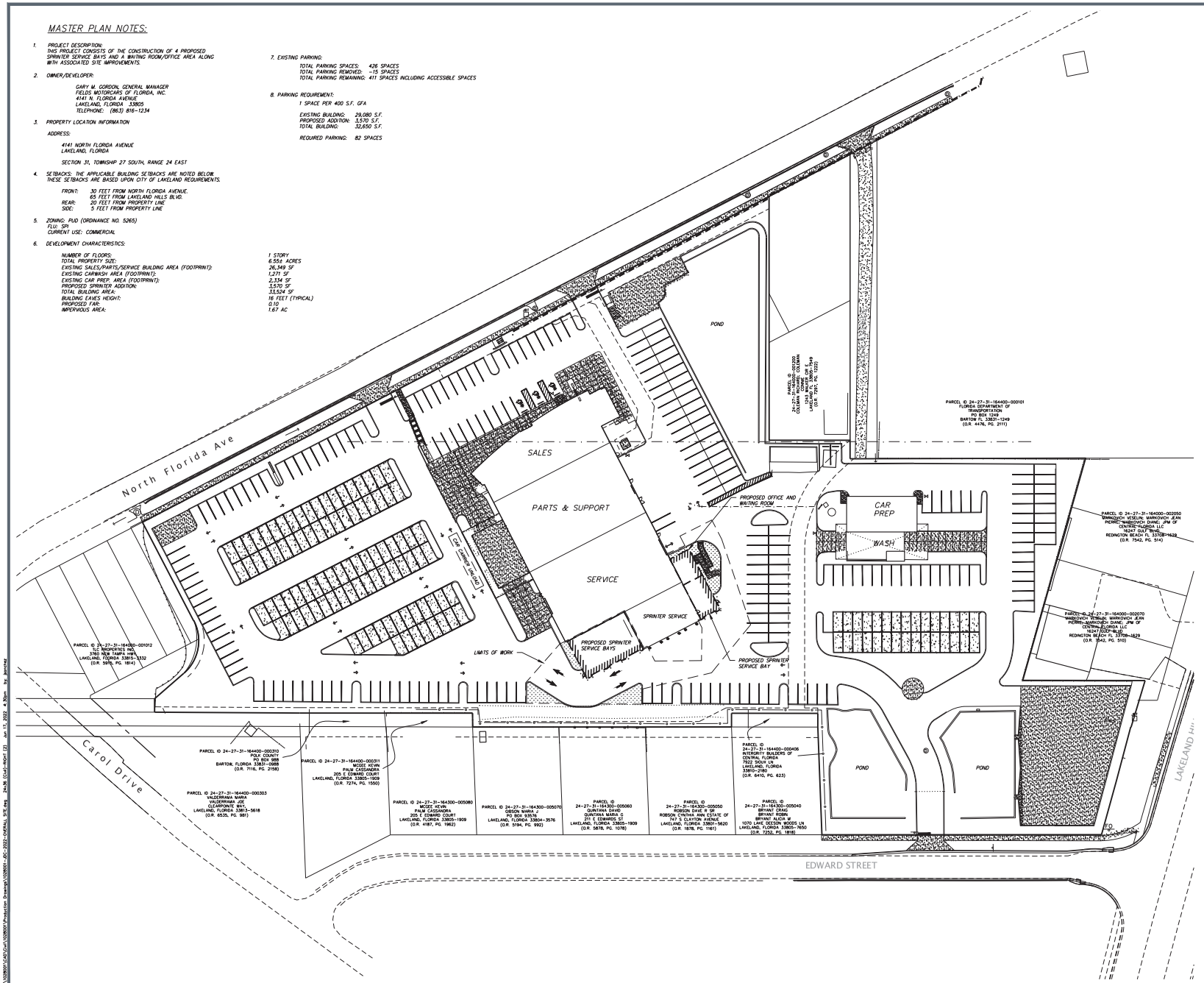
   TOTAL PARKING SPACES: 426 SPACES
   TOTAL PARKING REMOVED: -15 SPACES
   TOTAL PARKING REMAINING: 411 SPACES INCLUDING ACCESSIBLE SPACES

8. PARKING REQUIREMENT:

   1 SPACE PER 400 S.F. GFA

   EXISTING BUILDING: 29,080 S.F.
   PROPOSED ADDITION: 3,570 S.F.
   TOTAL BUILDING: 32,650 S.F.

   REQUIRED PARKING: 82 SPACES



SCALE: 1" = 40'

SYMBOL LEGEND:

- DENOTES LANDSCAPE AREA
- DENOTES CONCRETE SIDEWALK
- DENOTES PROPOSED BUILDING

Digitally signed by Jeffery D Conar
Date: 2022.06.17 16:55:03-05'00'

JEFFERY DEAN CONAR LICENSE No. 90587 STATE OF FLORIDA PROFESSIONAL ENGINEER

CHASTAIN-SKILLMAN
205 EAST ORANGE STREET
SUITE #110
LAKELAND, FL 33801-4611
(863) 646-1402
REG. NO. 262

© 2022 CHASTAIN-SKILLMAN

DESCRIPTION	DATE	NUMBER

FIELDS MERCEDES-BENZ OF LAKELAND
NEW SPRINTER ADDITION
4141 N FLORIDA AVE. LAKELAND, FL.

OVERALL SITE PLAN

This item has been digitally signed and sealed by Jeffery D. Conar on the date adjacent to seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

June 17, 2022

ENGINEER: JEFFERY D. CONAR, P.E.
REG. NO.: 90587

PROJECT No: 10280.01

SHEET NUMBER: C-02A

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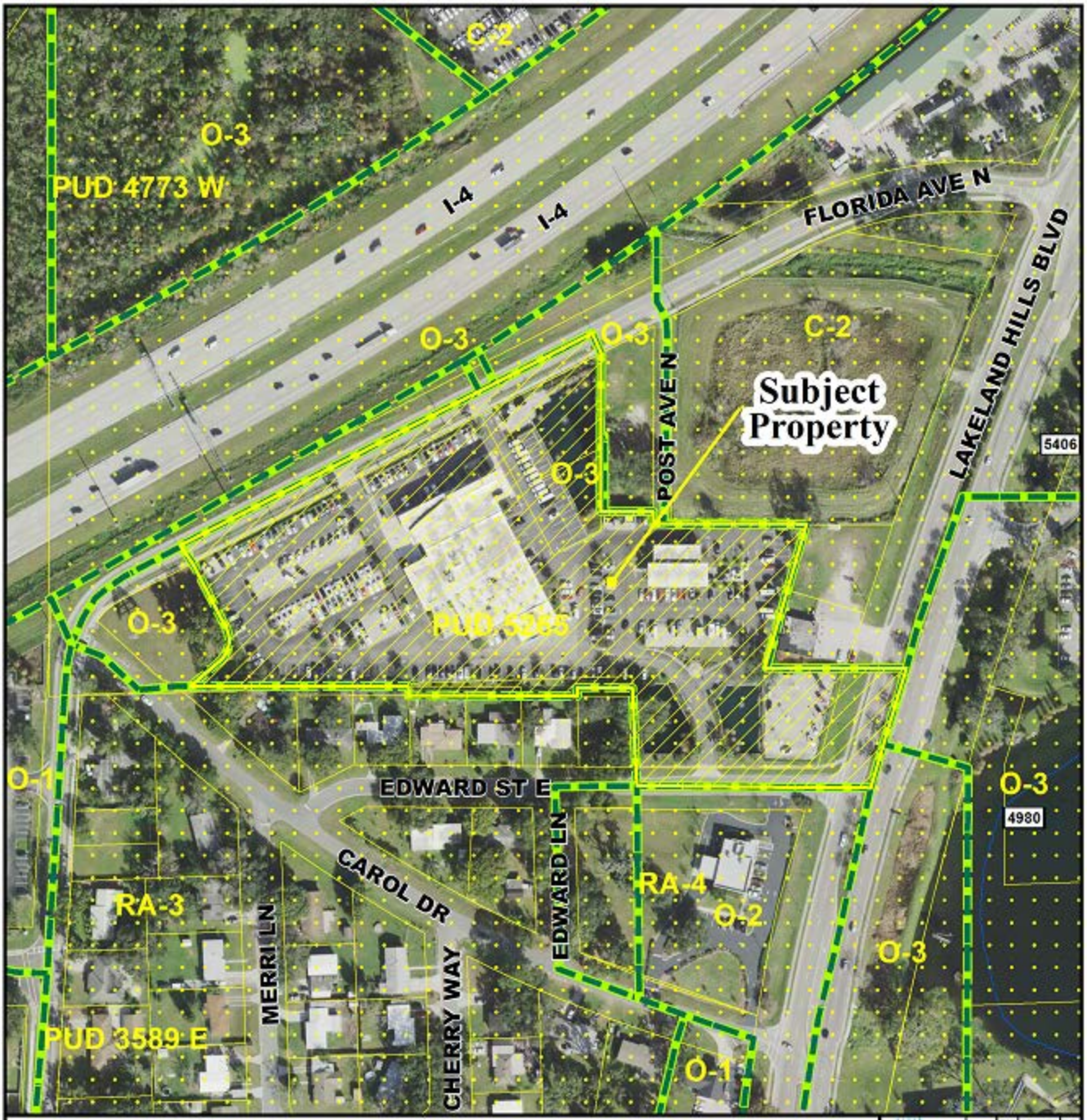


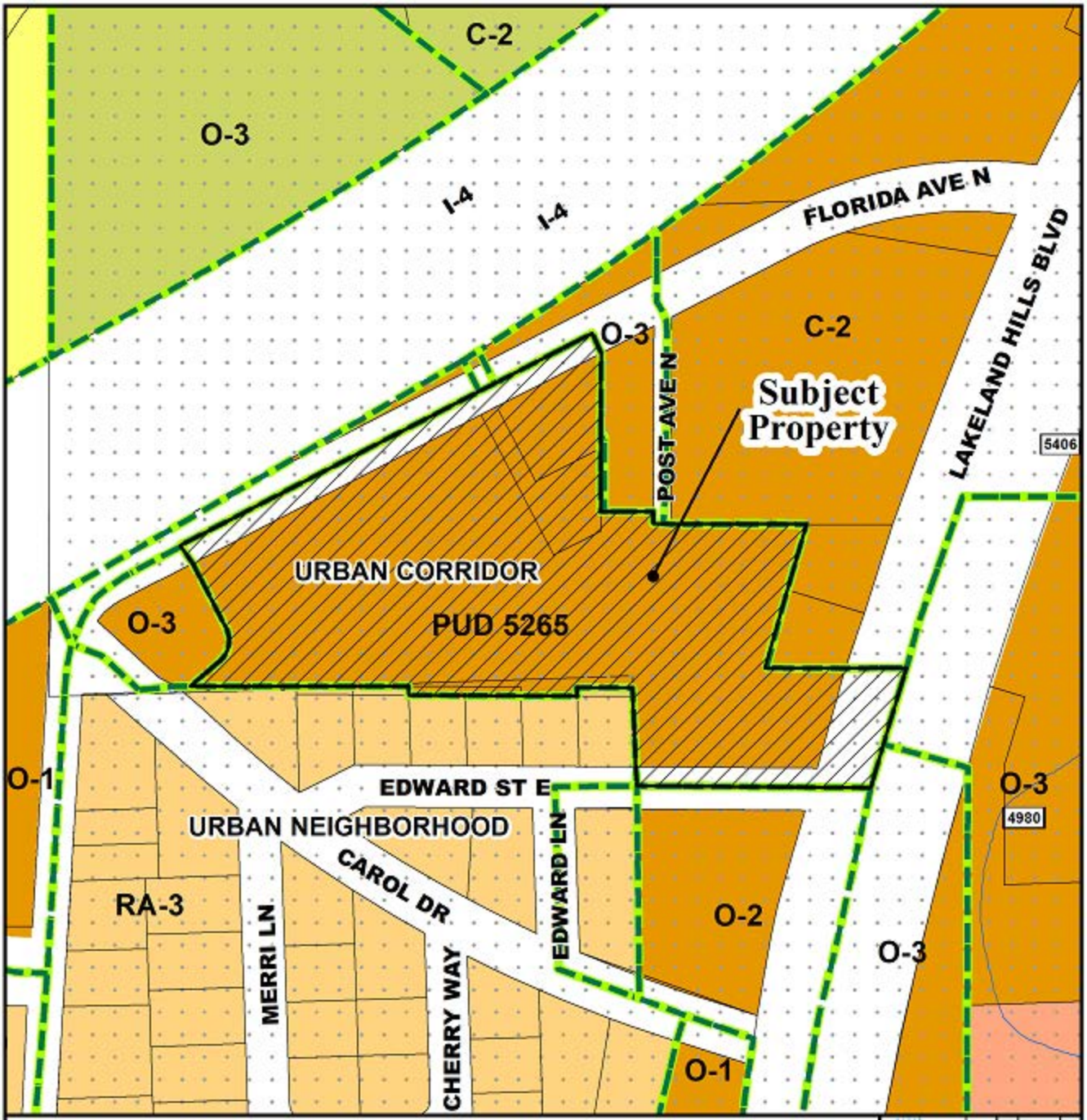
File Number: PUD22-013

Present Zoning: PUD 5265 with SPI
Present Context: Urban Corridor
Proposed Zoning: Minor Modification of PUD to Allow for a 3,570 sq. ft. Office/Service Bay Addition to an Existing Motor Vehicle Dealership

July 2022

- Subject Property
- City Limits
- Zoning
- 4567 Conditional Use
- SPI
- Parcels
- Railroad
- Water Body

N



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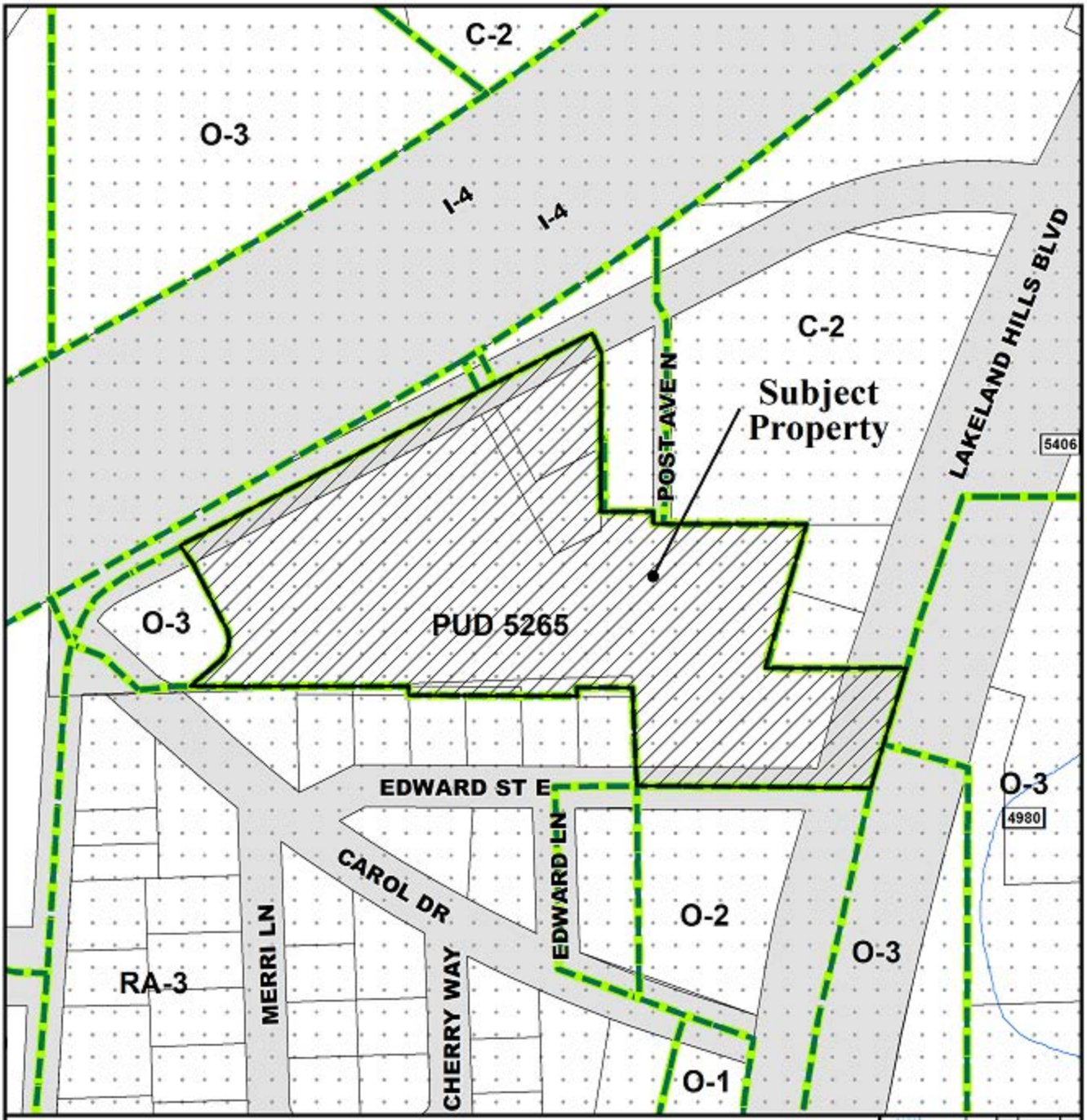

File Number: PUD22-013

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July 2022

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- Parcels
- Railroad
- Water Body
- Roadway/Railway

N

MINUTES

Planning & Zoning Board

City Commission Chambers

Tuesday, June 21, 2022

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members Silvana Knight, Joseph Lauk, Leigh Ann Lunz, Lyle Philipson, Ronald Roberts, Susan Seitz and Jeri Thom were present. Community & Economic Development staff Chuck Barmby, Planning & Transportation Manager; Matthew Lyons, Chief Planner; Joshua Cheney, Senior Planner; Damaris Stull, Senior Planner; Todd Vargo, Senior Planner and Christelle Burrola, Planning Assistant, were present. Assistant City Attorney Jerrod Simpson was also present.

PUBLIC HEARING

ITEM 1: Compatibility review to allow for the construction of an accessory dwelling unit on property located at 944 Success Avenue. Owner: Kyle Murphy. Applicant: Mark Switzer, ValuePro Remodeling & Maintenance, LLC. (ADU22-004)

Damaris Stull stated the subject property is located in the South Lake Morton Historic District. Previously, the Historic Preservation Board Design Review Committee reviewed and approved the request to demolish the existing detached garage that was located on the subject property. The Zoning Board of Adjustments and Appeals also reviewed and approved the request for a 3.3' height variance for a minimum height for the ADU of 15.83'. Ms. Stull stated no public comment was received regarding the request.

Mark Switzer, ValuePro Remodeling & Maintenance, LLC, was present in support of the request.

Ms. Stull presented the recommended conditions to the Board.

Joseph Lauk made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 7—0.

ITEM 2: Conditional use to recognize an existing church and child daycare facility, and allow for the construction of a two-story, 3,662 sq. ft. addition on property located at 210 Poppell Drive. Owner: Covenant Presbyterian Church O. Applicant: Ryan Ellerbe, Ellerbe Construction, Inc. (CUP22-004)

Todd Vargo stated the request for conditional use approval is to recognize the existing church and child daycare facility and allow for construction of a two-story addition on the east side of the existing church building. In 1995, a conditional use was approved which allowed for the placement of two portable classroom buildings on the subject property. The new two-story office addition is for existing church staff and will not lead to additional employees or expansion of the daycare or any other use.

Patrick Panton, 1707 E. Elm Road, stated the two portable classroom buildings will be removed.

In response to Silvana Knight, Mr. Panton stated once the two-story addition is constructed, the two portable classroom buildings will be removed.

Mr. Vargo stated the existing daycare is licensed for a maximum of 150 students, however, the current enrollment is 120 students.

Favio Hiciano, 137 Skyland Court W., stated he is concerned about the potential increase in traffic and noise pollution. He stated his home is located to the rear of the parking lot on the subject property where the dumpster is currently located.

Mr. Vargo stated per the application, there will be no expansion of the child daycare center.

In response to Joseph Lauk, Mr. Vargo stated he is not aware that the dumpster on the property will be relocated.

Nathan Sligh, 5204 Serrento Court, stated there is no intent to relocate the dumpster on the subject property but is open to relocating to minimize impacts on neighbors.

Mr. Vargo presented the recommended conditions to the Board.

In response to Mr. Lauk, Mr. Vargo stated he is not aware that the school's enrollment has ever reached 150.

Silvana Knight stated that if the dumpster is relocated, it should not be an undue burden on the staff that uses the dumpster.

Joseph Lauk made a motion to approve staff's recommendation with the additional condition that the existing dumpster be relocated and shown on an updated site plan. Ronald Roberts seconded the motion and it passed 7—0.

ITEM 3: Conditional use to allow for off-street parking as a principal use on property located south of E. Orange Street, east of S. Massachusetts Avenue, north of E. Lime Street and west of S. Iowa Avenue (411 E. Orange Street). Owner: Publix Super Markets Inc. Applicant: Sergio Garcia, Chastain-Skillman, Inc. (CUP22-006)

Joshua Cheney stated the purpose of this request is to obtain a conditional use to allow the subject property to be utilized as a surface parking lot. If approved, Publix intends to demolish the existing office building and use the entire 2.42 acres for a parking lot that will provide a total of 268 parking spaces for Publix's downtown employees.

Sergio Garcia, 13555 Riggs Way, Windermere, was present in support of the request. Mr. Garcia presented photo-simulation imagery on the over-head screen of landscape improvements for the subject property.

In response to Silvana Knight, Mr. Garcia stated that he is not sure if the parking lot will be available to the public during large events.

In response to Jeri Thom, Mr. Garcia stated currently there are no plans to construct a new parking garage.

Chuck Barmby stated with the demolition of the building, the parking lot becomes the principal use on the subject property which requires a conditional use under the C-6 zoning designation. Because surface parking does not represent the highest and best use of the subject property long-term, it is recommended that the conditional use for a surface parking lot be limited to an initial term of no more than five years.

In response to Jerrod Simpson, Mr. Garcia stated he cannot speak for Publix directly, but they understand the conditional use timeframe.

Mr. Barmby stated staff has shared their concerns and conditions with Publix. The request was also reviewed by the Board of the Lakeland Downtown Development Authority (LDDA).

Mr. Garcia stated Publix understands the conditions.

In response to Mr. Lauk, Mr. Garcia stated Publix has no plans to relocate employee parking from the existing parking garage in downtown Lakeland to the new proposed surface lot.

In response to Jeri Thom, Mr. Garcia stated the intent is to resurface the entire parking lot and make improvements to the landscaping.

In response to Lyle Philipson, Mr. Barmby stated Publix owns the entire parcel.

Mr. Barmby presented the recommended conditions to the Board.

In response to Ms. Thom, Mr. Barmby stated staff has not received public comment regarding the conditional use request.

In response to Ronald Roberts, Mr. Garcia stated the proposed parking lot will only be used by Publix employees.

Julie Townsend, 117 N. Kentucky Avenue, stated Publix has already been utilizing the majority of the site for parking. The LDDA board recommended that the term of use be lowered from five years to three.

Leigh Ann Lunz made a motion to approve staff's recommendation with the revised language provided by the City Attorney for condition B. Jeri Thom seconded the motion and it passed 7—0.

ITEM 4: Large scale land use amendment to change the future land use designation from Business Park (BP) to Recreation (R), the application of LD (Limited Development) zoning, a change in context sub-district from Suburban Special Purpose (SSP) to Preservation, Conservation and Recreation (PCR), and a conditional use to allow a multi-use park with outdoor recreation areas and playfields on approximately 101.46 acres located west of Medulla Road and south of W. Pipkin Road (4190 W. Pipkin Road). Owner/Applicant: City of Lakeland. (LUL22-003/ZON22-007/CUP22-007/ZON22-008)

Joshua Cheney stated the City of Lakeland requests a large-scale land use amendment to change the future land use designation from Business Park (BP) to Recreation (R) on approximately 101.46 acres. Concurrent with this request, the City is requesting the application of LD (Limited Development) zoning, a change in context sub-district from Suburban Special Purpose (SSP) to Preservation, Conservation, Recreation (PCR), and a conditional use to allow a multi-use park with outdoor recreation areas as playfields. The subject property is presently undeveloped and used as pasture for cattle grazing. The existing BP future land use designation was applied following annexation in 2001. The purpose of this request is to apply conforming land use which will allow for the development of a community park with multi-purpose fields, pickleball courts, two dog parks, a 40,000 sq. ft. library and recreational building, pedestrian trails, playground area restrooms, shelters and associated off-street parking. Mr. Cheney stated that southwest Lakeland is currently underserved in respect to parks and recreational space

In response to Jeri Thom, Mr. Cheney stated that it does not appear that softball or baseball fields are proposed.

In response to Silvana Knight, Chuck Barmby stated there will be a traffic signal installed on Pipkin Road and Medulla Road to the east of the subject property that can serve as a crosswalk area for pedestrians.

Pam Page, City of Lakeland, stated the buildout for the park will be completed in phases.

In response to Joseph Lauk, Ms. Page stated most of the ideal park designs have one access point to address security concerns when the park is closed. The park gates are locked at dusk. However, there will be various pedestrian access points which allow residents from adjacent neighborhoods to access the park.

In response to Mr. Lauk, Ms. Page stated the pedestrian access points will also be locked at dusk.

Mr. Cheney stated regarding the zoning aspect of the application, the LD zoning designation is primarily intended for rural agricultural, conservation and recreational land uses dependent upon the underlying future land use designation. In areas designated R (Recreation), the LD district may be utilized to limit development to passive and active recreation facilities and other compatible uses. While passive uses such as parks and nature preserves are permitted by right in LD zoning districts, active recreational

uses such as outdoor playfields, swimming pools, and tennis courts and/or indoor recreational facilities such as gyms, basketballs courts and racquetball courts, as well as community facilities such as libraries, may only be permitted through the conditional use process.

The use of the property as a park is compatible with the adjacent residential land uses and appropriate given the location and direct access from W. Pipkin Road. The proposed park will have a minimal impact on adjacent residential uses; however, to address these impacts staff recommends conditions of approval pertaining to buffering, fencing, and outdoor lighting.

In response to Mark Lutter, 411 Waverly Place, Mr. Barmby stated there will be sidewalks along West Pipkin Road for pedestrian access.

Mr. Cheney presented the recommended conditions to the Board.

Leigh Ann Lunz made a motion for approval of staff's recommendation. Silvana Knight seconded the motion and it passed 7—0.

ITEM 5: Major modification of PUD (Planned Unit Development) zoning to allow C-6 (Downtown Commercial) office, commercial and residential uses on property located at 300 W. Lime Street. Owner: Lakeland West Lime LLC. Applicant: The Lunz Group, LLC. (PUD22-011)

Leigh Ann Lunz recused herself from the vote for this item.

Todd Vargo stated the subject property is approximately 17.11 acres in area. The subject property has a future land use designation of Regional Activity Center (RAC). The subject property is zoned PUD, as specified by Ordinance 3596, and located within the Urban Center (UCT) context sub-district. The applicant requests a major modification of the PUD zoning to allow the C-6 (Downtown Commercial) uses in addition to the current entitlements. The applicant's proposal includes 900,000 SF +/- of mixed-use office, commercial and retail uses, including the existing office square footage, up to 500 multi-family dwelling units with ground floor retail, and 1,200 parking spaces within several proposed parking structures. The conceptual site plan contemplates two development phases.

Bart Allen, 225 E. Lemon Street, stated the subject property is uniquely situated near and around major Downtown attractions. The Ledger building that exists on the subject property will remain.

Stacy Witschen, The Lunz Group, stated the subject property is located within the boundaries of the Downtown CRA and the Central City Transit Supportive Area. The subject property is also located in the Transit-Oriented Corridor Activity Center. The RAC future land use designation and C-6 allow for residential development up to 175 dwelling units per acre with a maximum building height of 120 feet. Construction will be phased to accommodate parking needs for existing tenants. The subject property site will incorporate the proposed West Lake Hunter trail and consider connections with the dedicated bike lane on New York Avenue. Consideration will be given to connecting the site with the existing street grid and a major traffic study will be conducted to review impacts on multi-modal transportation options.

In response to Joseph Lauk, Mr. Allen stated a major traffic study has not been completed. Discussion ensued.

In response to Lyle Philipson, Mr. Allen stated currently there are no plans to remove or modify the Ledger building.

Richard Razabdouski, 116 W. Walnut Street, stated he has concerns about crime and blight in the area along W. Walnut Street and would have preferred to see more detail in the redevelopment plan.

In response to Mark Lutter, 411 Waverly Place, Mr. Allen stated the applicant is not proposing vehicular access to Palmetto Street.

Mr. Allen stated there will be no impacts to wetlands on the subject property.

ITEM 6: Small scale land use amendment on approximately 0.9 acres from Business Park (BP) to Residential Medium (RM), and a change in zoning from I-1 (Light Industrial) and RA-4 (Single-Family Residential) to PUD (Planned unit Development) on approximately 9.1 acres, concurrent with a City-initiated application to apply the Urban Neighborhood (UNH) context sub-district on approximately 0.6 acres, to allow a three-story, multi-family residential development with a maximum of 96 dwelling units on property generally located south of Olive Street, east of Oregon Avenue and west of Beech Avenue (1506 Olive Street). Owner: True Investors Development LLC. Applicant: Tom Wodrich, TDW Land Planning. (LUS22-005/PUD22-008/ZON22-006)

Todd Vargo stated the applicant requests a small-scale land use amendment on approximately 0.9 acres from Business Park (BP) to Residential Medium (RM), and a change in zoning from I-1 (Light Industrial) and RA-4 (Single-Family Residential) to PUD (Planned unit Development) on approximately 9.1 acres. This is concurrent with a City-initiated application to apply the Urban Neighborhood (UNH) context sub-district on approximately 0.6 acres. The purpose of the rezoning and land use amendment is to allow for four three-story, 96-unit, multi-family residential development with associated on-site recreational amenities.

Tom Wodrich, TDW Land Planning, LLC, stated adequate school and road capacity is available to serve the development. City water and sewer connections are also available. The developer of the project is Blue Sky Communities which specializes in the development of affordable housing. Adjacent land uses consist of single-family and two-family homes to the east and west, with a mobile home park to the south. Three-story buildings have been moved to the center of the site, away from the rear yards of adjacent single-family and two-family uses. The project will provide access to both Olive Street and Oregon Avenue Access to provide connectivity to the original street grid.

Mr. Wodrich stated the applicant held a neighborhood community meeting on June 6th. Over 550 mailers were sent out to notify the neighborhood of the meeting.

In response to Leigh Ann Lunz, Mr. Wodrich stated there are no plans to construct any additional units on the remaining open space on the subject property. The applicant is only requesting approval for 96 dwelling units.

In response to Joseph Lauk, Mr. Wodrich stated one of the main concerns raised by residents at the neighborhood community meeting was security.

In response to Mr. Lauk, Mr. Wodrich stated there were no comments or concerns based on the proposed building heights.

In response to Silvana Knight, Mr. Wodrich stated there will be a playground.

Mathilde Jarrett, 5300 W. Cypress Street, Tampa, was present in support of the request. She presented photo-simulation imagery on the over-head screen of example developments and floorplans.

Jinola Cleve, 502 Beech Avenue, stated she has concerns about the Landia Chemical Company Superfund remediation site in relation to the Wayman ditch. The area is not clean or safe.

Karla Donofrio,1315 Olive Street, stated she has concerns for safety with the increase in traffic on Olive Street.

Mike Martin, 1315 Olive Street, stated he is concerned of potential noise complaints in the future from the apartment residents as his business runs all hours of the day.

Shirley Pickett, 1636 Wayman Street stated the neighborhood community meeting on June 6th was successful. She stated she is in support of the affordable housing development.

Mr. Wodrich stated there is no intent to develop on land that is contaminated and not safe. The applicant is aware of the conditions of the site. Blue Sky Communities has conducted an environmental

study on the property. Mr. Wodrich stated there will be a sidewalk and a transit stop to help enhance pedestrian safety.

In response to Joseph Lauk, Mathilde Jarrett stated the monthly rent limits will be limited at or below 60% AMI.

Jerrod Simpson stated per the statutory definition, 60% AMI is about $54,000 a year for a family of four.

Mr. Wodrich stated the statutory guidelines will be followed but they are subject to change. The rent depends on the income.

Chuck Barmby stated the site contains utility easements and right-of-way which are in the process of being vacated.

Mr. Wodrich stated the applicant is working on vacating the right-of-way and easements.

ITEM 7: Major modification of PUD (Planned Unit Development) zoning for Tract E of Morgan Creek Preserve to allow for the construction of five single-family detached homes on approximately 35.08 acres on property generally located south of Medulla Road, east of Hamilton Road, and north of W. Pipkin Road (4806 Hamilton Road). Owner: English Creek LLC. Applicant: William J Molloy. (PUD22-004)

Joshua Cheney stated the bulk of the subject property has a future land use designation of Residential Low (RL) with a small portion, approximately 0.06 acres in acres, adjacent to English Creek having a future land use designation of Conservation (C). The subject property was included as part of the original 2004 approval for Morgan Creek Preserve as Tract E, consists of an undeveloped, heavily wooded 35.08-acre parcel of land located on the north side of the English Creek drainage basin. The revised application proposes a maximum of five single-family detached dwellings on the 35.08-acre parcel which translates to a gross density of 0.14 dwelling units per acre which is well below the maximum allowed under the Comprehensive Plan. To accommodate this level of density, the minimum lot size will be 4.83 acres or approximately 210,395 sq. ft., which is significantly larger than the minimum 5,000 and 10,000 sq. ft. lot sizes mandated within the other development tracts of Morgan Creek Preserve.

Mr. Cheney stated in response to the concerns of nearby residents that were presented at the May 17th public hearing, the applicant acknowledged that they were aware of the flooding issue and that the stormwater retention system was designed to account for the runoff generated by a 25-year, 24-hour duration storm event and maintain the historic drainage basin patterns in which runoff is discharged into receiving wetlands. To minimize visual impacts on adjacent residential uses to the north and west, the applicant has agreed to preserve a 30-foot wide natural vegetative buffer which will include a six-foot high PVC fence on the south side of the buffer tract on the north side of the subject property and a 20-foot wide natural vegetative buffer tract on the west side of the property which will also include a six-foot high PVC fence as depicted on the revised site development plan.

William Molloy, 325 South Boulevard, Tampa, stated that to his knowledge the subject property is not a part of any litigation.

In response to Joseph Lauk, Mr. Molloy stated he does not represent the parcel to the north of the subject property and is not involved.

In response to Silvana Knight, Mr. Molloy stated 29 lots were approved to the north of the subject property in Polk County.

Susan Seitz stated she finds it difficult to recommend approval for the current request due to what Polk County previously approved. She stated the applicant's proposal cannot be separated from Polk County's development approval.

In response to Heather Wertz, 1000 N. Ashley Drive, Tampa, Ms. Seitz stated in order to get her approval, the applicant should go back to Polk County and discuss the proposed request and compare it to what Polk County initially approved.

Chuck Barmby stated the County's portion must be done to provide access to the subject property.

Heather Wertz stated the development will connect to City water.

Leigh Ann Lunz stated the Board should be evaluating what they have control of in the City's limits.

In response to Silvana Knight, Mr. Molloy stated the five parcels would be developed on private septic tanks.

Jerrod Simpson stated Polk County's approval is presumed to be a final decision.

Mr. Cheney presented the recommended conditions to the Board.

Leann Joyner, 3830 Hamilton Road, stated she is concerned with the overall compatibility of the development.

Billy Friend, 4840 Medulla Road, stated he is opposed to the request.

Lance Baker, 4560 Hamilton Road, stated the request overall is not compatible for the area with what was approved with the county.

Shannon Morrell, 4815 Medulla Road, stated she has concerns with the wildlife in the area.

William Molloy stated the proposed request is not feasible until the county's portion happens.

Chuck Barmby stated the conditions are based on the five lots.

Jeri Thom stated there appears to be an apparent disconnect between the city and the county. Discussion ensued.

In response to Jerrod Simpson, Mr. Barmby stated the City does not have any plans to annex the property to the north of the subject property.

Susan Seitz stated she does not have enough information from the county to make a decision today.

Joseph Lauk stated he cannot make a decision on the request until he knows what the county has approved. Discussion ensued.

Susan Seitz made a motion to continue the request to the next hearing. Jeri Thom seconded the motion and it passed 6—0. Leigh Ann Lunz was not present at the time of the vote.

GENERAL MEETING

ITEM 8: Review minutes of the May meeting.

The minutes from the May meeting were approved as submitted.

ITEM 9: Change in land use from Residential Low (RL) to Residential Medium (RM) on approximately 25.92 acres, a change in land use from NAC (Neighborhood Activity Center) to Residential Medium (RM) on approximately 3.81 acres, and a major modification of PUD zoning for Towne Park Estates (Ordinance 4471, as amended) to allow a four-story, multi-family residential development with a maximum of 356 dwelling units on 29.73 acres located south of Towne Park Boulevard and west of Yates Road. Owner: English Creek LLC. Applicant: Sarah Case, Next Level Planning Permitting. (LUS21-007/PUD21-023). **Note: Staff requests an additional one-month continuance for the applicant to redesign the project to address concerns pertaining to compatibility, unit mix and density and complete the required transportation analysis.**

Joseph Lauk made a motion for approval of an additional one-month continuance. Ronald Roberts seconded the motion and it passed 6—0. Leigh Ann Lunz was not present at the time of the vote.

ITEM 10: Major modification of Planned Unit Development (PUD) zoning to increase the maximum number of multi-family dwelling units allowed from 152 to 288, increase the maximum allowable building height from two-stories to three-stories, and adopt a site plan for a new multi-family development project on 26.8-acres generally located south of the Polk Parkway, east of Harden Blvd, and west of The Villas III (1020 Parkway Frontage Road S.) Owner: GG III Investments LC. Applicant: Nick Everly, Hillpointe, LLC. (PUD22-006) **Note: Staff requests an additional one-month continuance while the applicant works to address access issues.**

Jeri Thom made a motion for approval of an additional one-month continuance. Joseph Lauk seconded the motion and it passed 6—0. Leigh Ann Lunz was not present at the time of the vote.

ITEM 11: Annexation, a small-scale land use amendment to apply a future land use designation of Business Park (BP) and the application of I-2 (Medium Industrial) zoning, concurrent with a City-initiated request to apply a Suburban Special Purpose (SSP) context district designation, on approximately 8.52 acres located at 5149 Swindell Road. Owner: Leroy Wells Supplemental Needs Trust. Applicant: Kendra McBee, Sloan Engineering Group. (ANX22-001/LUS22-003/ZON22-003/ZON22-005)

Todd Vargo stated the subject property has a Polk County Future Land Use designation of RL-1 (Residential Low) which allows for residential development at a maximum intensity of one dwelling unit per acre (1DU/AC). The subject property currently contains two unoccupied single-family homes, with the remainder of the site being utilized as pasture for agricultural grazing purposes. The northern third of property is located within a designated floodplain. The subject property is strategically located near the I-4/County Line Road interchange as well as the Polk Parkway. As part of the Northwest Lakeland Sector Plan which was adopted by City Commission through a resolution in 2012, the subject property is within an area identified for development of new business park uses. The purpose of this request is to obtain annexation approval and apply City land use and zoning to allow for future development of the property for I-2 uses. The applicant intends to locate the truck loading bays on the north side of the building which is set back approximately 200 feet from the north property boundary. The closest residential dwelling to the north is approximately 400 feet from the north property line with a large wetland/floodplain acting as an additional buffer.

Mr. Vargo stated staff recommends approval of the request.

Susan Seitz Lunz made a motion for approval of staff's recommendation. Joseph Lauk seconded the motion and it passed 6—0. Leigh Ann Lunz was not present at the time of the vote.

ITEM 12: Large scale land use amendment to allow a change in future land use from Residential Medium (RM) to Residential Low (RL) on approximately 19.02 acres, from Residential Low (RL) to Residential Medium on approximately 24.42 acres, and from Residential Medium (RM) to Residential High (RH) on approximately 44.67 acres, and a major modification of PUD (Planned Unit Development) zoning to allow for the redevelopment of the former Wedgewood Golf Course for 1,028 multi-family dwelling units, 204 single-family attached (townhome) dwelling units, 16 single-family detached dwelling units and a 150-bed assisted living facility on approximately 128.5 acres generally located north of Interstate-4, south of Heatherpoint Drive, east and west of Carpenters Way, and north and south of Wedgewood Estates Boulevard (401 Carpenters Way). Owner: SJD Development LLC. Applicant: Jonathan Hall, SJD Development LLC. (LUL22-002/PUD21-013). **Note: Staff requests a one-month continuance to provide the applicant with additional time to revise the application in response to the comments received at the May 17th public hearing.**

Joseph Lauk made a motion for approval of an additional one-month continuance. Silvana Knight seconded the motion and it passed 6—0. Leigh Ann Lunz was not present at the time of the vote.

ITEM 13: Election of new officers.

Jeri Thom made a motion to nominate Ronald Roberts to remain as Secretary and it passed 6—0.

Jeri Thom made a motion to postpone the election of Chair and Vice-Chairperson to the July 19th public hearing. Susan Seitz seconded the motion and it passed 6—0.

ITEM 14: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.

Chuck Barmby reviewed the recent actions of the City Commission. Mr. Barmby also reviewed the new cases for the July hearing.

ITEM 15: Audience.

There were no comments from the audience.

ITEM 16: Adjourn.

There being no further discussion, the meeting was adjourned at 1:28 PM.

Respectfully Submitted,

Lyle Philipson

Leigh Ann Lunz

Community & Economic Development
Staff Request for Delay

Date:	July 19, 2022	Reviewer:	Phillip Scearce
Project No:	LUS21-007/PUD21-023	Location:	5201 Yates Road
Owner:	English Creek LLC		
Applicant:	Sarah Case, Next Level Planning & Permitting		
Current Zoning:	PUD (Planned Unit Development)	Future Land Use:	Residential Low (RL)/ Neighborhood Activity Center (NAC)
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	April 19, 2022	P&Z Final Decision:	August 16, 2022
Request:	Change in land use from Residential Low (RL) to Residential Medium (RM) on approximately 25.92 acres, a change in land use from NAC (Neighborhood Activity Center) to Residential Medium (RM) on approximately 3.81 acres, and a major modification of PUD zoning for Towne Park Estates (Ordinance 4471, as amended) to allow a four-story, multi-family residential development with a maximum of 356 dwelling units on 29.73 acres located south of Towne Park Boulevard and west of Yates Road.		

Request for Continuance

Staff requests an additional one-month to provide the applicant with additional time to redesign the project and submit a completed transportation analysis. Once staff has received and reviewed these items, we will draft a recommendation and place on the agenda for the Planning & Zoning Board. Staff anticipates that this will be the final continuance.

Community & Economic Development
Staff Request for Delay

Date:	July 19, 2022	Reviewer:	Phillip Scearce
Project No:	PUD22-006	Location:	1020 Parkway Frontage Road S
Owner:	GG III Investments LC		
Applicant:	Nick Everly, Hillpointe, LLC		
Current Zoning:	O-1 (Low Impact Office)/ PUD (Planned Unit Development)	Future Land Use:	Residential Medium (RM)
Context District:	Suburban Corridor (SCO)		
P&Z Hearing:	April 19, 2022	P&Z Final Decision:	August 16, 2022
Request:	Major modification of Planned Unit Development (PUD) zoning to increase the maximum number of multi-family units allowed from 152 to 288, increase the maximum allowable building height from two-stories to three-stories, and adopt a site plan for a new multi-family development project on 26.8-acres generally located south of the Polk Parkway, east of Harden Blvd and west of The Villas III (1020 Parkway Frontage Road S.)		

Request for Continuance

Staff requests an additional one-month continuance in order for the applicant to provide additional traffic information necessary and address site access issues with FDOT. Once staff has received and reviewed the requested traffic information, we will draft a recommendation and place on the agenda for the July 19, 2022 meeting of the Planning & Zoning Board. Staff anticipates that this will be the final continuance.

Community & Economic Development
Staff Request for Delay

Date:	July 19, 2022	Reviewer:	Todd Vargo
Project No:	LUL22-002/PUD21-013	Location:	401 Carpenters Way
Owner:	SJD Development LLC		
Applicant:	Jonathan Hall		
Current Zoning:	PUD (Planned Unit Development) 4773 W	Future Land Use:	Residential Medium (RM)
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	May 17, 2022	P&Z Final Decision:	August 16, 2022
Request:	Large scale land use amendment to allow a change in future land use from Residential Medium (RM) to Residential Low (RL) on approximately 16.37 acres, from Residential Low (RL) to Residential Medium on approximately 20.44 acres, and from Residential Medium (RM) to Residential High (RH) on approximately 44.8 acres to allow for the redevelopment of the former Wedgewood Golf Course for 1,028 multi-family dwelling units, 204 single-family attached (townhome) dwelling units, 16 single-family detached dwelling units and a 150-bed assisted living facility on 127.89 acres generally located north of Intersate-4, south of Heatherpoint Drive, east and west of Carpenters Way, and north and south of Wedgewood Estates Boulevard (401 Carpenters Way).		

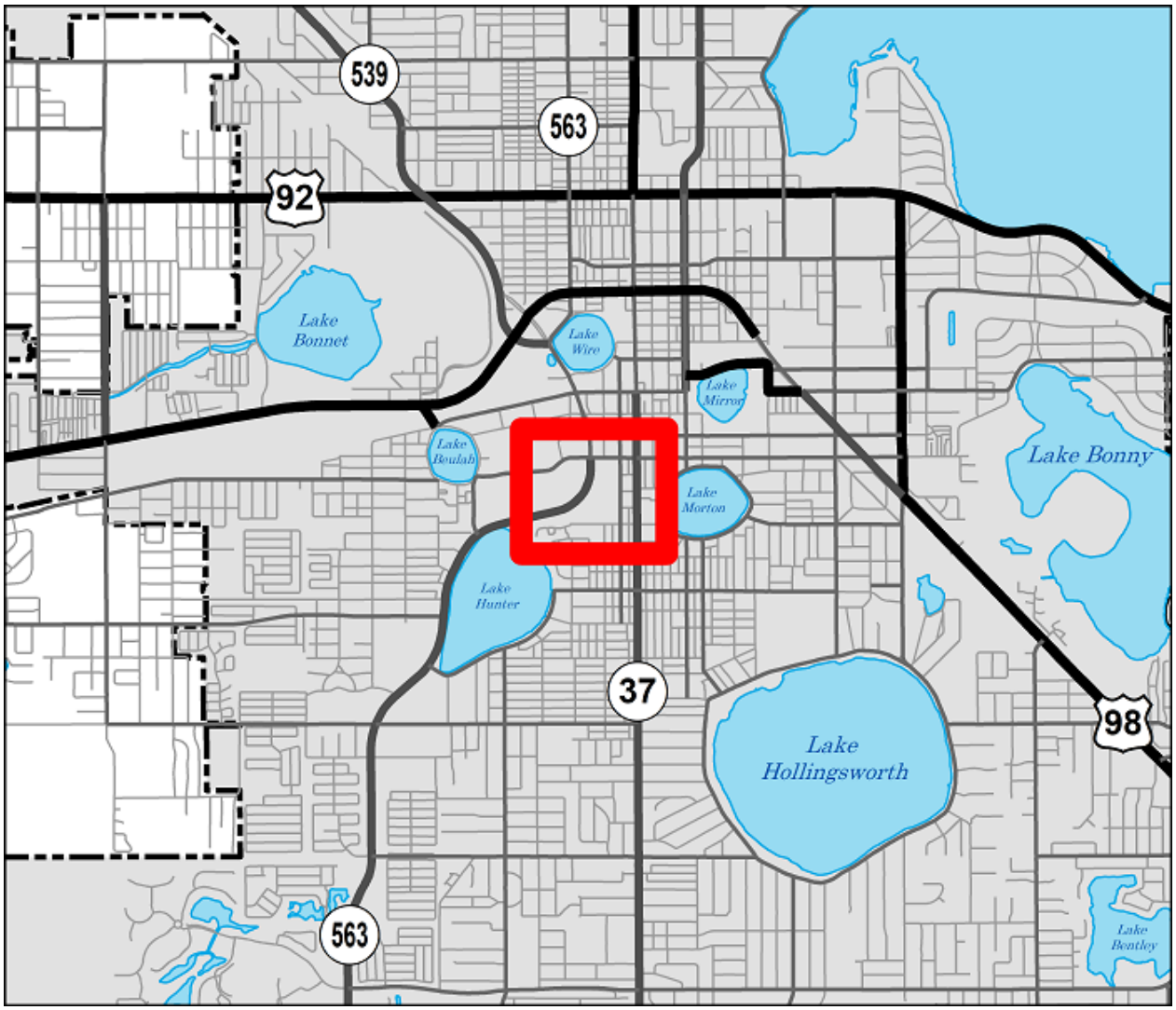
Request for Continuance

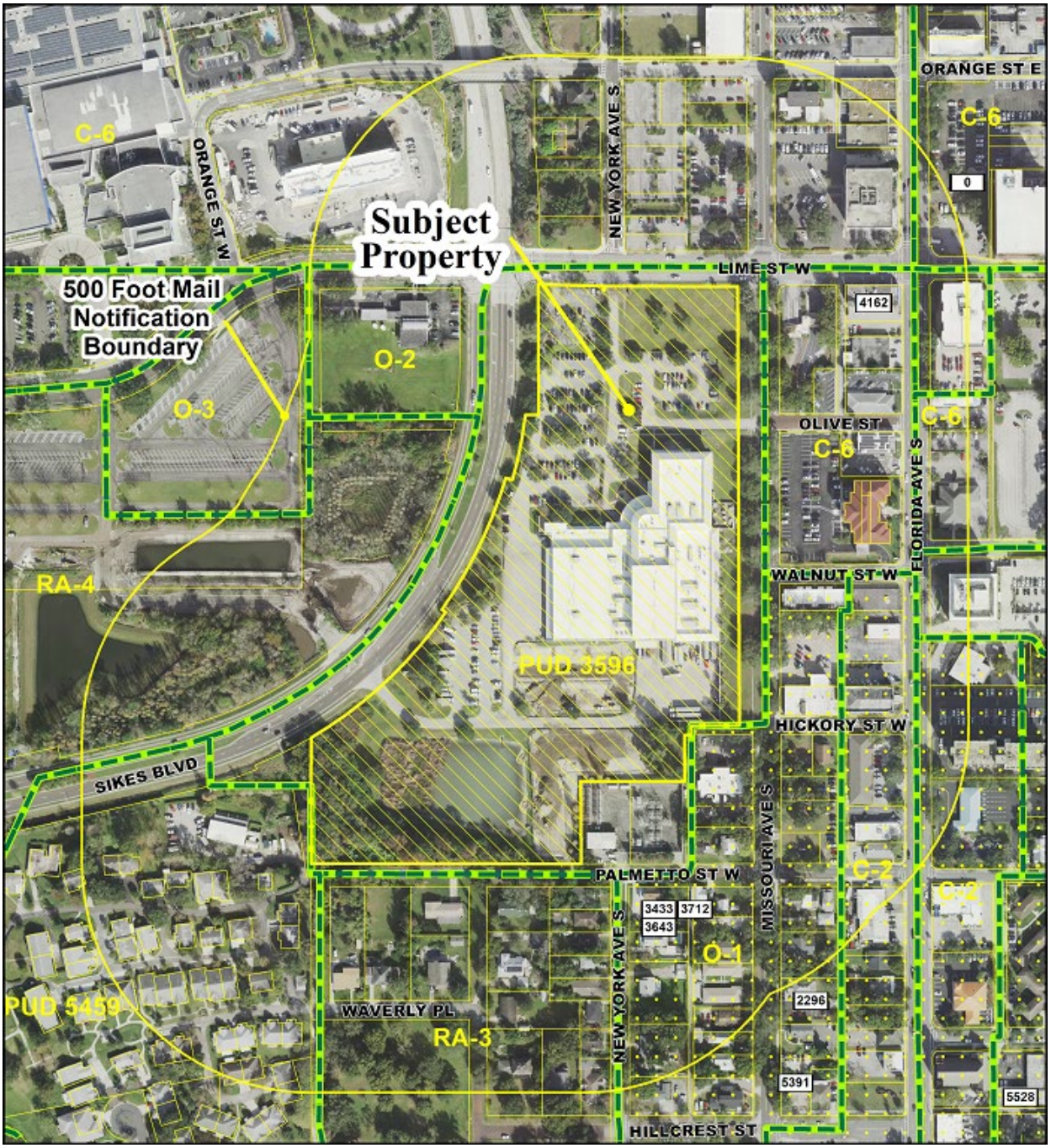
Staff requests a one-month continuance until the August 16, 2022 meeting to provide additional time to review public comments from the May 17th meeting, allow the applicant to revise the proposed unit mix and site development plan and complete review of the traffic study. Staff anticipates that this will be the final continuance.

Community & Economic Development
Staff Recommendation

Date:	July 19, 2022	Reviewer:	Phillip Scearce
Project No:	PUD22-011	Location:	300 W. Lime Street
Owner:	Lakeland West Lime, LLC.		
Applicant:	The Lunz Group, LLC.		
Current Zoning:	PUD (Planned Unit Development) 3596	Future Land Use:	Residential Medium (RM)/ Regional Activity Center (RAC)
Context District:	Urban Center (UCT)		
P&Z Hearing:	June 21, 2022	P&Z Final Decision:	July 19, 2022
Request:	Major modification of PUD (Planned Unit Development) zoning to allow C-6 office, commercial and residential uses on property on property located at 300 W. Lime Street.		

1.0 Location Maps




Subject Property
500 Foot Mail Notification Boundary
C-6
ORANGE ST W
NEW YORK AVE S
ORANGE ST E
LIME ST W
O-2
O-3
OLIVE ST
FLORIDA AVE S
RA-4
PUD 3596
WALNUT ST W
HICKORY ST W
SIKES BLVD
PALMETTO ST W
MISSOURI AVE S
C-2
O-1
PUD 5459
WAVERLY PL
RA-3
HILLCREST ST
4162
3433
3712
3643
2296
5391
5528

2.0 Background

2.1 Summary

The Lunz Group, LLC, requests a major modification of PUD (Planned Unit Development) zoning to allow C-6 office, commercial and residential uses on property located at 300 W. Lime Street. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, approximately 17.11 acre in area, is located at the southeast corner of Sikes Boulevard and W. Lime Street. The site is currently improved with a three-story building containing 91,043 sq. ft. of office space and 73,455 sq. ft. of light industrial/warehouse space. Constructed in 1998, the bulk of the building is used as general office space and as administrative office space for The Ledger, the newspaper which serves all of Polk County. The remainder of the building is used for a printing plant which prints The Ledger and other newspapers for distribution throughout Florida.

The subject property has a future land use designation of Regional Activity Center (RAC) and is within the boundaries of the Central City Transit Supportive Area (CCTSA), Lakeland Downtown Development Authority (LDDA) and the Downtown Community Redevelopment Agency (CRA). The subject property is zoned PUD, as specified by Ordinance 3596 approved in 1995, and is located within the Urban Center (UCT) context sub-district. Under the current PUD zoning, use of the property is limited to newspaper business administrative offices and facilities for newspaper production and distribution.

2.3 Project Background

The applicant requests a major modification of the PUD zoning to allow the C-6 (Downtown Commercial) uses in addition to the current entitlements. The C-6 zoning classification allows for a broad range of office, retail and residential uses appropriate for a central city business district, pursuant to and compatible with adopted plans for Downtown Lakeland. Preliminary plans for future development specify up to 900,000 SF +/- of mixed-use office and retail uses and 500 multi-family dwelling units. The previously approved site plan which shows building footprints, off-street parking, loading, driveways and access for the existing office building and printing plant is included as Exhibit "B." A conceptual site plan, which depicts a generalized layout and phasing plan for future redevelopment, is included as Exhibit "C".

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Commercial	RAC	C-6	UCT
South	Residential	RM/RH	RA-3/O-1	UCO/UNH
East	Commercial	RAC	RAC	UCT/UCO
West	Commercial	RAC	RAC/RH	USP/UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Exhibit B: Site Plan for Existing Office Building/Printing Plant

Exhibit C: Conceptual Site Plan for Future Redevelopment

3.0 Discussion

The current office building and light industrial/warehouse facility was planned in the early 1990s when newspaper circulation in the U.S. was at its peak. Since the late 1990s, when the internet first became widely adopted and offered an alternative to print media, the newspaper industry has been in steady decline. At its peak in 1999, the Ledger's newsroom employed 99 journalists. By 2019, when the Ledger's parent company Gatehouse Media merged with the Gannett Company, the newsroom employed just 15 people.

As a result of these economic changes, the existing office building is substantially underutilized. The warehouse/printing plant, while still economically viable, has consolidated operations and now prints and distributes several other newspapers in addition to The Ledger, including the Orlando Sentinel, Tampa Bay Times, and the national editions of the New York Times and Wall Street Journal. The requested zoning modification seeks to amend to the PUD to allow C-6 uses to allow for the incremental redevelopment of the property as print publishing continues to decline.

Within the Downtown CRA, the RAC Future Land Use designation allows for residential development up to 175 dwelling units/acre and office, commercial and retail development with a maximum floor area ration (FAR) of 3.0. For the 17.11-acre site, this translates to a maximum development intensity of 2,994 dwelling units and/or 2.24 million sq. ft of office, commercial and retail uses. Preliminary plans for future development include 900,000 SF +/- of mixed-use office, commercial and retail uses, including the existing office square footage, structured parking with parking for up to 1,200 vehicles, and 500 multi-family dwelling units which is well below the maximum intensity allowed under the RAC future land use designation.

The conceptual site plan contemplates two development phases. The first phase includes the portion of the property located between the existing office building and W. Lime Street, from Sikes Boulevard to S. Missouri Avenue, that is currently used for off-street surface parking. The second phase includes areas located immediately adjacent to the south and west side of the existing building, east of Sikes Boulevard, that are currently used as off-street parking and as a loading area for the printing plant.

Preliminary plans for each phase specify mixed-use buildings with structured parking at a maximum height between five and seven stories. While the current PUD specifies a maximum height of 75 feet, the C-6/Urban Center zoning context sub-district allows a maximum building height up to 120 feet or approximately 10 stories. The proposed redevelopment project, however, is currently in the early design stages and will evolve in response to rapidly changing economic conditions and fluctuations in market demand. As such, the proposed square footage and number of dwelling units will likely change with the final development plan dependent upon the availability of infrastructure and services at the time of site plan review

The proposed changes to the PUD will allow the newspaper printing plant and warehouse to continue operating for the foreseeable future as a transitional use. However, with the commencement of a redevelopment program, the use will become legal, nonconforming with further expansion prohibited.

At the June 21st public hearing, one nearby property owner spoke regarding the proposed changes the PUD. While his comments were generally supportive, he expressed concerns about crime and blight in the area along W. Walnut Street and would have preferred to see more detail in the redevelopment plan.

3.1 Transportation and Concurrency

The subject property is located along the south side of W. Lime St., between State Road 563 (Sikes Blvd.) and S. Missouri Ave. within the Central City Transit Supportive Area (CCTSA) as defined in the Comprehensive Plan. The portion of the site east of New York Ave. is within one-eighth mile of the Florida Avenue Transit Oriented Corridor (TOC), with the remainder of the site located within one-quarter of a mile of the TOC. The entire Downtown area, including the subject property, is located within a TOC Activity Center where multi-modal transportation level-of-service standards have been adopted that recognize existing transit, bicycle/pedestrian and street connectivity infrastructure and require multi-modal mitigation measures per Comprehensive Plan Policy TRN-1.4C.

In the Central City Area and TOC Overlay, Policy TRN-1.9B states that the City will observe a targeted maximum volume to capacity ratio (V/C) of 1.5 (based upon generalized level of service tables) where new roadway improvements may be needed beyond this maximum. Given the wide range and mix of uses allowed (and desired) within the C-6 zoning category, no transportation entitlements are granted through this zoning action, with Non-Binding Concurrency Determinations being granted with subsequent Concept Plan submittals and Binding Concurrency Determinations being granted at the time of engineered Site Plan submittal. All traffic analyses shall be conducted in compliance with Section 10.3.3 of the Land Development Code, with multi-modal Transportation Demand Management (TDM) mitigation required in compliance with LDC Section 10.4.2. The final development plans shall also comply with all FDOT permitting requirements relative to Sikes Blvd.

Based on the latest Polk Transportation Planning Organization (TPO) Roadway Network Database published on April 8, 2022, the Year 2021 Annual Average Daily Traffic (AADT) volume for Sikes Boulevard is 24,800 vehicles, with a two-hour average P.M. peak hour volume of 901 vehicles in the northbound direction and 866 vehicles in the southbound direction. This segment operates at an acceptable level-of-service (LOS D). Lime Street between Lake Beulah Drive and State Road 37 (S. Florida Avenue) has a 2021 AADT of 10,700 vehicles, with a two-hour average P.M. peak hour volume of 389 vehicles in the eastbound direction and 374 vehicles in the westbound direction. Missouri Avenue between Highland Street and Pine Street has an AADT of 1,100 vehicles, with a two-hour average P.M. peak hour volume of 40 northbound vehicles and 38 southbound vehicles. Lime Street and Missouri Avenue are City collector streets operating at an acceptable level-of-service (LOS C).

Sidewalks exist on both sides of Sikes Boulevard, Lime Street and Missouri Avenue around the perimeter of the subject property. As a designated “Main Street” typology in the Land Development Code, Lime Street is expected to provide high pedestrian access through the

provision of wide sidewalks. This site is also near the hub of the City's Lake-to Lake Bikeway Network, with Missouri Avenue and New York Avenue designated routes through the adjacent Dixieland neighborhood. Immediately abutting the north and west side of the development site, the Comprehensive Plan designates a Proposed Pathways Corridor between Lake Wire and Southwest Lakeland via the New York Avenue Cycle Track north of Lime Street and a planned West Lake Hunter Trail along the east side of Sikes Boulevard between Lime Street and Ariana Street.

In 2022, the Florida Department of Transportation (FDOT) completed the West Lake Hunter Trail Feasibility Study, with the City Commission expressing its support for the trail, along with revised alignment options south of the Lake Hunter Boat Ramp, via Resolution #5739. In 2022, the City submitted a funding request to the TPO and FDOT for a segment of the West Lake Hunter Trail adjacent to the subject property and it is hoped that construction funding will be added to the next FDOT Five-Year Work Program, effective July 1, 2023. Once constructed, the existing five-foot wide sidewalk would be replaced with a ten- to 12-foot-wide asphalt trail. FDOT is currently designing a bicycle/pedestrian overpass that will extend the New York Avenue Cycle Track over the CSX rail line between its current terminus at Main Street and Lake Wire, with construction funding remaining an on-going priority of the City and FDOT. The applicant team has engaged FDOT and City staff on concepts to incorporate the West Lake Hunter Trail into the ultimate site design on the subject property, enhancing connectivity between Sikes Boulevard, the New York Avenue Cycle Track and Dixieland neighborhood.

The subject property is located approximately 2,100 feet from the current Lakeland Area Mass Transit District (Citrus Connection) Downtown Terminal and a proposed new transportation hub (local and intercity transit, ridesharing services and electric vehicles, AMTRAK and future SunRail) on a site located across Lemon Street from the RP Funding Center as identified in FDOT's Lakeland Intermodal Feasibility Study, completed in 2020 and supported through Lakeland City Commission Resolution #5591. An environmental analysis for this new transit facility is funded in the current fiscal year of FDOT's Five-Year Work Program; however, subsequent phases aren't funded at this time. The subject property is also located within the study area for FDOT's US 98 Bus Rapid Transit (BRT) Feasibility Study, which identified premium transit service improvements between Downtown Lakeland and Lakeland Square Mall that could be implemented between now and Year 2045. A supporting improvement for Phase I of the BRT implementation, the Central Lakeland Transit Signal Prioritization project, is funded in the current fiscal year of FDOT's Five-Year Work Program.

The South Florida Avenue "road-diet" pilot project is currently underway between Ariana Street and Lime Street, approximately one-eighth to one-quarter mile east of the subject property. A significant component of this pilot project is a transit circulator service that is funded by FDOT called the Peach Line. The Peach Line is operated by the Citrus Connection with 30-minute frequencies on streets surrounding Florida Avenue, including Missouri Avenue adjacent to the subject property. The Lakeland City Commission's decision on the "road-diet" is scheduled for Summer 2022 with additional roadway and transit analyses being necessary to determine ultimate improvement needs, depending on the City Commission's decision.

When *The Ledger*'s offices and production facilities were reconstructed on the subject property in the mid-1990s, the street grid system was severed to support the existing layout and to allow the newspaper to continue its operations during construction. Prior to reconstruction, New York Avenue and Missouri Avenue existed as south- and northbound one-way pair, and subsequently

converted to two-way streets, between Downtown and the Dixieland neighborhood. The New York Avenue/Lime Street intersection was controlled with a traffic signal, which was removed when volumes fell below levels to justify such traffic control. New York Avenue was removed between Lime Street and Palmetto Street, where the Lakeland Electric substation was also constructed within the street's previous alignment. The ultimate development design shall comply with the block requirements contained in Section 3.4.2 of the Land Development Code, stitching together the street and dedicated bicycle/pedestrian grid system as much as possible to reduce traffic demand on existing arterial and collector streets and distances necessary for bicyclists and pedestrians to access nearby neighborhoods, businesses and transportation services.

School, Water and Wastewater Concurrency: All school concurrency determinations are made by the Polk County School District and water capacity is expected to be available for most potential development scenarios in the C-6 zoning district. Wastewater pumping and transmission capacity is expected to be limited, with concurrency granted depending on the scale and phasing of specific development activity and system upgrades or operational mitigation measures to be funded by the development community and/or City.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department and the Planning & Zoning Board reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request as conditioned is consistent with the Comprehensive Plan. All roadway levels of service and operations are expected to be acceptable as the site is within the CCTSA. Actual construction, however, will be subject to a final concurrency determination at the time of site plan review. Other essential services are presently available to provide concurrency for the proposed use except for wastewater, which may require mitigation acceptable to the City Water Utilities Department.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of the major modification to PUD zoning. Letters of notification were mailed 67 property owners within 500 feet of the subject property. No calls or e-mails were received in opposition. One nearby property owner spoke at the public hearing as stated previously.

4.2 The Planning & Zoning Board

It is recommended that the request for PUD zoning, as described above and in Attachments "A," "B," "Exhibits "B," and "C," "be approved

~~A. Land Use Intensity: PUD-40~~

A. Maximum Development Intensity:

1. Maximum Floor Area Ratio (FAR): 3.0

2. Maximum Density for Residential Development: 175 DU/acre

~~B. Permitted Uses: Newspaper business administrative offices and facilities for newspaper production and distribution~~

B. Permitted Uses: Those uses permitted by right in C-6 zoning districts, including administrative offices for a newspaper and facilities for newspaper production and distribution as a transitional use. Upon the commencement of the redevelopment of the property for C-6 office, commercial or residential uses, the existing use of the property for newspaper production and distribution shall become a legal, nonconforming use subject to the termination provisions in Section 13.3 of the Land Development Code.

~~C. Maximum Building Height Seventy-Five (75) feet~~

~~D. Minimum Setbacks:~~

~~1. Buildings~~

~~a. From Sikes Boulevard One hundred (100) feet~~

~~b. From Lime Street Fifty (50) feet~~

~~c. From proposed right-of-way of Missouri Avenue as depicted on site plan attached as Exhibit "B" Thirty (30) feet~~

~~d. From Palmetto Street One-hundred (100) feet~~

~~e. From other western parcel boundaries One-hundred (100) feet~~

~~f. From other south and east parcel boundaries Thirty (30) feet~~

~~2. Parking or Internal Drives~~

~~From any parcel boundary Ten (10) feet~~

~~3. Maximum projection into required setback~~

~~Five (5) feet for awnings, cornices, eaves, lintels, planter boxes, roof overhangs, gutters, belt courses, and similar ornamental features that are completely supported by a building.~~

~~E. Maximum Building Coverage Thirty five (35) percent~~

C. Development Standards for Existing Office Building/Newspaper Printing Plant

1. Maximum Building Height: Seventy-Five (75) feet

2. Minimum Setbacks:

a. Buildings

i. From Sikes Boulevard: One hundred (100) feet

ii. From Lime Street: Fifty (50) feet

iii. From proposed right-of-way of Missouri Avenue as depicted on site plan attached as Exhibit "B": Thirty (30) feet

iv. From Palmetto Street: One hundred (100) feet

v. From other western parcel boundaries: One hundred (100) feet

vi. From other south and east parcel boundaries: Thirty (30) feet

b. Parking or Internal Drives

From any parcel boundary: Ten (10) feet

c. Maximum Projection into Required Setback

Five (5) feet for awnings, cornices, eaves, lintels, planter boxes, roof overhangs, gutters, belt courses, and similar ornamental features that are completely supported by a building.

D. Development Standards for New C-6 Uses and Redevelopment of Existing Office Building/Printing Plant: In accordance with the C-6/Urban Center context sub-district development standards.

E. Site Development Plan:

1. Existing Office Building/Newspaper Printing Plant: In accordance with Exhibit "B."

2. New C-6 Uses and Redevelopment of Existing Office Building/Printing Plant: In accordance with the conceptual site development, Exhibit "C.' With the approval of the Director of Community & Economic Development, minor alterations may be made at the time of site plan review without requiring a modification to the PUD zoning.

~~F. Traffic Access~~

~~Access to the project site shall be limited to the following:~~

~~1. One access point from Sikes Boulevard which shall align with a proposed access point to vacant land west of Sikes Boulevard.~~

~~2. One access point from Lime Street which shall align with New York Avenue.~~

~~3. One access point from Missouri Avenue which shall align with W. Olive Street.~~

~~4. There shall be no direct access from Palmetto Street.~~

F. Transportation

1. Concurrency

a. Non-Binding Concurrency Determinations shall be made at the time of each Concept Plan submittal for specific proposed development activity. Binding Concurrency Determinations shall be made with each site plan submittal. Cumulative transportation analyses shall be required in compliance with Section 10.3.3 of the City Land Development Code.

b. Transportation Demand Management (TDM) mitigation measures shall be implemented in compliance with Section 10.4.2 of the City Land Development Code.

2. Motorized Vehicular Site Access

a. Right-in/Right-Out/Left-In Access on State Road 563 (Sikes Blvd.) at existing location, subject to approval and permitting by Florida Department of Transportation.

b. One access point from Lime St. which shall align with New York Ave.

c. Two access points from Missouri Ave., one aligning with Olive St. and one aligning with Hickory St.

d. There shall be no direct motorized vehicle access from Palmetto St.

3. Non-Motorized Facilities

a. An ADA-compliant pedestrian network shall be constructed to connect each principal building with the surrounding sidewalk and trail network.

b. The site shall be designed to accommodate a minimum ten-foot wide trail between the West Lake Hunter Trail and Lime St., opposite the New York Avenue Cycle Track. This crossing shall be coordinated with the site's Lime St. vehicular entrance, with appropriate traffic control as approved by the City's Public Works Department. Such control may include signalization in the event that required warrants are met.

c. A 12-foot wide pathway shall be constructed to Palmetto St.

d. Unless already available, an 11-foot wide right-of-way dedication will be required from the southern curb line on Lime St. to accommodate a pedestrian promenade consistent with the "Main Street" typology. Construction of portions or all of an acceptable pedestrian promenade may be considered an acceptable Transportation Demand Management mitigation requirement allowed by the Land Development Code.

e. Bicycle parking shall be provided in compliance with Section 4.11.6 of the Land Development Code. The minimum device design shall be in compliance with Index 900 of the Engineering Standards Manual; however, specific compliant designs that complement the overall hardscape package may be approved by the Director of Community & Economic Development.

f. An on-site covered transit stop shall be constructed with a design and location that is acceptable to the Lakeland Area Mass Transit District.

G. Parking Requirements

1. Existing Office Building/Newspaper Printing Plant

The number of required off-street parking spaces shall be as depicted on the generalized site plan attached as Exhibit "B."

2. Development of New C-6 Uses and Redevelopment of Existing Office Building/Printing Plant

Off-street parking shall be provided in accordance with Section 4.11 and Table 4.11.1 of the Land Development Code.

~~G~~H. General Provisions

1. All development within the area subject to the PUD zoning shall be consistent with the generalized site plan attached as Exhibits "B" and "C," and shall be subject to landscaping and parking requirements of the City's ~~Land Development Regulations~~ Land Development Code.

2. Structures existing within the limits of the subject property which do not meet the setbacks required for this PUD zoning shall be declared conforming as to setbacks on the date the PUD zoning is established

3. Existing vegetation along the southern boundary of the property which serves as a visual buffer for residences to the south shall be retained. Where no visual buffer exists along the southern boundary of the property west of New York Avenue, additional trees and shrubs- shall be planted to create a similar visual buffer. Such plantings shall be shown on a landscape plan to be submitted at the time of application for site plan approval.

4. Prior to issuance of a building permit for a proposed structure, a site development plan, which shall be consistent with the generalized site plan attached as Exhibits "B" and "C," along with building elevations which shall illustrate building materials, textures and color, as well as entrances and other features, shall be submitted to the Board of Directors of the Downtown Development Authority for review and approval

ATTACHMENT “A”

COMMENCE AT THE SOUTHWEST CORNER OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 24; THENCE NORTH 00°10'46" WEST, ALONG THE WEST LINE OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 24, A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF PALMETTO STREET, AND THE POINT OF BEGINNING; THENCE CONTINUE N 00°10'46" WA DISTANCE OF 274.20 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SIKES BLVD. AND A POINT ON A NONTANGENT CURVE HAVING A RADIUS OF 951.47 FEET, A CENTRAL ANGLE OF 24°31'20", A CHORD DISTANCE OF 404.12 FEET, AND A CHORD BEARING OF N 47°13'05" E; THENCE ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT-OF-WAY, 407.22 FEET TO A FOUND 5/8" IRON ROD; THENCE N 55°02'36" WA DISTANCE OF 10.00' TO POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SIKES BLVD. AND A POINT ON A NONTANGENT CURVE HAVING A RADIUS OF 941.47 FEET, A CENTRAL ANGLE OF 19°30'01", A CHORD DISTANCE OF 318.88 FEET, AND A CHORD BEARING OF N 25°12'24" E; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, 320.42 FEET TO A FOUND 5/8" IRON ROD; THENCE S 74°31'57" EA DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SIKES BLVD. AND A POINT ON A NONTANGENT CURVE HAVING A RADIUS OF 956.47 FEET, A CENTRAL ANGLE OF 08°39'54", A CHORD DISTANCE OF 144.51 FEET, AND A CHORD BEARING OF NORTH 11°07'52"' EAST; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, 144.65 FEET TO A FOUND 5/8" IRON ROD; THENCE N 89°40'16" EA DISTANCE OF 28.90 FEET TO A FOUND 5/8" IRON ROD; THENCE N 00°21'18" WA DISTANCE OF 284.64 FEET TO A FOUND 5/8" IRON ROD AND A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST LIME ST.; THENCE S 88°44'29" E ALONG SAID RIGHT-OF-WAY A DISTANCE OF 139.18' TO A FOUND 5/8" IRON ROD; THENCE S 54°48'11" EA DISTANCE OF 3.44 FEET TO A FOUND 5/8" IRON ROD; THENCE S 00°33'17" EA DISTANCE OF 6.81 FEET TO A FOUND 5/8" IRON ROD; THENCE N 89°59'31" EA DISTANCE OF 6.81' TO A FOUND "X" IN CONCRETE; THENCE N 00°21'18" WA DISTANCE OF 7.86 FEET TO A FOUND "X" IN CONCRETE; THENCE N 89°59'23" EA DISTANCE OF 290.00 FEET TO A FOUND 5/8" IRON ROD AND A POINT ON THE WEST RIGHT-OF-WAY LINE OF S. MISSOURI AVE.; THENCE S 00°21'18" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 958.90 FEET TO A FOUND 5/8" IRON ROD; THENCE S 89°43'00" WA DISTANCE OF 105.00 FEET TO A FOUND 5/8" IRON ROD; THENCE S 00°21'18" EA DISTANCE OF 20.00 FEET TO A FOUND 5/8" IRON ROD; THENCE S 89°43'30" WA DISTANCE OF 15.00 FEET TO A FOUND 5/8" IRON ROD; THENCE S 00°21'18" EA DISTANCE OF 101.23 FEET TO A FOUND 5/8" IRON ROD; THENCE S 89°56'14" WA DISTANCE OF 227.00 FEET TO A FOUND 5/8" IRON ROD; THENCE S 00°21'18" EA DISTANCE OF 180.00 FEET TO A FOUND 5/8" IRON ROD; THENCE S 89°56'14" WA DISTANCE OF 588.68 FEET TO THE POINT OF BEGINNING

ATTACHMENT “B”

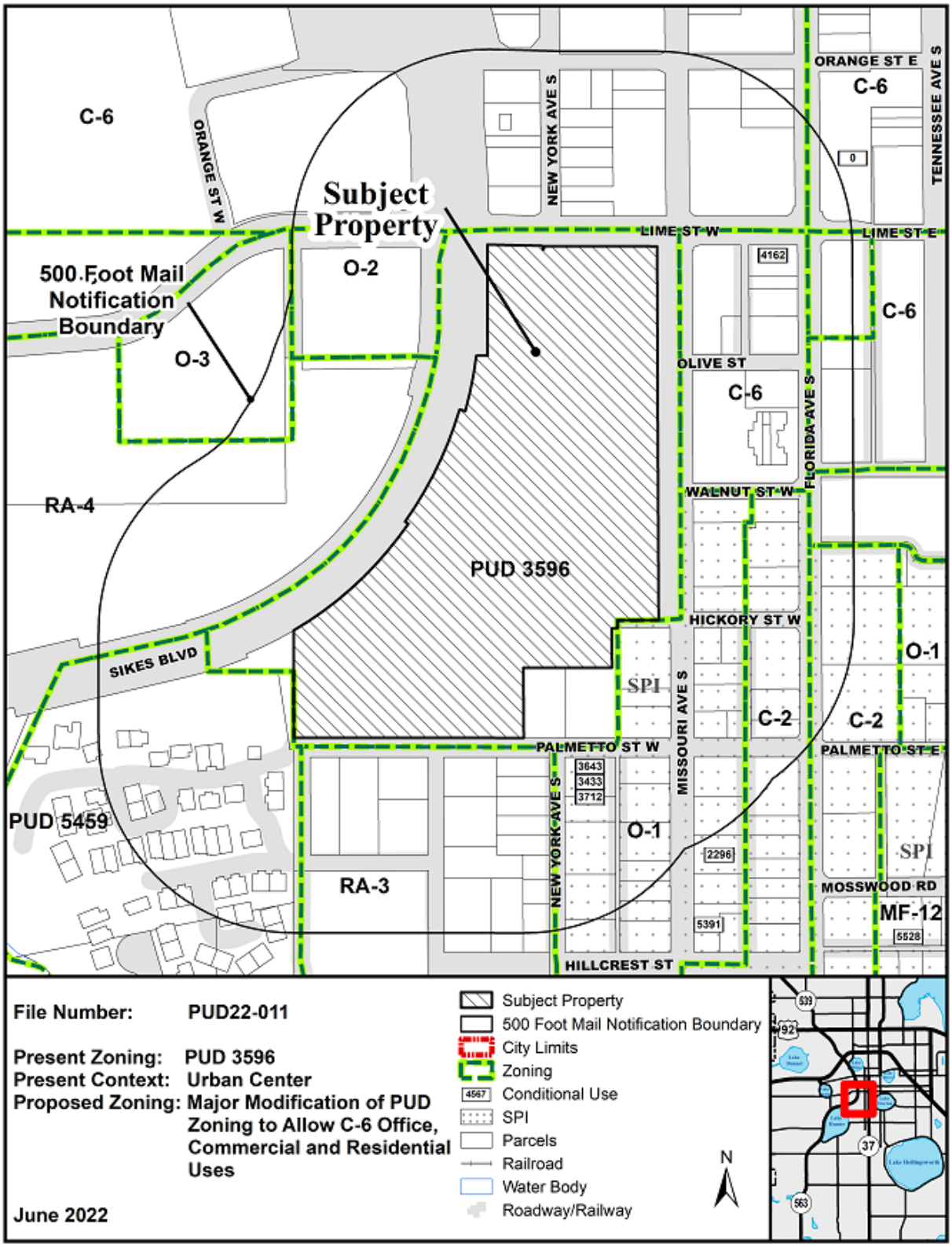


EXHIBIT “B”

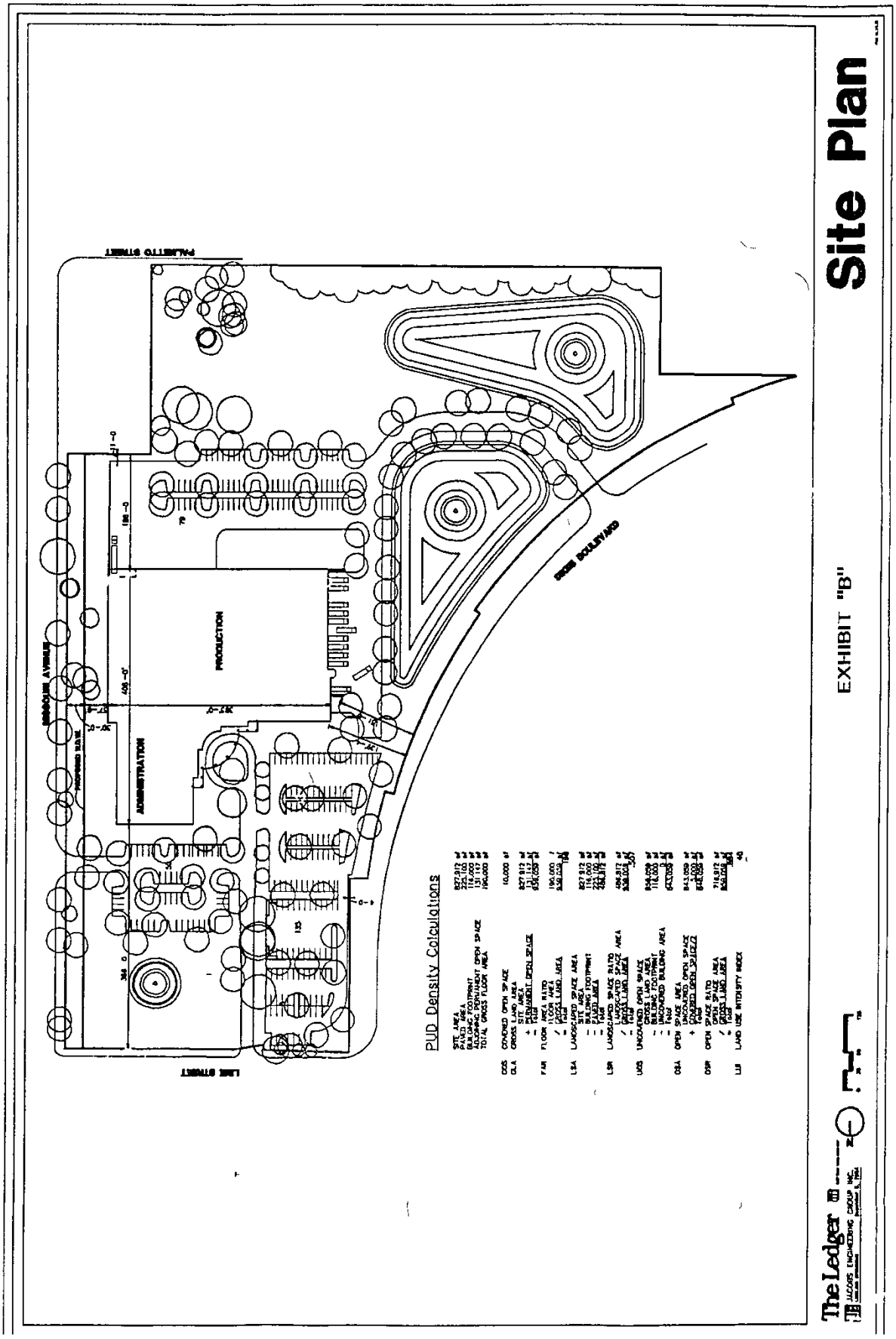

Site Plan
EXHIBIT "B"
The Ledger
PALMETTO STREET
BROOKLYN AVENUE
LAKE OTHENT
PROPOSED BASE
ADMINISTRATION
PRODUCTION
SR 33 BOULEVARD
PUD Density Calculations

EXHIBIT "C"

SITE SUMMARY

SITE ADDRESS: 300 LIME ST W
LAKELAND, FL 33815

PARCEL ID: 232824000000011010

PROPOSED ZONING: PUD + UNDERLYING C-6

PROPOSED LAND USE: RAC

PROPOSED CONTEXT: UCT

PROPOSED DWELLING UNITS: 500

TOTAL PROJECT FLOOR AREA: 900,000SF

CONCEPT SUMMARY

EXISTING BUILDING TO REMAIN IN CURRENT CONFIGURATION

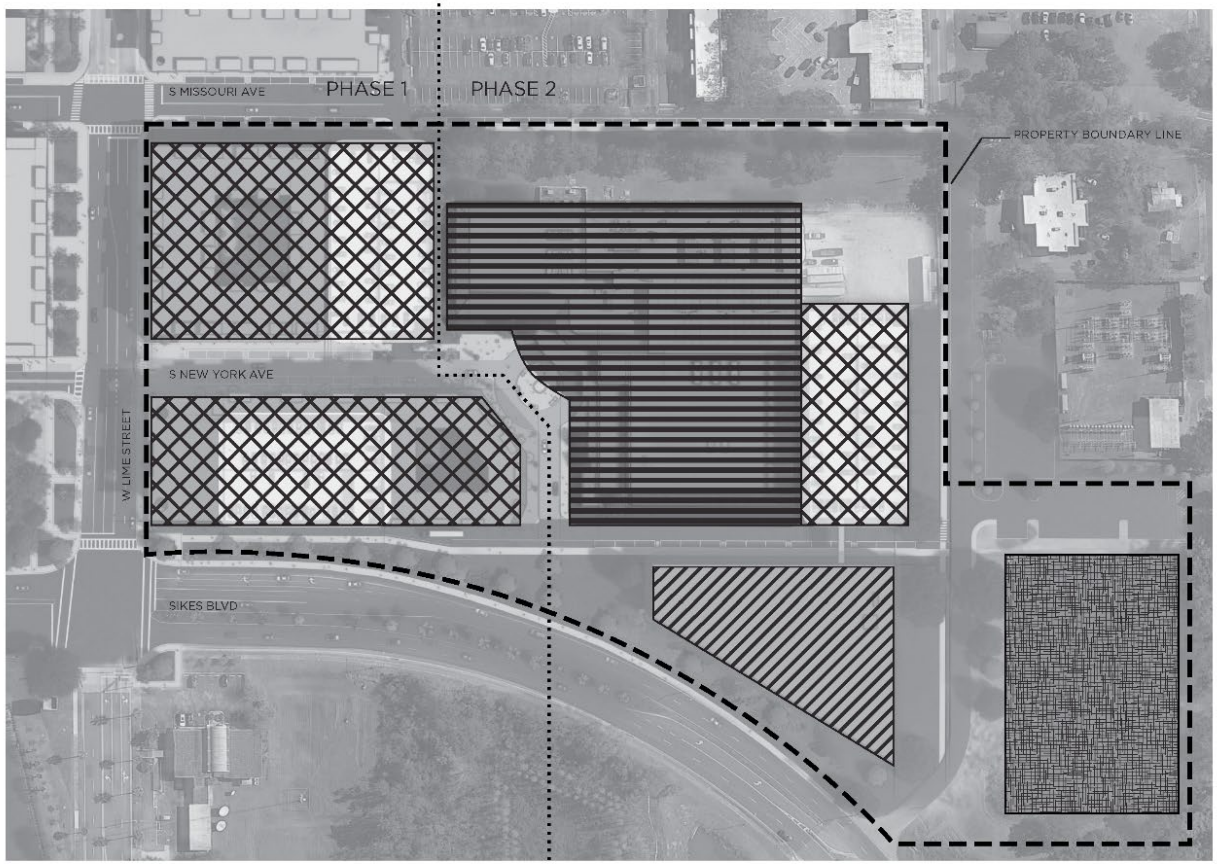
PROPOSED ADDITIONAL MIXED-USE (MULTI-FAMILY, RETAIL, OFFICE) AND STRUCTURED PARKING

MIXED-USE

MIXED-USE AND STRUCTURED PARKING

EXISTING BUILDING

STORMWATER POND ON-SITE



N

not to scale

CONCEPT **SITE PLAN**

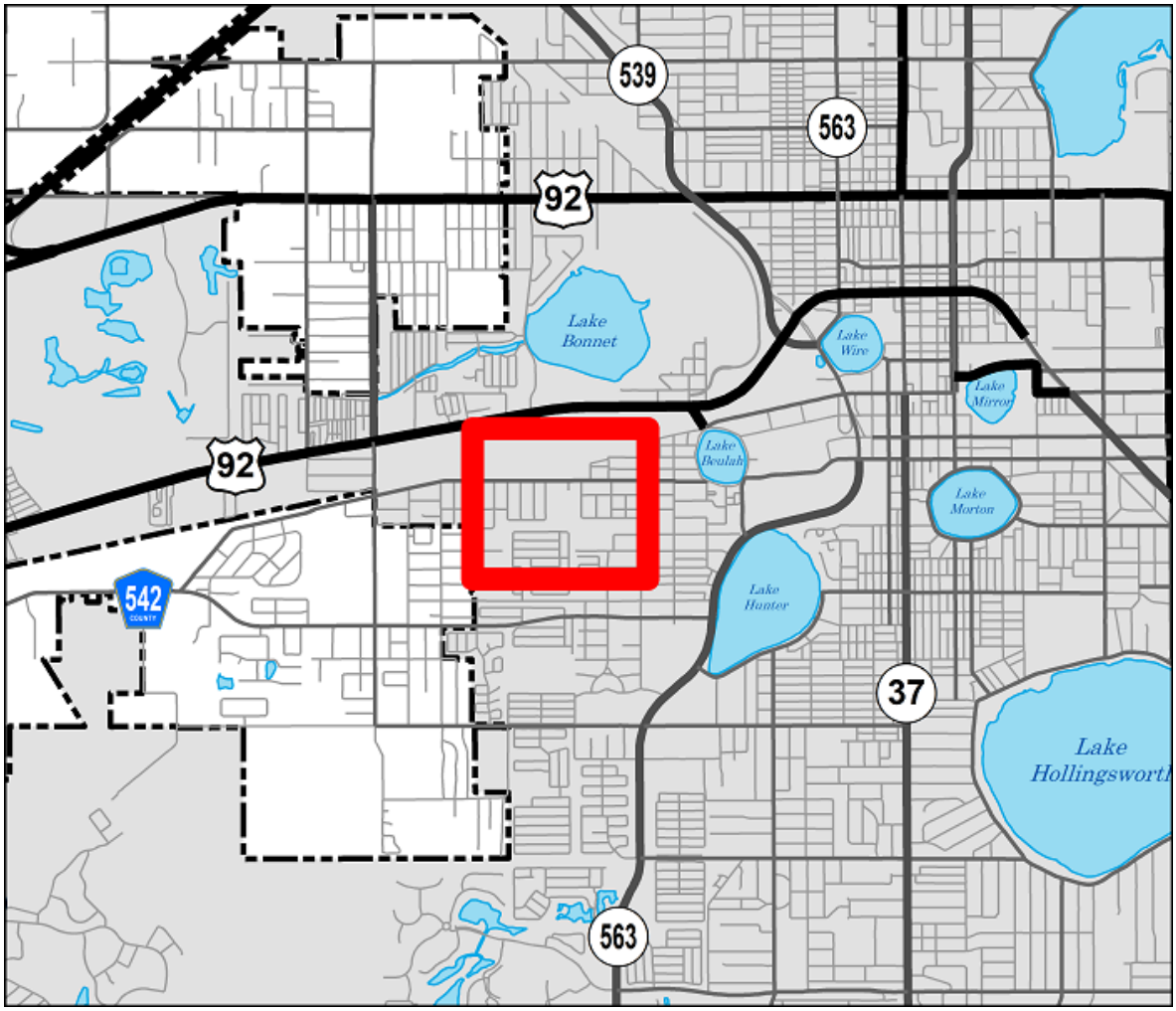
WEST DOWNTOWN GATEWAY | THE LUNZ GROUP | 04.20.2021
LIC: AR94778

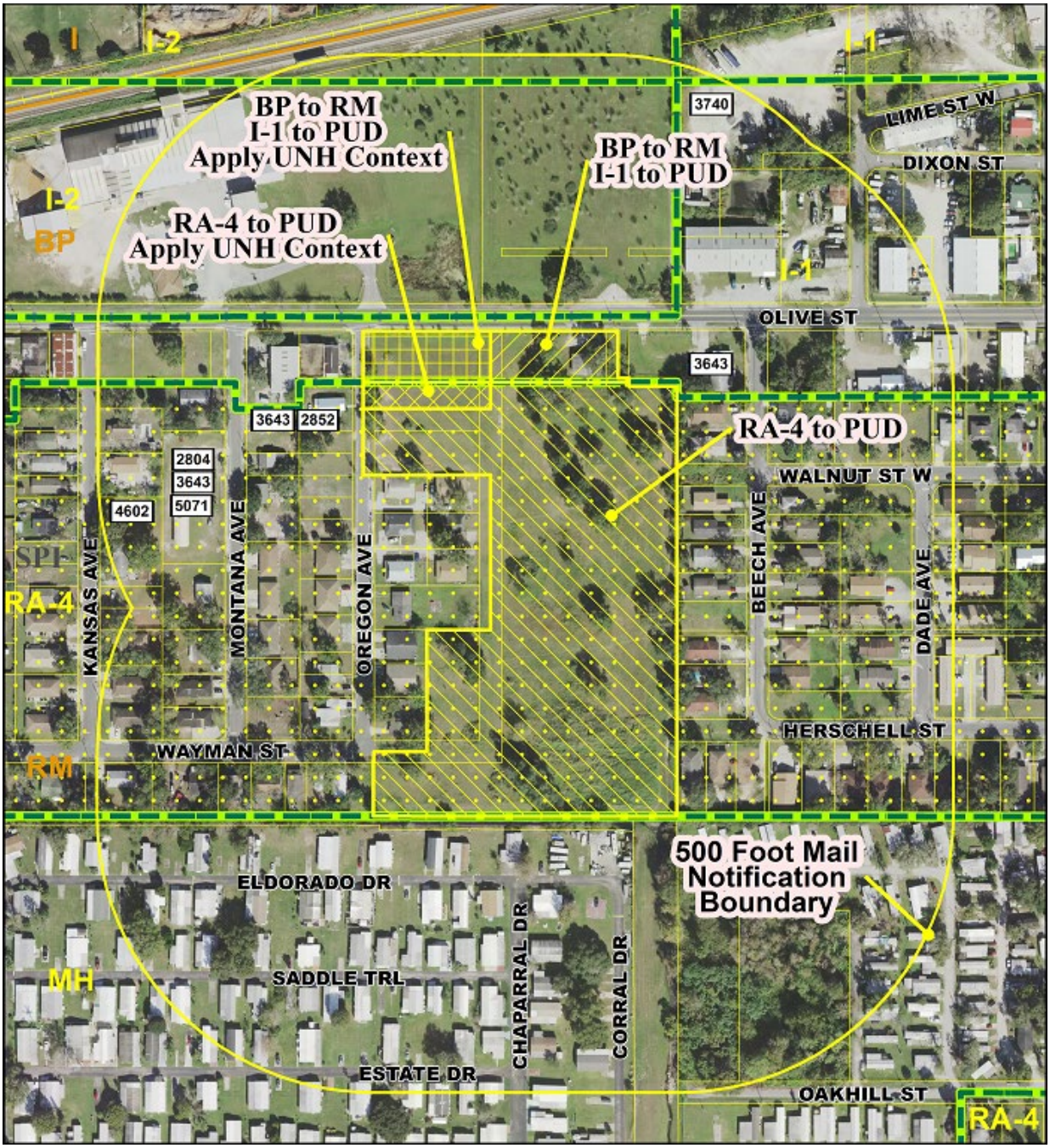
THE LUNZ GROUP

Community & Economic Development Staff Recommendation

Date:	July 19, 2022	Reviewer:	Phillip Scearce
Project No:	LUS22-005/PUD22-008/ZON22-006	Location:	1506 Olive Street
Owners:	True Investors Development, LLC.		
Applicant:	Tom Wodrich, TDW Land Planning, LLC		
Current Zoning:	RA-4 (Single-Family)/ I-1 (Light-Industrial—Limited Commercial)	Future Land Use:	Residential Medium (RM)/ Business Park (BP)
Context District:	Urban Neighborhood		
P&Z Hearing:	June 21, 2022	P&Z Final Decision:	July 19, 2022
Request:	Small scale land use amendment on approximately 0.9 acres from Business Park (BP) to Residential Medium (RM), and a change in zoning from I-1 (Light Industrial) and RA-4 (Single-Family Residential) to PUD (Planned unit Development) on approximately 9.1 acres, concurrent with a City-initiated application to apply the Urban Neighborhood (UNH) context sub-district on approximately 0.6 acres, to allow a three-story, multi-family residential development with a maximum of 96 dwelling units on property generally located south of Olive Street, east of Oregon Avenue and west of Beech Avenue (1506 Olive Street).		

1.0 Location Maps




I
I-2
I-1
BP to RM
I-1 to PUD
Apply UNH Context
BP to RM
I-1 to PUD
RA-4 to PUD
Apply UNH Context
I-2
BP
3740
LIME ST W
DIXON ST
I-1
OLIVE ST
3643
3643
2852
RA-4 to PUD
2804
3643
5071
4602
WALNUT ST W
SPI
RA-4
KANSAS AVE
MONTANA AVE
OREGON AVE
BEECH AVE
DADE AVE
HERSCHELL ST
WAYMAN ST
RM
500 Foot Mail
Notification
Boundary
ELDORADO DR
MH
SADDLE TRL
CHAPARRAL DR
CORRAL DR
ESTATE DR
OAKHILL ST
RA-4

2.0 Background

2.1 Summary

Tom Wodrich, TDW Land Planning, LLC, requests a small scale land use amendment on approximately 0.9 acres from Business Park (BP) to Residential Medium (RM), and a change in zoning from I-1 (Light Industrial) and RA-4 (Single-Family Residential) to PUD (Planned unit Development) on approximately 9.1 acres, concurrent with a City-initiated application to apply the Urban Neighborhood (UNH) context sub-district on approximately 0.6 acres, to allow a three-story, multi-family residential development with a maximum of 96 dwelling units on property generally located south of Olive Street, east of Oregon Avenue and west of Beech Avenue (1506 Olive Street). A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, approximately 9.1 acres in area and presently vacant except for a small 1,472 sq. ft. one-story, building that was constructed in 1965 and is currently used as a church according to the Polk County Property Appraiser. The subject property, which was platted as part of the Westgate subdivision is 1925, consists of a mixture of unimproved platted rights-of-way and public utility/drainage easements which are currently in the process of being vacated and/or relocated. To the south and east, the subject property abuts the Wayman ditch, a regional stormwater drainage outfall system, which runs south of Wayman Street and drains to the west. Lastly, the subject property is located just south of the Landia Chemical Company (LCC) Superfund site which is approximately 13 acres and located on the north side of Olive Street. The Superfund site consists of the former LCC property and the former Florida Favorite Fertilizer (FFF) property. Both properties were used for industrial operations beginning in the 1930s and 1940s, respectively, up until the late 1980s when the industrial activities were terminated.

The bulk of the subject property, approximately 8.1 acres in area, has a future land use designation of Residential Medium (RM) with a RA-4 (Single-Family Residential) zoning classification. The RM land use designation is intended for single-family or multi-family development at a gross density of up 12 dwelling units per acre. The remainder of the subject property, which consists of the north 85 feet with frontage directly on Olive Street, has a future land use designation of Business Park (BP) with an I-1 (Light Industrial-Limited Commercial) zoning classification. The subject property is part of the Westgate Central Special Public Interest (SPI) overlay district that was adopted in 2004 by the City Commission through Ordinance 4536. The SP overlay, which recognized existing two-family dwellings as conforming uses and allowed for the conversion to single-family dwellings, was adopted following a zoning action which downzoned the neighborhood from RB-2 (Two-Family Residential) to the current RA-4 zoning classification.

While the subject property is part of a platted single-family subdivision, it does not have any vested development rights as there is no infrastructure in place or improved/opened right-of-way which would allow for development at RA-4 densities. To develop the property for single-family uses, it would have to be improved and replatted as a new subdivision in accordance with the RA-4 development standards and other requirements specified by the Land Development Code.

2.3 Project Background

The purpose of the request is to change the land use and zoning to allow for a three-story, 96-unit multi-family residential development with associated on-site recreational amenities. A site

development plan which shows the proposed building footprints, off-street parking internal driveways and amenities is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Industrial	BP	I-2	USP
South	Residential	RM	MH	UNH
East	Residential	RM	RA-4	UNH
West	Residential	RM	RA-4	UNH

Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

3.0 Discussion

Olive Street connects with Wabash Avenue to the west and Central Avenue to the east. Land uses along the corridor consists of a mixture of light/medium industrial and commercial uses abutting single-family and two-family residential uses to both the north and south. While the subject property was platted for commercial and residential development in the 1920s, it has remained largely vacant and undeveloped since that time. Pre-platted subdivisions, in which no infrastructure exists, or the infrastructure is substandard, are a common problem throughout Florida. In Lakeland, such subdivisions were recorded from the early 1900s up until the early 1970s when new consumer protection and environmental laws ended the practice.

The RM future land use designation promotes compact, walkable development, and infill redevelopment at densities of 5.01 to 12 dwelling units per acre, contingent upon the natural and physical limitations of a proposed development site. The applicant proposes a total of 96 multi-family dwelling units on the 9.1-acre subject property, which translates to a gross density of 10.5 dwelling units per acre. The intended developer, Blue Sky Communities, is a leading affordable housing development company that has developed several affordable housing projects throughout Florida.

As previously noted, the subject property is located just south of the Landia Chemical Company Superfund site. Environmental remediation/clean-up of the site officially began in February 2011 with the removal of contaminated soil which was disposed of in an approved off-site landfill. The clean-up effort included the removal of a small portion of contaminated soils located on the subject property. As part of the clean-up effort, crushed limestone was introduced into some of the areas where soil was removed to make the remaining soil less acidic. These areas were then filled with clean soil and either capped an impermeable material, such as clay, or planted with trees and other vegetation to prevent

the infiltration of stormwater and to control groundwater movement. The remediation/clean-up work performed was completed in July 2011.

The 2011 clean-up work was approved by the Environmental Protection Agency (EPA) as an interim remedy for the groundwater contamination associated with the legacy industrial uses. During the remedial design stage, groundwater sampling results indicated that the nitrate groundwater concentrations were naturally attenuating or decreasing. The EPA continues to monitor the site and issued a five-year report in July 2015. A final groundwater remedy will not be determined by the EPA until the impacts from the 2011 soil removal remedial action are confirmed. The next five-year report from the EPA is expected to be issued in August 2022. However, since the development will be served by public water and sewer systems, there are no immediate health concerns associated with the proposed multi-family development.

The proposed multi-family development consists of four, three-story buildings with a maximum height of 40 feet. As amenities, the site development plan includes on-site clubhouse, pool, and playground. The amenities are located within the northeast portion of the site near the Wayman Ditch. The applicant has worked with staff to reserve a portion of the site adjacent to the Wayman ditch for a future trail connection to the Westside Community Park via Wayman Street.

The subject property contains active easements for both drainage and wastewater, as well as the unimproved right-of-way for Delaware Avenue, from Olive Street to Wayman, and a small segment of Wayman Street, from Oregon Avenue to Delaware Avenue. The applicant is currently working with the Real Estate & Property Information office to vacate the right-of-way and easements. However, approval will be contingent upon the relocation of any underground drainage or wastewater facilities and the dedication of new easements to allow for maintenance.

At the public hearing, the applicant presented several photos and renderings of other multi-family projects that were developed by Blue Sky Communities. Prior to the public hearing, the applicant and a representative from Blue Sky Communities met with the Westgate Neighborhood Association to present the request at their regular monthly that was held on Monday, June 6, 2022. Comments received at both the neighborhood association meeting and the public hearing generally were positive and expressed a need for high quality, affordable housing in the community. Concerns, however, were expressed about security as it pertains to pedestrian access to the apartment complex and pool area. At the public hearing, however, one resident did express concern about the proximity of the site to the Wayman ditch, which she claimed was not safe due to the proximity to the LCC Superfund site. The owner Central Sheet Metal, Inc., 1315 Olive Street, also expressed concern that residents of the proposed apartments would complain about the truck traffic, deliveries, and late-night manufacturing activity associated with his business.

Following the June 21, 2022, public hearing, staff asked the applicant to revise the site plan to better address the Oregon Avenue frontage. The applicant agreed to this change and the revised site plan now shows buildings fronting both Olive Street and Oregon Avenue. To address concerns about security, the recommended conditions of approval specify that the perimeter of the site be secured with a 7.5-foot-wide buffer consisting of either a six-foot tall decorative metal fence or a six-foot high privacy fence/wall when adjacent to other residential uses and landscaping consisting of 16 shrubs plus four B-type (Medium) trees per 100 lineal feet. To prevent non-residents from accessing the pool area, a six-foot high fence or wall and a locked gated entry to limit access to apartment tenants only will be required. Lastly, to address the attractive nuisance of the Wayman ditch and concerns pertaining to the safety, a secondary buffer consisting of a minimum six-foot high fence will be required north and west of the proposed Westgate Central trail alignment to discourage children from playing in the area.

3.1 Transportation and Concurrency

The project is located on the south side of Olive Street, east of Oregon Avenue, within the Central City Transit Supportive Area (CCTSA) as depicted in the Comprehensive Plan. Within the CCTSA, a roadway Level-of-Service (LOS) "E" standard is observed, averaged across multiple corridors with common trip ends. Olive Street is a Federal Aid Eligible urban collector roadway that is operated by the City of Lakeland. The Polk Transportation Planning Organization's Roadway Network Database (April 8,2022) shows that the Olive Street segment between Lake Beulah Drive and Wabash Avenue has an Annual Average Daily Traffic (AADT) volume of 1,500 vehicles, with peak-hour directional capacity of 790 vehicles and peak two-hour average volumes of 52 eastbound and 55 westbound vehicles, equating to a current LOS "C".

On behalf of the applicant, Jane Caldera, P.E. with Truckin Traffic, LLC submitted a Traffic Impact Statement for the proposed 96 multi-family units based on Land Use Code 223 (Affordable Housing) as contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual* 11th Edition. The proposed development is expected to generate 462 Daily Trips, with 35 estimated trips during the A.M. Peak Hour (of Adjacent Street Traffic, 7-9 A.M.) and 44 trips during the P.M. Peak Hour (of Adjacent Street Traffic, 4-6 P.M.). Based on the results of this analysis, neither an eastbound right-turn lane nor westbound left-turn lane on Olive Street will be required with the proposed development.

The Lakeland Area Mass Transit District (Citrus Connection) currently operates fixed-route transit service along Olive Street via its Red Line; however, proposed route changes under consideration would eliminate service on this corridor beginning in October 2022 if adopted by its Board of Directors. Olive Street, west of Westgate Avenue, is a component of the Proposed Pathways Corridors network as adopted in the Comprehensive Plan. This segment is part of a larger route that is intended to connect the Westgate-Central Trail and Westside Park with Lake Beulah and the Downtown core. In 2017, the City completed construction of the Westgate-Central Trail between Westside Park and Lotus Avenue near the Central Park (Harvey's) Plaza, utilizing funds obtained through the Florida Department of Transportation (FDOT) and Polk TPO. After the trail's completion, the City constructed a sidewalk along Choctaw Avenue between Westside Park and Olive Street, utilizing Community Development Block Grant (CDBG) funds. In the current year of FDOT's Five-Year Work Program, funding has been programmed to construct new sidewalks along Josephine Street between Westgate-Central Trail and Central Avenue. All these trail and sidewalk investments support goals for improved bicycle and pedestrian connectivity as included in the Westgate & Central Avenue Neighborhoods Plan as completed in July 2003.

As an affordable housing community within an Environmental Justice Planning Area as identified in the Polk TPO's *Momentum 2045* long-range transportation plan, non-motorized connections to services and transit facilities are essential for its residents. The eastern boundary of the subject property abuts the Wayman Ditch, which south of the development site is located within City right-of-way for the former Brunnell Parkway Extension. The southeastern corner of the subject property adjacent to this right-of-way is nearly 1,500 feet north of the Westgate-Central Trail and approximately 4,000 feet north of the closest grocery store within Central Park Plaza. To help satisfy the development's open space requirements, a minimum 20-foot-wide easement will be required to accommodate a future extension of the Westgate-Central Trail to Olive Street, enhancing connectivity for residents of the overall neighborhood.

3.2 Comprehensive Plan Compliance

The Community & Economic Development Department and the Planning & Zoning Board reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request as conditioned is consistent with the Comprehensive Plan. All roadway levels of service are acceptable with mitigation as recommended in this PUD modification. Other essential services are presently available to provide concurrency for the proposed use. Actual construction is subject to final concurrency determinations at the time of site plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends the approval of the small-scale land use amendment from Business Park (BP) to Residential Medium (RM) a change in zoning from I-1 and RA-4 to PUD, and the City-initiated application of the UNH context sub-district on approximately 0.9 acres. Letters of notification were mailed to 88 property owners within 500 feet of the subject property. One call in opposition was received expressing concerns of the Superfund site to the north of the property.

4.2 The Planning & Zoning Board

It is recommended that the request for a change in land use from BP to RM, change in zoning from I-1 and RA-4 to PUD, and the application of the UNH context sub-district, as described above and in Attachments "A", "B," and "C," be approved.

A. Permitted Uses: Multi-Family Residential

B. Maximum Number of Dwelling Units: 96

C. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "C." With the approval of the Director of Community & Economic Development, minor modifications may be made at the time of subdivision plat review without requiring a modification to the PUD. Site plan approval shall be contingent upon the vacation of existing rights-of-way and easement, relocation of any utilities and drainage facilities within said rights-of-way and easements, and the dedication of new easements for such utilities and drainage facilities as necessary for their maintenance.

D. Development Regulations: In accordance with the MF-12/Urban Neighborhood context sub-district standards.

E. Off-Street Parking: In accordance with Section 4.11 and Table 4.11-1 of the Land Development Code.

F. Entrance Feature: In accordance with Sub-Section 3.4.5 and Table 3.4-1 or the Land Development Code, each building shall provide an entrance feature located on the primary street frontage which the building is oriented towards. Alternative entrance feature designs other than a "Porch" or "Stoop" may be approved by the Director of Community & Economic Development at the time of site plan review.

G. Landscaping and Buffering: In accordance with the Land Development Code, except as follows.

1. As shown on Attachment "C," a landscape buffer with a minimum width of 7 ½ feet (7.5 feet) shall be constructed along the perimeter boundaries of the project. When adjacent to single-family or tow-family uses, the buffer shall consist of a minimum six-foot high view-blockage fence or wall and landscaping consisting of 16 shrubs plus four B-type (Medium) trees per 100 lineal feet. When adjacent to Olive Street or Oregon Avenue, the buffer shall consist of a six-foot high, decorative metal fence and landscaping consisting of 16 shrubs plus four B-type (Medium) trees per 100 lineal feet.

2. The perimeter of the swimming pool shall be secured in accordance with the Florida Building Code except that any or fencing walls used shall have a minimum height of six feet. To prevent access by non-residents, access to the pool area shall be secured by a locked gate in which only the tenants of the apartments have access.

3. To discourage children from playing in the Wayman ditch, a secondary buffer consisting of a six-foot high vinyl-coated chain-link fence shall be located to the north and west of the proposed Westgate Central trail.

H. Lighting: Except for City-approved streetlights within rights-of-way, all outdoor lighting fixtures shall be of the "fully shielded" type such that the light emitting, distributing, reflecting, and refracting components of the light fixture (lamp, lens, reflective surfaces, etc.) shall not extend beyond the opaque housing of the fixture.

I. Transportation Conditions:

1. Binding Concurrency Determinations shall be made at the time of site plan approval.

2. Prior to first Certificate of Occupancy issuance, a minimum 20-foot-wide multi-use trail easement shall be dedicated along the eastern side of the development site to accommodate a future extension of the Westgate-Central Trail. The easement shall be generally routed through the clubhouse area to provide a connection to Olive Street at the site driveway.

3. ADA-compliant pedestrian routes shall connect each building and amenity with Olive Street and Wayman Street as depicted in Attachment "C"

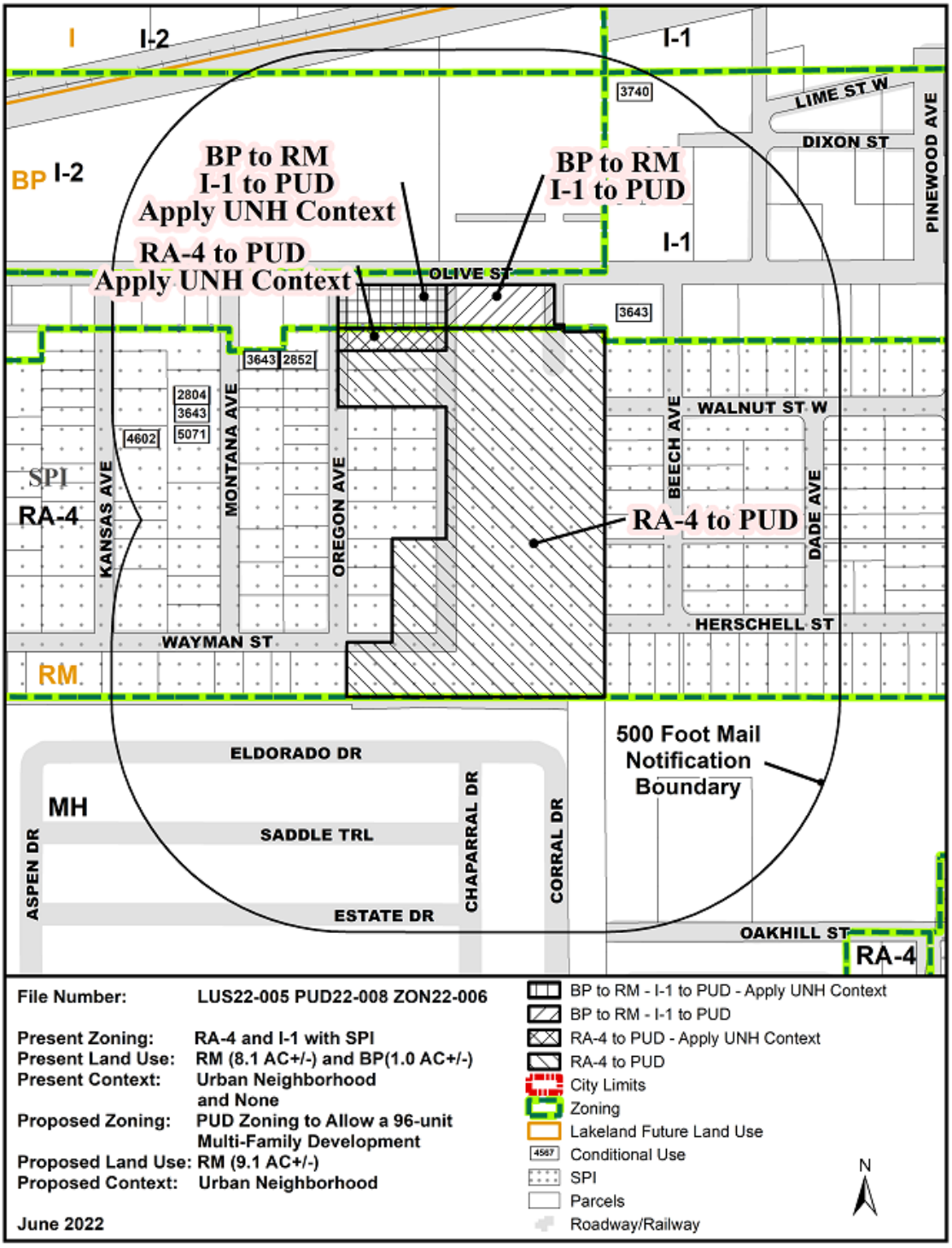
4. Bicycle parking shall be provided in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.

5. Should transit service remain on Olive Street at the time of building permit issuance, an ADA-compliant transit shelter and deployment pad shall be installed along the site's Olive Street frontage, with final design being approved by the Lakeland Area Mass Transit District (LAMTD). An easement shall be executed with LAMTD for any portion of the transit stop area that is located outside of public right-of-way.

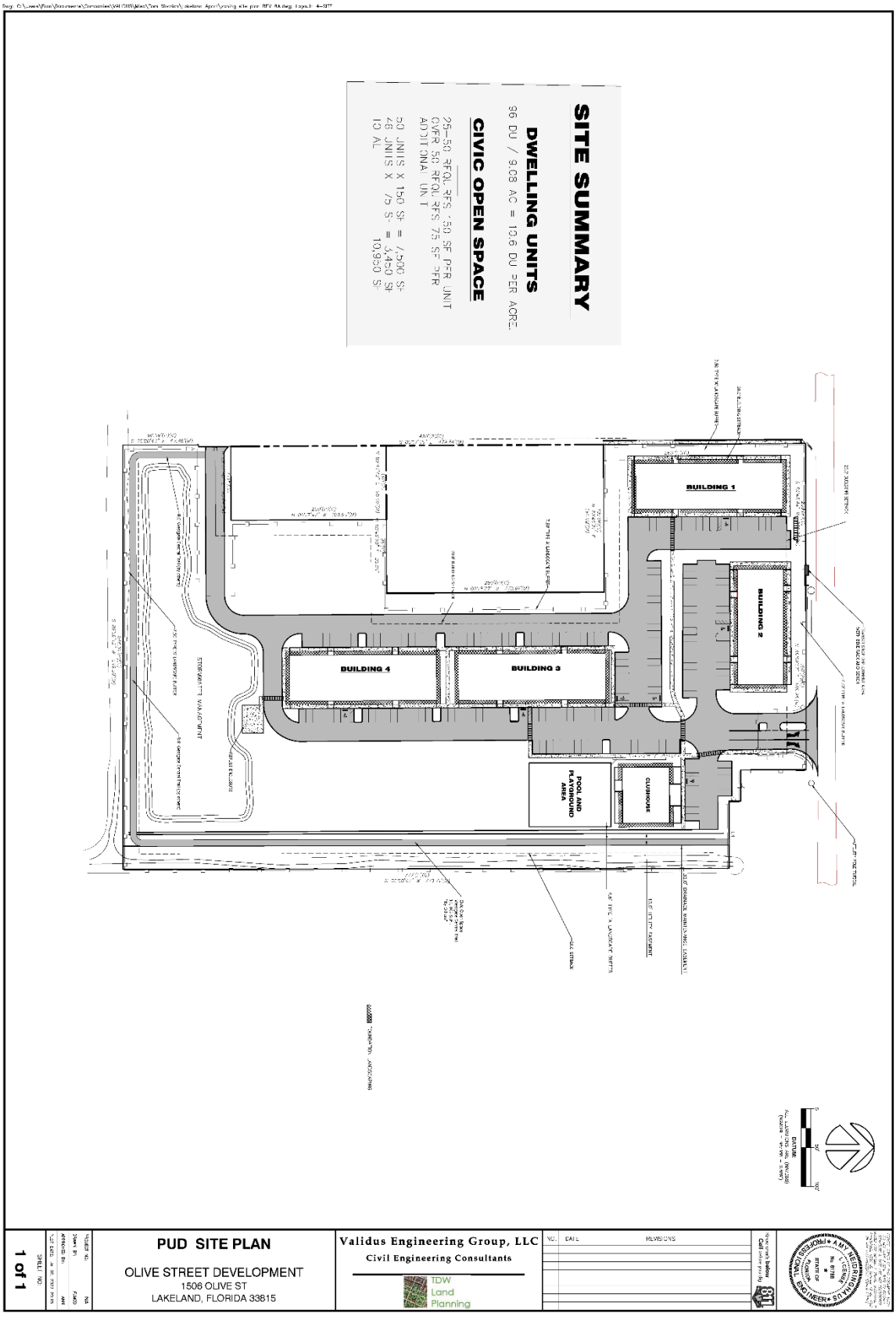
ATTACHMENT “A”

WESTGATE SUB PB 10 PG 23 BLK 5 LOTS 4 THRU 31 & BLK 6 LOTS 1 THRU 40 & CLOSED ALLEY LYING N OF LOTS 9 & 40 IN BLK 6 & THAT PART OF CLOSED ILLINOIS AVE LYING BETWEEN BLKS 5 & 6 LESS N 85 FT & THAT PT OF CLOSED WAYMAN STREET LYING E OF W LINE OF LOT 25 OF BLK 6. & WESTGATE SUB PB 10 PG 23 BLK 7 LOTS 1 THRU 9 & 40 & WESTGATE SUB PB 10 PG 23 BLK 7 LOTS 10 & 39 & WESTGATE SUB PB 10 PG 23 BLK 7 LOTS 11 12 37 & 38 7 WESTGATE SUB PB 10 PG 23 BLK 7 LOTS 20 TO 24.

ATTACHMENT “B”



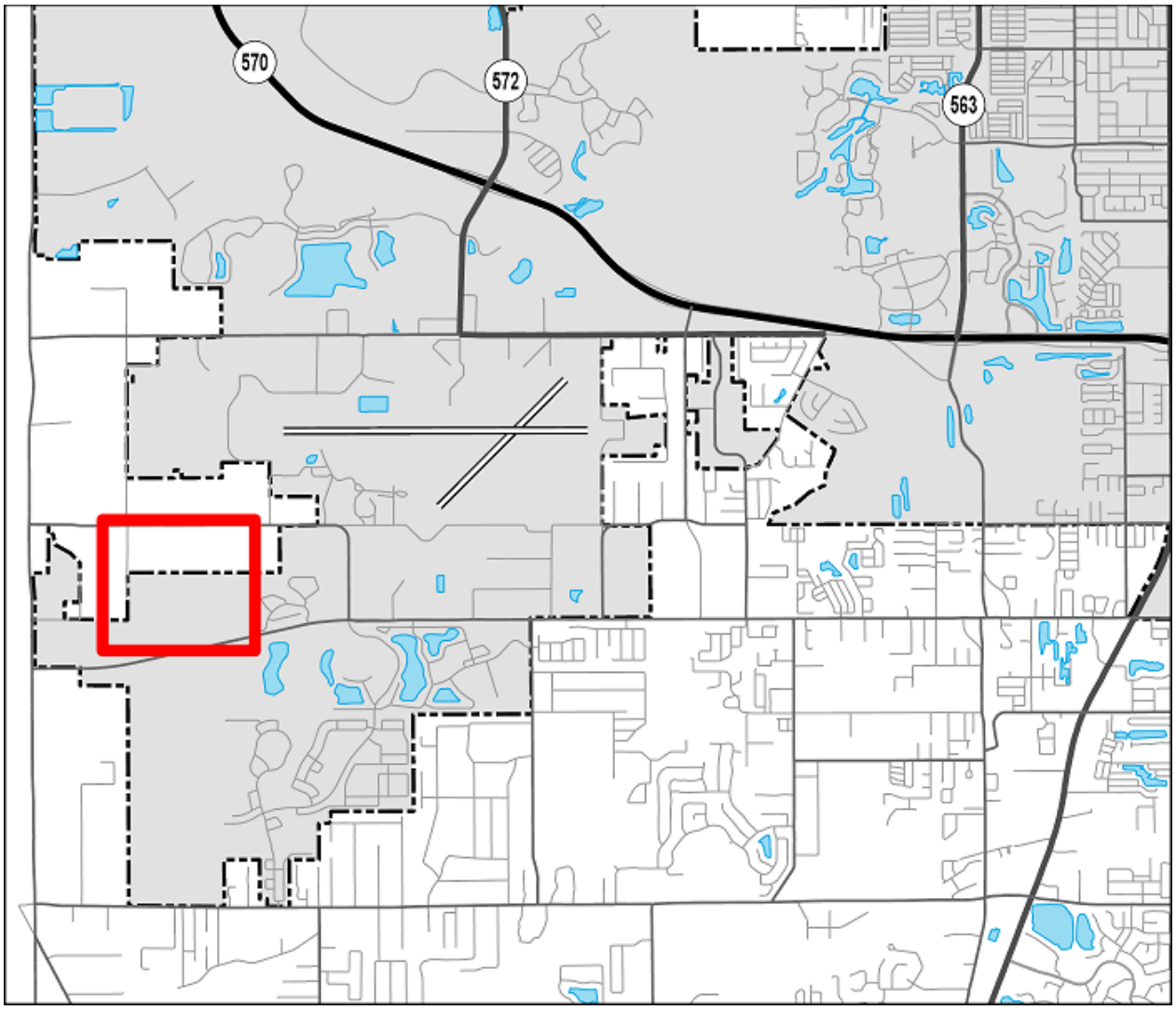
ATTACHMENT “C”

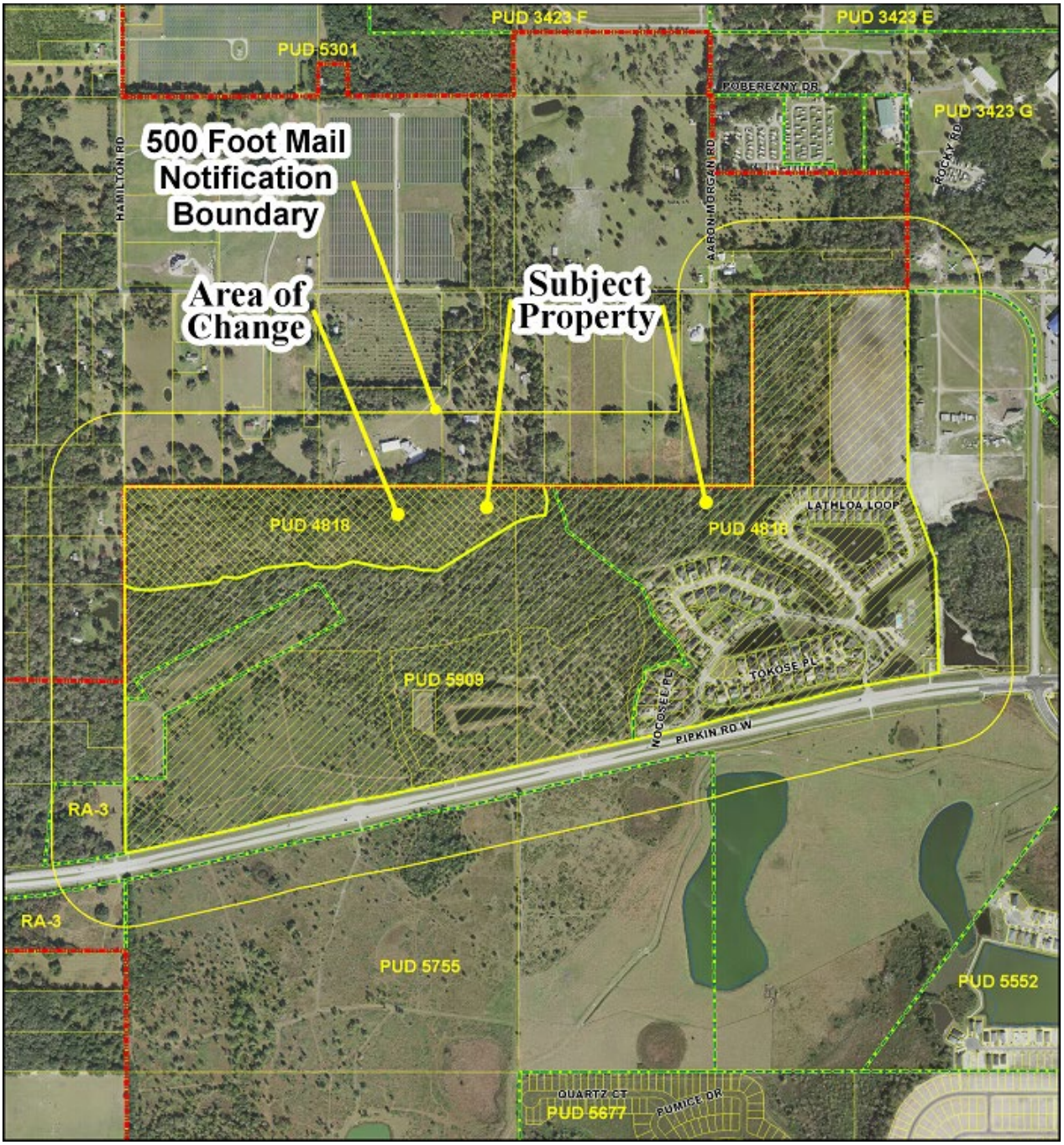


Community & Economic Development
Staff Recommendation

Date:	July 19, 2022	Reviewer:	Joshua Cheney
Project No:	PUD22-004	Location:	4806 Hamilton Road
Owner:	English Creek, LLC.		
Applicant:	William J. Molloy		
Current Zoning:	PUD (Planned Unit Development)	Future Land Use:	Residential Low (RL)/ Conservation (C)
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	May 17, 2022	P&Z Final Decision:	July 19, 2022
Request:	Major modification of PUD (Planned Unit Development) zoning for Tract E of Morgan Creek Preserve to allow for the construction of five single-family detached homes on approximately 35.08 acres on property generally located south of Medulla Road, east of Hamilton Road, and north of W. Pipkin Road (4806 Hamilton Road).		

1.0 Location Maps




500 Foot Mail Notification Boundary
Area of Change
Subject Property
PUD 3423 F
PUD 3423 E
PUD 5301
POBEREZNY DR
PUD 3423 G
HAMILTON RD
AARON MORGAN RD
ROCKY RD
PUD 4818
PUD 4818
LATHLOA LOOP
PUD 5909
TOKOSE PL
NOCOSEE RD
PIPKIN RD W
RA-3
RA-3
PUD 5755
PUD 5552
QUARTZ CT
PUD 5677
PUMICE DR

2.0 Background

2.1 Summary

William J. Molloy requests a major modification of PUD (Planned Unit Development) zoning for Tract E of Morgan Creek Preserve to allow for the construction of five single-family detached homes on approximately 35.08 acres on property generally located south of Medulla Road, east of Hamilton Road, and north of W. Pipkin Road (4806 Hamilton Road). A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, included as part of the original 2004 approval for Morgan Creek Preserve as Tract E, consists of an undeveloped, heavily wooded 35.08-acre parcel of land located on the north side of the English Creek drainage basin. Due to site access issues and no pending plans for development at the time the PUD was approved, no entitlements or development standards were applied to the subject property. The subject property, however, is identified for future residential development subject to density limits and a site development plan adopted through the PUD modification process. The bulk of the subject property has a future land use designation of Residential Low (RL) with a small portion, approximately 0.06 acres in acres, adjacent to English Creek having a future land use designation of Conservation (C).

2.3 Project Background

The applicant requests a major modification of the PUD zoning to adopt a site development plan which will allow for the construction of five single-family detached homes on the subject property. Access to the site will be obtained via Medulla Road through a 9.94-acre parcel located to the north in unincorporated Polk County. The 9.94-acre parcel, which is under the same ownership as the subject property, recently received approval from Polk County for a Suburban Planned Development (SPD). The SPD allows for the construction of a new single-family subdivision with a maximum of 29 homes.

In 2021, the Planning & Zoning Board recommend approval of a PUD modification site that was requested by a different applicant seeking development of a subdivision with a maximum of 56 single-family detached homes on the subject property. The request, however, was subsequently denied by the City Commission due to concerns about flooding and compatibility with adjacent residentials uses to the north and west.

A site development plan which depicts this new proposed five lot layout, internal street system, buffering, drainage, and access to the north is included as Attachment "C-1D."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Rural Residential	Polk County RS, RL-1 and BPC-1	N/A	N/A
South	Vacant Land	RL and C	PUD	SNH
East	Vacant Land	RL	PUD	SNH
West	Rural Residential	Polk County RS	N/A	N/A

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Conceptual Master Site Development Plan

Attachment C-1A: Previously Adopted Site Development Plan - Tract “D” and Tract “F”

Attachment C-1B: Previously Adopted Site Development Plan - Tract “F”

Attachment C-1C: Previously Adopted Site Development Plan – Tracts “B” and “C”

Attachment C-1D: New Site Development Plan - Tract “E”

Attachment C-2: Previously Adopted Exhibit - Recreation & Storage Facility / Runway Protection Zone

Attachment D: Previously Adopted Minimum Building Setbacks – Tracts “A” and “F”

Attachment E: Previously Adopted Pedestrian Circulation Plan.

3.0 Discussion

This request represents a major revision to the initial application which was heard by the Planning & Zoning Board on May 17, 2022 and sought approval for 49 single-family detached homes. The Residential Low (RL) future land use designation allows for the development of residential uses at a maximum intensity of five dwelling units per acre. As submitted by the applicant, the revised application proposes a maximum of five single-family detached dwellings on the 35.08-acre parcel which translates to a gross density of 0.14 dwelling units per acre which is well below the maximum allowed under the Comprehensive Plan. To accommodate this level of density, the minimum lot size will be 4.83 acres or approximately 210,395 sq. ft., which is significantly larger than the minimum 5,000 and 10,000 sq. ft. lot sizes mandated within the other development tracts of Morgan Creek Preserve. No changes or modifications are proposed to either the current minimum building setbacks or other applicable development standards.

At the May 17, 2022, public hearing, adjacent property owners to the north and west, as well as east of the project site along Medulla Road, expressed concerns about the proposed changes when the applicant requested approval for 49 lots with a minimum lot size of 10,890 sq. ft. (0.25 acres). Most of the comments received were related to longstanding problems with flooding in the area with nearby residents concerned that the proposed development would exacerbate the flooding issue. Secondary concerns were expressed related to impacts on wetlands, loss of wildlife habitat, incompatibility with rural residential uses to the north and west of the property, and water quality due to with the proposed use of individual septic tanks, rather than a connection to the City's sanitary sewer system, for wastewater disposal on all 49 lots.

In response, the applicant acknowledged that they were aware of the flooding issue and that the stormwater retention system was designed to account for the runoff generated by a 25-year frequency, 24-hour duration storm event and maintain historic drainage basin patterns in which runoff is discharged into receiving wetlands.

The applicant has designed the site to avoid the small portion of subject property which falls within the 100-year flood zone and has a Conservation (C) future land use designation. Development of the site will require compliance with tree preservation standards within the Land Development Code with any environmental impacts addressed through the permitting process by the applicable state agencies including, but not limited to, SWFWMD. To minimize visual impacts on adjacent residential uses to the north and west, the applicant has agreed to preserve a 30-foot wide natural vegetative buffer which will include a six-foot high PVC fence on the south side of the buffer tract on the north side of the subject property and a 20-foot wide natural vegetative buffer tract on the west side of the property which will also include a six-foot high PVC fence as depicted on the revised site development plan.

The use of private septic tanks for the new development, rather than connecting to the City's sanitary sewer system, remains an issue. Following the June 21st public hearing, the Planning and Zoning Board directed staff to work with the County to determine if the 29-lot single-family development that was approved by the Board of County Commissioners (BOCC) could be developed on septic as the County's approval stated City sewer service would be provided for both development projects.

After discussing the concern with the Land Development Division's Planning Administrator, it determined that the while the County's approval would require a connection to City water, it could be developed on septic or sewer without needing to return to the Polk County Planning Commission.. Additionally, within the summary of analysis of the County's staff report, the minimum lot size is identified as 10,800 sq. ft., which exceeds the Polk County Health Department's minimum lot size requirements for the use of septic tanks. Likewise, the Findings of Fact in the same staff report also confirm that County staff clearly understood beforehand that, "*Each lot will have an individual septic and drain field system installed in accordance with the State of Florida Department of Health and the Polk County Health Department*." As such, as it relates to the utilization of septic tanks within 29-lot single-family development, connection to central sewer was not included as condition of approval, whereas a minimum lot size of 70' x 155' (10,850 sq. ft.) and 80' x 135' (10,800 sq. ft.) was.

The petition for Writ of Certiorari and Section 163.3215 complaint, in which the residents would have asserted that the County's development order was inconsistent with the Polk County

Comprehensive Plan pursuant to the Florida Statutes, were both voluntarily dismissed with prejudice by the residents on November 23, 2021.

In addition, the concerns over the lot layout in the SPD changing were determined to be insignificant as neither the density, location of tracts A or B, or the overall lot count have changed in a significant way since the Site Plan depicted as Exhibit 6 of the County's staff report was adopted by the BoCC. The site layout plan provided as Exhibit 7 has changed as the number of lots proposed on Tract E within the City have been greatly reduced from 56 lots to now 5 lots, however, this exhibit was clearly provided for context as it relates to proposals within both jurisdictions at that time. Each subdivision will still require state and local development review and permitting, and it should be noted that the 29-lot single-family development located in the unincorporated area could be permitted, constructed and platted/recorded on its own without any review, approval, construction or platting and recording of the proposed five-lot subdivision within Lakeland's corporate limits.

Although the subject property lies within the Horizontal Surface Limits of Lakeland Linder International Airport, this overlay does not prohibit the proposed use, however, it does make efforts to minimize obstructions to the airport airspace by limiting the height of structures (such as antennas) along with smoke, strong or unusual lights, and residential development near the ends of the runways which may be sensitive to television interference and aircraft noise. In addition, airport conflicts are addressed by an existing PUD condition which will require the execution of an Avigation Agreement prior to the platting of Tract E.

3.1 Transportation and Concurrency

The subject property is located north of the Morgan Creek floodway and is physically separated from the remainder of Morgan Creek PUD. As noted above, Tract E is proposed to be connected to Medulla Road via an adjacent 9.94-acre parcel located in unincorporated Polk County that is also owned by English Creek, LLC and has approval for a 29-unit single-family development. Combined, the 34 single family units (five in City and 29 in the County) are proposed to be accessed via one local street that connects to Polk County's Medulla Road, approximately 175 feet east of the northern leg of Hamilton Road that is also operated by the County. The five single-family homes within Tract E are expected to generate a total of 50 Daily and five P.M. Peak Hour Trips and are expected to have a de minimis impact per the City's Concurrency Management Ordinance.

Medulla Road is a 21-foot-wide urban collector roadway with a 2021 Annual Average Daily Traffic Volume of 1,200 vehicles as shown in the Polk Transportation Planning Organization's Roadway Network Database (RND), released on April 8, 2022. Per the RND, the eastbound and westbound volumes over the average of the two highest peak hours per day are 55 and 53, respectively. With a directional capacity of 790 peak hour vehicles, Medulla Road operates at Level of Service "C." Hamilton Road, also a Polk County roadway, is located between Medulla Road and Drane Field Road with a narrow pavement width of between 16 and 17 feet. Hamilton Road provides access around the west side of Lakeland Linder International Airport, with an unfunded improvement need identified to create a standard two- or three-lane cross-section that accommodates commercial traffic in the area. Due to its proximity to Lakeland Linder International Airport, improvements to Hamilton Road will be the subject of future funding requests through other agencies such as the Florida Department of Transportation.

At this time, sidewalks and bicycle facilities providing access to the Gresham Village retail center (County Line Road at West Pipkin Road) and recently purchased Southwest Park property are not available to the subject property via Medulla Road or Hamilton Road. Eastbound fixed-route transit service is provided along Medulla Road via Red Line 2 as operated by the Lakeland Area Mass Transit District.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department and the Planning & Zoning Board reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request as conditioned is consistent with the Comprehensive Plan. All roadway levels of service and operations are expected to be acceptable with mitigation as recommended in this PUD modification. Other essential services are presently available to provide concurrency for the proposed use. Actual construction is subject to final concurrency determinations at the time of site plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of the major modification to PUD zoning. Letters of notification were mailed 165 property owners within 500 feet of the subject property.

4.2 The Planning & Zoning Board

It is recommended that the request for PUD zoning, as described above and in Attachments "A," "B," "C," "C-1A," "C-1B," "C-1C," "C-1D," "C-2," and "D" be approved

A. Land Use Intensity: PUD-30

B. Permitted Uses:

Tracts A, B, C, E, and F: Single family detached dwellings plus a clubhouse and common recreation and park facilities. Permitted within the area under the Airport Overflight Zone in Tract A are a landscape maintenance building, swimming pool, tennis courts, mail pick up center and RV building/yard as illustrated in Attachment "C-2".

Tract D is a Conservation Area, use of which shall be limited to a recreational trail system and wildlife observation platforms.

C. Maximum Number of Dwelling Units:

Tract A:	133 dwelling units
Tracts B and C:	321 dwelling units
Tract E:	five (5) dwelling units

Tract F: Tract F shall be entitled to 58 total dwelling units as illustrated in Attachment "C-1A." Alternatively, this total may be increased to 74 units if the eastern portion of

Tract F is developed as illustrated in new Attachment "C-1B" with a maximum of 74 units.

~~Tract E is reserved for future development. The maximum number of dwelling units in Tract E shall be subject to modification of this PUD.~~

D. Lot Mix:

Tract A:

A minimum of 46 percent of the lots in Tract A shall have a minimum lot area of 10,000 square feet. The remainder of the lots in Tracts A shall have a minimum lot area of 5,500 square feet, as illustrated in Attachment "C."

Tracts B and C:

Within Tracts B, and C, the minimum lot dimensions shall be as follows:

1. Interior Lots
    a. Minimum Lot Width: 45 feet
    b. Minimum Lot Depth: 120 feet
    c. Minimum Lot Area: 5,400 sq. ft.
2. Corner Lots
    a. Minimum Lot Width: 55 feet
    b. Minimum Lot Depth: 120 feet
    c. Minimum Lot Area: 6,600 sq. ft.

Tract E:

Lots in Tract E shall have a minimum lot area of 210,395 square feet.

Tract F:

Lots in Tract F shall have a minimum lot area of 6,000 square feet.

E. Development Standards

1. Tracts A and F:
    a. 10,000 sq. ft. lots: In accordance with RA-2/Suburban Neighborhood sub-district standards except that the minimum lot width shall be 90 feet for corner lots and 75 feet for interior lots. Minimum building setbacks shall be as illustrated in Attachment "D."
    b. 5,500 and 6,000 sq. ft. lots: In accordance with RA-4/Suburban Neighborhood sub-district standards except that within Tract A the minimum lot width shall be 60 feet for corner lots and 55 feet for interior lots. Minimum building setbacks shall be as illustrated in Attachment "D."

2. Tracts B and C: In accordance with the RA-4/Suburban Neighborhood sub-district standards except as follows.

a.	Minimum Front Setback:	20 feet
b.	Minimum Street Side Setback:	15 feet
c.	Minimum Interior Side Setback:	5 feet
e.	Minimum Rear Setback	20 feet
d.	Maximum Building Height:	Two (2) stories
e.	Maximum Lot Coverage:	Forty-five percent (45%)

3. Tract E: In accordance with the RA-1/Suburban Neighborhood sub-district standards except as follows:

a.	Minimum Front Setback:	30 feet
b.	Minimum Interior Side Setback:	15 feet
c.	Minimum Rear Setback:	40 feet
d.	Maximum Lot Coverage:	Ten percent (10%)

F. Site Development Plan: The project shall be developed in general accordance with the site development plans included as Attachments "C," "C-1A," ~~and~~ "C-1B~~.1~~" ~~and~~ "C-1C~~.1~~," and "C-1D." With the approval of the Director of Community & Economic Development, minor modifications may be made at the time of subdivision plat review without requiring a modification to the PUD.

G. Parks and Recreation Facilities: Civic open space shall be provided in accordance with Article 3 of the Land Development Code and shall include:

1. Tract A: A minimum 65,000 square foot lot with amenities as illustrated in Attachment "C-2" for the use and enjoyment of the Tract A residents as may be otherwise authorized.

2. Tract F: A 25,400 square foot square as illustrated in Attachment "C-1B."

3. Tracts B and C: Recreational and civic open space shall be provided in accordance with Sub-Section 3.4.6 of the Land Development Code and as shown on Attachment "C-1C." On the parcel identified as a "Recreation Area," a clubhouse amenity center shall be constructed prior to the platting of the 169th lot or the issuance of a Certificate of Occupancy for the 100th dwelling unit for the use and enjoyment of the Tract B and C residents as may be otherwise authorized.

4. Tract E: 3.51 acres of open space as shown on Attachment "C-1D."

H. Utilities:

It is anticipated that the project will require improvements to off-site water and sanitary sewer lines and/or lift stations to meet concurrency; however, it is also anticipated that Tract E will not be required to connect to the City's sanitary system due to the lot count and proximity to existing City sewer service. Determination of the specific improvements required will be made at the time of subdivision plat review for each phase.

In response to the Southwest Florida Water Management District's Water Supply Plan and at the discretion of the Water Utilities Department, with the exception of Tract E, phases of the Morgan Creek Preserve development that have not undergone subdivision plat review as of August 1, 2006, shall install an independent reclaimed/reuse irrigation water distribution system to serve all lots and common areas within those phases.

This is intended to meet the water management district's goal of reusing water and off setting the use of ground water. As the reuse system is developed, and at the discretion of the Water Utilities Department, the Morgan Creek independent irrigation system may be connected to the potable water system at one point of supply. Later, when the alternative source is available, the system can be connected to that and disconnected from the potable supply.

I. Vehicle Access: The project shall be limited to two vehicle access points to W. Pipkin Road as illustrated in Attachment "C", ~~and~~ one access point on Medulla Road serving Tract F, and another access point on Medulla Road serving Tract E.

J. Internal Roads: The internal collector road connecting the two Pipkin Road project entrances shall be constructed to City of Lakeland collector road standards. All other roads shall be built to City of Lakeland local street standards. Access to the western portion of Tract F shall be provided through the eastern portion of Tract F either through a formal cross-access agreement that is recorded with the Polk County Clerk of Courts or right-of-way dedication if accepted by the City Public Works Department.

K. Pedestrian Circulation System: The project shall have a pedestrian circulation system of interconnected sidewalks and trails as illustrated in Attachment "E". The internal collector road shall have a combination sidewalk/bicycle path on at least one side having a minimum width of eight feet and which shall be separated from the roadway by a minimum five foot landscaped strip. Within Tracts B and C, this sidewalk/bicycle path shall connect to the West Pipkin Road sidewalk from the west end of the internal collector road and be placed within a separate 20-foot wide parcel that is owned and maintained by the HOA. Asphalt may be used to pave this facility. Trails may be surfaced with mulch or similar natural material where located within a wetland or where otherwise required by permitting authorities. Where located outside of such areas, as atop retention pond banks or berms, trails shall be surfaced with a hard, all-weather material. Within Tract F, a sidewalk system shall be developed as shown in Attachment C-1B to provide access to the required square. A sidewalk shall be constructed along the Medulla Road project frontage, as approved by Polk County through its driveway permitting process. A roadway and ten-foot wide asphalt sidepath shall be constructed to the south side of Tract E to accommodate a future connection to Tracts B and C. The connection's feasibility and final alignment through the remainder of the PUD to West

Pipkin Road shall be subject to future engineering analyses and City of Lakeland approval.

L. Street Lights: Street lights shall be ornamental and shall be on the Lakeland Electric approved list.

M. Street Trees: The developer shall plant native tree species within the rights-of-way on both sides of project roadways on the ratio of one tree per fifty linear feet minimum.

N. Road Improvements:

1. Concurrent with the platting of the first phase, the following road improvements will be constructed:

a. Eastbound left turn lanes (approximately 340 feet each) and westbound right turn tapers at each project entrance on W. Pipkin Road.

b. The southbound approach to the intersection of S. Pipkin Road and W. Pipkin Road shall be expanded to include exclusive left and right-turn lanes, subject to final design.

2. Concurrent with the platting of the eastern portion of Tract F, turn lane and/or other access improvements shall be constructed at the Medulla Road project entrance, as permitted by Polk County.

3. Tracts B and C:

a. Prior to first plat and construction plan submittal, a Major Traffic Study shall be submitted that is developed according to a methodology approved by the City and Polk County. Binding transportation concurrency determinations shall be made prior to Planning and Zoning Board approval of each plat.

b. Prior to the first building permit issuance, a new roadway shall be constructed as shown in Attachment C-1C, between West Pipkin Road and a point north of a central roundabout at the access point to both Tracts. A stub-out shall be constructed north of the roundabout to accommodate a future connection to Tract E and potentially Medulla Road, subject to a future PUD modification by the applicant and/or assigns. This roadway shall be constructed in an 80-foot right-of-way and include a 10-foot wide multi-use trail along its east side and a five-foot wide sidewalk along its west side. The intent of this roadway is to ultimately distribute traffic from Tracts B, C and E to both West Pipkin Road and Medulla Road in recognition of the Type I roadway designation for West Pipkin Road. In the event that the applicant and/or its assigns acquire Tract E and a future connection can be completed to Medulla Road, the corridor shall be dedicated to the City upon its request.

c. The public roadway intersection at West Pipkin Road shall be signalized when warrants are met as determined by Polk County and the City. Turn lanes shall be constructed or modified on the public roadway and West Pipkin Road to accommodate the impacts of this development. The

development may enter into a fair share funding agreement with the adjacent Hawthorne Ranch developer or Community Development District to ensure that the signal and turn lanes can accommodate both communities and to maximize private partnering opportunities.

d. Prior to the plat or construction plan submittal, the applicant shall provide an engineering analysis acceptable to the City that determines if a vehicular connection can be made to Tract E across Morgan Creek. If the City determines that a vehicular creek crossing is feasible, then a design shall be completed prior to the recording of the of the latter plat.

e. The development shall construct an ADA–compliant deployment and bench pad on the West Pipkin Road frontage at the public roadway intersection, at the most appropriate location as determined by LAMTD staff and at the time that the intersection is constructed.

f. All internal roadways extending east and west from the public roadway shall remain private, owned and maintained by a Homeowners Association and/or Community Development District.

g. Sidewalks shall be constructed on both sides of each internal street. Pedestrian connections shall be constructed to the West Pipkin Road sidewalk from the civic area in the southwest corner of Tract B and west end of Tract C. These sidewalks shall be constructed within separate 10-foot wide parcels that are owned by an HOA.

h. In conjunction with nearby landowners and developers, the applicant and future site developers shall participate in any City or County task force that is established to plan and coordinate funding from existing concurrency mitigation requirements and public-private transit partnerships in the southwestern Lakeland area to address areawide transportation impacts generated by on-going residential and employment center activity in the vicinity of Lakeland-Linder International Airport.

4. Prior to the first building permit in Tract E, a new roadway shall be completed to Medulla Road that is constructed to Polk County standards. The intersection at Medulla Road shall be constructed in compliance with the Polk County Land Development Code or as otherwise permitted by Polk County. The street within Tract E shall be constructed to City of Lakeland local street standards and shall be conveyed to the City only if requested by the City Public Works Department. A stubout shall be constructed to the south side of Tract E to accommodate a future connection to Tracts B and C. No creek crossing to Tracts B and C shall be opened to vehicular traffic until Hamilton Road (north of Medulla Road) is improved to acceptable collector road standard and is aligned with the local street serving Tract E at the Medulla Road intersection.

O. Inclusion of Project in Mass Transit District: Prior to the platting of the first phase, the applicant shall petition to have the entire project site, except for Tracts D and F, included within the boundaries of the Lakeland Area Mass Transit District (LAMTD). Prior to the platting of the eastern portion of Tract F, an annexation petition shall be submitted to

LAMTD for consideration. Prior to platting of the western portion of Tract F, an annexation petition shall be submitted for the remainder of Tract F and all of Tract D. Any additional lands that are added to the overall PUD, which are not included in the LAMTD boundaries, shall be petitioned for annexation prior to initial construction plan or plat submittal.

P. Avigation Agreement: The applicant shall sign an Avigation Agreement prepared by the City of Lakeland that is recorded with the Polk County Clerk of Courts prior to the platting of any phase.

Q. Homeowners Association: Each The project phase shall have one or more a homeowners associations which shall be responsible for the maintenance of their respective common areas.

R. Binding Concurrency Determinations shall be made at the time of each plat approval.

S. Stormwater Management: The stormwater management system for Tract B, C, and D, ~~and E~~, shall be designed to retain the difference in pre- and post-development runoff volumes from a 100-year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 100-year/24-hour storm event. The stormwater management system for Tract E shall be designed to retain the difference in pre- and post-development runoff volumes from a 25-year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 25-year/24-hour storm event.

T. Tract B and C Buffering:

1. The existing row of oak trees located along the west perimeter project boundary shall be retained as a natural vegetative buffer and maintained by a homeowners association. The buffer shall be enhanced with landscaping to provide at least 90% view blockage at six feet in height within three years of the recording of a plat in Tract C. If located on individual lots, the natural buffer shall be protected through the recording of an easement agreement with the homeowners association.

2. Along the W. Pipkin Road frontage, a uniform buffer consisting of a minimum six-foot high decorative metal fence or masonry wall and a 7.5 foot landscape planting strip consisting of a uniform hedge and a minimum of four (4) Type “B” trees per 100 lineal feet or fraction of shall be constructed. Prior to initial plat and construction plan submittal, a cross-section shall be provided to City staff showing the proposed wall or fence and associated landscaping along the street side of the structures.

U. Buffering: For Tract E, A natural vegetative buffer with a minimum width of thirty (30) feet and a six (6) foot high PVC fence shall be established adjacent to the north of the project’s boundaries. Similarly, a natural vegetative buffer with a minimum width of twenty (20) feet and a six (6) foot high PVC fence shall also be established and west perimeter of the project’s boundaries. When located on individual lots, the natural buffer shall be retained

through the recording of an easement agreement and maintained by the homeowners association.

~~U.~~ V. Lands Owned by the City of Lakeland: Prior to construction plan approval, the developer shall obtain ownership of the stormwater ponds and floodplain compensation areas associated with the West Pipkin Road extension project and shall include notes on the plat requiring maintenance/certification by the HOA and drainage easements being granted to Polk County as operator of West Pipkin Road.

~~V.~~W. Utility and bicycle/pedestrian access easements shall be granted to the City and County as necessary to accommodate service needs across intervening lands in the vicinity of Morgan Creek Parkway's western terminus in Tract A.

X. Special Tree Preservation Provisions Applicable to Tract E: The developer of Tract E shall only remove those trees (listed as Qualified in the Land development Code) necessary for construction of the infrastructure, i.e., roadway, curb and gutter, stormwater pond and piping. The builders shall retain as many qualified trees as is feasible to allow lot development, and to maintain rear lot buffers between adjoining properties and along the floodplain and creek areas.

ATTACHMENT “A”

LEGAL DESCRIPTION

Tract A:

MORGAN CREEK PRESERVE PHASE ONE PB 134 PGS 50-51

Combined Tracts B and C:

A PART OF SECTION 7 RANGE 29 EAST TOWNSHIP 23 NORTH AND SECTION 8 RANGE 29 EAST TOWNSHIP 23 NORTH, POLK COUNTY FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 7 THENCE RUN S00-12-19E 1323.22 FEET FOR POINT OF BEGINNING, THENCE N00-10-40W 53.41 FEET, THENCE N00-10-26W 6.27 FEET, THENCE N00-10-37W 6.27 FEET, THENCE N00-10-38W 265.13 FEET, THENCE N00-10-38W 321.68 FEET, THENCE S70-37-54E 78.08 FEET, THENCE S86-23-58E 100.03 FEET, THENCE N83-10-50E 456.65 FEET, THENCE N48-57-46E 56.84 FEET, THENCE S83-44-45E 92.86 FEET, THENCE N74-11-54E 68.91 FEET, THENCE N65-57-39E 116.92 FEET, THENCE N83-14-26E 307.54 FEET, THENCE S58-32-53E 52.30 FEET, THENCE S88-22-17E 148.80 FEET, THENCE N69-58-05E 123.11 FEET, THENCE S78-14-10E 246.82 FEET, THENCE N81-53-02E 110.52 FEET, THENCE S78-47-11E 127.79 FEET, THENCE S88-19-04E 101.74 FEET, THENCE N58-12-43E 618.69 FEET, THENCE N70-22-41E 1.68 FEET, THENCE N70-21-31E 51.33 FEET, THENCE N70-21-35E 53.13 FEET, THENCE N82-01-57E 101.52 FEET, THENCE N08-30-35E 104.71 FEET, THENCE N16-01-03W 100.20 FEET, THENCE S89-59-27E 9.16 FEET, THENCE S89-59-15E 67.72 FEET, THENCE S06-42-21E 74.60 FEET, THENCE S27-41-06E 48.50 FEET, THENCE S24-50-43E 20.74 FEET, THENCE S19-13-38E 105.91 FEET, THENCE S05-00-54E 65.99 FEET, THENCE S51-37-38E 524.84 FEET, THENCE S61-57-36E 109.63 FEET, THENCE S22-55-50E 124.10 FEET, THENCE S20-18-08E 14.81 FEET, THENCE S14-01-34E 47.10 FEET, THENCE S32-09-25E 92.94 FEET, THENCE S35-15-02E 73.66 FEET, THENCE S48-14-15E 86.89 FEET, THENCE S32-44-11E 35.50 FEET, THENCE S31-26-48E 48.65 FEET, THENCE S17-11-53E 65.14 FEET, THENCE S25-55-51E 20.99 FEET, THENCE S63-00-36E 17.99 FEET, THENCE S36-56-50E 17.99 FEET, THENCE S76-29-09W 16.00 FEET, THENCE S86-16-43W 16.30 FEET, THENCE N14-23-43W 30.33 FEET, THENCE N54-30-07W 29.45 FEET, THENCE S76-11-29W 53.13 FEET, THENCE S78-25-26W 83.11 FEET, THENCE S58-02-06W 51.12 FEET, THENCE N85-29-43W 63.22 FEET, THENCE S00-29-37W 83.47 FEET, THENCE S34-47-08W 59.69 FEET, THENCE S16-57-53W 114.70 FEET, THENCE S00-47-17E 76.39 FEET, THENCE S46-51-49W 12.59 FEET, THENCE S00-47-17E 163.74 FEET, THENCE S77-23-35W 807.14 FEET, THENCE S77-23-35W 478.85 FEET, THENCE S77-23-36W 9.32 FEET, THENCE S77-23-35W 239.70 FEET, THENCE S77-23-35W 10.55 FEET, THENCE S77-23-35W 188.79 FEET, THENCE S80-15-22W 200.22 FEET, THENCE S77-23-35W 399.94 FEET, THENCE S80-15-22W 100.10 FEET, THENCE S74-31-49W 300.33 FEET, THENCE S77-23-35W 591.67 FEET, THENCE S77-49-11W 102.70 FEET, THENCE S78-40-13W 102.70 FEET, THENCE N00-10-38W 472.87 FEET, THENCE N00-10-35W 35.31 FEET, THENCE N00-10-38W 206.69 FEET, THENCE N00-10-38W 333.31 FEET, THENCE N00-10-38W 116.69 FEET TO THE POINT OF BEGINNING

Tract E

Parcel # 232907000000012010

THAT PT OF FOLL DESC PARCEL LYING WITHIN SECTION 7: BEG NW COR OF SW1/4 OF NE1/4 OF SEC 7 RUN S 00 DEG 12'19"E 671.06 FT S 70 DEG 42'02"E 78.09 FT S 86 DEG 27'57"E 100.06 FT N 83 DEG 07'04"E 456.83 FT N 48 DEG 55'04"E 56.88 FT S 83 DEG 48'45"E 92.89 FT N 74 DEG 08'20"E 68.95 FT N 65 DEG 54'21"E 116.99 FT N 83 DEG 10'40"E 307.66 FT S 58 DEG 37'03"E 52.30 FT S 88 DEG 26'14"E 148.85 FT N 69 DEG 54'40"E 123.18 FT S 76 DEG 18'15"E 246.87 FT N 81 DEG 49'18"E 110.57 FT S 78 DEG 51'16"E

Parcel # 232908000000034010

THAT PT OF FOLL DESC PARCEL LYING WITHIN SEC 8: COMM NE COR OF W1/2 OF S3/4 OF SEC 8 RUN N 89 DEG 59'43"W ALONG N LN OF W1/2 OF S3/4 OF SEC 8 2474.53 FT TO POB RUN S 16 DEG 01'13"E 100.26 FT S 08 DEG

29'30"W 104.78 FT S 81 DEG 58'13"W 101.56 FT S 70 DEG 18'07"W 106.20 FT S 58 DEG 09'41"W 619.06 FT N 88 DEG 23'01"W 101.77 FT N 78 DEG 51'16"W 127.82 FT S 81 DEG 49'18"W 110.57 FT N 76 DEG 18'15"W 246.87 FT S 69 DEG 54'40"W 123.18 FT N 88 DEG 26'14"W 148.85 FT N 58 DEG 37'03"W 52.30 FT

Tract F

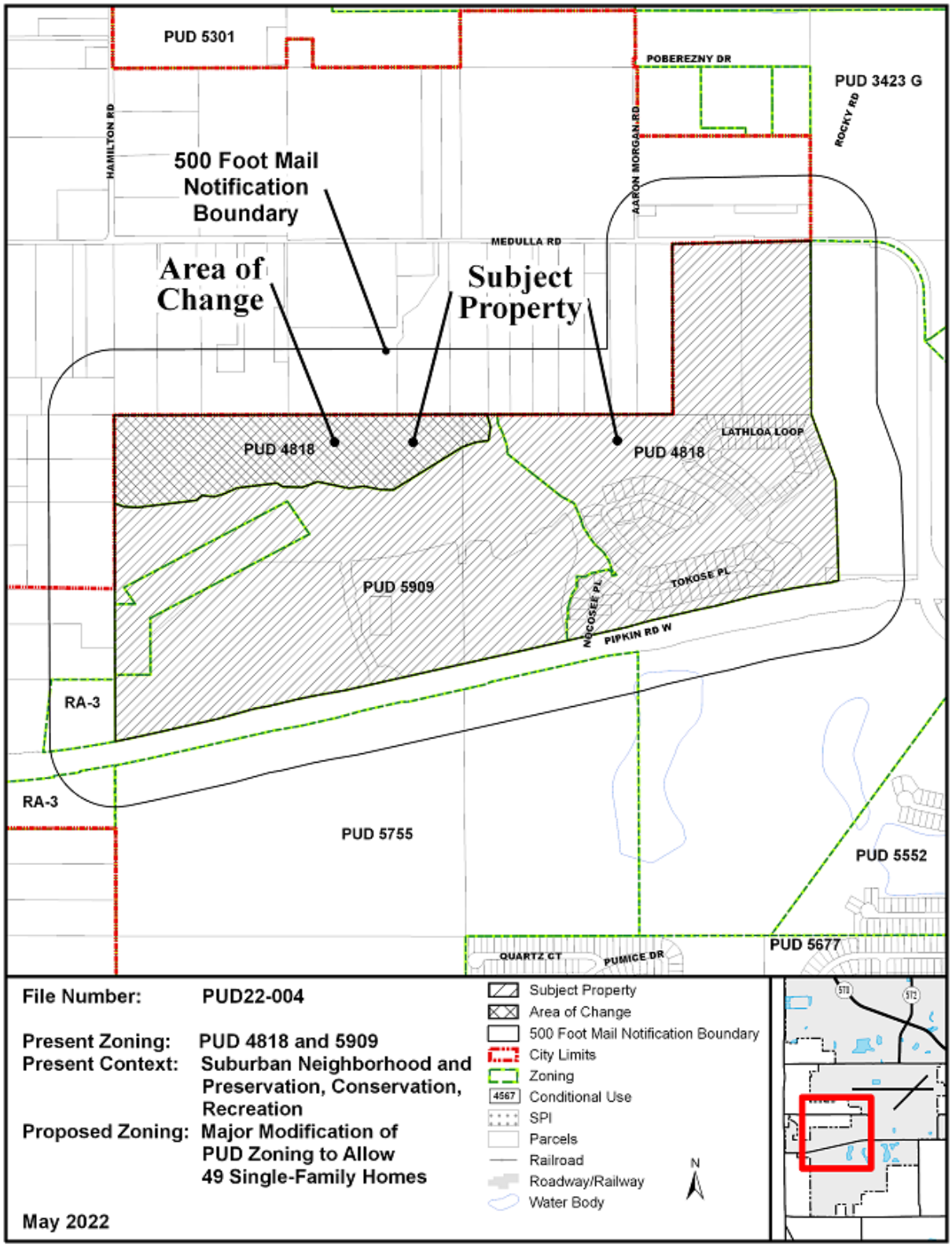
Parcel # 232908000000031020:

W 528 FT of E 1056 FT fo NE1/4 of NW1/4 of SEC 08 TWP 29 RNG 23 less Medulla Rd R/W, Polk County, Florida.

Parcel # 232908000000031030:

E 528 FT of NE1/4 of NW1/4 of SEC 08 TWP 29 RNG 23 less Medulla Rd R/W, Polk County, Florida.

ATTACHMENT “B”



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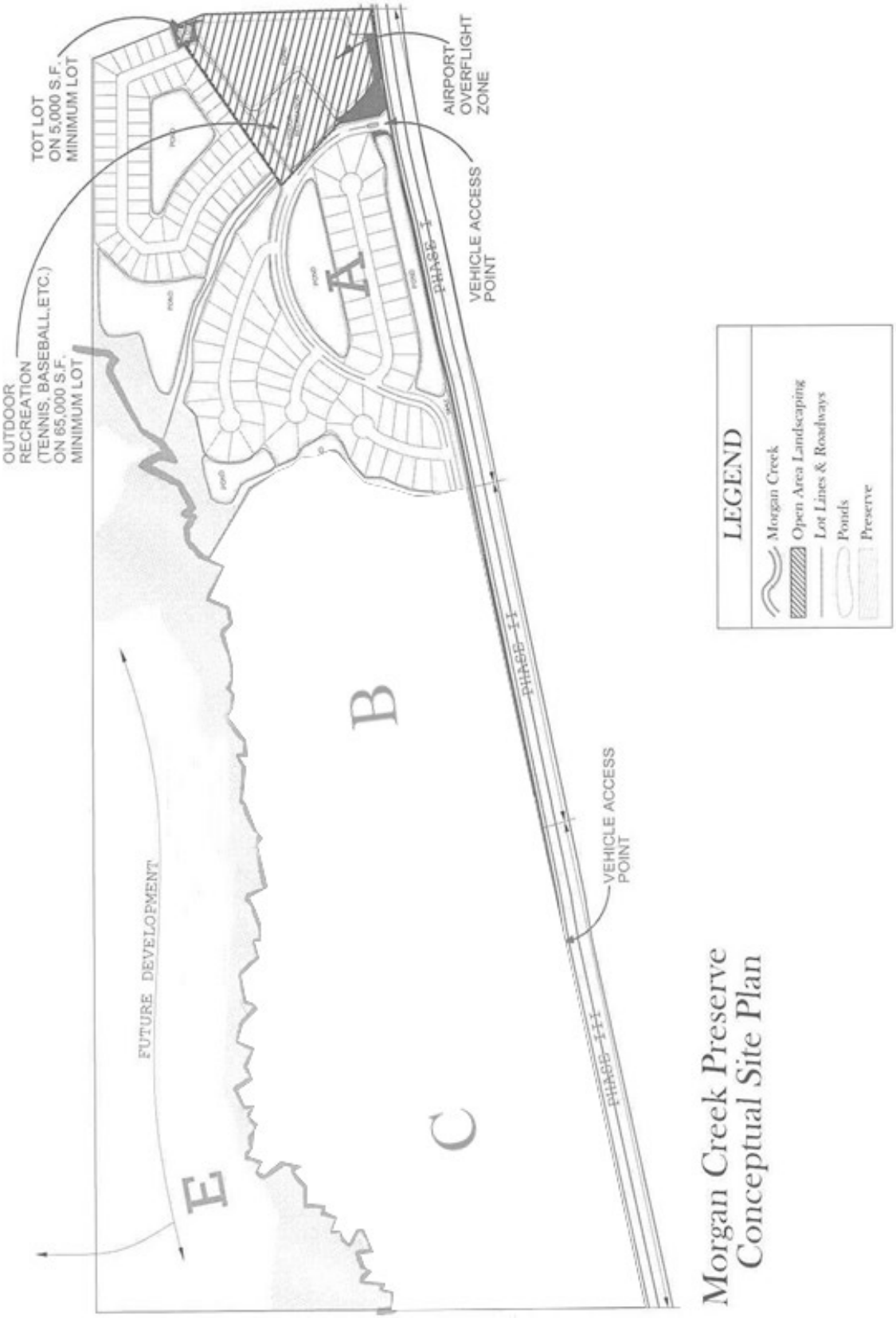
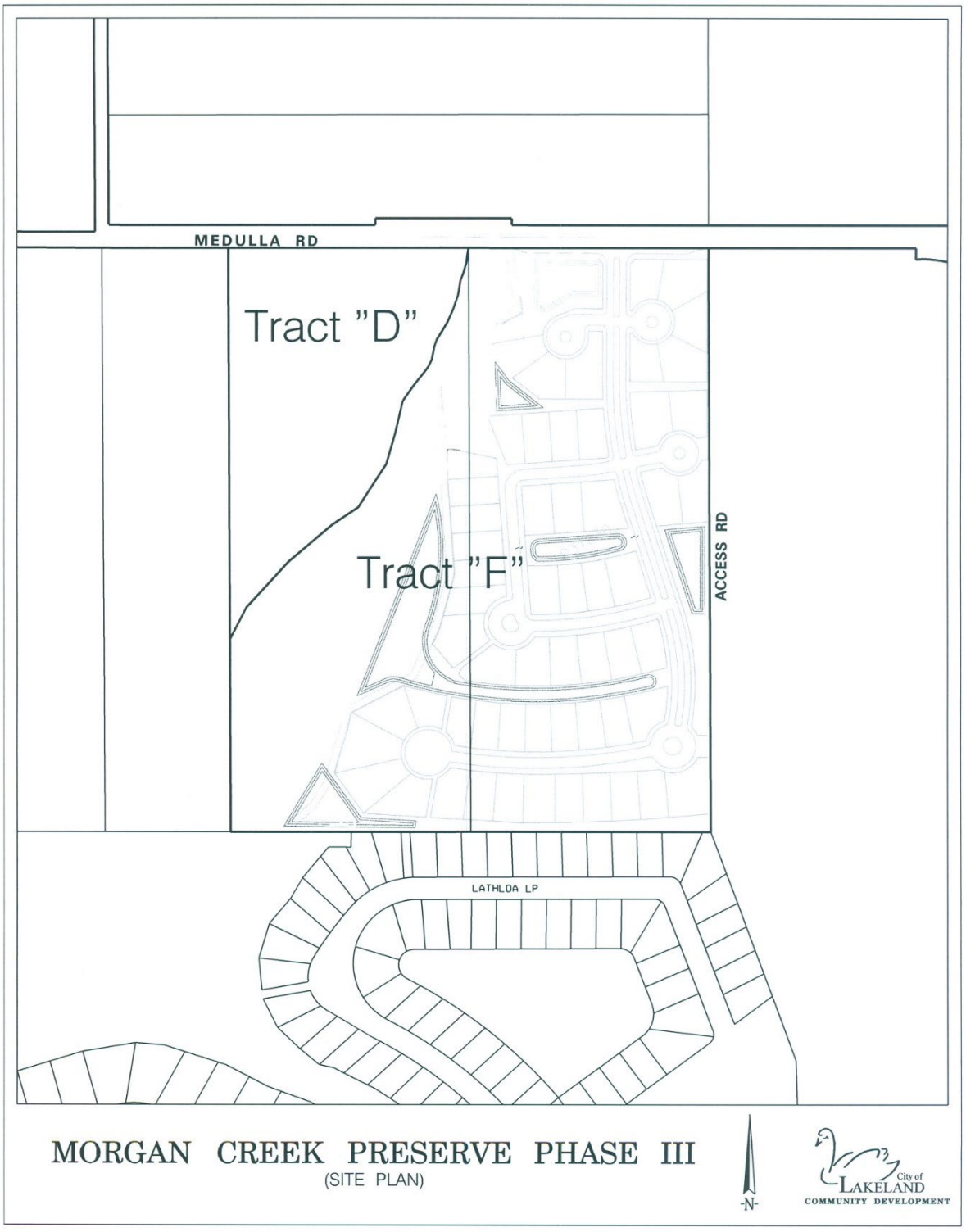


Morgan Creek Preserve
Conceptual Site Plan

ATTACHMENT “C-1A”



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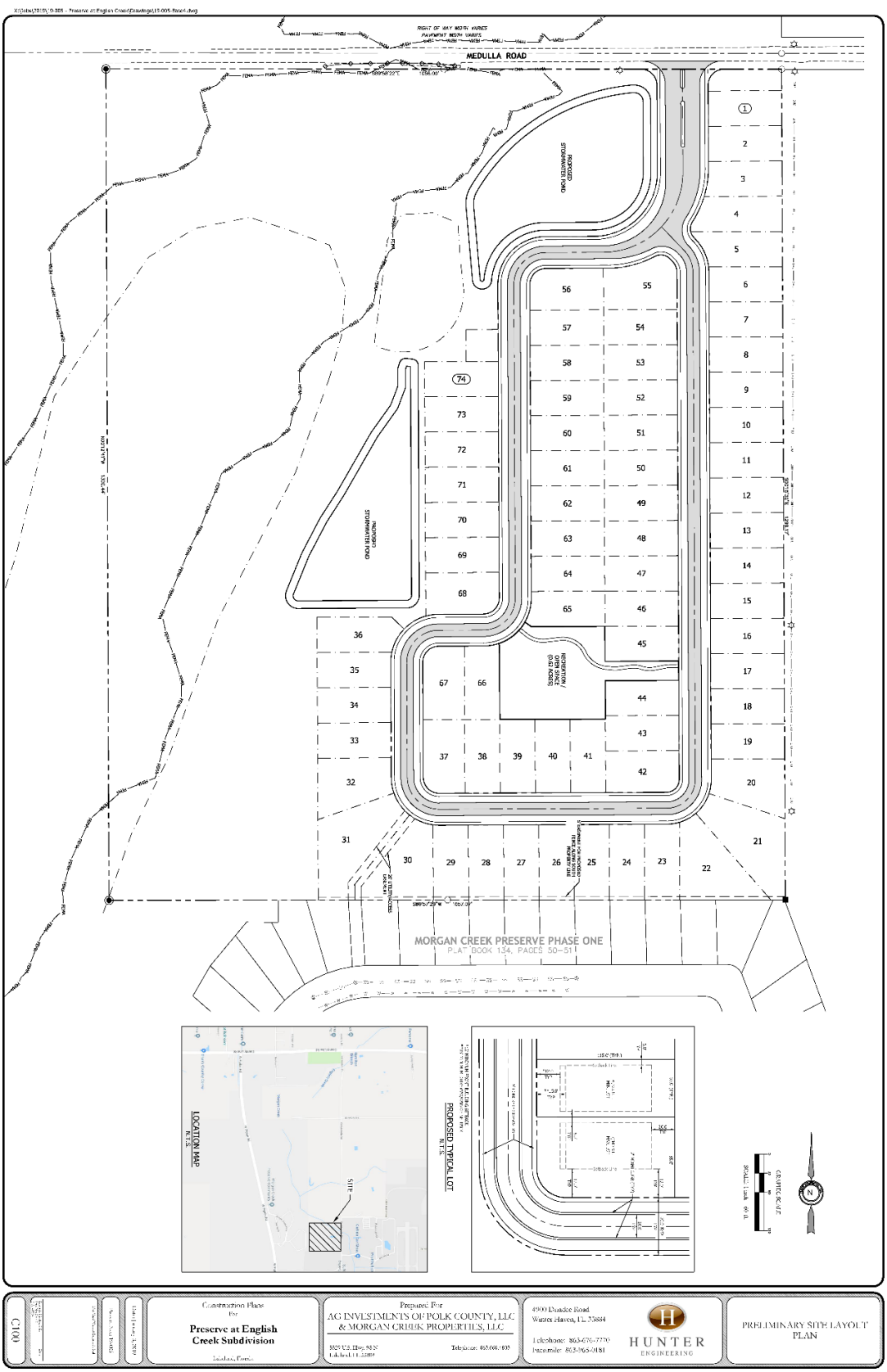

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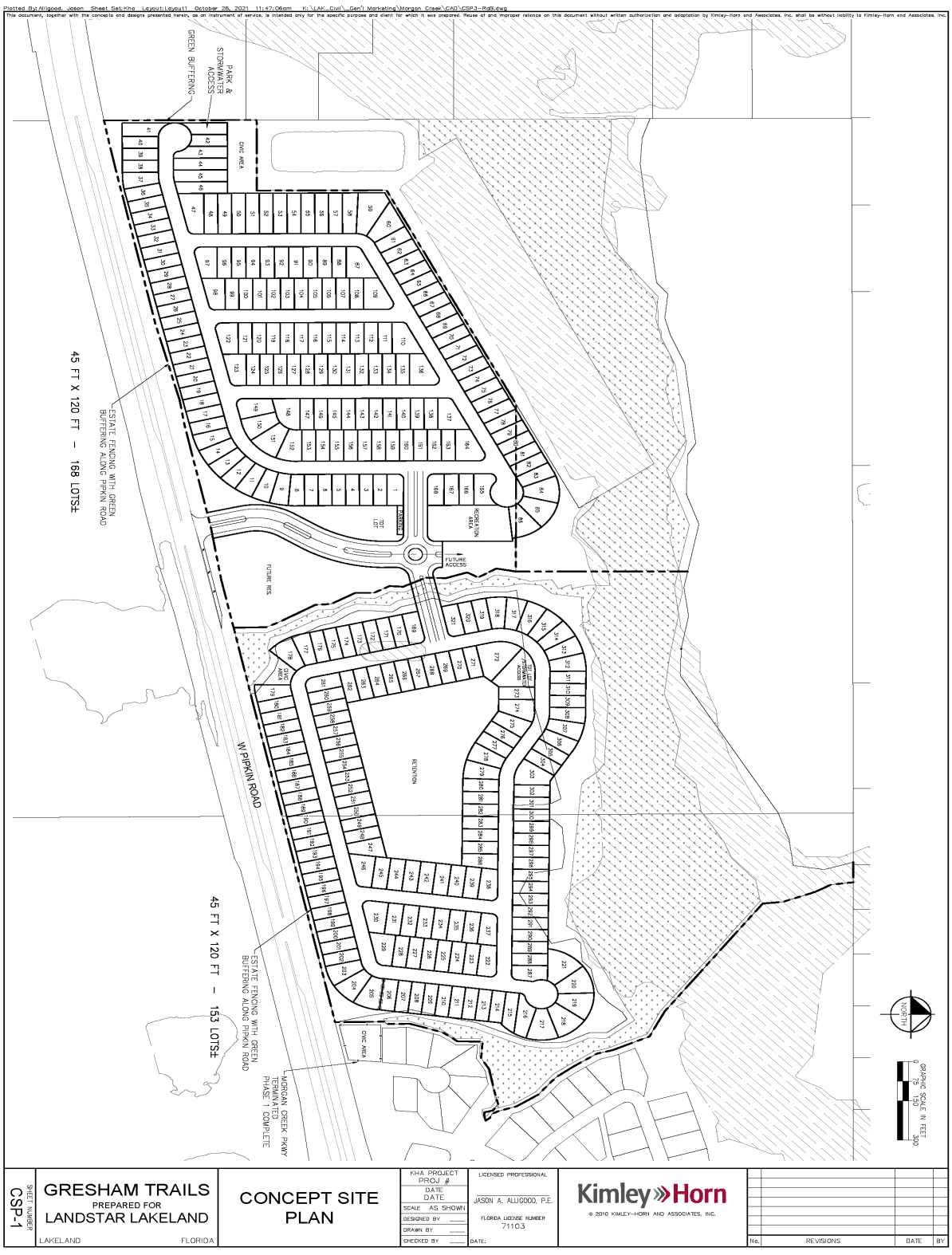


CSP-1

GRESHAM TRAILS
PREPARED FOR
LANDSTAR LAKELAND
LAKELAND FLORIDA

CONCEPT SITE PLAN

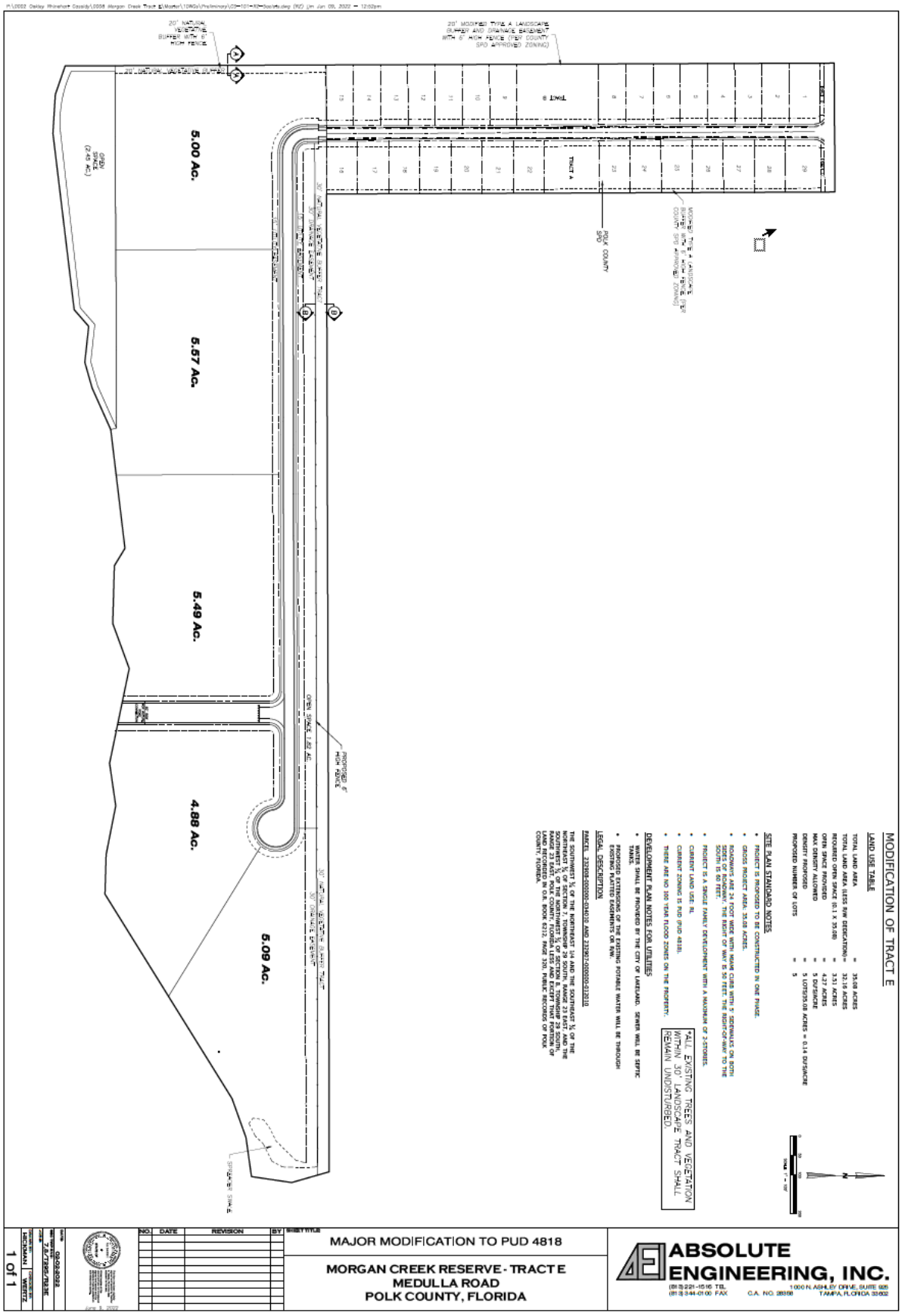
KHA PROJECT
PROJ #
DATE
DATE
SCALE AS SHOWN
DESIGNED BY
DRAWN BY
CHECKED BY

LICENSED PROFESSIONAL
JASON A. ALLIGOOD, P.E.
FLORIDA LICENSE NUMBER
71103
DATE:

Kimley»Horn
© 2010 KIMLEY-HORN AND ASSOCIATES, INC.

No. REVISIONS DATE BY

ATTACHMENT "C-1D"



NO.	DATE	REVISION	BY

SHEET TITLE

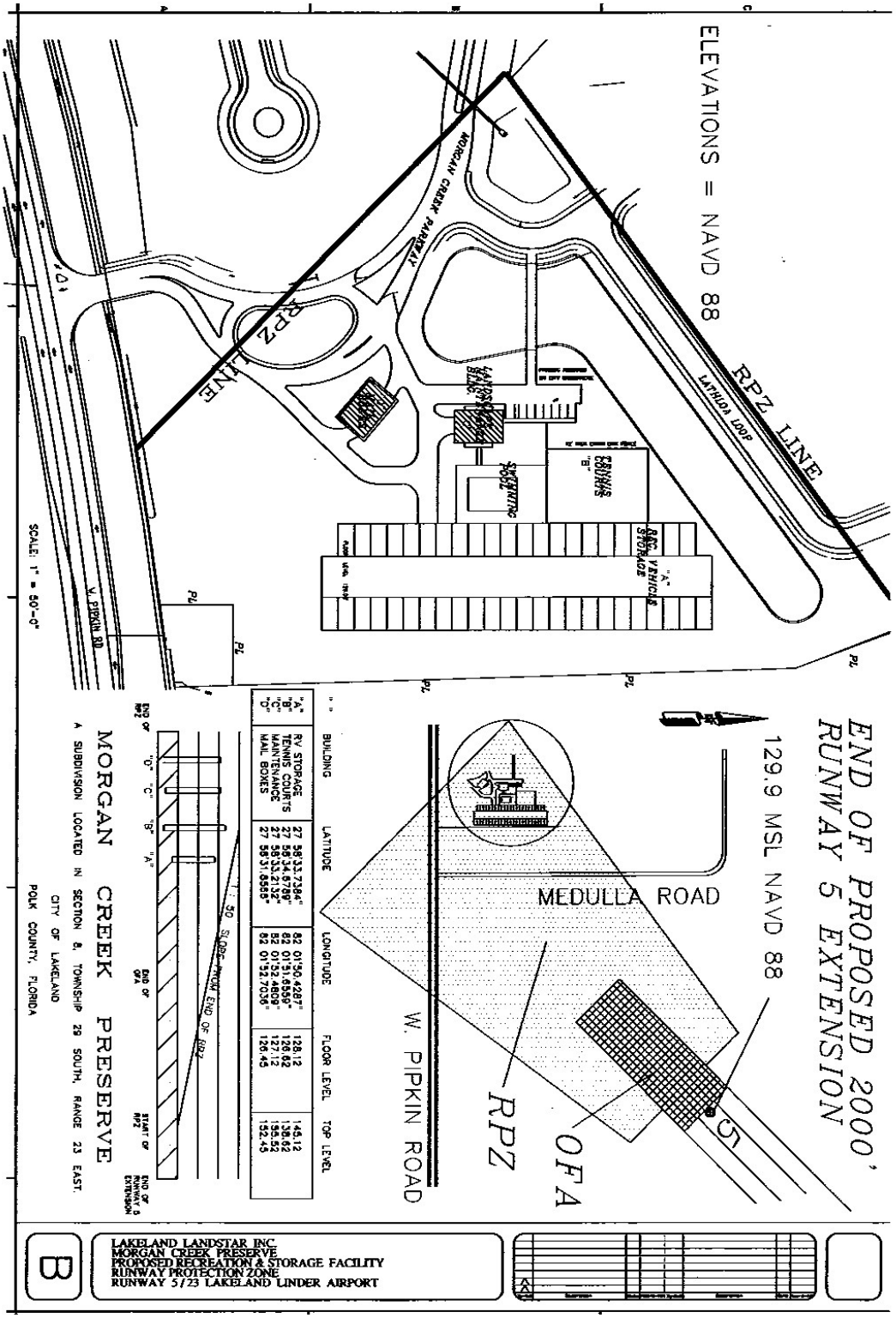
MAJOR MODIFICATION TO PUD 4818

MORGAN CREEK RESERVE - TRACT E
MEDULLA ROAD
POLK COUNTY, FLORIDA

ABSOLUTE ENGINEERING, INC.
(813) 221-1516 TEL
(813) 344-0100 FAX
1000 N. ASHLEY DRIVE, SUITE 925
C.A. NO. 28356
TAMPA, FLORIDA 33602

DESIGNED: MORGAN
DRAWN: MORGAN
CHECKED: WHITE
DATE: 02-02-2022
SCALE: 1" = 100'
SHEET: 1 of 1

ATTACHMENT “C-2”



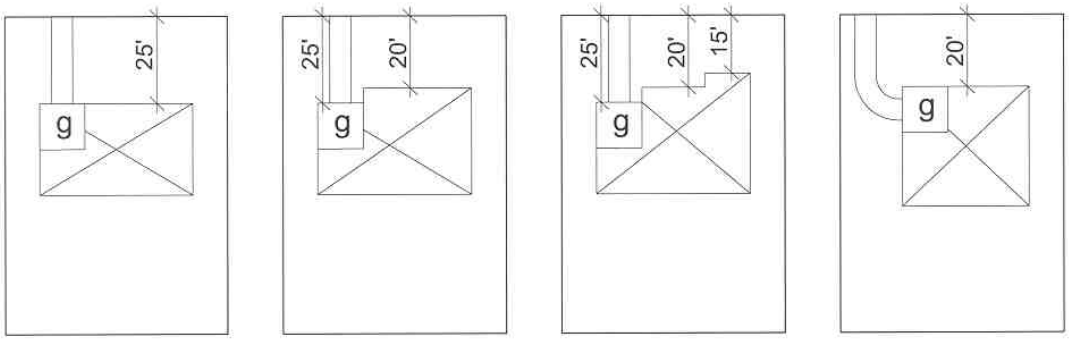
	BUILDING	LATITUDE	LONGITUDE	FLOOR LEVEL	TOP LEVEL
"A"	RV STORAGE	27 58'33.7384"	82 01'50.4287"	128.12	145.12
"B"	TENNIS COURTS	27 58'34.8798"	82 01'51.8596"	128.62	138.62
"C"	MAINTENANCE	27 58'33.2132"	82 01'52.4808"	127.12	135.52
"D"	MAIL BOXES	27 58'31.8588"	82 01'52.7036"	126.45	132.45

ATTACHMENT “D”

MORGAN CREEK PRESERVE
MINIMUM BUILDING SETBACKS

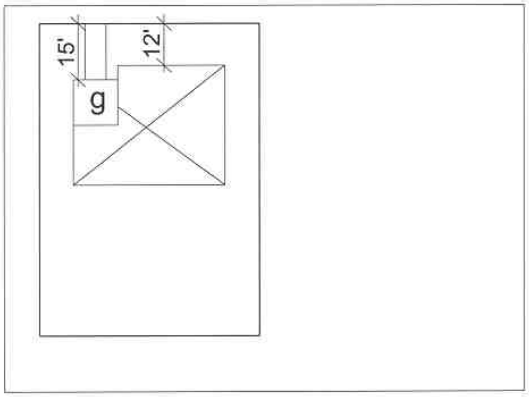
Front Yard Setbacks

For lots of 10,000 sq. ft. minimum, front yard setbacks shall conform to one of the following:



This permits the houses to be at varying minimum distances from the front property line, while maintaining a minimum of 25 ft. of driveway. Where the driveway enters from the side, the house may be sited 20 ft. back. Where the 15 ft. setback is selected, no more than 15% of the frontage may be so sited.

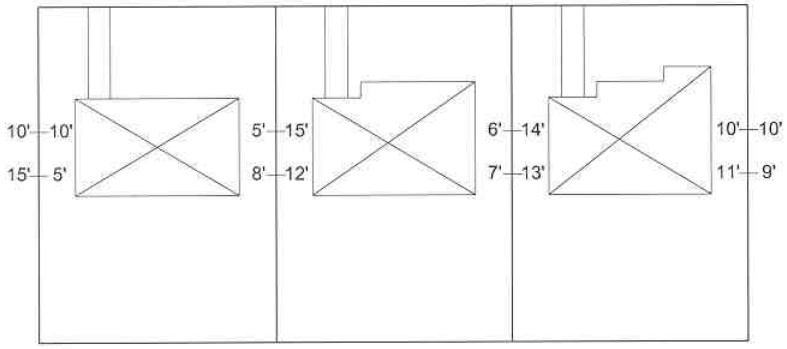
For lots of 5,500 sq. ft. minimum, the front yard setback shall be 12 ft. minimum from the front property line, with the driveway at a setback of 15 ft. minimum.



MORGAN CREEK PRESERVE
MINIMUM BUILDING SETBACKS continued

Side Yard Setbacks

For lots of 10,000 sq. ft. minimum, side yard setbacks shall conform to one of the following:



This permits the houses to be at varying minimum distances apart, but with not less than 20 ft. separation. The minimum distance from the property line shall be 5 ft.

For lots of 5,500 sq. ft. minimum, the side yard setback shall be a minimum of 5 ft.

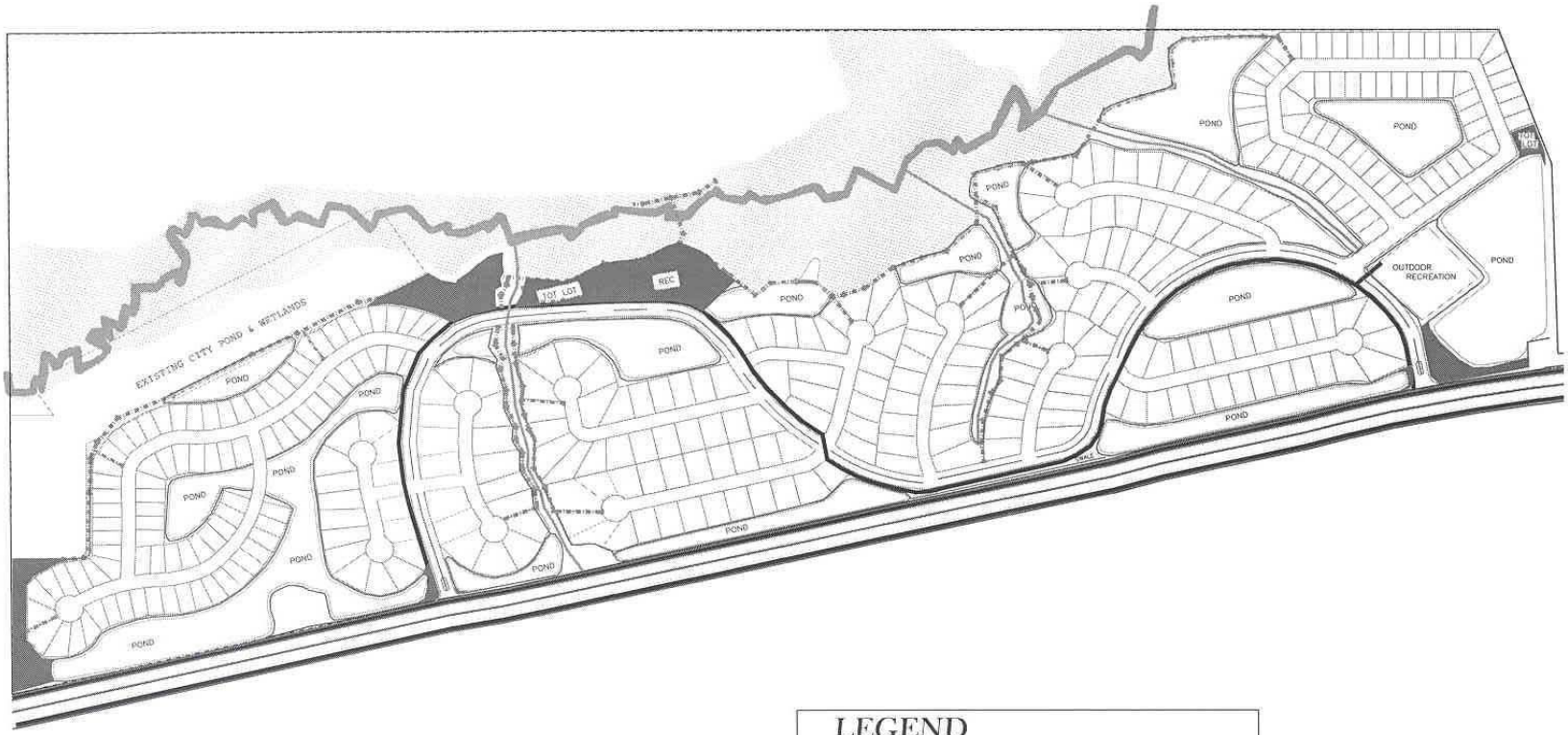
For all corner lots, flanking side yard setbacks shall be equal to the front yard setback selected.

Back Yard Setbacks

For lots of 10,000 sq. ft. minimum, back yard setbacks shall conform to one of the following:

- Where the depth of the lot is 135 ft. or more, the minimum setback shall be 35 ft., with 50% of the rear of the house permitted to reduce to at 30 ft.
- Where the depth of the lot is 125 ft. to 135 ft., the minimum setback shall be 30 ft., with 50% of the rear of the house permitted to reduce to at 25 ft.
- Where the depth of the lot is 120 ft., the minimum setback shall be 25 ft., with 25% of the rear of the house permitted to reduce to at 20 ft.

For lots of 5,500 sq. ft. minimum, the minimum setback shall be 20 ft.



Morgan Creek Preserve
Pedestrian Circulation Plan

LEGEND

- Morgan Creek
- Lot Lines & Roadways
- Ponds
- Preserve
- Pedestrian Walking Trails in hard and soft surface as appropriate
- Combined Pedestrian Sidewalk and Bicycle Path minimum 8 ft. wide hard surface

ATTACHMENT "E"

Administrative Adjustments

Approved between 1/1/2022 and 6/30/2022

Project No.	Planner	Location	Description	Approval Date
ADM22-001	TODD VARGO	315 EASTON DR	Builder already had house designed and chosen by the client. Major difficulty and expense to change trusses mid-permit.	1/31/2022
ADM22-002	Matthew Lyons	3612 ASHLING DR	Adding an addition on as a mother-in-law suite	4/8/2022
ADM22-003	Matthew Lyons	4389 CARRABELLE RIVER LN	The subject site is a 50' wide corner lot. Corner lots in Riverstone should be 60' wide, but part of this lot was dedicated as a drainage tract. The end result is the same (15' between the sidewalk and the dwelling unit), except the 10' wide strip of land is a drainage tract and not part of the parcel.	4/22/2022

Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, July 19, 2022

Meeting of July 5, 2022

Ordinances (First Reading)

Proposed 22-029; ~~Approving a Conditional Use to Allow for Off-Street Parking as a Principal Use on Property Located at 411 E. Orange Street~~. (CUP22-006)

Proposed 22-030; Approving a Conditional Use to Recognize an Existing Church and Child Daycare Facility and Allow for the Construction of a Two-Story, 3,662 sq, ft. Addition on Property Located at 210 Poppell Drive. (CUP22-004)

Meeting of June 20, 2022

Ordinances (Second Reading)

Proposed 22-024; Approving a Conditional Use to Allow for the Conversion of a Group Home into a Two-Family Residential Dwelling on Property Located at 722 E. Myrtle Street (CUP22-002) **Approved 7—0, Ordinance 5935**

Proposed 22-025; Small Scale Amendment #LUS22-001 to the Future Land Use Map to Change Future Land Use from Mixed Commercial Corridor (MCC) to Community Activity Center (CAC) on Approximately 2.14 Acres Located at 1141 E. Memorial Boulevard. (LUS22-001) **Approved 7—0, Ordinance 5936**

Proposed 22-026; Amending Ordinance 3524, as amended; Major Modification of PUD Zoning to Allow for a Three-Story 102,648 sq. ft. Commercial Building, Consisting of a 99,648 sq. ft. Mini-Warehouse/Self-Storage Facility with 3,000 sq. ft. of Ground-Floor Retail Uses on Approximately 2.14 Acres Located at 1141 E. Memorial Boulevard. (PUD22-002) **Approved 7—0, Ordinance 5937**