

AGENDA

Planning & Zoning Board
Lakeland Electric Building rooms 1A/B
September 17, 2024 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: ADASpecialist@lakelandgov.net. **If hearing impaired**, please contact the **TDD numbers**: Local – (863) 834-8333 or 1-800-955- 8771 (TDD-Telecommunications Device for the Deaf) 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:**
- a. A change in zoning from RA-4 (Single-Family Residential) to C-1 (Pedestrian Commercial) on approximately 0.13 acres located at 109 W. 7th Street;
 - b. A change in zoning from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) on approximately 0.24 acres located at 103 W. 7th Street; and
 - c. A conditional use to allow for the future development of C-1 (Pedestrian Commercial) uses on approximately 0.37 acres located at 103 and 109 W. 7th Street. Owner/Applicant: Lakeland Community Redevelopment Agency. (CUP24-011/ZON24-012)

- ITEM 2:**
- a. Major modification of PUD (Planned Unit Development) zoning to amend the boundaries to include the former Mass Market commercial property located at 802 N. Massachusetts Avenue, change the permitted uses from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial), recognize certain nonconforming uses, and include parcels located on N. Kentucky Avenue and N. Tennessee Avenue, north and south of Plum Street which are currently zoned O-1 (Low Impact Office) to be dedicated as off-street parking in support of existing commercial and residential uses located at 820/830 N. Massachusetts Avenue, 835 N. Kentucky Avenue and 310 E. Plum Street. Owner/Applicant: Lakeland Community Redevelopment Agency. (PUD24-010) **Note: Continued from a previous meeting.**
 - b. Consideration of final decision.

GENERAL MEETING

- ITEM 3:** Review minutes of the August meeting.

- ITEM 4:** A small-scale land use amendment, to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres (Parcel A1); a change of zoning on approximately 65.50 acres from I-2 (Medium Industrial) to PUD (Planned Unit Development); application of PUD (Planned Unit Development) zoning on approximately 16.9 acres of unzoned property; and a major modification of PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive. Owner: RRL Airpark, LLC. Applicant: John B. Allen, Peterson & Myers, P.A. (LUS24-005/PUD24-005/ZON24-008) **Note: Continued from a previous meeting.**

- ITEM 5:** Change in zoning from RA-1 (Single-Family Residential) to LD (Limited Development), and a conditional use to allow for the placement of accessory buildings and structures on a vacant, non-residential parcel used for private recreation purposes on approximately 3.44 acres generally located north of Lake Miriam Drive, south of E. Alamo Drive, east of Lake Miriam and west of Highlands Place Circle. Owner: James and Trena Middleton. Applicant: James Middleton. (CUP24-009/ZON24-010)
- ITEM 6:** Change in zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) and a conditional use for a Group Home, Level I to provide communal housing for veterans on property located at 1149 Parkhurst Avenue. Owner: New Life Outreach Ministry Inc. Applicant: Larry Mitchell. (CUP24-010/ZON24-011)
- ITEM 7:** Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.
- ITEM 8: Audience.
- ITEM 9: Adjourn.



Planning & Zoning Board General Application

General Information:

Project No:	<u>CUP24-011</u>	Application Date:	8/7/2024
Associated Projects:	ZON24-012		
Project Name:	103/109 W 7TH ST		
Subject Property Address:	103 7TH ST W		
Parcel ID:	232812055500007200	Total Acreage:	
Applicant Name:	GUISEPPI SHELLEY		
Applicant Address:	228 S MASSACHUSETTS AV	LAKELAND	FL 33801
Owner Name:	LAKELAND COMMUNITY REDEVELOPMENT AGENCY		
Owner Address:	228 S MASSACHUSETTS AVE FL 3	LAKELAND	FL 33801

Request:

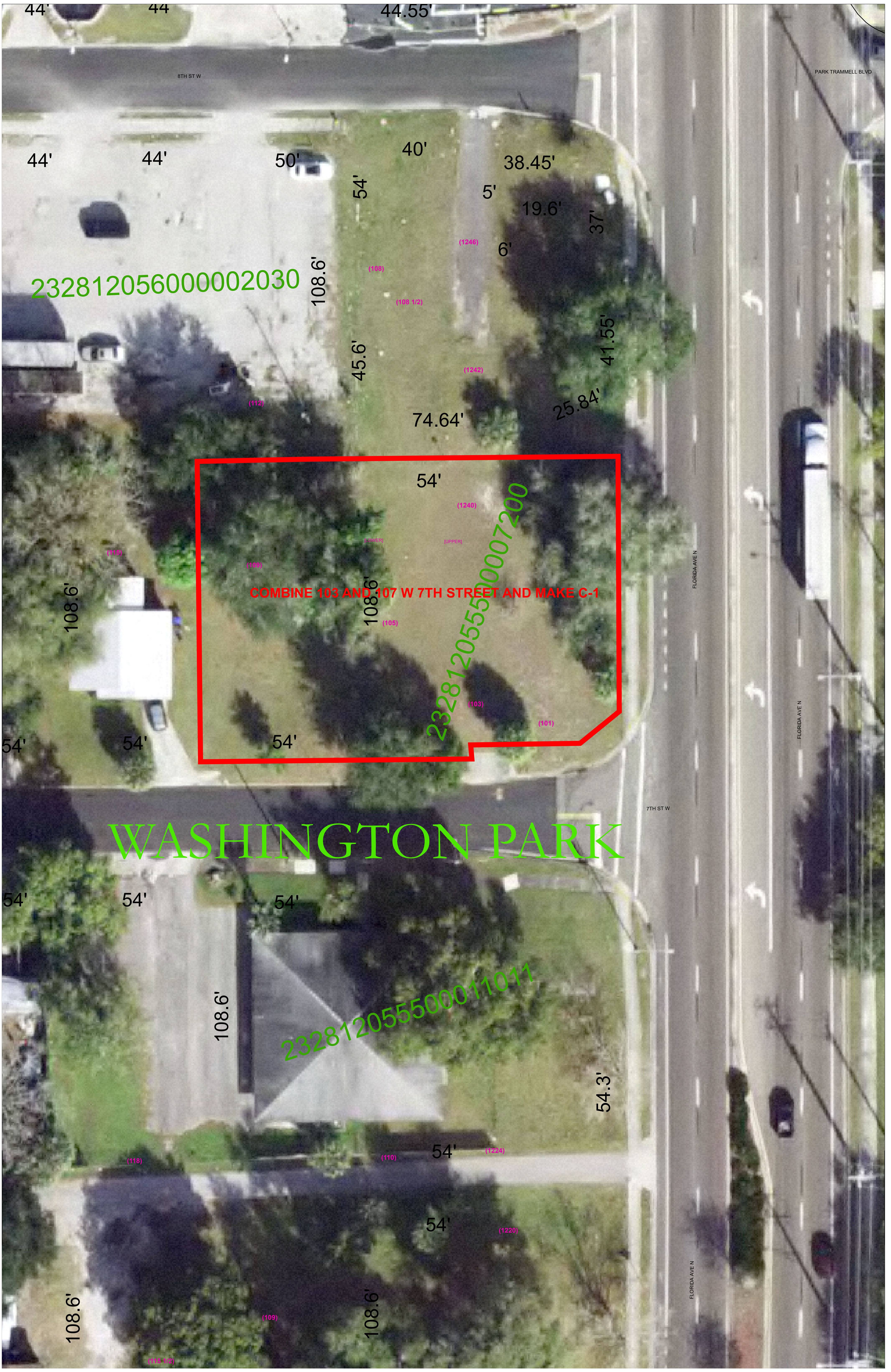
Application Type:	Conditional Use Permit		
Land Use			
Current	Residential Medium		(RM)
Proposed	Not Applicable		
Zoning			
Current	Low Impact Office		(O-1)
Proposed	Not Applicable		
Sub Context District			
Current	(UNH)		Urban Neighborhood
Proposed			
Explanation of Request:	Combine lots for disposition Zoning to C-1		
Justification:			

Concurrency:

Proposed Dwelling Units:	0	Project Floor Area:		Square feet
Type of Use:		Phase		Year

Estimate of Public Service Demand

Roadways	Daily Trips:	#Error		PM Peak Hour Trips:			
Potable Water		GPD	Wastewater		GPD	Solid Waste	PPD



23281205600002030

COMBINE 103 AND 107 W 7TH STREET AND MAKE C-1

23281205550007200

WASHINGTON PARK

232812055500011011

44'

44.55'

44'

44'

50'

40'

38.45'

54'

5'

19.6'

37'

6'

108.6'

(108)

(108 1/2)

(1246)

(1242)

41.55'

45.6'

74.64'

25.84'

54'

(1240)

108.6'

108.6'

(105)

(109)

(115)

(103)

(101)

54'

54'

54'

7TH ST W

FLORIDA AVENUE

FLORIDA AVENUE

54'

54'

54'

108.6'

54.3'

232812055500011011

(118)

(110)

54'

(1224)

54'

(1220)

108.6'

108.6'

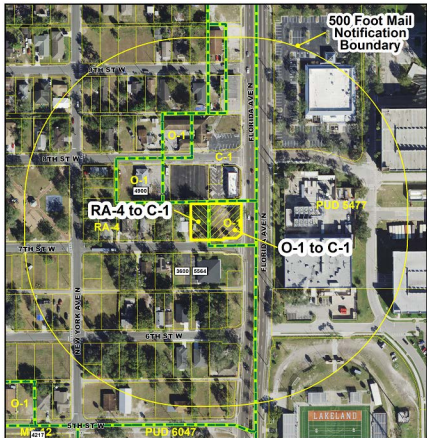
(109)

(115 1/2)

FLORIDA AVENUE

8TH ST W

PARK TRAMMELL BLVD












File Number: CUP24-011 ZON24-012

Present Zoning: O-1 and RA-4

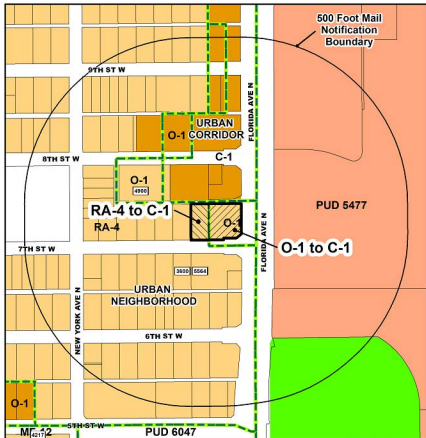
Present Context: Urban Neighborhood

Proposed Zoning: Change of Zoning from RA-4 and O-1 to C-1 and a Conditional Use for C-1 Uses

September 2024

-  O-1 to C-1
-  RA-4 to C-1
-  CUP
-  500 Foot Mail Notification Boundary
-  City Limits
-  Zoning
-  Conditional Use
-  SPI
-  Parcels














File Number: CUP24-011 ZON24-012

Present Zoning: O-1 and RA-4

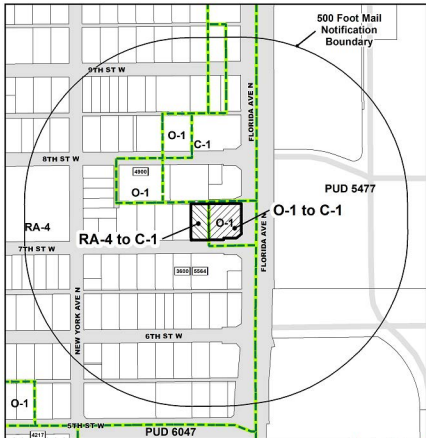
Present Context: Urban Neighborhood

Proposed Zoning: Change of Zoning from RA-4 and O-1 to C-1 and a Conditional Use for C-1 Uses

September 2024

-  O-1 to C-1
-  RA-4 to C-1
-  CUP
-  500 Foot Mail Notification Boundary
-  City Limits
-  Zoning
-  Conditional Use
-  SPI
-  Parcels





File Number: CUP24-011 ZON24-012

Present Zoning: O-1 and RA-4

Present Context: Urban Neighborhood

Proposed Zoning: Change of Zoning from RA-4 and O-1 to C-1 and a Conditional Use for C-1 Uses

September 2024

-  O-1 to C-1
-  RA-4 to C-1
-  CUP
-  500 Foot Mail Notification Boundary
-  City Limits
-  Zoning
-  Conditional Use
-  SPI
-  Parcels
-  Roadway/Railway





228 S Massachusetts Avenue
Lakeland FL 33801
planning@lakelandgov.net

August 30, 2024

RE: 103 and 109 W. 7th Street - Project No. CUP24-011/ZON24-012

Dear Property Owner:

This letter is to advise you that the Lakeland Community Redevelopment Agency requests:

1. A change in zoning from RA-4 (Single Family Residential) to C-1 (Pedestrian Commercial) on approximately 0.13 acres located at 109 W. 7th Street;
2. A change in zoning from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) on approximately 0.24 acres located at 103 W. 7th Street; and
3. A conditional use to allow for the future development of C-1 commercial uses on approximately 0.37 acres located at 103 and 109 W. 7th Street.

The subject property is legally described as:

WASHINGTON PARK PB 1 PG 99 BLK 7 LOTS 20 & 21 LESS R/W FOR SR 700; AND; WASHINGTON PARK PB 1 PG 99 BLK 7 LOT 19. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY AND 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, September 17, 2024**, in the Lakeland Electric Building rooms 1A/B, 501 E. Lemon Street. 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, September 17th 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: ADASpecialist@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-955- 8771 (TDD-Telecommunications Device for the Deaf) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

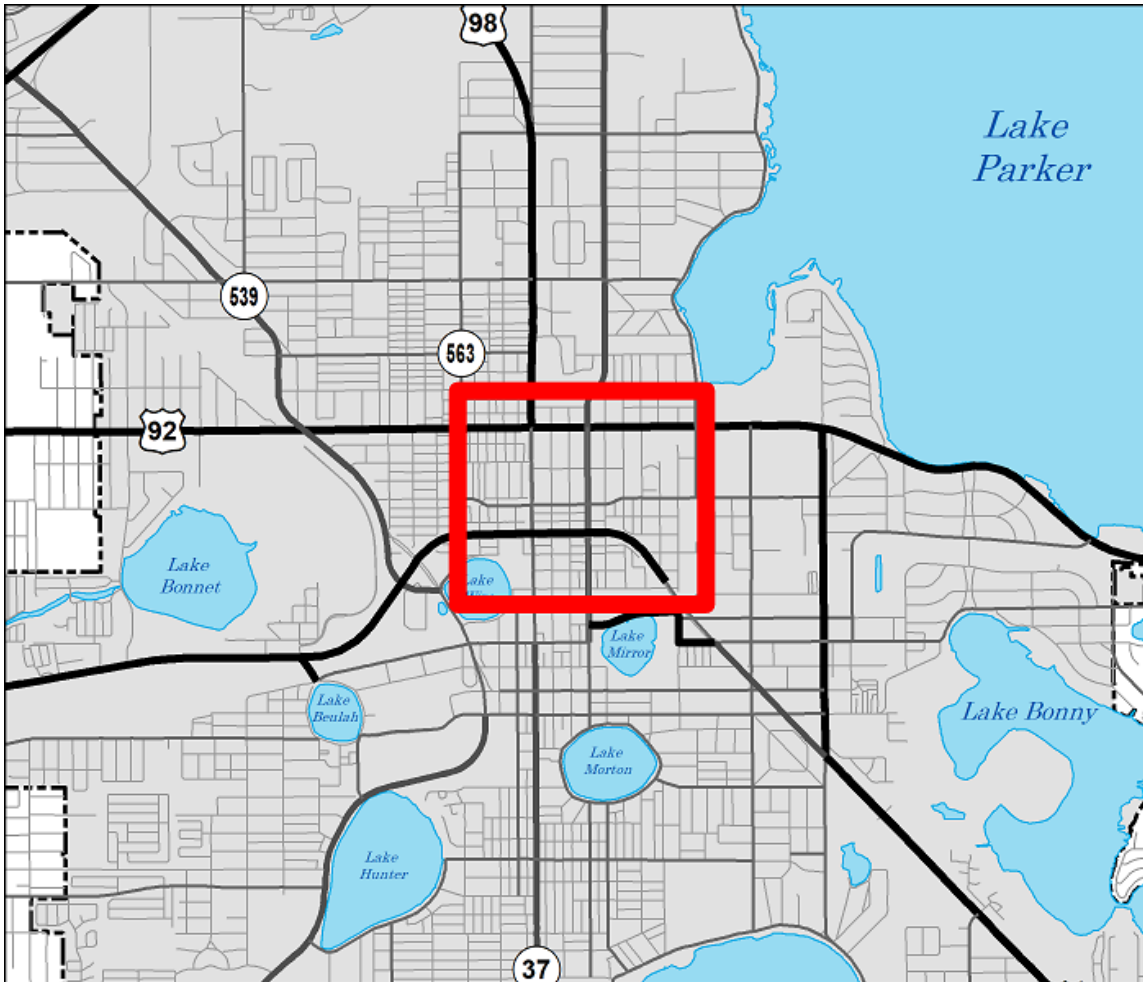
THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community & Economic Development Staff Recommendation

Date:	September 17, 2024	Reviewer:	Todd Vargo
Project No:	PUD24-010	Location:	802 and 820/830 N. Massachusetts Avenue, 835 N. Kentucky Avenue, 310 E. Plum Street
Owner:	Lakeland Community Redevelopment Agency		
Applicant:	Lakeland Community Redevelopment Agency		
Current Zoning:	PUD (Planned Unit Development) 5558/ O-1 (Low Impact Office)/ C-2 (Highway Commercial)	Future Land Use:	Residential Medium (RM)/ Mixed Commercial Corridor (MCC)
Context District:	Urban Corridor (UCO)/ Urban Neighborhood (UNH)		
P&Z Hearing:	July 16, 2024	P&Z Final Decision:	September 17, 2024
Request:	Major modification of PUD (Planned Unit Development) zoning to amend the boundaries to include the former Mass Market commercial property located at 802 N. Massachusetts Avenue, change the permitted uses from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial), recognize certain non-conforming uses, and include parcels located on N. Kentucky Avenue and N. Tennessee Avenue, north and south of Plum Street which are currently zoned O-1 (Low Impact Office) to be dedicated as off-street parking in support of existing commercial and residential uses located at 820/830 N. Massachusetts Avenue, 835 N. Kentucky Avenue and 310 E. Plum Street.		

1.0 Location Maps





2.0 Background

2.1 Summary

The Lakeland Community Redevelopment Agency (CRA) requests a major modification to PUD (Planned Unit Development) zoning to amend the PUD boundaries to include the former Mass Market commercial property located at 802 N. Massachusetts Avenue, change the permitted uses from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial), recognize certain non-conforming uses, and include parcels located on N. Kentucky Avenue and N. Tennessee Avenue, north and south of Plum Street which are currently zoned O-1 (Low Impact Office) to be dedicated as off-street parking in support of existing commercial and residential uses located at 820/830 N. Massachusetts Avenue, 835 N, Kentucky Avenue and 310 E. Plum Street. A map of the subject properties is included as Attachment “B.”

2.2 Subject Property

The subject property, approximately 6.58 acres in area, is generally located north of E. Parker Street, south of E. Memorial Boulevard, east of N. Florida Avenue and west of N. Massachusetts Avenue. The current PUD zoning (Ordinance 5558) was adopted in 2016 to address properties owned by the CRA within the block located north of E. Parker Street, south of Plum Street, east of N. Kentucky Avenue and west of N. Massachusetts Avenue. Under the current PUD, permitted uses includes those uses permitted by right in C-2 and a 12-unit multi-family residential building. Certain properties owned by the CRA in the immediate area, however, were not included as part of the PUD. These properties include a 0.56-acre parcel with C-2 zoning located at 802 N. Massachusetts Avenue, previously the ~~a~~ a ~~Yard on Mass~~ food truck court, and three parcels located north and south of Plum Street, between N. Kentucky Avenue and N. Tennessee Avenue which are zoned either C-2 or O-1 and used by the CRA to provide off-street parking in support of uses located on N. Massachusetts Avenue.

2.3 Project Background

The primary purpose of the request is to bring the former Yard on Mass site and the three parcels located between N. Kentucky Avenue/ and N. Tennessee Avenue into the current PUD. As a secondary request, for the portion of the PUD located between N. Massachusetts Avenue and N. Kentucky Avenue, proposed changes would limit commercial uses to C-1 (Pedestrian Commercial) uses in lieu of the current C-2 (Highway Commercial) entitlements. The three parcels located between N. Kentucky and N. Tennessee would remain as parking to support commercial uses on N. Massachusetts Avenue. An overall site development plan which includes all the parcels is included as Attachment “C.” A more detailed site parcelization plan for the block located adjacent to N. Massachusetts Avenue, which will limit certain existing commercial uses to specific development parcels, is included as Attachment “D.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential/Institutional/Government Offices/Vacant	RH/MCC	C-2/O-1	UNH/UCO
South	Single-Family Residential/Commercial	RH	C-2/O-1	UNH
East	Commercial/Government Offices	RH/MCC	C-2/O-1	UNH/UCO
West	Single-Family Residential/Institutional/Vacant	RH/MCC	C-2/O-1	UNH/UCO

2.5 Attachments

Attachment "A": Legal Description

Attachment "B": Location Map

Attachment "C": Revised Site Development Plan (All Parcels)

Attachment "D": N. Massachusetts Detailed Site Parcelization Plan

3.0 Discussion

Over the last decade, the Midtown Community Redevelopment Area (Midtown CRA) has made a substantial investment in the revitalization and redevelopment of the N. Massachusetts Avenue corridor. Since 2012, the CRA has acquired multiple properties directly along and adjacent to the corridor to incentivize investment and facilitate redevelopment. While the goal has been to bring private investment to the Midtown, the CRA now finds itself in the position of serving as landlord for the properties in the PUD ~~which is not part of their mission~~. In order to eventually divest itself of the properties, the CRA is requesting to consolidate a portion of its holdings within the area into a single PUD in which off-street parking is linked to the principal commercial and residential uses on N. Massachusetts Avenue. By doing so, it will ensure that parking continues to be available to support the existing commercial uses and any future redevelopment that may occur within the PUD.

The existing PUD zoning was adopted to allow for limited multi-family residential uses in addition to existing C-2 entitlements on certain parcels located within the 800 block of N. Massachusetts/N. Kentucky Avenue which were previously used by the Salvation Army for transient lodging/social services. Today, the block is comprised of the Mass Market complex which consists of a special event venue/art studio (Haus 820 & ARTifact Studios), a commercial kitchen (DOU bakehouse), an office building (The Collective at Mass Market), a 12-unit apartment building (Market Lofts), and a vacant 2,868 sq. ft. commercial building located at the northwest corner of N. Massachusetts Avenue and E. Parker Street (previously the Yard on Mass food truck court).

As depicted on Attachment "C," a total of 232 off-street parking spaces will be reserved and dedicated to Mass Market through a private agreement on Parcels Two, Five and Six. An additional 84 spaces will be available on evenings and weekends on Parcel 7. In total, 316 parking spaces will be available to accommodate the existing uses identified above. The management and maintenance of Parcels Two, Five, and Six will be vested through a Property Owners Association (POA) to the three properties

which comprise the Mass Market Complex (Parcels One, Three, and Four). The POA will be responsible for managing security and access, the allocation of parking, and building occupancy.

In addition to expanding the PUD boundaries, the CRA would also like to change the list of permitted uses in the PUD from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial). C-2 zoning districts allow for a broad range of commercial uses, many of which are oriented toward motorists and incompatible with the CRA's vision for the corridor. Permitted uses include commercial entities such as convenience stores with motor vehicle fuel sales, motor vehicle service and repair, motor vehicle sales, both used and new, as well as commercial uses with drive through facilities such as fast food/quick service restaurants, banks and pharmacies. The proposed C-1 zoning, which prohibits such uses, is more compatible with the pedestrian-scale type of development that the CRA envisions for the corridor. If any of the existing uses are not permitted in the C-1 district, they would be considered to be legal non-conforming uses and could continue to do business until they ceased for a period of 365 days or until the structure is demolished/destroyed.

As part of the recommended conditions for approval, staff is recommending that certain uses, such as the food truck court, special event venue/banquet hall, wholesale bakery and the off-street parking lot located at the northeast corner on N. Tennessee Avenue and E. Parker Street which would not otherwise be nonconforming or require a conditional use under the proposed changes, be recognized as legal conforming uses. Under the recommended conditions for approval, such uses would be deemed legal conforming and could continue indefinitely subject to certain conditions.

No comments were received during either of the public hearings which were held on July 16th and August 21st. Prior to the public hearings, staff did receive a few inquiries to learn more about the proposed changes, but no comments or objections were otherwise received.

3.1 Transportation and Concurrency

The subject properties are located within a portion of the Midtown CRA generally bound by Massachusetts Avenue (collector street on east), US 98/Bartow Road Extension (arterial roadway on south), US 98/N. Florida Avenue (collector street/arterial roadway on west) and US 92/Memorial Boulevard (arterial roadway on north). Parker Street is a two-lane collector street that traverses the southern portion of the subject area between Massachusetts Avenue and N. Florida Avenue. Based on information provided in the Polk Transportation Planning Organization's Roadway Network Database, dated October 13, 2023, the adjacent segment of Massachusetts Avenue/Lakeland Hills Boulevard between Main Street and Bella Vista Street has an Annual Average Daily Traffic volume of 17,800 vehicles and operates at an acceptable roadway Level-of-Service "C" during the PM Peak with two-hour average volumes of 621 northbound and 647 southbound vehicles (directional capacity is 1,710 vehicles). The adjacent segment of Parker Street between State Road 563/Dr. Martin Luther King Avenue and State Road 700/N. Lake Parker Avenue has an Annual Average Daily Traffic volume of 3,500 vehicles and operates at an acceptable roadway Level-of-Service "C" during the PM Peak with two-hour average volumes of 122 eastbound and 127 westbound vehicles (directional capacity is 840 vehicles). All other collector and arterial roadways that border the project area are also operating at an acceptable roadway level-of-service as documented in the Roadway Network Database.

The subject properties are located within the Central City Transit Supportive Area (CCTSA) as designated in the Comprehensive Plan within which multimodal level-of-service standards have been adopted to recognize available transit service and bicycle/pedestrian networks. The Lakeland Area Mass Transit District (Citrus Connection) operates three transit routes that directly serve the PUD area. The Gold Line on N. Florida Avenue between Lake Miriam Square and Lakeland Square Mall is

the spine of the county's west side transit network with 30-minute frequencies. The Pink Line operates between the Downtown Terminal and Plantation Square Plaza with hourly to 30-minute service along Massachusetts Avenue and the Orange Line operates on Florida Avenue, Memorial Boulevard and Parker Street with hourly frequencies. All of the subject properties are also located within the study area for the Florida Department of Transportation's (FDOT) US 98 Bus Rapid Transit (BRT) Feasibility Study completed in 2021, which identified premium transit service and supportive land use policies between the future Downtown Lakeland Intermodal Center and Lakeland Square Mall, including connections to future rail along the Interstate 4 corridor. By 2045, the US 98 BRT Study identifies the potential for expanded weekday hours of operation from 5:00 a.m. to 12 midnight with 10-20 minute frequencies and a station near the N. Florida Avenue/Parker Street intersection.

Sidewalks exist along both sides of Massachusetts Avenue, N. Florida Avenue, Memorial Boulevard and Parker Street in the vicinity of the subject properties. The sidewalk network on local streets such as Tennessee Avenue, Kentucky Avenue and Plum Street are incomplete with gaps being addressed with future development/redevelopment activities. Paved shoulders have been striped on N. Florida Avenue and designated bicycle lanes exist on Parker Street east of Massachusetts Avenue. In advance of the 2004 opening of the "In-Town Bypass, Phase I" project that is now called the Bartow Road Extension, the Lakeland CRA developed a "Small Area Study" to address underperforming commercial uses and connectivity needs for the "roadway island" created by large adjacent regional roadways with limited opportunities for non-motorized connectivity from Downtown and nearby neighborhoods. The roadways surrounding the modified PUD area remain high pedestrian- and bicycle-crash corridors as documented in the TPO's Bicycle and Pedestrian Safety Action Plans completed in 2020 and on-going safety evaluations by the City and FDOT along the Bartow Road Extension (In-Town Bypass) between Massachusetts Avenue and Dr. Martin Luther King Jr. Avenue. In advance the Memorial Boulevard reconstruction project that is expected to begin in Year 2030, FDOT is conducting a Project Development and Environment (PD&E) study west of the Massachusetts Avenue intersection to determine the feasibility of a lane repurposing project or other enhancements to improve traffic safety and multi-modal infrastructure in this corridor. The City of Lakeland has also received \$75,000 Community Planning and Technical Assistance Grant from the Florida Department of Commerce to prepare and Economic Development Strategic Plan for the Memorial Boulevard corridor through Lakeland, including lands adjacent to the modified PUD, which will be coordinated with the future improvements to be implemented by FDOT.

The existing and proposed uses permitted through this PUD modification are expected to generate the same or fewer automobile trips with the exclusion of typical C-2 uses that are found on highway commercial corridors. This PUD modification is expected to have a de minimis impact on the surrounding street network while providing sufficient parking and encouraging more pedestrian-scale development consistent with the long-term vision for the surrounding area.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department 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. Other essential services are presently available to provide concurrency for the expansion of the PUD zoning. Any 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 Development Department reviewed this request and recommends approval of the major modification to the PUD zoning. Letters of notification were mailed to seventy-four (74) property owners within 500 feet of the subject property and no comments or objections were received.

4.2 The Planning & Zoning Board

It is recommended that the request for a major modification of PUD zoning, as described above and in Attachments "A," "B," "C," and "D" be approved, subject to the following amended conditions:

Ordinance 5558 as amended:

1. Permitted Uses:
 - a. Parcels One, Two, Three and Four: Those uses permitted by-right within the C-2 C-1 zoning districts, and a 12-unit multi-family building, plus the following.
 - i. 802 N. Massachusetts Avenue (Parcel One): A food truck court with alcoholic beverage sales for on-premises consumption as an accessory use.
 - iii. 306 E. Parker Street (Parcel Two): Off-street parking, surface, as a principal use.
 - iii. 820 N. Massachusetts Avenue (Parcel Three): A special event venue/banquet hall with alcoholic beverage sales for on-premises consumption.
 - iv. 310 Plum Street (Parcel Four): Multi-family residential with a maximum of 12 dwelling units. Through a minor modification to the PUD, up to four (4) additional dwelling units, or a total of 16, may be considered for approval if located within an existing building on the same development parcel.
 - v. 830 N. Massachusetts (Parcel Four): a 5,000 square foot wholesale bakery. Any future expansion of the wholesale bakery beyond this footprint shall only be permitted through the inclusion of a retail storefront component.
 - b. Parcels Five, Six and Seven: Those uses permitted by-right in O-1 zoning districts. The conversion of existing off-street surface parking lots to structured parking shall be permitted subject to condition 5. below.
2. Development Standards: In accordance with the C-2 C-1/Urban Corridor sub-district standards except as otherwise provided for on Attachment "C."
3. Parking: Required off-street parking spaces may be located on a separate parcel in accordance with 4.11.4.2 of the Land Development Code and more specifically as follows:

<u>Parcel Label</u>	<u>Use</u>	<u>Parking Requirement</u>	<u>Parking Provided On-site</u>
1	Food, Beverage and or Retail	1 space per 70 sf = 36	7
2	Off-Street Parking	0	59

3	Banquet/Event Hall	1 space per 3-person capacity = 191	10
4E	Wholesale Bakery	5 spaces, plus 1.1 per employee = 55	35
4W	Multi-Family Residential	1.5 space per unit = 24	
5	Off-Street Parking	0	80
6	Off-Street Parking	0	41
7	Off-Street Parking	0	84
	Totals	311	316

Parking Management Plan: The off-street parking areas identified in Parcels Two, Five, and Six shall be reserved and dedicated as parking for Mass Market and all recorded owners of the uses therein. The parking area identified in Parcel Seven (84 spaces) is recorded as a long-term lease with reserved access to the parking spaces limited to evenings and weekends. In total, 316 parking spaces shall be provided to accommodate uses identified in the PUD.

The management, maintenance, and operation of off-street, surface parking located on Parcels Two, Five, and Six shall be vested to the primary parcels One, Three, and Four, and the uses permitted through the PUD, through a property owners association. The property owners association shall be responsible for managing security and access, parking allocation, and building occupancy.

4. On-Site Transportation Conditions:

- a. Each principal building on the project site shall be connected to one another via an ADA-compliant internal sidewalk network. This sidewalk network shall connect to existing sidewalks along the Massachusetts Avenue, Plum Street and Kentucky Avenue project frontages.
- b. ~~Within 90 days of approval of this PUD, a five-foot wide transportation easement shall be dedicated to the City along the site's Massachusetts Avenue frontage.~~ To improve walkability, any redevelopment occurring within the PUD shall provide sidewalks along all public street frontages where they do not currently exist. Right-of-way or easements shall be dedicated to the City of Lakeland for any portion of these sidewalks that must be constructed outside of public right-of-way.

5. Future Redevelopment of Off-Street Parking (Parcels Five, Six and Seven): In the event the future redevelopment of the three off-street parking areas above are considered for structured parking garages, they shall be permitted under this PUD if the parking management plan remains, and adequate spaces are provided to serve the uses permitted in the Mass Market site plan Attachment D. A condition of the parking structure development shall require a minimum of 5,000 square feet of first floor retail and/or office space be provided in each structure and all other levels of the garage be available to serve as parking. Future redevelopment plans shall consider feasibility of transit-oriented layout and design supportive of US 98 Bus Rapid Transit (BRT) Feasibility Study.

ATTACHMENT "A"

Legal Description

Lots 5 and 6 and the South 42.0 feet of Lots 7 and 8 in Block 19 of SCHIPMAN'S SURVEY, according to the plat thereof recorded in Deed Book G, Page 360, and 361 of the Public Records of Polk County, Florida.

also described as: Lots 5 through 8, SCHIPMAN'S SURVEY, as recorded in Deed Book G, Page 360 of the Public Records of Polk County, Florida, LESS the North 58 feet of Lots 7 and 8, located in Polk County, Florida

LESS AND EXCEPT: road right of way and that portion of Lot 6 and that portion of the South 12.802 meters (42.00 feet) of Lot 8, Block 19, SCHIPMAN'S SURVEY, a subdivision in Section 18, Township 28 South, Range 24 East, as per plat thereof recorded in Deed Book G, Page 360, of the Public Records of Polk County, Florida;

being described as follows: BEGIN at the Southeast corner of said Lot 6; thence along the South line of said Lot 6, South 89°28'19" West, 2.695 meters (8.84 feet); thence North 01°38'46" East, 43.326 meters (142.15 feet) to the North line of said South 12.802 meters (42.00 feet) of Lot 8; thence along said North line North 89°27'44" East, 1.053 meters (3.45 feet) to the East line of said Lot 8; thence along the East line of said Lots 6 and 8, South 00°31'35" East, 43.296 meters (142.05 feet) to the POINT OF BEGINNING.

AND

All of Lot 2, Block 23, SHIPMAN'S SURVEY, a subdivision according to the plat thereof recorded at Deed Book "G", Pages 360 and 361, in the Public Records of Polk County, Florida.

AND

The South Half (S 1/2) of Lot 4 LESS Five (5) feet of the West end of said lot, Block 23, SCHIPMAN'S SURVEY, a subdivision according to the plat thereof recorded at Plat Book "G", Pages 360 and 361, in the Public Records of Polk County, Florida.

AND

Lots 1 and 3, Block 19, SCHIPMAN'S SURVEY, according to the map or plat thereof, as recorded in Deed Book G, Pages 360 through 361, inclusive, of the Public Records of Polk County, Florida.

AND

Lots 2 and 4, Block 19, SCHIPMAN'S SURVEY, a subdivision according to the plat thereof, recorded in Deed Book G, Pages 360 and 361, in the Public Records of Polk County, Florida. LESS AND EXCEPT that part which was deeded to State of Florida Department of Transportation recorded in Official Records Book 4397, Page 169, Public Records of Polk County, Florida.

AND

Lot 11, Block 18, SCHIPMAN'S SURVEY OF LAKELAND, according to the map or plat thereof, as recorded in Deed Book G, Page(s) 360, Public Records of Polk County, Florida.

AND

The North 1/2 of Lot 12, Block 18, SCHIPMAN'S SURVEY, according to the map or plat thereof, as recorded in Deed Book G, Pages 360 and 361, Public Records of Polk County, Florida.

AND

The North 58 feet of Lots 7 and 8, and all of Lots 9, 10, 11, and 12, Block 19, SCHIPMANS SURVET, according to the map or plat thereof as recorded in Deed Book G, Page 360, Public Records of Polk County, Florida, LESS AND EXCEPT road right-of-way from Lot 12, and LESS AND EXCEPT right-of-way described in O.R. Book 4556, Page 2292, Public Records of Polk County, Florida.

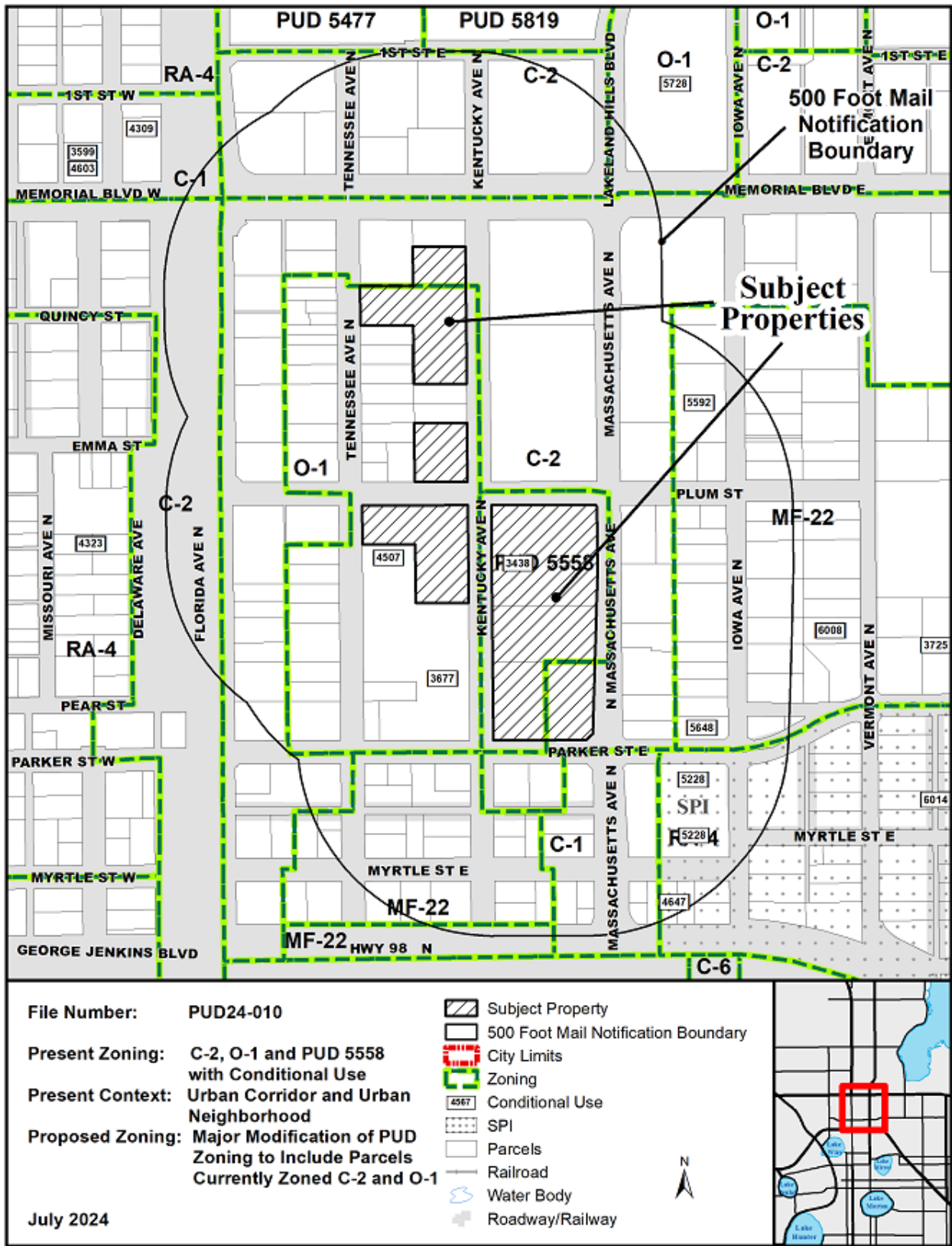
AND

The North 1/2 of Lot 8, all of Lot 10, and the South 1/2 of Lot 12, in Block 18, of SCHIPMAN'S SURVEY, according to the map or plat thereof, as recorded in Deed Book G, Page 360, of the Public Records of Polk County, Florida.

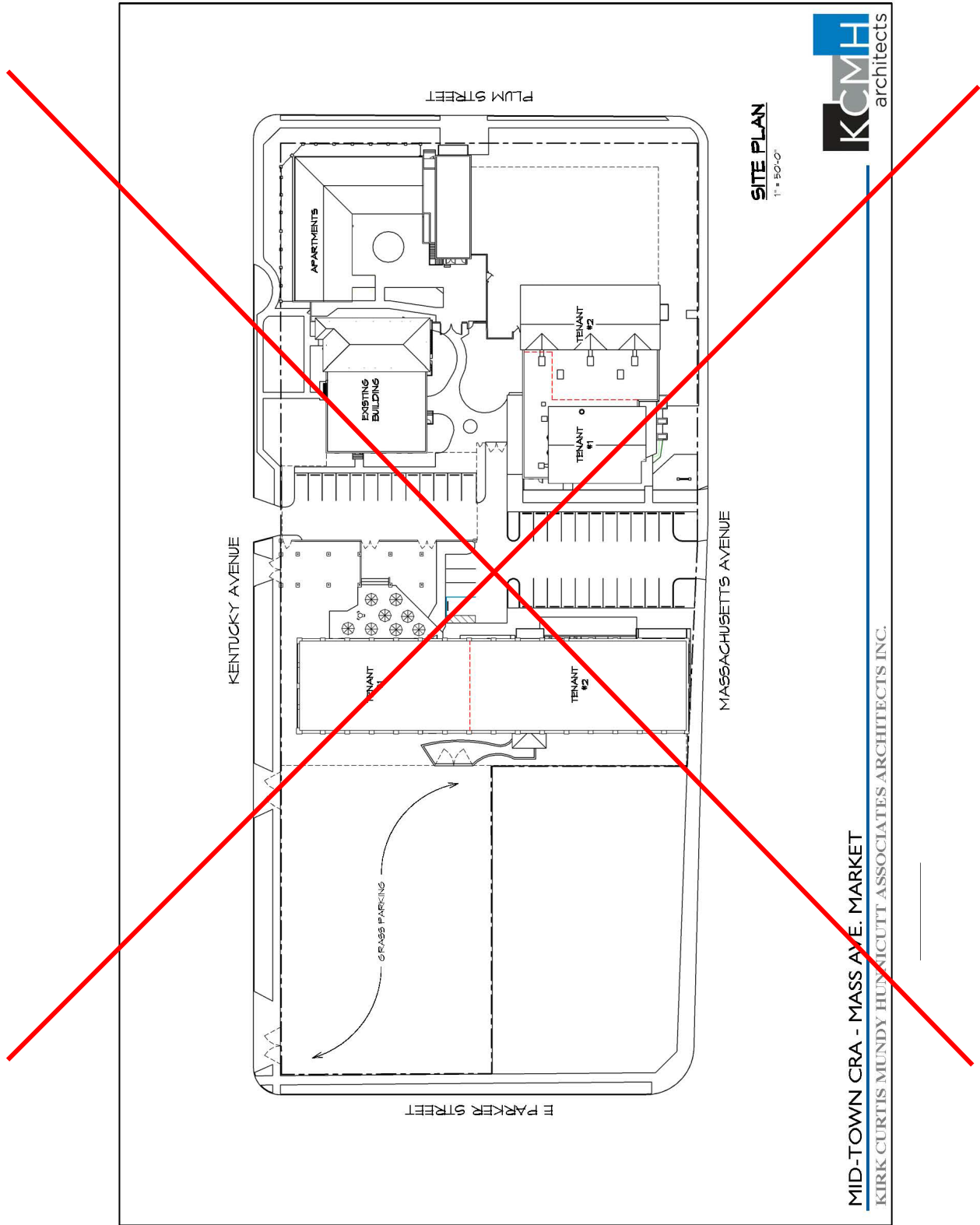
AND

North 1/2 of Lot 6 (North 50 feet) and all of Lots 8, 9, 10 and 12, Block 23, SCHIPMAN'S SURVEY, a subdivision according to the plat thereof recorded at Deed Book "G", Pages 360 and 361, in the Public Records of Polk County, Florida.

ATTACHMENT "B"



ATTACHMENT "C"

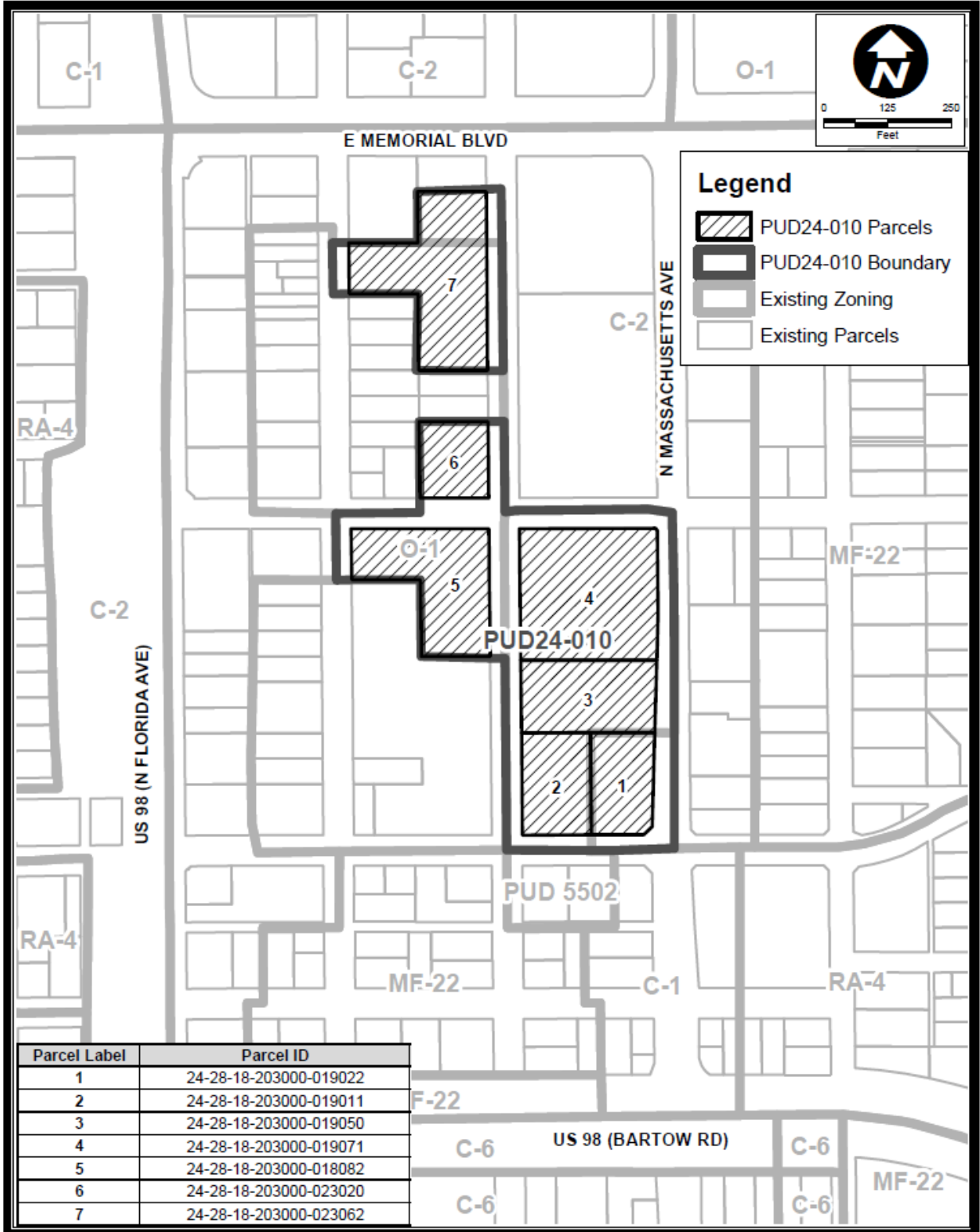


SITE PLAN
1" = 50'-0"

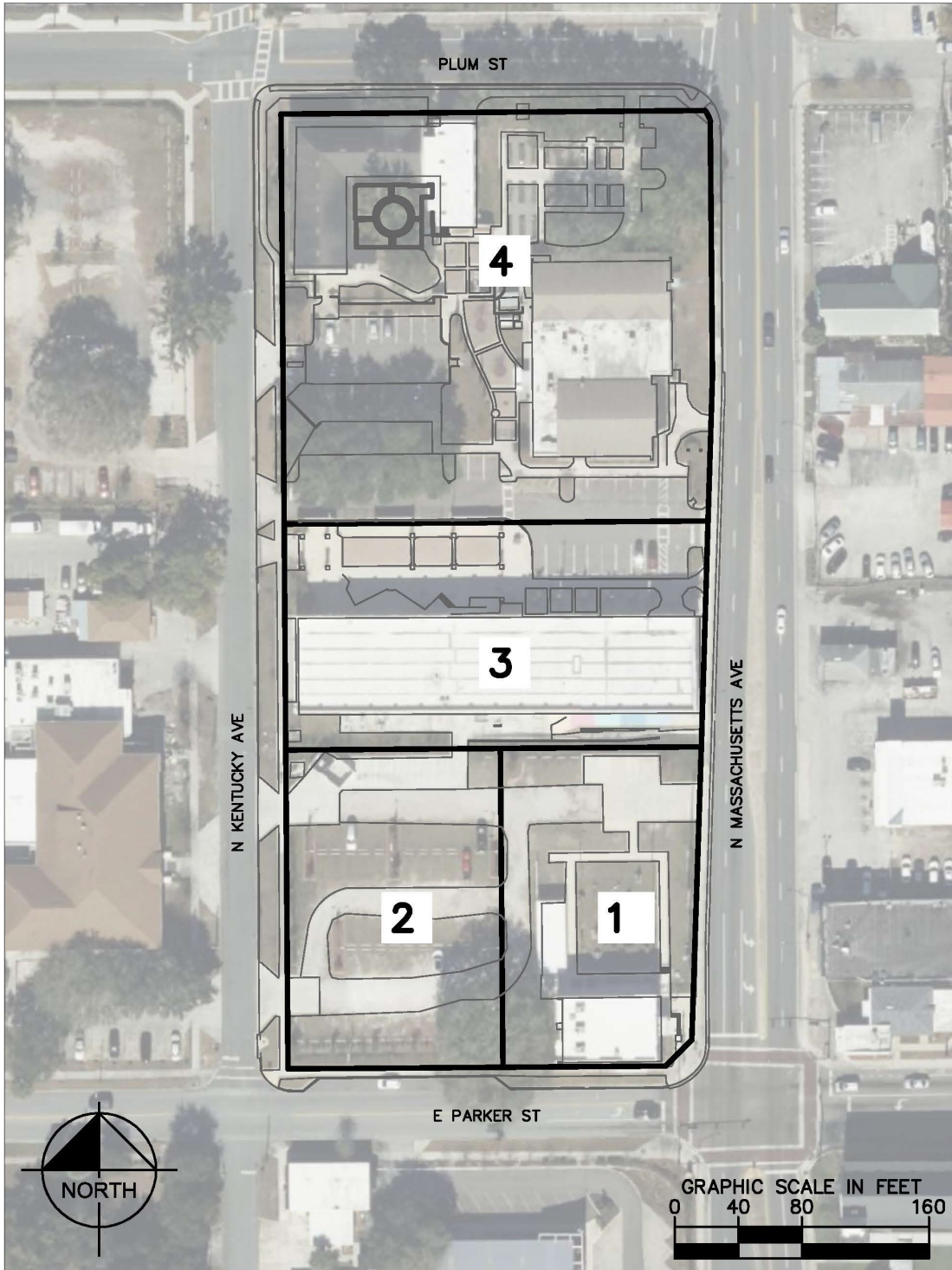


MID-TOWN CRA - MASS AVE. MARKET
KIRK CURTIS MUNDY HUNNICUTT ASSOCIATES ARCHITECTS INC.

ATTACHMENT "C"



ATTACHMENT "D"





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

August 30, 2024

RE: 820 N. Massachusetts Avenue - Project No. PUD24-010

Dear Property Owner:

This is to advise you that the Lakeland Community Redevelopment Agency requests a major modification of PUD (Planned Unit Development) zoning to amend the boundaries to include the former Mass Market commercial property located at 802 N. Massachusetts Avenue, change the permitted uses from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial), recognize certain nonconforming uses, and include parcels located on N. Kentucky Avenue and N. Tennessee Avenue, north and south of Plum Street which are currently zoned O-1 (Low Impact Office) to be dedicated as off-street parking in support of existing commercial and residential uses located at 820/830 N. Massachusetts Avenue, 835 N. Kentucky Avenue and 310 E. Plum Street. The subject property is legally described as:

SCHIPMANS SURVEY DB G PG 360 361 BLK 19 LOTS 5 THRU 8 LESS N 58 FT OF LOTS 7 & 8 & LESS R/W FOR LAKELAND INTOWN BYPASS AS DESC IN OR 4464 PG 908 BEING TOTAL TAKE FOR LAKELAND COMMUNITY REDEVELOPMENT PROJECT. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY AND 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, September 17, 2024**, in the Lakeland Electric Building rooms 1A/B, 501 E. Lemon Street. 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, September 17th 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: ADASpecialist@lakelandgov.net. If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-955- 8771 (TDD- Telecommunications Device for the Deaf) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

MINUTES

Planning & Zoning Board

Lakeland Electric Building rooms 1A/B

Tuesday, August 20, 2024

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members, Terry Dennis, Joseph Lauk, Veronica Rountree, Susan Seitz and Jeri Thom were present. Community & Economic Development staff Chuck Barmby, Urban Planning & Transportation Manager; Matthew Lyons, Executive Planner; Phillip Searce, Executive Planner; Audrey McGuire, Senior Planner; Damaris Stull, Senior Planner; and Christelle Burrola, Planning Assistant, were present. Assistant City Attorney Alex Landback was also present.

PUBLIC HEARING

ITEM 1: Change in zoning from RA-1 (Single-Family) to LD (Limited Development), and a conditional use to allow for the placement of accessory buildings and structures on a vacant, non-residential parcel used for natural recreation purposes on approximately 3.44 acres generally located north of Lake Miriam Drive, south of E. Alamo Drive, east of Lake Miriam and west of Highlands Place Circle. Owner: James and Trena Middleton. Applicant: James Middleton. (CUP24-009/ZON24-010)

Phillip Searce stated the subject property is located along the east shore of Lake Miriam immediately to the west of the One Highlands Place single-family residential subdivision. To the south and west, the subject property abuts Lake Miriam. The applicant and his family presently utilize the subject property for outdoor recreational purposes as an extension of the rear yard of their home. The applicant wishes to construct limited improvements such as a barn/storage building, a greenhouse and two small docks which will support outdoor recreation activities. Mr. Searce pointed to photos on the overhead screen of the subject property as well as the proposed site plan.

James Middleton, 4749 Highlands Place Circle, summarized the proposed request. Mr. Middleton stated that the structures will only be used for private recreational activities.

In response to Matthew Lyons, Mr. Middleton stated that the storage building, which will have a maximum height of 20 feet, will have a rustic barn-style exterior and function as a workshop, storage building and gathering space for private family events.

In response to Susan Seitz, Phillip Searce stated since the subject property is currently landlocked and lacks the infrastructure required for development, a principal dwelling cannot be constructed on the parcel as otherwise permitted under the RA-1 zoning.

Mr. Searce stated staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 2: Change in zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) and a conditional use for a Group Home, Level I to provide communal housing for veterans on property located at 1149 Parkhurst Avenue. Owner: New Life Outreach Ministry Inc. Applicant: Larry Mitchell. (CUP24-010/ZON24-011)

Damaris Stull stated the subject property is currently zoned RA-4 (Single-Family Residential) and within the Urban Neighborhood (UNH) context sub-district. Ms. Stull pointed to photos on the overhead screen of the subject property. The purpose of the request is to allow for the use of the existing single-family home on the subject property as a communal housing for up to six veterans under a non-custodial care

living arrangement. Rezoning of the subject property to O-1 will not create “spot zoning” as the property will remain as a single-family home blending in with the neighborhood.

Ms. Stull stated that staff received two phone calls and one e-mail from nearby residents opposing this request. The callers expressed significant concerns about the potential impact of the zoning change on the community, particularly regarding increased foot traffic and the safety of elderly and children in the neighborhood. One caller emphasized the importance of preserving the residential character of the area and preventing it from becoming a business corridor. The e-mail, sent by a resident with over 58 years of family ties to the neighborhood, highlighted concerns about the increasing commercial presence in this neighborhood.

Lark Mitchell, 1221 Omohundro Avenue, and Renee Alford, representing the applicant, were present in support of the request.

Ms. Stull stated staff will present a written recommendation for the request at the next regular meeting of the Board.

ITEM 3: Annexation, a small-scale map 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 application to apply a Suburban Special Purpose (SSP) context sub-district designation, on approximately 10.82 acres located north of Interstate 4, south of N. State Road 33, and east of Epicenter Boulevard. Owner: Nancy J. Knaus Credit Shelter Trust. Applicant: Shelton T. Rice, Peterson & Myers, P.A. (ANX24-002/LUS24-006/ZON24-007/ZON24-013)

Phillip Scarce stated the purpose of this request is to obtain annexation, land use and zoning approval to allow for future development of the property for I-2 uses, concurrent with a City-initiated application to apply a Suburban Special Purpose (SSP) context sub-district designation. The subject property has a Polk County Future Land Use designation of BPC-2X (Business Park Center) and is located within the Green Swamp Area of Critical State Concern (GSACSC). The most recent use of the property was for Recreational Vehicle (RV) sales and service. If approved by the City Commission, the applicant intends to develop the property with a tractor trailer truck dealership with accessory service and repair facilities.

Mr. Scarce pointed to photos on the overhead screen of the subject property.

Shelton Rice, 225 E. Lemon Street, was present in support of the request.

Mr. Scarce stated staff recommends approval.

In response to Joseph Lauk, Mr. Scarce stated staff did not receive any public comment in regard to the request.

Terry Dennis made a motion for approval of staff’s recommendation. Jeri Thom seconded the motion and it passed 5—0.

GENERAL MEETING

ITEM 4: Review minutes of the July meeting.

Susan Seitz made a motion for approval of the minutes from the previous meeting. Terry Dennis seconded the motion and it passed 5—0.

ITEM 5: A small-scale land use amendment, to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres (Parcel A1); a change of zoning on approximately 65.50 acres from I-2 (Medium Industrial) to PUD (Planned Unit Development); application of PUD (Planned Unit Development) zoning on approximately 16.9 acres of unzoned property; and a major

modification of PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive. Owner: RRL Airpark, LLC. Applicant: John B. Allen, Peterson & Myers, P.A. (LUS24-005/PUD24-005/ZON24-008) **Note: Continued from previous meeting.**

Audrey McGuire stated the applicant requests an additional one-month continuance while they continue to negotiate with staff regarding the transportation conditions.

Susan Seitz made a motion for approval of an additional one-month continuance. Jeri Thom seconded the motion and it passed 5—0.

- ITEM 6:**
- a. A small-scale map amendment to change the future land use designation from Conservation (C) to Regional Activity Center (RAC) on approximately 5.71 acres, from Conservation (C) to Residential Medium (RM) on approximately 3.22 acres, from Regional Activity Center (RAC) to Residential Medium (RM) on approximately 0.57 acres, from Residential Medium (RM) to Conservation (C) on approximately 16.30 acres, and from Residential Medium (RM) to Regional Activity Center (RAC) on approximately 10.50 acres.
 - b. A major modification of PUD (Planned Unit Development) zoning, concurrent with a City-initiated application to change the context sub-district designation from Suburban Corridor (SCO) and Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP) on approximately 98.21 acres, to allow for the development of a 400-bed hospital, 200,000 sq. ft. of medical office uses, 204,000 sq. ft. of retail commercial uses and 250 multi-family dwelling units on approximately 218 acres generally located south of S. Parkway Frontage Road and east of Harden Boulevard. Owner: Drummond Company Inc. Applicant: Timothy Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A (LUS24-009/PUD24-011/ZON24-009)

Damaris Stull stated to the north and east, the subject property abuts professional office uses and properties zoned for single-family or multi-family residential uses. To the south, the subject property abuts the St. Paul Lutheran Church & School campus and single-family/two-family residential uses located north of W. Alamo Drive. The subject property consists of multiple parcels with three different land use classifications. The purpose of this request is to amend the future land use and zoning to allow for the development of a 400-bed hospital, 200,000 sq. ft. of medical offices uses, 204,000 sq. ft. retail commercial uses, and up to 250 multi-family dwelling units in lieu of the existing entitlements. The subject property is currently zoned Planned Unit Development (PUD).

In 2002, a 9.69-acre portion of the subject property located at the southeast corner of Harden Boulevard and S. Parkway Frontage Road was rezoned which allowed for the development of a 90-room hotel and a sit-down restaurant with a maximum floor area of 9,426 sq. ft. In 2007, through a major modification, the PUD zoning was amended to allow for either a 90-room hotel and 9,426 sq. ft. restaurant, or two hotels with a maximum of 225 rooms and a maximum height of five-stories or 65 feet.

Ms. Stull pointed to photos on the overhead screen of the subject property, renderings and proposed site plan.

Ms. Stull presented the recommended conditions for approval.

Tim Campbell, 500 S. Florida Avenue, was present in support of the request.

In response to Joseph Lauk, Mr. Campbell stated he agrees to staff's recommended conditions.

Terry Dennis made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 5—0.

- ITEM 7:** Major modification of PUD (Planned Unit Development) zoning to amend the boundaries to include the former Mass Market commercial property located at 802 N. Massachusetts

Avenue, change the permitted uses from C-2 (Highway Commercial) to C-1 (Pedestrian Commercial), and include parcels located on N. Kentucky Avenue and N. Tennessee Avenue, north and south of Plum Street which are currently zoned O-1 (Low Impact Office) to be dedicated as off-street parking in support of existing commercial and residential uses located at 820/830 N. Massachusetts Avenue, 835 N. Kentucky Avenue and 310 E. Plum Street. Owner/Applicant: Lakeland Community Redevelopment Agency. (PUD24-010) **Note: Applicant requests a one-month continuance.**

Matthew Lyons stated the applicant requests a one-month continuance to readvertise the request due to changes which were made to the application following the July public hearing. Staff will return with a written recommendation next month.

Jeri Thom made a motion for approval of a one-month continuance. Veronica Rountree seconded the motion and it passed 5—0.

ITEM 8: Proposed text amendment to the Future Land Use Element of the Lakeland Comprehensive Plan to correct a typographical error pertaining to the percentage of residential uses allowed within RAC, CAC, NAC and IAC future land use districts and the percentage of commercial uses allowed within BP future land use designations. Applicant: City of Lakeland. (CPA24-001)

Audrey McGuire summarized the proposed text amendment for the Future Land Use Element of the Lakeland Comprehensive Plan to correct a typographical error pertaining to the percentage of residential uses allowed within RAC, CAC, NAC and IAC future land use districts and the percentage of commercial uses allowed within BP future land use designations.

Terry Dennis made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 5—0.

ITEM 9: Proposed text amendment to the Infrastructure Element of the Lakeland Comprehensive Plan to evaluate the feasibility of connecting on-site private septic systems to City sanitary sewer service. Applicant: City of Lakeland. (CPA24-002)

Audrey McGuire summarized the proposed text amendment to the Infrastructure Element of the Lakeland Comprehensive Plan to evaluate the feasibility of connecting on-site private septic systems to City sanitary sewer service.

Terry Dennis made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 5—0.

ITEM 10: Changes to Article 2 (Use Standards), Sections 2.3 (Permitted Uses) and 2.6 (Master Use List) of the Land Development Code to allow ground floor residential uses within existing non-residential buildings in C-6 and C-7 zoning districts, define restaurant and retail uses such as "ghost kitchens" and "dark stores" and allow within certain zoning districts, revise definitions pertaining to the outdoor storage boats, motor homes, trailers and other equipment, add a new use specific to the outdoor storage of medium-duty and heavy duty trucks, semi-trailers, multi-trailers, construction equipment, tools and vehicles, and amend the zoning districts in which such uses are permitted by right and through a conditional use. Applicant: City of Lakeland. (LDC24-001)

Philip Scarce summarized the proposed changes to Article 2 (Use Standards), Sections 2.3 (Permitted Uses) and 2.6 (Master Use List) of the Land Development Code.

Terry Dennis made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 5—0.

ITEM 11: Changes to Article 3 (Urban Form Standards), Section 3.5 (Exceptions to Urban Form Standards) of the Land Development Code to revise the development standards for single-family and two-family residential uses to reduce the maximum lot coverage from 55% to 45% in Urban Neighborhood Context sub-districts, define the minimum front yard setback for infill properties located within established residential neighborhoods, and define the frontage buildout as a percentage of the overall width of the principal structure. Applicant: City of Lakeland. (LDC24-002)

Damaris Stull summarized the proposed changes to Article 3 (Urban Form Standards), Section 3.5 (Exceptions to Urban Form Standards) of the Land Development Code.

Terry Dennis made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 5—0.

ITEM 12: Changes to Article 4 (General Site Development Standards), Section 4.3 (Accessory Structures) of the Land Development Code, to establish a maximum floor areas and total cumulative footprint for accessory structures on single-family or two-family residential lots or parcels, prohibit the installation of secondary electric meters on accessory structures when located on properties zoned for single-family or two-family residential uses, define accessory structures with greater than 1,000 sq. ft. of floor area as principal structures when located on a lot or parcel zoned for office, commercial, industrial, or multi-family residential uses, and provide clarification regarding zoning compliance for certain accessory structures which do not require a building permit. Applicant: City of Lakeland. (LDC24-003)

Damaris Stull summarized the proposed changes to Article 4 (General Site Development Standards), Section 4.3 (Accessory Structures) of the Land Development Code.

Susan Seitz made a motion for approval of staff's recommendation. Jeri Thom seconded the motion and it passed 5—0.

ITEM 13: Changes to Article 4 (General Site Development Standards), Section 4.4 (Fences and Walls) and Article 12 (Administration and Enforcement) of the Land Development Code, to establish permitting requirements for fences, specify the threshold for when repair or replacement of an existing fence will require a permit, specify how much of a nonconforming fence or wall may be repaired or replaced before the fence or wall must be brought into compliance, require fencing materials which have both a finished and unfinished side to orient the finished side outwards when adjacent or directly visible from streets or alleys, address the placement of certain materials on fencing, revise an illustration which addresses the height of fences and walls within the visibility triangle at unsignalized intersections, and allow for the administrative approval of privacy fences up to eight feet in height subject to the written consent of adjacent property owners when located in rear yards and not visible from adjacent streets or alleys. Applicant: City of Lakeland. (LDC24-004)

Audrey McGuire summarized the proposed changes to Article 4 (General Site Development Standards), Section 4.4 (Fences and Walls) and Article 12 (Administration and Enforcement) of the Land Development Code.

In response to Joseph Lauk, Matthew Lyons stated under the new language the Director of Community & Economic Development would have the discretion to waive fees for fence permits to repair or replace an existing fence when damage is sustained due to a natural disaster. A fence permit, however, would still be required. Discussion ensued.

Mr. Lauk suggested condition 4.4.1.d. should state "At the discretion of the Director of Community and Economic Development, the requirement for a permit to repair or replace fencing in excess of 25 percent may be waived when damage is sustained due to a natural disaster which results in

widespread damage throughout the City for a time period not to exceed six months from the date of the disaster.”

Susan Seitz made a motion for approval of staff’s recommendation with the amendment to condition 4.4.1.d. Veronica Rountree seconded the motion and it passed 5—0.

ITEM 14: Changes to Article 4 (General Site Development Standards), Section 4.5 (Landscaping, Trees and Buffering) of the Land Development Code, to apply the tree preservation requirements to unplatted parcels of land which are zoned for single-family or two-family residential uses and greater than one acre in area, adopt a new list of qualified tree, palm, shrub, groundcover and flower plantings, and incorporate certain Florida-Friendly Landscaping requirements for irrigation systems. Applicant: City of Lakeland. (LDC24-005)

Audrey McGuire summarized the proposed changes to Article 4 (General Site Development Standards), Section 4.5 (Landscaping, Trees and Buffering) of the Land Development Code. Britney Thornton, Water Utilities Department, was present in support of the request. Discussion ensued.

Terry Dennis made a motion for approval of staff’s recommendation. Jeri Thom seconded the motion and it passed 5—0.

ITEM 15: Changes to Article 4 (General Site Development Standards), Section 4.7 (Pedestrian, Bicycle and Transit Facilities) of the Land Development Code, to revise the payment in lieu of construction where a sidewalk network does not exist on local streets and where a sidewalk would not be feasible due to site constraints. Applicant: City of Lakeland. (LDC24-006)

Audrey McGuire summarized the proposed changes to Article 4 (General Site Development Standards), Section 4.7 (Pedestrian, Bicycle and Transit Facilities) of the Land Development Code. Audrey McGuire stated the applicant requests a one-month continuance.

Ms. Ms. McGuire stated the proposed changes to Section 4.7 were shared with two individuals who represent numerous developers in the Lakeland area. No comments or feedback have been received.

Terry Dennis made a motion for approval of staff’s recommendation. Susan Seitz seconded the motion and it passed 5—0.

ITEM 16: Changes to Article 5 (Standards for Specific Uses), Section 5.9 (Electric Vehicle Charging Facilities) and Section 5.24 (Food Trucks) of the Land Development Code, to remove development standards pertaining to electric vehicle charging facilities, remove application requirements for a business tax receipt for food trucks and provide clarification regarding the documentation of property owner authorization and access to permanent restroom facilities. Applicant: City of Lakeland. (LDC24-007)

Matthew Lyons summarized the proposed changes to Article 5 (Standards for Specific Uses), Section 5.9 (Electric Vehicle Charging Facilities) and Section 5.24 (Food Trucks) of the Land Development Code.

Jeri Thom made a motion for approval of staff’s recommendation. Susan Seitz seconded the motion and it passed 5—0.

ITEM 17: Changes to Article 6 (Natural Resource Protection Standards), Sections 6.1 (General), 6.2 (Floodplain Management) and 6.3 (Green Swamp Area of Critical State Concern) of the Land Development Code, to adopt changes mandated by the Florida Department of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) pertaining to the National Flood Insurance Program (NFIP). Applicant: City of Lakeland. (LDC24-008)

Matthew Lyons summarized the proposed changes to Article 6 (Natural Resource Protection Standards), Sections 6.1 (General), 6.2 (Floodplain Management) and 6.3 (Green Swamp Area of Critical State Concern) of the Land Development Code.

Terry Dennis made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 5—0.

ITEM 18: Changes to Article 10 (Concurrency Standards) of the Land Development Code, to require a signed and sealed analysis prepared by a registered traffic engineer and additional safety analyses that will be required for Major Traffic Studies. Applicant: City of Lakeland. (LDC24-009)

Chuck Barmby summarized the proposed changes to Article 10 (Concurrency Standards) of the Land Development Code.

Terry Dennis made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 5—0.

ITEM 19: Changes to Article 11 (Historic Preservation Standards) of the Land Development Code, to clarify terminology and correct scrivener's errors throughout the Article, add definitions for Certificate of Review, Design Review Committee, Historic Preservation Board, and Relocation, reduce the total number of members on the Historic Preservation Board from 13 to 9, clarify membership composition along with a requirement that members must be City residents, clarify the role and purpose of the Design Review Committee, revise the definition of historic district to include aspects of historic integrity, revise terminology pertaining to the nomination of local historic landmarks, add review criteria for the relocation of historic buildings, and add formal procedures for processing appeals of decisions of the Historic Preservation Board and the Design Review Committee. Applicant: City of Lakeland. (LDC24-010)

Audrey McGuire summarized the proposed changes to Article 11 (Historic Preservation Standards) of the Land Development Code. Emily Foster, Community and Economic Development was present in support of the request.

Terry Dennis made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 5—0.

ITEM 20: Plat approval for the Lake Wire Commercial Development II subdivision on approximately 22.04 acres at the northwest corner of Sikes Boulevard and W. Main Street (1 Sikes Boulevard). Owner: Lake Wire Owner, LLC. Applicant: Jaime Iguia, VHB. (SUB24-003)

Audrey McGuire stated the request is for a plat approval for the Lake Wire Commercial Development II subdivision on approximately 22.04 acres. Plats are reviewed by the City's Subdivision Review Team for compliance with Article 9 (Subdivision Standards) of the Land Development Code (LDC). Staff recommended approval of the plat.

Terry Dennis made a motion for approval of staff's recommendation. Jeri Thom seconded the motion and it passed 5—0.

ITEM 21: 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 September hearing.

ITEM 22: Audience.

There were no comments from the audience.

ITEM 23: Adjourn.

There being no further discussion, the meeting was adjourned at 12:12 PM.

Respectfully Submitted,

Joseph Lauk, Chair

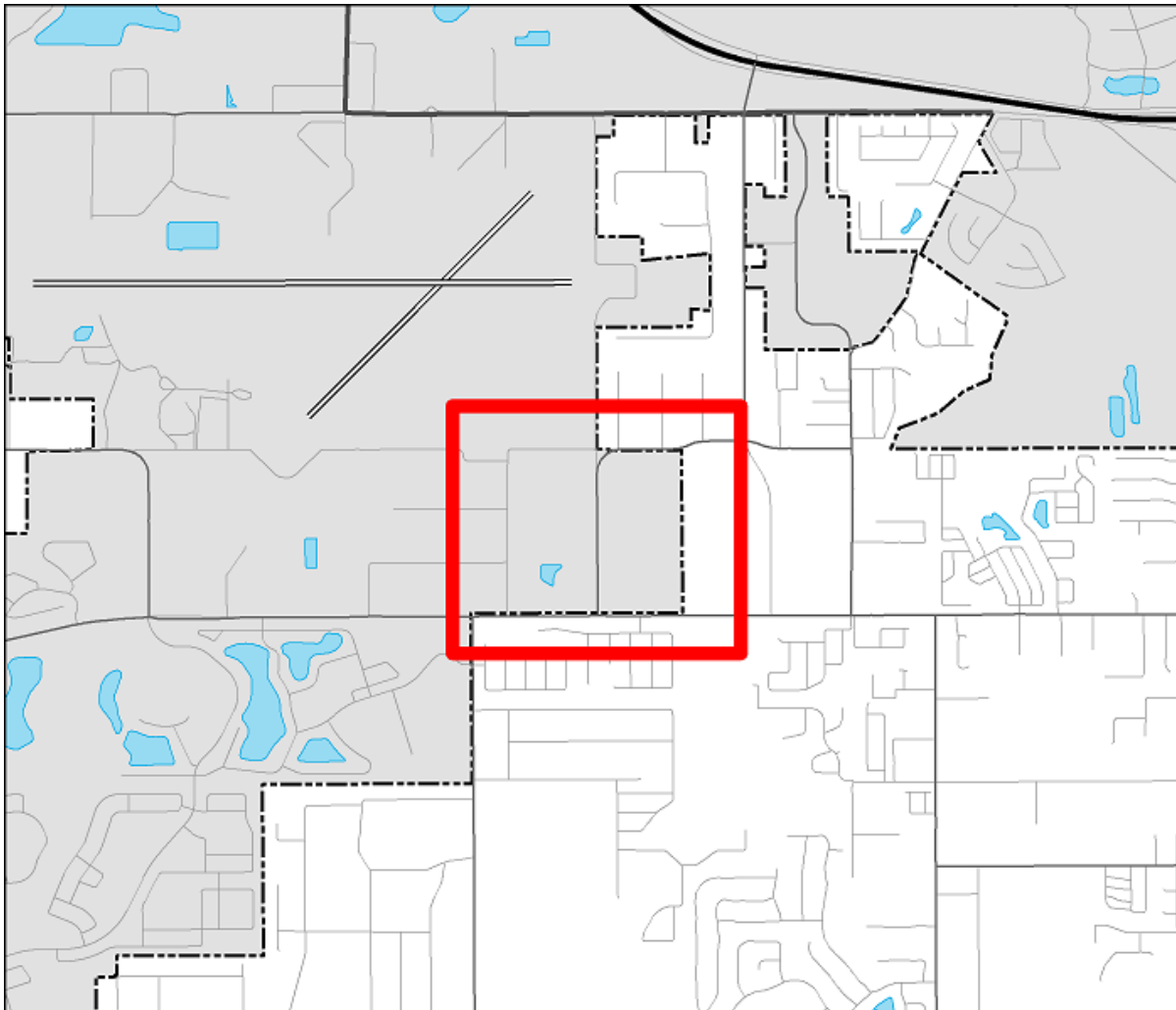
Susan Seitz, Vice-Chair

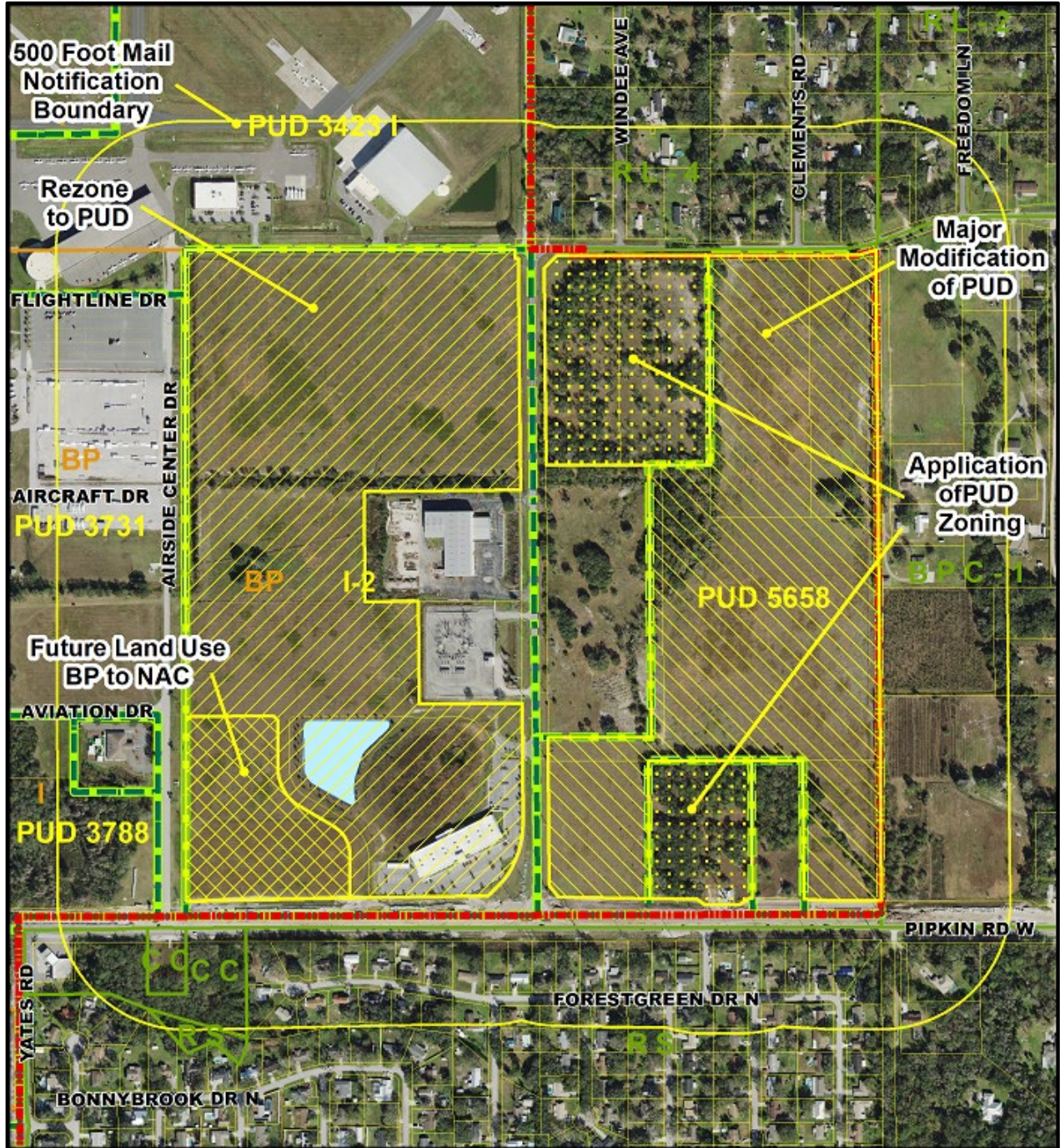


Community & Economic Development Staff Recommendation

Date:	September 17, 2024	Reviewer:	Audrey McGuire
Project No:	LUS24-005 PUD24-005 ZON24-008	Location:	3130 Airside Center Drive
Owner:	RRL Airpark, LLC		
Applicant:	John B. Allen, Peterson & Myers, P.A.		
Current Zoning:	I-2 (Medium Industrial)	Future Land Use:	Business Park (BP)
Context District:	Suburban Special Purpose (SSP)		
P&Z Hearing:	June 18, 2024	P&Z Final Decision:	September 17, 2024
Request:	<p>A small-scale land use amendment to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres (Parcel A1); a change of zoning on approximately 65.50 acres from I-2 (Medium Industrial) to PUD (Planned Unit Development); application of PUD (Planned Unit Development) zoning on approximately 16.9 acres of unzoned property; and a major modification of PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive.</p>		

1.0 Location Maps





2.0 Background

2.1 Summary

John B. Allen, Peterson & Myers, P.A., requests a small-scale land use amendment, to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres (Parcel A1); a change of zoning on approximately 65.50 acres from I-2 (Medium Industrial) to PUD (Planned Unit Development); application of PUD (Planned Unit Development) zoning on approximately 16.9 acres of unzoned property; and a major modification of PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property is approximately 127.38 acres in area and generally located north of W. Pipkin Road, east of Airside Center Drive and Old Medulla Road, and southeast of Lakeland-Linder International Airport. The subject property is comprised of multiple parcels with a Future Land Use designation of Business Park (BP) and a Suburban Special Purpose (SSP) context sub-district designation, but different or no zoning designations. Adjacent parcels to the east are within unincorporated Polk County and consists of a mixture of single-family and agricultural uses with a County Business Park Center-1 (BPC-1) land use designation. The subject property is bounded by County single-family residential uses to the north across Old Medulla Road, east and south across West Pipkin Road.

Approximately 65.5 acres of the subject property, generally east of Airside Center Drive and west of Old Medulla Road, is zoned I-2 (Medium Industrial) and is largely undeveloped except for a 37,858 square-foot industrial office constructed in 2019 on approximately 11.48 acres located at 3111 W. Pipkin Road.

Three separate parcels, approximately 16.9 acres in area, located on the east side of Old Medulla Road do not currently have City zoning. These parcels were annexed in 2009, assigned a Future Land Use classification of BP in 2010, and as part of the 2013 update to the Land Development Code were assigned a SSP context sub-district designation. These parcels were not assigned zoning at the time due to the lack of a specific development proposal.

The remainder of the subject property is zoned Planned Unit Development (Ordinance 5658, as amended) and has entitlements which would allow for the development of an industrial office park with limited commercial uses. Adjacent parcels to the east are within unincorporated Polk County and consists of a mixture of single-family and agricultural uses with a County Business Park Center-1 (BPC-1) land use designation.

2.3 Project Background

The purpose of this request is to amend and expand the boundaries of the existing PUD to allow for future development as a mixed-use industrial office park and commercial center. A conceptual site development plan which shows proposed access points, and the location of various development parcels is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Lakeland Linder International Airport / Single-Family Residential	I / County RL-4	PUD	SSP
South	Single-Family Residential	County RS	N/A	N/A
East	Single-family Residential	County BPC-1	N/A	N/A
West	Lakeland Linder International Airport / Industrial	BP / I	PUD	SSP

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Revised Conceptual Site Development Plan

3.0 Discussion

In 2008 the subject property was identified for future development of Business Park uses as part of the 2008 Southwest Lakeland Sector Plan. Currently, the entire subject property has a Future Land Use designation of BP (Business Park). Per the policies of the Lakeland Comprehensive Plan: *Our Community 2030*, the BP land use designation is intended for major employment centers and does not support general retail commercial uses. Retail uses are limited to 15 percent of the BP land use area and should be considered only where supportive of primary businesses and employers in the area.

The current PUD zoning (Ordinance 5658) was approved in 2017 and includes approximately 44.98 acres east of Old Medulla Road and north of West Pipkin Road. This PUD allows for a mix of industrial and office uses with limited commercial uses confined to the northeast corner of Old Medulla Road and West Pipkin Road (a portion of Parcel C). The proposed PUD modification will expand the existing boundaries of the PUD to allow for the expansion of a mixed-industrial commercial office park, incorporating additional land totaling 82.4 acres of land – 16.9 acres of unzoned property east of Old Medulla Road, and 65.5 acres of land proposed to be rezoned from I-2 (Medium Industrial) to PUD west of Old Medulla Road.

The subject property remains largely undeveloped except for an 11.48-acre parcel at the northwest corner of Old Medulla Road and West Pipkin Road (Parcel A3). This parcel was developed under the I-2 (Medium Industrial) zoning regulations in 2019 and, per the Polk County Property Appraiser, contains a 37,858 square-foot industrial office building. The 11.48-acre parcel is included within the 65.5 acres west of Old Medulla Road to be rezoned from I-2 to PUD, and the proposed PUD modification will preserve existing I-2 land use entitlements for this parcel.

To account for a lack of retail and service uses in the area, a 7.97-acre tract at the northeast corner of Airside Center Drive and West Pipkin Road is proposed to be reserved for commercial uses (Parcel A1). This tract is included within the 65.5 acres west of Old Medulla Road to be rezoned from I-2 to PUD and the proposed PUD modification will allow for C-4 (Community Commercial Center) uses. However, as commercial retail uses are not supported by the BP land use classification, a Future Land Use amendment from BP to Neighborhood Activity Center (NAC) is proposed concurrent with a city-

initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) for the 7.97-acre tract.

The existing PUD limits commercial uses to a 5.24-acre tract (4.74 acres today) at the northeast corner of Old Medulla Road and West Pipkin Road to minimize impacts to adjacent residential uses. Under the proposed PUD modification, this tract and the adjacent 5.02-acre parcel to the east (Parcel C) will be reserved for O-3 (Moderate Impact Office District) uses. While primarily intended for professional office and medical office, O-3 also allows for office-support-type commercial uses such as hotels, high-turnover and low-turnover restaurants, and limited retail and personal services uses. The proposed O-3 uses are intended to support industry and business in the area and will account for approximately 8.18 percent of the remaining BP land use area within the modified PUD consistent with the policies of the Comprehensive Plan.

The remainder of the subject property (Parcels A2, B1, B2 and D) will be reserved for industrial and limited office uses within the PUD. To mitigate compatibility concerns and potential impacts to adjacent residential land uses, the proposed PUD modification includes conditions pertaining to the location of outdoor storage and loading docks, service bays, and loading/unloading areas; landscape buffering; and architectural material and façade variation requirements for industrial and office uses.

3.1 Transportation and Concurrency

Comprehensive Plan and LDC Standards: Background Conditions

The requested land use and zoning actions will significantly expand the PUD beyond the limits of the City Commission's 2017 approval through Ordinance No. 5658. The subject property is located within the Urban Development Area as designated in the Comprehensive Plan, with a Level of Service (LOS) "E" Roadway Standard subject to multi-modal conditions being required for transportation concurrency approval, including transit service with at least 60-minute frequencies, availability of transit shelters, multi-use trail linkages and internal grid network requirements.

It is acknowledged that sufficient retail does not exist in southwestern Lakeland to support the employment centers that have historically characterized the area and the significant amount of residential development that has continued over the past 20 years. The proposed Neighborhood Activity Center is intended to address this retail deficit and provide more proximate shopping and dining opportunities with the Publix at County Line retail center located at the West Pipkin Road/County Line Road intersection, approximately 2.6 miles to the west. The Comprehensive Plan describes the Neighborhood Activity Center (NAC) as intended to accommodate the shopping needs of persons living within the immediate surrounding neighborhoods with uses including grocery store, drug store, few other small retail and office uses in a contiguous building or on outparcels. The Comprehensive Plan further goes on to state that the NAC future land use is intended to promote walkable neighborhoods with access to healthy foods, exceptions may be made to the general characteristics for Convenience Center site size, gross leasable area and/or separation distance where found compatible with surrounding uses and proposing a neighborhood level grocery as the primary use; the site shall be governed by PUD zoning, employ site design that maximizes walkability and compatibility, and exclude uses that are primarily auto-oriented. The introduction of limited auto-oriented uses within Parcel A1 (NAC land use) is being balanced with other employment and smaller-scale retail uses that are permitted in the BP portions of the larger development site and to prevent turning West Pipkin Road into a linear (strip) commercial corridor following Polk County's transportation improvement investment in excess of \$55 million.

Most of the surrounding road network is operated by Polk County, including West Pipkin Road, Old Medulla Road, Waring Road and Yates Road. Airside Center Drive along the western and northern boundary of the subject property is a private roadway owned by Lakeland International Airport. Per the

2023 Roadway Network Database as published by the Polk Transportation Planning Organization on October 13, 2023, West Pipkin Road has an Annual Average Daily Traffic (AADT) volume of 10,400 vehicles, with a two-hour average of 363 eastbound and 378 westbound vehicles. During the P.M. Peak, this segment operates at an acceptable Level of Service (LOS) “C” assuming a four-lane capacity. Old Medulla Road has an AADT of only 600 vehicles, with a two-hour average of 21 eastbound and 22 westbound vehicles during the P.M. Peak, operating at an acceptable LOS “C”. Waring Road between Old Medulla Road and State Road 570 (Polk Parkway) has an AADT of 10,900 vehicles, with a two-hour average of 481 northbound and 500 southbound vehicles during the P.M. Peak.

Binding Concurrency Determinations

For binding concurrency determinations, Concurrency Management Ordinance No. 5293 states that a Certificate of Concurrency shall be issued for a development approval and remain in effect for the same period of time as the development approval with which it is issued. The LDC defines Development Approvals as final subdivision plat approval, final site plan approval and building permit. Transportation concurrency certificates shall be valid for 36 months, with an additional one-year extension available through administrative approval by the Director of Community & Economic Development. For commercial subdivisions, development activity receives concurrency approval at individual site plan approval. For large, multi-phased developments, extended concurrency approvals with on- and off-site mitigation is allowed through Development Agreements such as those executed for Riverstone, Hawthorne Ranch and Lakeside Preserve/Prose Lakeland in compliance with the Florida Local Government Development Agreement Act, Sections 163.3220 – 163.3243, *Florida Statutes*.

Committed Transportation Projects and Mitigation from Nearby Development Activity

To accommodate growth within southwest Lakeland, several key transportation projects have been undertaken by public agencies or required through PUD zoning approvals and/or Development Agreements with the private sector. Polk County is currently reconstructing West Pipkin Road between State Road 37 (S. Florida Avenue) and Medulla Road, including a four-lane widening between Harden Boulevard and Medulla Road and a three-lane reconstruction east of Harden Boulevard. These corridor improvements are expected to be completed in Fall 2024. In Fall 2024, the Florida Department of Transportation is expected to begin construction of a roundabout at the State Road 572 (Drane Field Road)/Waring Road intersection, which will replace the existing traffic signal at this location that operates at an unacceptable level-of-service. The roundabout has been designed to support the four-lane widening of Waring Road between Drane Field and West Pipkin Roads, which is classified as a Cost-Feasible Project in the TPO’s *Momentum 2045* long-range transportation and for which a cross-section and alignment were recommended in the City’s Waring Road Alignment Study completed in 2003. To date, no subsequent project phases for the Waring Road corridor have been programmed in a City, County or FDOT Work Program.

The nearby Riverstone, Hawthorne Ranch, Prose Lakeland Apartments and Lakeside Preserve developments are subject to executed Development Agreements with the City Commission requiring payments for road widening, intersection improvement, transit capital and transit operation mitigation measures to address projected multi-modal level-of-service deficiencies. Riverstone has extended Medulla Road from West Pipkin Road to its shared western boundary with Hawthorne Ranch, whose developer is required to complete the extension to a new north-south collector roadway it is constructing between West Pipkin Road and Ewell Road called “Peachleaf Street”. Riverstone has recently completed installation of a traffic signal at the Medulla Road/West Pipkin Road intersection while Hawthorne Ranch is required to conduct signal warrant analysis at the West Pipkin Road/Peachleaf Street and Ewell Road/Peachleaf Street intersections. Neither Riverstone nor Hawthorne Ranch have been granted City Transportation Impact Fee Credits for their portions of

Medulla Road or Peachleaf Street. To address its impacts on Waring Road, Riverstone's developer and the City Commission executed a Proportionate-Share Agreement (Recorded on July 22, 2020, Book 11307/Pages 838-853) through which it paid and received City Transportation Impact Fee credits totaling \$1,402,465 for its share of the cost to widen Waring Road north of Old Medulla Road as well as improvements to the Drane Field Road/Waring Road intersection.

The subject property is served with fixed-route transit service via the Lakeland Area Mass Transit District's (Citrus Connection) Coral Line, with 90-minute frequencies from the Wal-Mart at Imperial Boulevard transfer point to Lakeside Village, Airside Center/GEICO, Riverstone and County Line Road Publix (Gresham Village). Developments on properties not included within LAMTD's boundaries, within which a half-mill ad valorem tax is granted for transit services within the Lakeland area, are required to submit annexation petitions to the LAMTD Board of Directors for action and if approved, provided to the City Commission for ratification. Development approvals for GEICO's expansion project on Aviation Drive, County Line Publix, Mosaic SOLA apartment community and Prose Lakeland apartment community have included transit shelter installation and depending on location, bus bay installation. As required by Riverstone's Development Agreement with the City of Lakeland, a separate Funding Agreement has been executed with LAMTD (Recorded on July 2, 2021, Book 11787/Pages 1127-1129) through which the developer is providing \$100,000 per year for five years for operating costs of expanded transit service for what has become the Coral Line. As required by the Hawthorne Development Agreement with the City, a separate Funding Agreement was executed with LAMTD (Recorded on August 23, 2022, Book 12390/Pages 1961-1965) through which the developer will pay for the purchase of a bus over a three-year period in exchange for City Transportation Impact Fee Credits.

Adjacent to the subject property, West Pipkin Road is part of a Proposed Pathways Corridor linking southwest Lakeland with the Lake-to-Lake Bikeway and Downtown Lakeland. Sidewalks and bicycle lanes are being incorporated into the on-going West Pipkin Road four-lane widening project west of the Old Highway 37/Harden Boulevard intersection. The Medulla Road Extension and Peachleaf Street projects constructed through Riverstone and Hawthorne Ranch include a ten-foot-wide pathway on one side of the street, a sidewalk on the opposite side of the street and four-foot-wide paved shoulders. A ten-foot-wide pathway segment has also been constructed with nearby development including the GEICO Expansion project on Aviation Drive.

Access Management

Section 4.2.4 of the LDC includes West Pipkin Road as a Type I roadway between Old Highway 37 and County Line Road. Type I roadways are of particular significance for freight movement and high-capacity connectivity to Lakeland's urban core. To minimize local traffic and improve corridor efficiency and safety, the LDC requires that access to development sites on Type I roadways be controlled, with cross-access and/or service roads to adjacent properties and improvements to adjacent corridors. As a recent example, the County Line Publix retail center project that opened in 2021 includes a backage road parallel to County Line Road between West Pipkin Road to Ralston Road called "Gresham Farms Road", which minimizes driveway connections to both significant roadways and distributes traffic around the West Pipkin Road/County Line Road intersection. No City Transportation Impact Fee Credits have been granted for this access road.

The subject PUD project area includes two internal access roads that are currently under construction by the property owner/developer. An east-west road extends Aviation Drive between Airside Center Drive and Old Medulla Road and a north-south road connects the Aviation Drive Extension to West Pipkin Road along the east side of Parcel A1. During the right-of-way acquisition phase for the West Pipkin Road four-lane widening project, the developer and County coordinated the design and installation of a new traffic signal on West Pipkin Road at the north-south spine road. With this new signalized intersection, the West Pipkin Road design includes a full median at Old Medulla Road,

restricting that intersection to right-in/right-out operations. At the property owner's/developer's request, these two internal access roads will be dedicated to the City of Lakeland as public right-of-way upon completion and acceptance by the City.

Lakeland Airpark Traffic Analysis

The original Lakeland Airpark traffic study prepared by Raysor Transportation Consulting, LLC in May 2017 was based on a development program containing 320,000 square feet of light industrial, 150,000 square feet of general office and 25,000 square feet of specialty retail uses. This development program was expected to generate 4,916 Daily, 592 AM Peak Hour (501 Enter/91 Exit) and 598 PM Peak Hour (103 Enter/495 Exit) trips. As the development area has expanded and evolved, subsequent analyses were conducted to evaluate turn lane needs for the development area on West Pipkin and Old Medulla Roads.

For the current expanded land use and zoning requests, an initial traffic study was conducted in 2023 and submitted with a Major Traffic Study Supplement prepared by Michael Raysor, P.E., Raysor Transportation Consulting, dated March 11, 2024. This analysis and supplement evaluated a revised development program of uses proposed by the property owner/developer:

- Code 150 (Warehouse): 942,450 sf
- Code 180 (Special Trade Contractor): 22, 500 sf
- Code 710 (General Office): 21,700 sf
- Code 934 (Fast-Food w/ Drive-Through): 5,000 sf
- Code 937 (Coffee/Donuts w/ Drive-Through): 3,000 sf
- Code 937 (Coffee/Donuts w/ Drive-Through): 3,000 sf
- Code 821 (Commercial, 40-150 ksf): 40,000 sf

City staff views these proposed uses as representing a conservative development program for trip generation purposes only since auto-oriented uses are not generally supported by the NAC definition in the Comprehensive Plan. This assumed development program is estimated to generate a total driveway volume of 10,294 Daily, 1,027 A.M. Peak Hour (593 Enter/434 Exit) and 841 P.M. Peak Hour (367 Enter/474 Exit) trips. With application of pass-by capture rates (estimated traffic that is already on adjacent roadways) for Codes 934, 937 and 821, the estimated *new* external volume of the proposed development is 8,624 Daily, 887 A.M. Peak Hour (523 Enter/364 Exit) and 691 P.M. Peak Hour (292 Enter/399 Exit) trips. The 2023 analysis and 2024 Supplement evaluate a 2026 horizon year with vested trips from Hawthorne, Lakeside Preserve/Prose Lakeland and Mosaic SOLA Apartments (Riverstone was considered substantially built-out) and a two-percent annual growth rate.

Based on the conclusions of this traffic study, the post-development generalized volume-to-capacity ratio on Waring Road (Old Medulla Road to Drane Field Road) during the P.M. Peak Period is expected to be 1.03 and 1.16 in the northbound and southbound directions, respectively. Since the planning-level capacity analysis projects a level-of-service failure, Section 10.3.3 (Major Traffic Study Review Requirements) of the LDC requires that a more detailed arterial segment analysis be conducted. The 2023 analysis prepared by Mr. Raysor includes a more detailed segment analysis for this portion of Waring Road, which concludes that the corridor is operating at LOS "B". At the Waring Road/Old Medulla Road intersection, located approximately 1,000 feet east of the eastern boundary for Parcel B2, the eastbound approach operates at LOS "F" in the background (without subject development traffic) and post-development conditions; however, the approach delay increases from 54.6 seconds to 173.3 seconds. While the traffic study evaluates the performance of a traffic signal and roundabout at this location from a level-of-service standpoint, a formal signal warrant analysis will be necessary prior to first site plan approval with coordination with the property owner and County regarding timing and funding of any signal that is warranted. Additional segment analyses will also be necessary for West Pipkin Road between Harden Boulevard and State Road 37 (S. Florida Avenue)

since the development is “significant” (consuming more than five percent of the directional capacity) in the westbound direction on the sub-segment west of Old Highway 37 (Bonefish Grill) while the eastbound direction was completely closed for construction from January 2022 to March 2024. The purpose of this analysis is to confirm the expected eastbound background and post-development level-of-service and whether the proposed development would have an “adverse” impact that would require mitigation.

City Staff Comparison of Existing and Proposed Land Uses for Parcel A1

City staff has prepared a trip generation comparison between the maximum potential uses in the existing Business Park (BP) and Neighborhood Activity Center (NAC) land uses. For the BP land use, approximately 174,000 square feet of Land Use Code 770 (Business Park) as defined in the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual, 11th Edition* was evaluated, assuming a maximum .5 Floor Area Ratio (FAR) on 7.97 acres (347,173 square feet) as stated in the Comprehensive Plan. Daily trip generation is estimated to range between 2,165 and 2,564 vehicles. The A.M. Peak Hour of Adjacent Street Traffic (7 A.M. to 9 A.M.) trip generation is estimated to range from 230 to 235 vehicles. The P.M. Peak Hour of Adjacent Street Traffic (4 P.M. to 6 P.M.) trip generation is estimated to range from 212 to 237 vehicles.

For NAC, ITE Land Use Code 821 (Shopping Plaza (40-150K) w/o Supermarket) formed the basis of a hypothetical trip generation analysis. The maximum .75 FAR contained in the Comprehensive Plan would allow 260,380 square feet of retail uses; however, NAC description in Comprehensive Plan includes Gross Leasable Area (GLA) range of 10,000 square feet to 150,000 square feet. Based on maximum 150,000 GLA, this retail land use could generate 10,128 Daily trips; 260 A.M. Peak Hour of Adjacent Street Traffic (7 A.M. to 9 A.M.) trips and 779 P.M. Peak Hour of Adjacent Street Traffic (4 P.M. to 6 P.M.) trips. While a potential NAC development program would generate more trips than BP land use, the PUD would limit the total amount of new external trips that would be generated for concurrency purposes, with total driveway trips, including pass-by capture trips, being evaluated at the time of site plan submittal.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan. Actual construction is subject to final concurrency determinations at the time of subdivision plat and construction 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 change in Future Land Use classification from Business Park (BP) to Neighborhood Activity Center (NAC) concurrent with a City initiated application to change to context sub-district from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres; a change in zoning from I-2 (Medium Industrial) to PUD on approximately 65.5 acres; application of PUD zoning on approximately 16.9 acres of unzoned property; and a major modification of Planned Unit Development (PUD) zoning to incorporate an additional 82.4 acres and allow for a mix of office, commercial and industrial uses. Letters of notification were mailed to 101 property owners within 500 feet of the subject property. No calls or emails were received in objection of this request.

4.2 Planning & Zoning Board

It is recommended that the request for a small-scale land use map amendment, to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated application to change the context sub-district from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres; change in zoning from I-2 (Medium Industrial) to Planned Unit Development (PUD) on approximately 65.5 acres; application of PUD zoning on approximately 16.9 acres of unzoned property; and major modification of PUD zoning to incorporate an additional 82.4 acres and allow for a mix of office, commercial and industrial uses as described above and in Attachments “A,” “B” and “C” be approved subject to the following conditions:

Ordinance 5658 as amended:

A. Permitted Uses

1. Parcel Pod “A1”

Uses shall include those permitted by right within the C-4 (Community Center Commercial) zoning district, subject to the following modifications:

- a. Parcel “A1” shall be limited to no more than one (1) “fast-food” restaurant with drive-through facilities and one (1) “fast-casual” restaurant.
- b. Parcel “A1” shall be limited to no more than one (1) minor motor vehicle fuel sales use, as defined by Section 2.6 of the Land Development Code. Major motor vehicle fuel sales shall be prohibited.

~~Banks, credit unions and savings and loan associations~~

~~Convenience stores with motor vehicle fuel sales~~

~~Office uses, government and non-government~~

~~Office support retail uses~~

~~Restaurants, low turnover, sandwich shops and snack bars~~

2. Parcels Pod “A2,” “A3,” “B1,” “B2” and “D”

Uses shall include those permitted by right within the I-2 (Medium Industrial) zoning district, subject to the following modifications:

- a. The following additional uses shall be permitted:

~~Bathroom and kitchen contractor showrooms~~

~~Interior decorator showrooms~~

~~Lighting fixture showrooms~~

~~Mini-warehouses~~

~~Office uses, government and non-government~~

Office Uses, Medical and Non-Medical

Office-Type Research and Development Facilities

Blood Banks and Plasma Collection Facilities

Hospitals and Emergency Rooms

~~Other uses whose operating characteristics are similar to the above and are deemed compatible with surrounding land uses, as determined by the Director of Community Development.~~

3. Pods Parcel "C" and "D"

Uses shall include those permitted by right in the O-3 (Moderate Impact Office) zoning district, subject to the following modification(s):

- a. Restaurants, high turnover and low turnover, may be permitted but limited to only one (1) "pick-up/carry-out" window for mobile and online ordering. This provision shall not be construed to permit drive-through uses and drive-through facility equipment such as, but not limited to, kiosks, call boxes, and menu boards, which shall be prohibited.

~~Bathroom and kitchen contractor showrooms~~

~~Carpet and flooring stores~~

~~General warehousing and storage~~

~~Industrial uses, Level I~~

~~Industrial service uses, Level I, but not automobile towing services~~

~~Interior decorator showrooms~~

~~Mini-warehouses~~

~~Office uses, government and non-government~~

~~Office type research and development facilities~~

~~Retail building materials sales, Level I~~

~~Upholstering, but not furniture stripping~~

~~Wholesale trade uses, Level I~~

~~Other uses whose operating characteristics are similar to the above and are deemed compatible with surrounding land uses, as determined by the Community and Economic Development Director.~~

- B. Site Development Plan: The project shall be developed in substantial accordance with the conceptual site development plan, Attachment "C." With the approval of the Director of Community and Economic Development, minor modifications may be made at the time of site plan review without requiring a modification of this PUD.

C. Development Regulations:

1. Pods Parcel "A1" and "B": In accordance with the C-4 / Suburban Center O-3/Suburban Corridor sub-district standards.
2. Parcels "A2," "A3," "B1," "B2" and "D": In accordance with the I-2 / Suburban Special Purpose sub-district standards.

- ~~23. Pod Parcel "C": In accordance with the O-3/Suburban Corridor I-2/Suburban Special Purpose sub-district standards.~~
3. ~~Pod "D": In accordance with the I-2/Suburban Special Purpose sub-district standards except any building elevations visible from Old Medulla Road shall be subject to the architectural materials and façade variation requirements specified by Sections 3.4.7.3 and 3.4.7.5 of the Land Development Code.~~
- D. Parking, Landscaping and Buffering: In accordance with the Land Development Code and the following:
1. Along the eastern boundary of Parcels "B2" and "D," a minimum 12 ft. wide buffer consisting of an 8-foot high opaque fence, and a double row of trees, each row having three trees for every 100 linear feet, shall be installed when the adjacent property is used as a residence; however, this shall not apply to areas where stormwater ponds are adjacent to the property line. Existing trees that are preserved may be used to meet the minimum number required by this condition.
- E. Outdoor Storage: There shall be no outdoor storage of goods or materials in ~~Pods~~ Parcels "A1," "C" and "B" "D." Outdoor storage shall be permitted in ~~Pods "C" and "D"~~ Parcels "A2," "A3," "B1" and "B2" provided:
1. The height of materials stored outside shall not exceed ten (10) feet;
 2. No outside storage of materials over six (6) feet in height may be located within fifty (50) feet of any property line of a residentially zoned or used lot;
 3. All areas of outside storage shall be kept in a neat, orderly condition, free of weeds, litter and debris, odor and vermin;
 4. No movement or arranging of materials stored outside shall occur between the hours of 10:00 p.m. and 6:00 a.m.;
 5. No outside storage of materials shall occur forward of the front wall of a principal building facing any public street.
- F. Building Service Areas: Loading docks, service bays and loading/unloading areas shall be prohibited along building facades that face a public roadway right-of-way. any property used for residential purposes. Within Parcels "B2" and "D," where adjacent to residential uses, building service areas shall be set back not less than 150 feet from the property boundary line abutting the residential use.
- G. Transportation & Site Access:
1. Binding concurrency determinations shall be made at the time of each final site plan submittal. Concurrency determinations shall be based on the cumulative trip generation of allowed uses on the subject property, with amount of new external trips not exceeding 8,624 Daily, 887 A.M. Peak Hour (523 Enter/364 Exit) and 691 P.M. Peak Hour (292 Enter/399 Exit). As an option to the standard concurrency determination process and duration allowed by the City's Concurrency Management Ordinance, the developer may enter into a multi-modal Development Agreement or Proportionate-Share Agreement to address transportation concurrency failures where the ultimate development program on the subject property has a significant and adverse impact. The Development Agreement will also address other off-site traffic signal or operational mitigation projects that are expected to be needed through development buildout.

2. Prior to the first site plan or preliminary plat submittal, whichever occurs first, the applicant shall submit a petition to annex the entire subject property into the Lakeland Area Mass Transit District Boundaries.
3. ~~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 fund public-private transit partnerships in the southwestern Lakeland area to mitigate areawide transportation impacts generated by on-going residential and employment center activity in the vicinity of Lakeland Linder Regional Airport.~~
4. Transportation Demand Management: ~~Depending on the timing and scale of development activity on the subject property~~ Based on cumulative external trip generation for subject property and adjacent roadway level-of-service deficiencies at the time of this development, the following specific measures may be required of ~~specific end-users, including but not limited to~~ per Section 10.4.2 of Land Development Code, including:
 - a. Staggered work hours that prevent shift changes from occurring between 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m.;
 - b. Shower and employee changing facilities for the first 40,000 square feet of office uses within each building with one additional facility being required for each additional 100,000 square feet of office space per building; ~~and/or~~
 - c. Employer purchase of transit passes for employees.; and/or
 - d. Participation in Florida Department of Transportation Commuter Assistance Program.
5. Off-Site Traffic Mitigation
 - a. ~~At the time of final site plan approval for the phase generating a cumulative 113 total PM Peak Hour external trips, the applicant shall signalize the Waring Road/Old Medulla Road intersection, subject to the submittal of a signal warrant and other operational analyses determined to be acceptable by Polk County. In the event that a signal is not determined to be warranted at that time, subsequent site plan submittals shall include updated warrant analyses until the signal is approved by Polk County and installed by the applicant. At the time that the Waring Road/Old Medulla Road intersection is signalized, the eastbound (western) intersection approach may be restriped to achieve a shared through /left turn lane and right turn lane configuration. Polk County will have final approval authority regarding turn lane configuration. Prior to first site plan submittal, the applicant shall complete a signal warrant analysis for the Old Medulla Road/Waring Road intersection. If a traffic signal is warranted or expected to be warranted by buildout, the applicant shall execute a proportionate-share funding agreement with the City and/or County for design and installation of the signal to ensure that it is operational prior to development on subject property being significant on this intersection.~~ Polk County will have final approval authority regarding final improvement package at this intersection as operator of Waring and Old Medulla Roads.
 - b. Prior to the final site plan approval representing a cumulative 50% of project buildout (299 ~~346~~ PM Peak Hour external trips), the applicant shall fund one additional hour of service for ~~Route #58~~ Coral Line between 5 p.m. and 6 p.m. as operated by the Lakeland Area Mass Transit District (LAMTD) or other equivalent service improvement that is approved by LAMTD. This service is intended to ensure that at least 60-minute route frequencies are available in the vicinity of the subject property during the entire PM Peak Period in support of the adopted level-of-service standards for the Urban Development Area.

- c. ~~Prior to final site plan approval for the project phase generating a cumulative 460 total PM Peak Hour external trips, the ultimate State Road 572 (Drane Field Road) / Waring Road intersection improvement package shall be funded in the first three years of a State or local Capital Improvement Program. In the event that this intersection capacity improvement is not committed at that time, the applicant may propose alternative mitigation improvements to allow for a favorable concurrency determination.~~

6. Site Access and Design

- a. Access points to the subject property shall be generally located as depicted in Attachment "C." Subject to final determinations and approval by Polk County at the time of permitting, the following access points will be allowed on West Pipkin and Old Medulla Roads:
- i. ~~West Pipkin Road at Pod "B" Spine Road east of Parcel A1: A~~ signalized full-movement intersection, with eastbound left- and westbound right-turn lanes being required on West Pipkin Road as constructed with four-lane widening project;
 - ii. ~~West Pipkin Road at Pod "A" Parcel C: A right-in/right-out driveway opposite Forestgreen Drive, subject to appropriate geometric modifications at median opening to prevent entering and exiting left-turns at this location at the far east end of Pod "A," with a westbound right turn lane being required on West Pipkin Road to accommodate allowable uses at this location provided that this access point is allowable by Polk County and sufficient right-of-way is available to accommodate any required right turn lane at this location;~~
 - iii. West Pipkin Road at Parcel D: A right-in/right-out driveway in event that parcel is not used for stormwater retention;
 - iii. ~~Old Medulla Road at Pod "A": A right-in/right-out driveway;~~
 - iv. ~~Old Medulla Road immediately north of Pod "A" at Aviation Drive Extension: A full-movement intersection that is coordinated with any access point constructed on the west side of Old Medulla Road~~ aligns with drive aisle running north of Parcel C; and
 - v. Old Medulla Road at Parcels B1 and B2: A full-movement access with east- and westbound approaches in alignment;
 - vi. Old Medulla Road at Parcel B2: A full-movement driveway that shall align with Windee Avenue; and
 - vii. ~~Old Medulla Road at Pod "D" Parcel B2 : A full-movement access point with a westbound left turn lane. This access that shall align with Clements Road unless Polk County determines that such alignment is not possible or feasible.~~
- b. The internal road system shall be designed to City public road standards and be approved by the City Public Works Department. These roads shall be designed to structurally support commercial vehicles expected with a typical warehousing and business park development. Internal and external cross-access routes and connections depicted in Attachment "C" shall be formalized through easement agreements that are recorded with the Polk County Clerk of the Circuit Court. Proposed driveway connections to Airside Center Drive shall also be formalized through an agreement with Lakeland International Airport.
- c. ~~A minimum 12-foot wide multi-use trail shall be incorporated into the site design for all development activity fronting West Pipkin Road.~~

- d. Sidewalks shall be constructed along the subject property's Old Medulla Road and Airside Center Drive frontages and along both sides of all internal roads. Americans with Disabilities Act-compliant pedestrian routes shall be constructed between each principal building entrance and each frontage and internal road sidewalk.
- e. Street lighting meeting Lakeland Electric standards shall be installed along the internal roads and Old Medulla and West Pipkin Road project frontages.
- f. ADA-compliant transit stops, consisting of wheelchair deployment and bench pads, shall be constructed at locations ~~along the internal road system and at locations~~ determined to be acceptable by LAMTD or successor transit agency. A maximum of two transit shelters shall be required at locations ~~along the subject property's Old Medulla Road frontages and locations~~ determined to be acceptable by the transit agency and Polk County and subject to Building Permit issuance by the City Building Division. These transit stops may be installed concurrent with adjacent sidewalk construction.
- g. Bike parking shall be provided in close proximity to each principal building entrance in compliance with Land Development Code Section 4.11.6 and Index 900 of the City Engineering Standards Manual.
- h. Avigation Agreement: Prior to first site plan submittal, the developer/property owner shall sign an Avigation Agreement prepared by the City of Lakeland that is recorded with the Polk County Clerk of the Circuit Court.

ATTACHMENT "A"

Legal Description:

WEST PARCEL

A portion of the Northeast 1/4 of Section 9, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 9; thence S.89°53'28"W., 63.00 feet along the Northerly boundary line of the Northeast 1/4 of Section 9 to the Westerly right-of-way line of OLD MEDULLA ROAD and the POINT OF BEGINNING; thence along said Westerly right-of-way line the following three courses: S.00°27'32"E., 35.00 feet; thence N.89°53'28"E., 13.00 feet; thence S.00°27'27"E., 901.14 feet to the Northeast corner of the property described in Official Records Book 9961, Page 1369 of the Public Records of Polk County, Florida; thence S.89°30'27"W., 607.79 feet along the Northerly boundary line of said property described in Official Records Book 9961, Page 1369 to the Northwest corner thereof; thence S.00°28'11"E. 430.27 feet along the Westerly boundary line of property described in Official Records Book 9961, Page 1369 to the Southwest corner thereof; thence N.89°30'23"E., 207.65 feet along the Southerly boundary line of property described in Official Records Book 9961, Page 1369 to the Northwest corner of property described in Official Records Book 2938, Page 679 of the Public Records of Polk County, Florida; thence S.00°26'40"E., 399.68 feet along the Westerly boundary line of said property described in Official Records Book 2938, Page 679 to the Southwest corner thereof; thence N.89°31'48"E., 400.19 feet along the Southerly boundary line of said property described in Official Records Book 2938, Page 679 to the Southeast corner thereof, said point being on the Westerly right-of-way line of OLD MEDULLA ROAD; thence along said Westerly right-of-way line the following course and curve: S.00°28'07"E., 515.62 feet to the beginning of a non-tangent curve concave to the Northwest having a radius of 359.26 feet; thence Southwesterly, 277.17 feet along said curve through a central angle of 44°12'16" (chord bears S.29°59'10"W., 270.35 feet) to the Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly boundary line the following three courses: S.89°47'16"W., 253.21 feet; thence S.88°47'16"W., 213.33 feet; thence S.88°48'12"W., 708.27 feet to the Westerly boundary line of the property described in Official Records Book 10426, Page 2001 of the Public Records of Polk County, Florida; thence N.00°04'00"W., 2533.74 feet along the Westerly boundary line of said property described in Official Records Book 10426, Page 2001 to the Northwest corner thereof, said point also being on the Northerly boundary line of the Northeast 1/4 of said Section 9; thence N.89°53'28"E., 1281.30 feet along the Northerly boundary line of said property described in Official Records Book 10426, Page 2001 and said Northerly boundary line of the Northeast 1/4 of said Section 9 to the POINT OF BEGINNING.

Containing 65.50 Acres, more or less

EAST PARCEL

A portion of the Northwest 1/4 of Section 10, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 10; thence N.89°50'01"E., 1338.89 feet along the Northerly boundary line of the Northwest 1/4 of said Section 10 to the Northeast corner of the West 1/2 of the Northwest 1/4 of said Section 10; thence along the Easterly boundary line of said West 1/2 the following two courses: S.00°24'39"E., 25.00 feet to the Southerly right-of-way line of MEDULLA ROAD and the POINT OF BEGINNING; thence continue S.00°24'39"E., 2512.75 feet to the Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly right-of-way line the following two courses: S.89°54'02"W., 198.02 feet; thence N.86°37'50"W., 102.63 feet to the Westerly boundary line of the property described in Official Records Book 10429, Page 1752 of the Public Records of Polk County, Florida; thence N.00°21'56"W., 539.80 feet along said Westerly boundary line to the Northwest corner of said property described in Official Records Book 10429, Page 1752; thence S.89°54'02"W., 200.44

feet to the Northeast corner of property described in Official Records Book 4055, Page 200, of the Public Records of Polk County, Florida; thence S.00°22'01"E., 535.00 feet along the Easterly boundary line of said property described in Official Records Book 4055, Page 200 to the said Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly right-of-way line the following six courses: S.89°54'02"W., 14.39 feet; thence S.52°47'57"W., 43.10 feet; thence S.89°54'02"W., 138.00 feet; thence N.53°08'07"W., 36.46 feet; thence N.89°10'05"W., 547.10 feet; thence N.37°10'32"W., 38.61 feet to the Easterly right-of-way line of OLD MEDULLA ROAD; thence N.00°27'27"W., 590.61 feet along said Easterly right-of-way line to the Southwest corner of property described in Official Records Book 4386, Page 319 of the Public Records of Polk County, Florida; thence N.89°53'50"E., 400.01 feet along the Southerly boundary line of said property described in Official Records Book 4386, Page 319 to the Southeast corner thereof; thence N.00°27'27"W., 1059.44 feet along the Easterly boundary line of said property described in Official Records Book 4386, Page 319 to the Northeast corner thereof; thence S.89°50'01"W., 400.01 feet along the Northerly boundary line of said property described in Official Records Book 4386, Page 319 to the Northwest corner thereof, said point also being the said Easterly right-of-way line of OLD MEDULLA ROAD; thence along said Easterly right-of-way line the following two courses: N.00°27'27"W., 765.79 feet; thence N.44°45'13"E. 69.51 feet to the said Southerly right-of-way line of MEDULLA ROAD; thence N.89°50'01"E., 1239.54 feet along said Southerly right-of-way line to the POINT OF BEGINNING.

Containing 61.88 Acres, more or less

Future Land Use Change BP to NAC

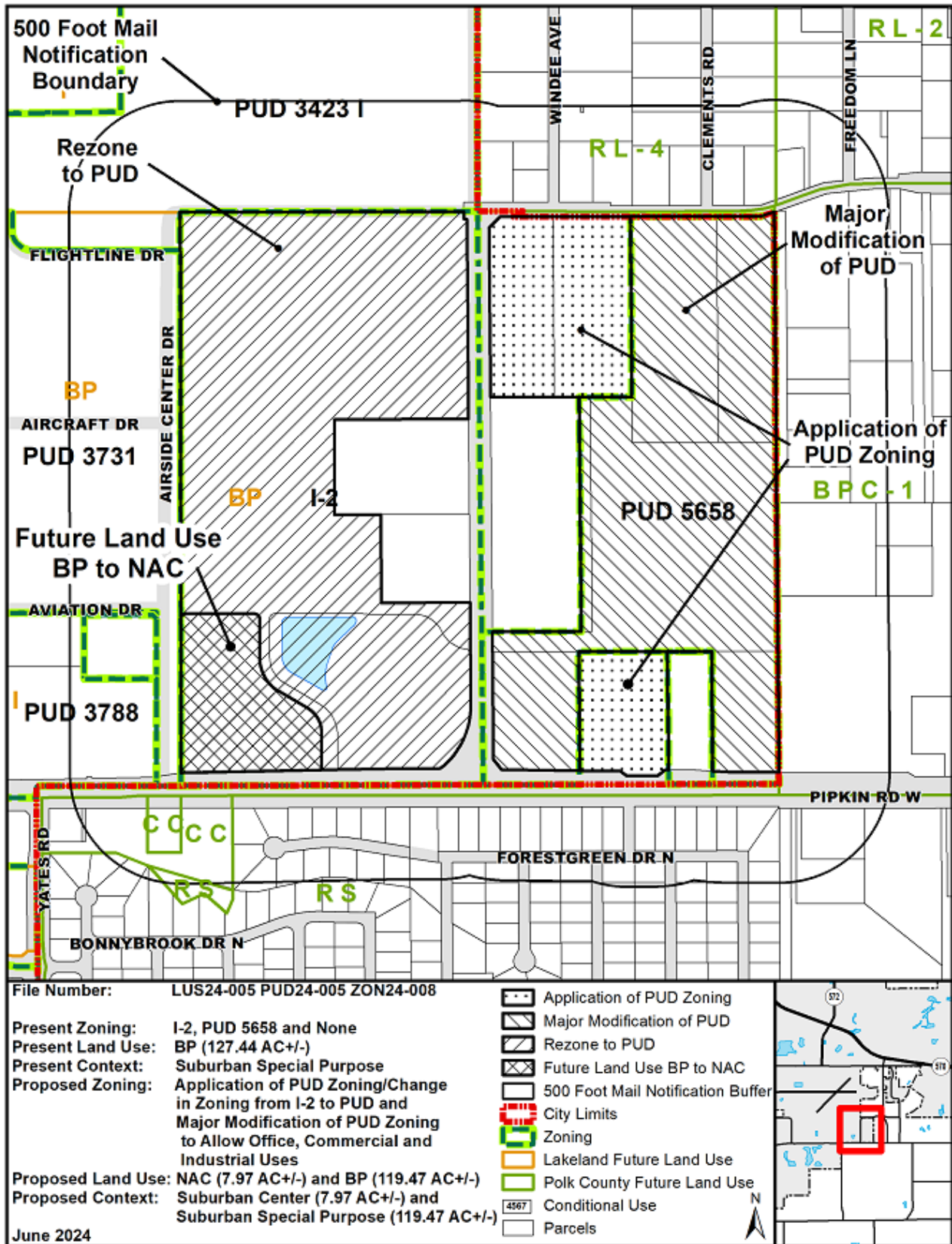
LEGAL DESCRIPTION: (Parcel A1)

A portion of the Northeast 1/4 of Section 9, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

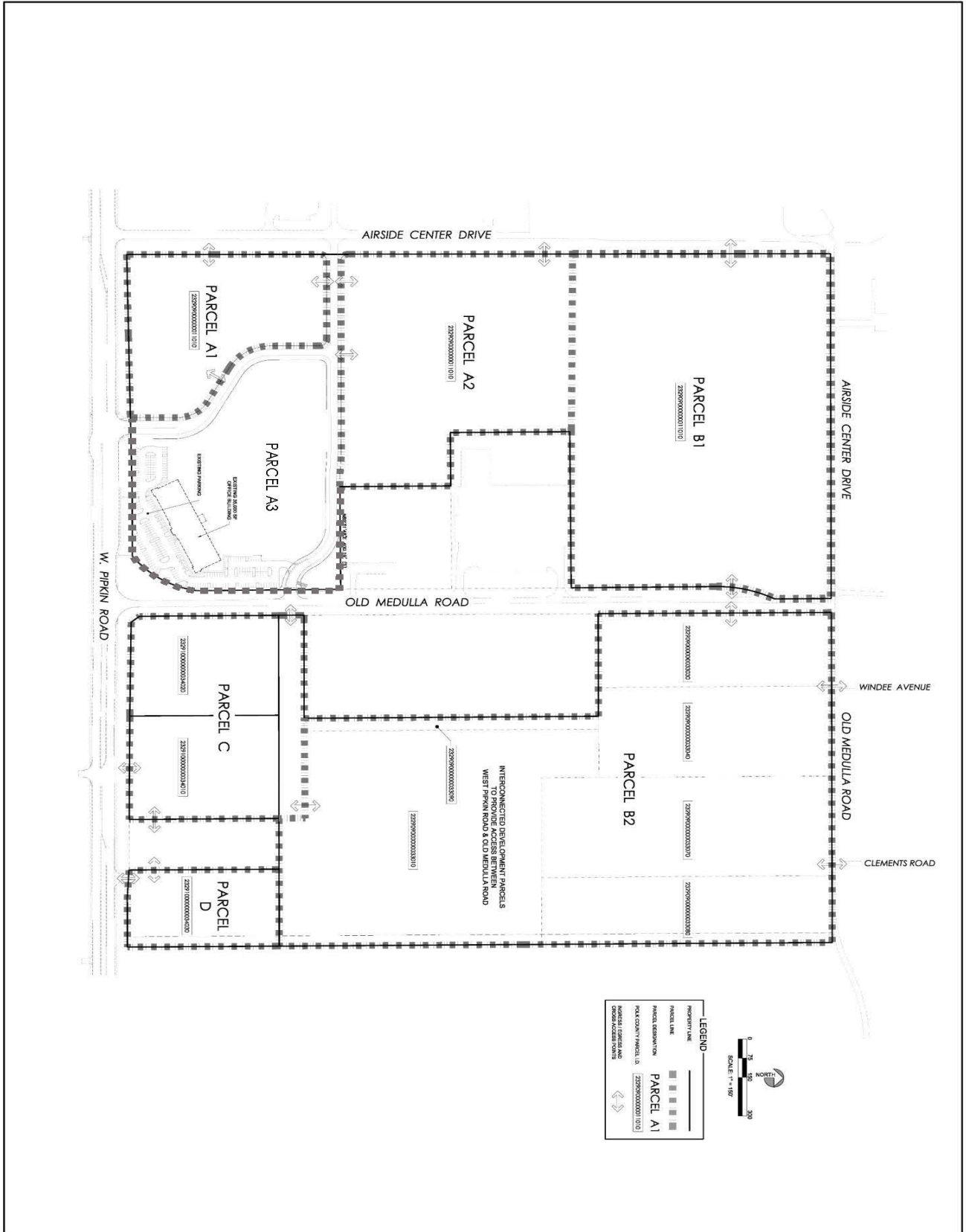
COMMENCE at the Southeast corner of the said Northeast 1/4 of said Section 9; thence S.89°47'16"W., 726.32 feet along the Southerly boundary line of the Northeast 1/4 of said Section 9; thence N.00°04'00"W., 120.51 feet to the Northerly right-of-way line of PIPKIN ROAD and the POINT OF BEGINNING; thence S.88°48'12"W., 636.12 feet along said Northerly right-of-way line to the Westerly boundary line of property described in Official Records Book 10429, Page 2001, of the Public Records of Polk County, Florida; thence N.00°4'00"W., 694.03 feet along said Westerly boundary line to the beginning of a curve concave to the Southeast having a radius of 25.00 feet; thence Northeasterly, 39.27 feet along said curve through a central angle of 90°00'00" (chord bears N.44°56'00"E., 35.36 feet); thence N.89°56'00"E., 307.00 feet to the beginning of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly, 39.27 feet along said curve through a central angle of 90°00'00" (chord bears S.45°4'00"E., 35.36 feet); thence S.00°04'00"E., 175.25 feet to the beginning of a curve concave to the Northeast having a radius of 175.00 feet; thence Southeasterly, 181.34 feet along said curve through a central angle of 59°22'23" (chord bears S.29°45'11"E., 173.34 feet); thence S.59°26'23"E., 152.07 feet to the beginning of a curve concave to the Southwest having a radius of 127.00 feet; thence Southeasterly, 131.60 feet along said curve through a central angle of 59°22'23" (chord bears S.29°45'11"E., 125.79 feet); thence S.00°04'00"E., 168.89 feet to the POINT OF BEGINNING.

Containing 7.97 Acres (347051.20 Square Feet), more or less.

ATTACHMENT "B"



ATTACHMENT "C"



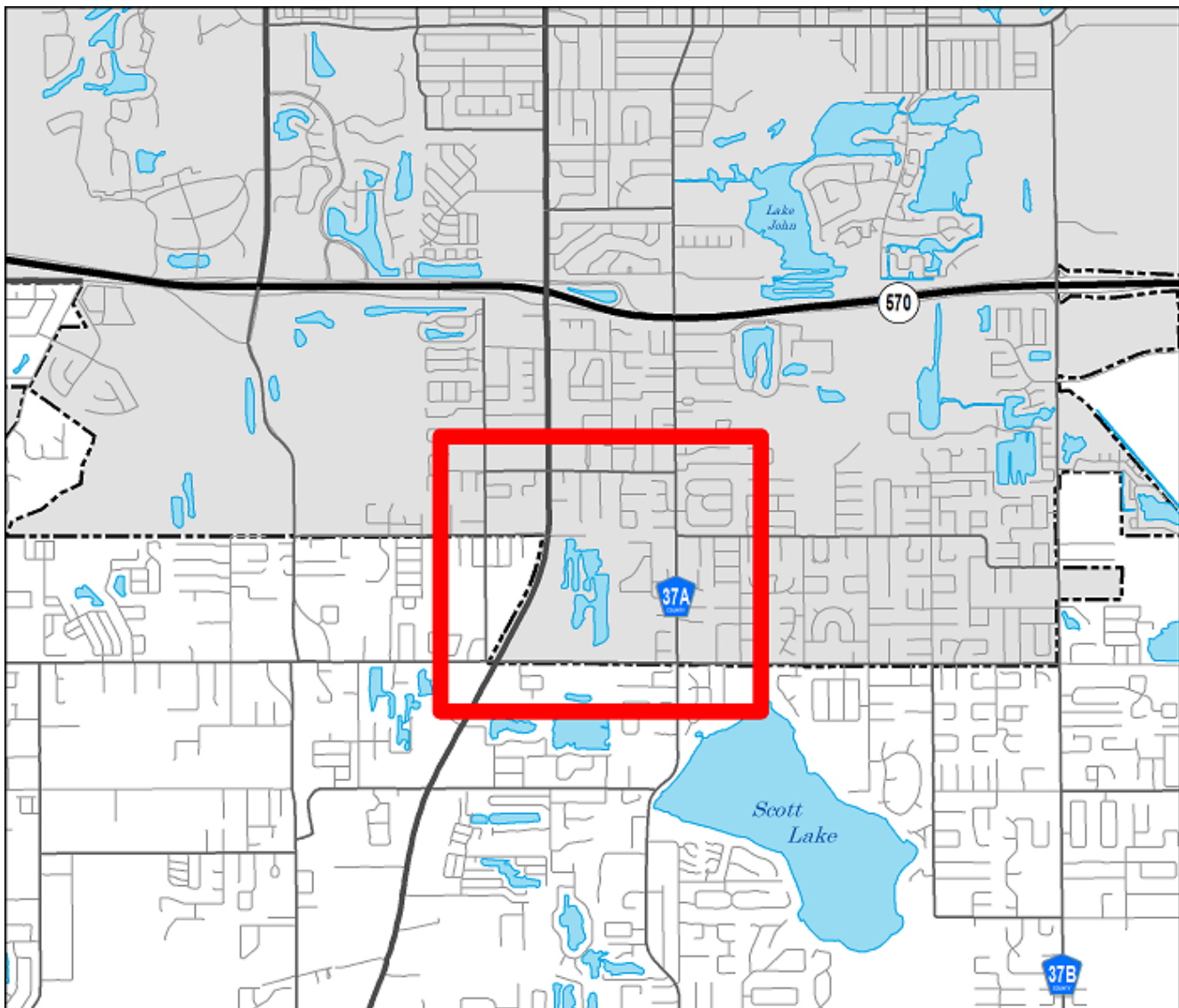
1 1	<p>8515 Palm River Road (813) 621-7941 www.lssc.com</p> <p>Tampa, Florida 33619 (813) 621-6761 (fax) C.A. # 29014</p>	<p>CENTRAL FLORIDA DEVELOPMENT P.O. BOX 230 HENRIETTA, NY 14467-0230 PHONE (877) 523-1647</p>	<p>AIR PARK SITE CITY OF LAKELAND, FLORIDA</p>	<p>DATE: 2024-02-28</p> <p>SCALE: 1" = 100'</p>	<p>Elevations based on NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) Conversion from NAVD88 to NGVD83 = +10.86 Feet</p>	<p>E. EVERETT MORROW No. 33683 PROFESSIONAL ENGINEER</p>
			<p>REZONING PLAN</p>	<p>PROJECT NO: 2220060</p>		

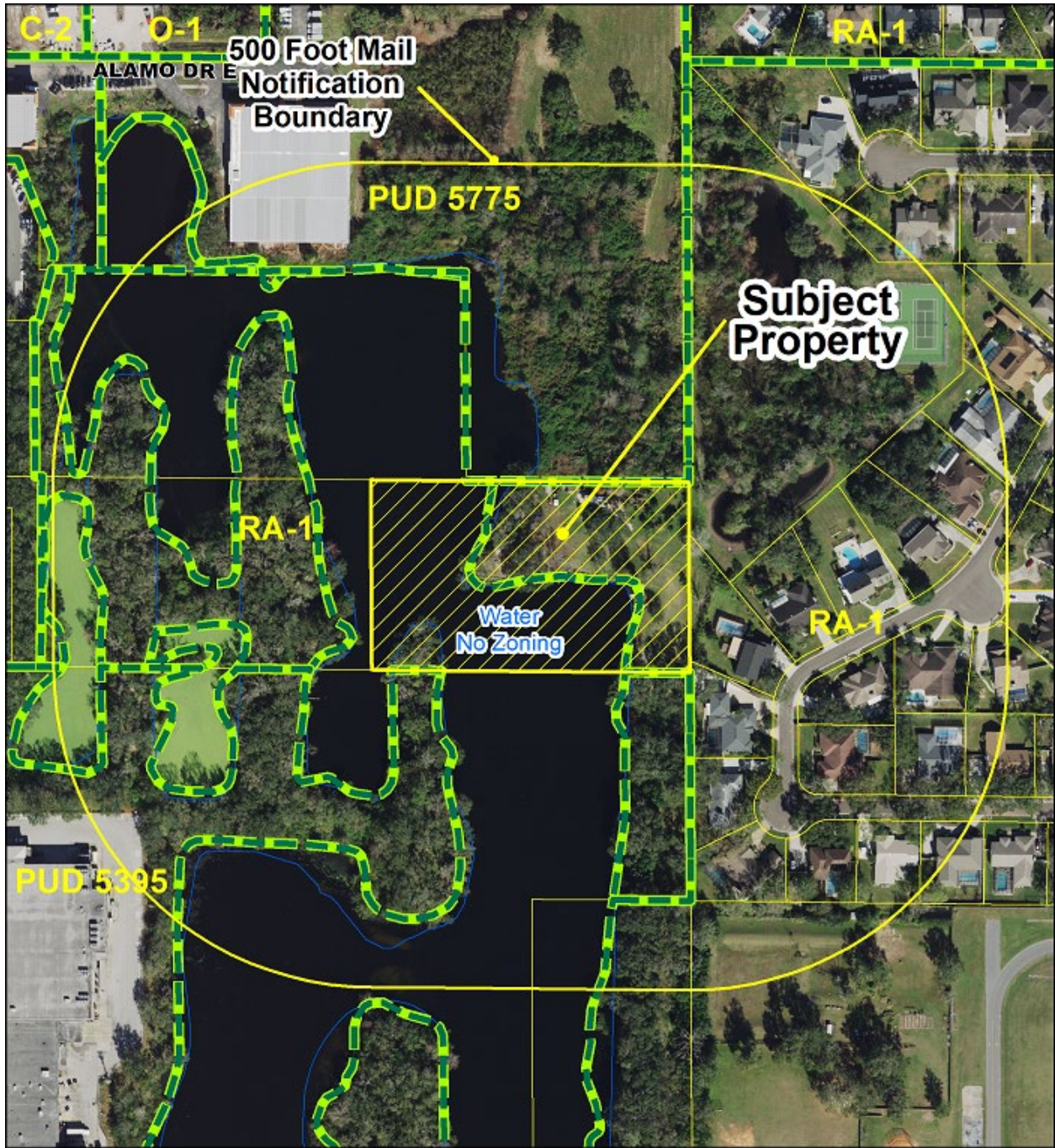


Community & Economic Development Staff Recommendation

Date:	September 17, 2024	Reviewer:	Phillip Scarce
Project No:	CUP24-009 ZON24-010	Location:	4749 Highlands Place Circle
Owners:	James and Trena Middleton		
Applicant:	James Middleton		
Current Zoning:	RA-1 (Single-Family Residential)	Future Land Use:	Residential Low (RL)
Context District:	SNH (Suburban Neighborhood)		
P&Z Hearing:	August 20, 2024	P&Z Final Decision:	September 17, 2024
Request:	Change in zoning from RA-1 (Single-Family Residential) to LD (Limited Development), and a conditional use to allow for the placement of accessory buildings and structures on a vacant, non-residential parcel used for private recreational purposes on approximately 3.44 acres generally located north of Lake Miriam Drive, south of E. Alamo Drive, east of Lake Miriam and west of Highlands Place Circle.		

1.0 Location Maps





2.0 Background

2.1 Summary

James Middleton requests a change in zoning from RA-1 (Single-Family Residential) to LD (Limited Development), and a conditional use to allow for the placement of accessory buildings and structures on a vacant, non-residential parcel used for private recreational purposes on approximately 3.44 acres generally located north of Lake Miriam Drive, south of E. Alamo Drive, east of Lake Miriam and west of Highlands Place Circle. A legal description is included as Attachment “A” and a map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, approximately 3.44-acres in area, is located along the east shore of Lake Miriam immediately to the west of the One Highlands Place single-family residential subdivision. Of this amount, approximately 1.5 acres consists of uplands suitable for development. The remainder of the property, approximately 1.9 acres in area, is underwater and unsuitable for development.

The subject property has a future land use designation of Residential Low (RL) and is currently zoned RA-1 (Single-Family Residential). While the subject property is located immediately to the west of the One Highland Place Subdivision, it is landlocked and does not presently have any road access or other infrastructure which would allow for the development of single-family residential uses.

The applicant presently owns the two adjacent single-family residential properties located to the east at 4745 and 4749 Highland Place Circle. To the south and west, the subject property abuts Lake Miriam, a 23-acre private lake that is a remnant of phosphate mining activities which took place in the early 20th Century. To the north, the subject property abuts Lake Miriam and an unplatted 14.41-acre commercial parcel which is partially developed for a mini-storage facility located at 215 E. Alamo Drive.

2.3 Project Background

The applicant and his family presently utilize the subject property for outdoor recreational purposes as an extension of the rear yard of their home. The applicant wishes to construct limited improvements such as a barn/storage building, a greenhouse and two small docks which will support outdoor recreation activities. A site plan, which shows the footprint and location of the proposed improvements, is included as Attachment “C”.

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Commercial, Undeveloped Former Mine Lands	RL	PUD	SNH
South	Lake Miriam, Undeveloped Former Mine Lands	RL	RA-1	SNH
East	Single-Family Residential	RL	RA-1	SNH
West	Lake Miriam, Undeveloped Former Mine Lands	RL	RA-1	SNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

The LD (Limited Development) zoning classification provides for rural, agricultural, conservation and recreation land uses where appropriate and where consistent with the existing and desirable future pattern of development. The LD district may be utilized to conserve rural, agricultural and undeveloped land where development at suburban or urban intensities is not desirable or it may be utilized as a holding zone where development at suburban or urban intensities is not presently feasible due to an inability to provide urban services or for other reasons.

Pursuant to Section 4.3.1.c. of the Land Development Code, Accessory Structures, *no accessory structure shall be constructed prior to the construction of a principal structure*. Since the subject property is currently landlocked and lacks the infrastructure required for development, a principal dwelling cannot be constructed on the parcel as otherwise permitted under the RA-1 zoning. The requested change of zoning from RA-1 to LD will limit the principal use of the property to recreational activities. Under the LD zoning, buildings and structures which are accessory to a non-residential principal use may be permitted through the conditional process.

Proposed structures include a 3,000 sq. ft. barn/storage building, a 320 sq. ft. greenhouse, and two small docks with a maximum length of 20 feet over water. The applicant stated that the structures will only be used for private recreational activities which are typically incidental to a single-family dwelling such as boating, fishing, gardening. At the public hearing on August 21st, the applicant stated that the storage building, which will have a maximum height of 20 feet, will have a rustic barn-style exterior and function as a workshop, storage building and gathering space for private family events.

Since the site is isolated and naturally buffered from other uses, impacts to adjacent land uses will be limited. The parcel to the north is associated with South Florida Avenue Mini-Storage which is located to the northwest on E. Alamo Drive. This parcel is largely undeveloped except for the self-storage facility and with additional development limited due to the property's Planned Unit Development (PUD) zoning designation. To the south and west the subject property is buffered by heavily wooded, former phosphate mine lands which are associated with the Publix-owned Lake Miriam Square shopping center located on S. Florida Avenue. Additionally, the parcel is buffered from the single-family uses to the east by a 4.6-acre conservation tract (Tract "A") owned by the One Highland Place HOA. This tract is mostly wooded and contains two large drainage easements as well as tennis and pickleball courts.

3.1 Transportation and Concurrency

The proposed conditional use is not anticipated to have any significant impacts on the surrounding road network.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

Letters of notification were mailed to 29 property owners within 500 feet of the subject property and no comments were received. The Community and Economic Development Department reviewed this request and recommends the approval of the change in zoning from RA-1 (Single-Family Residential) to LD (Limited Development) and a Conditional Use Permit to allow for the placement of accessory buildings and structures on a vacant, non-residential parcel used for natural recreational purposes with the following conditions:

4.2 The Planning & Zoning Board

It is recommended that the request for a small-scale map amendment and major modification to the PUD, as described above and in Attachments "A," "B," and "C," be approved with the following conditions:

- A. Permitted Uses: Accessory structures such as a barn/storage building, greenhouse and two small water access structures in support of private, recreational activities which are typically incidental to a single-family residential dwelling.
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan, Attachment "C".
- C. Maximum Intensity of Use:
 - 1. One (1) barn/storage building with a maximum floor area of 3,000 sq. ft.
 - 2. One (1) greenhouse with a maximum floor area of 320 sq. ft.
 - 3. Two (2) water access structures (docks) with a maximum length of 20 feet over water.
- D. Maximum Building Height:
 - 1. Barn/Storage Building: 20 feet
 - 2. All other structures: 12.5 feet.
- D. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code.
- E. Architectural Design Standards: The barn/storage building shall be finished with wood siding or similar materials such as Hardie board fibrous cement siding. The use of metal or vinyl siding shall be prohibited.

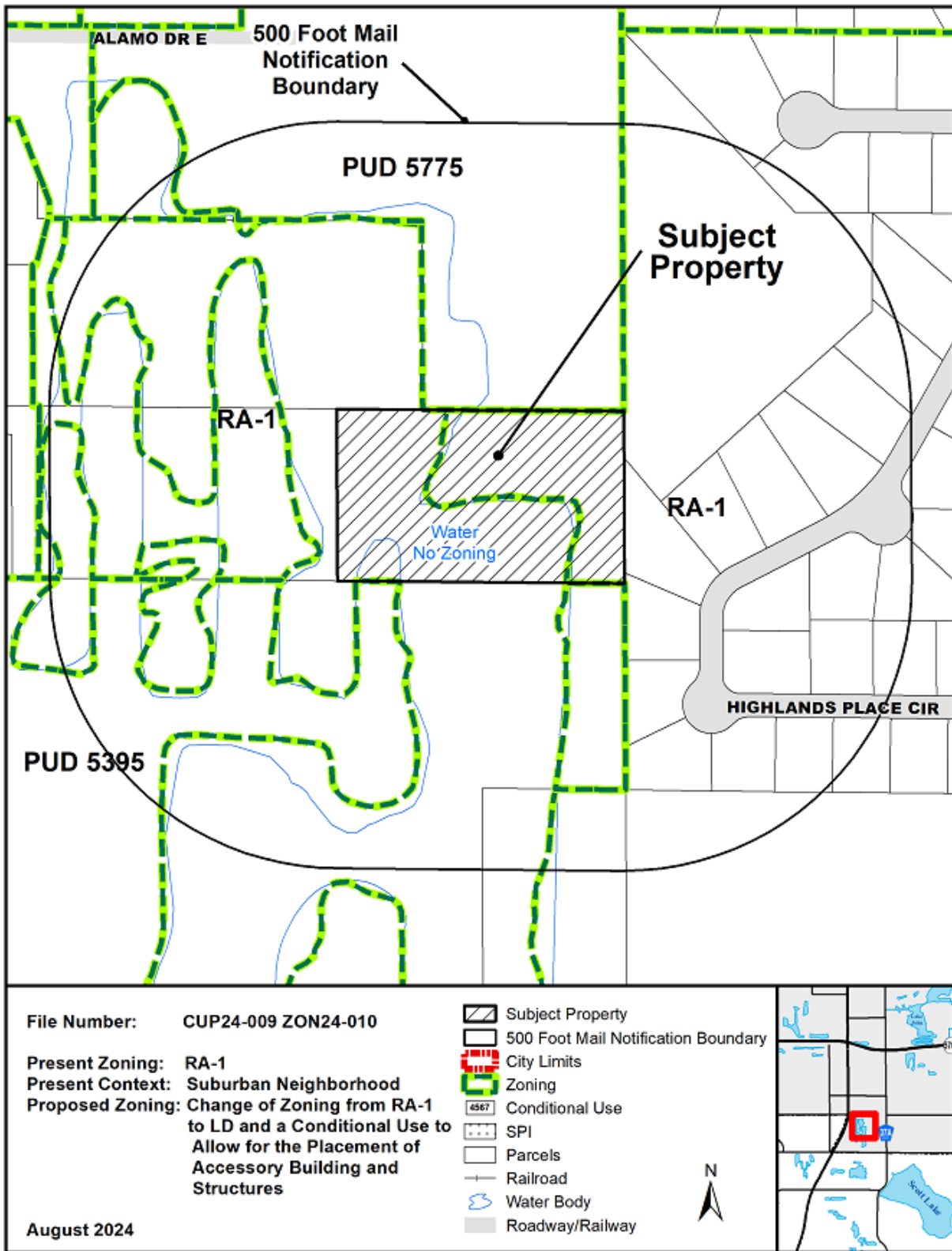
- F. This conditional use shall be for the benefit of the applicant only. Should the ownership of the property change, the Conditional Use Permit shall not be transferred or re-established without the approval of the City Commission.

ATTACHMENT "A"

LEGAL DESCRIPTION:

HALLAM & CO SUB CLUB COLONY TRACT PB 1 PG 102-A LOT 10 THAT PART DESC AS E 500
FT OF N 300 FT OF S 659.16 FT OF NW1/4 OF NW1/4 OF SEC

ATTACHMENT "B"



ATTACHMENT "C"

N00°22'49"W 300.00' - CALCULATED



N89°25'10"W 500.00' - CALCULATED

N00°25'22"W 199.98'

N89°25'57"W 500.00' - CALCULATED

N89°25'57"W 244.46'

10.0' SETBACK

10.0' SETBACK

4' CHAINLINK FENCE

20.0' SETBACK

4' WIRE FENCE

1.35' TO WATER'S EDGE

PROPOSED DOCK

PROPOSED 50'X60' SHED
HEIGHT = 20''

PROPOSED 10'X60' GREENHOUSE

LAKE
MIRIAM

PROPOSED DOCK

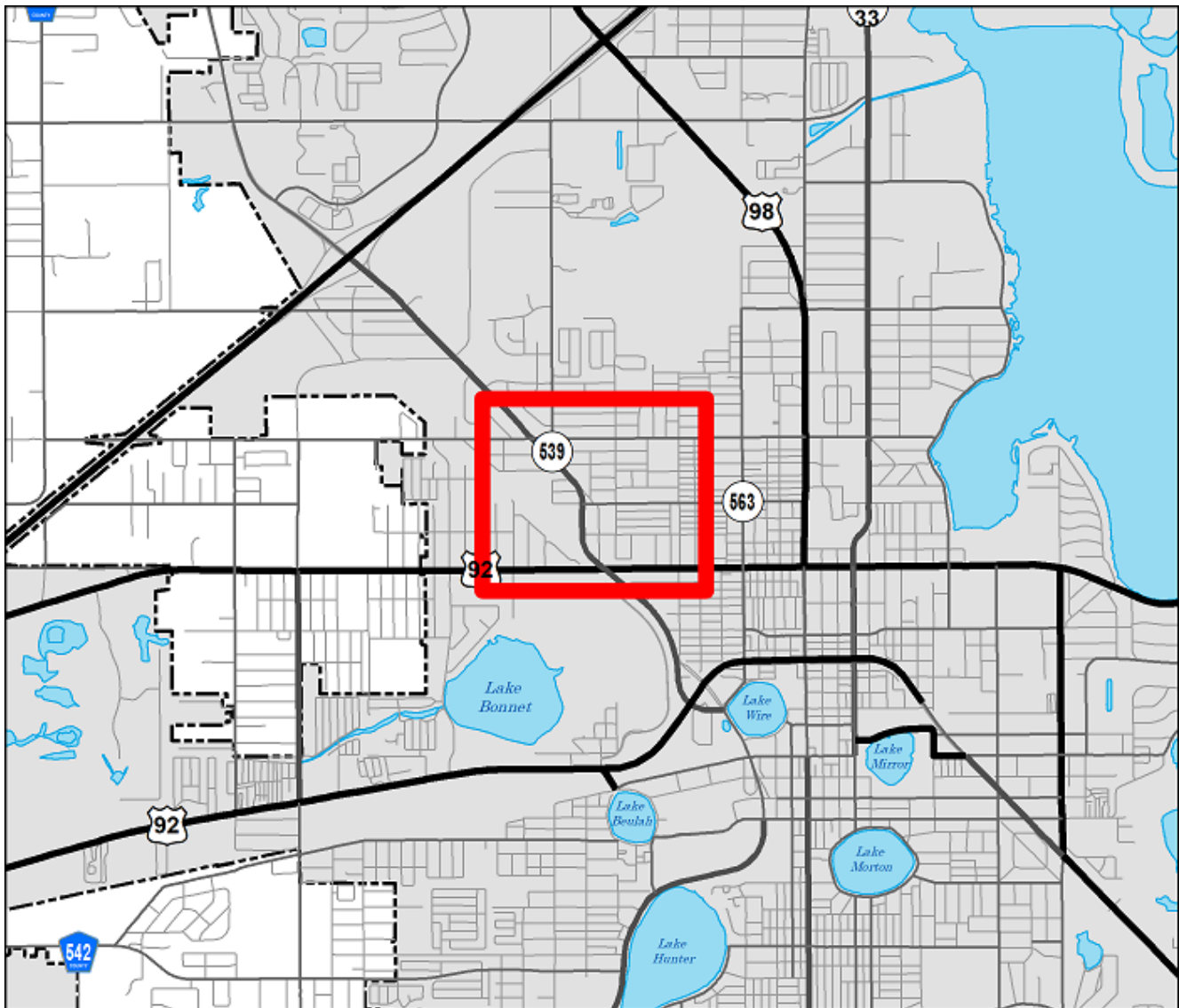
20.0'

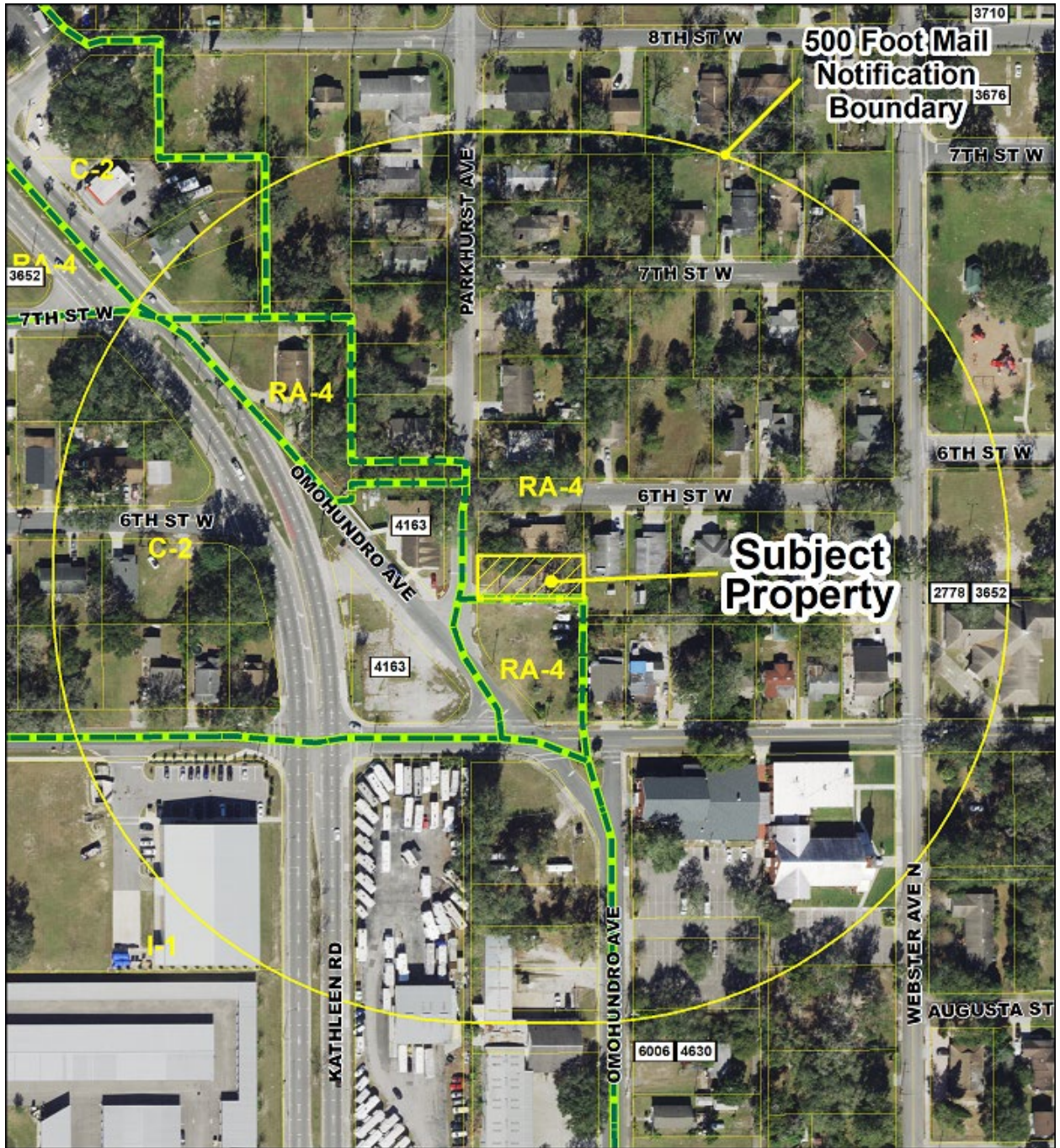


Community & Economic Development Staff Recommendation

Date:	September 17, 2024	Reviewer:	Damaris Stull
Project No:	CUP24-010 ZON24-011	Location:	1149 Parkhurst Avenue
Owners:	New Life Outreach Ministry, Inc.		
Applicant:	Larry Mitchell		
Current Zoning:	RA-4 (Single-Family Residential)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	August 20, 2024	P&Z Final Decision:	September 17, 2024
Request:	Change in zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) and a conditional use for a Group Home, Level I, to provide communal housing for veterans on property located at 1149 Parkhurst Avenue.		

1.0 Location Maps





2.0 Background

2.1 Summary

Larry Mitchell, New Life Outreach Ministry Inc., requests a change in zoning from RA-4 (Single-Family Residential) to O-1 (Low-Impact Office) and conditional use for a Group Home, Level I, to provide communal housing for veterans on approximately 0.15 acres property located at 1149 Parkhurst Ave. A legal description is included as Attachment “A” and a map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, approximately 0.15 acres in area, is currently zoned RA-4 (Single-Family Residential). The subject property has a future land use designation of Residential Medium (RM), RA-4 (Single-Family Residential) zoning and an Urban Neighborhood (UNH) context sub-district. The subject property is currently improved with a new 1,865 sq. ft. single-family home which was constructed by New Life Outreach Ministry through a grant from Polk County.

Adjacent land uses to the west consist of the New Life Outreach Ministry church campus located at 1221 Omohundro Avenue. To the north and east, adjacent land uses consist of single-family detached residential dwellings. To the south, the subject property abuts vacant property zoned for single-family residential uses. The subject property is located within the boundaries of the Midtown Community Redevelopment Agency (Midtown CRA).

2.3 Project Background

The purpose of this request is to allow for the use of the existing single-family home as communal housing for up to six veterans under a non-custodial care living arrangement. A site plan which shows the setbacks, building footprint and off-street parking for the new home is included as an Attachment “C.” An interior layout/floor plan for the proposed group home is included as Attachment “D.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	RA-4	UNH
South	Single-Family Residential	RM	RA-4	UNH
East	Vacant Residential	RM	RA-4	UNH
West	Church (New Life Outreach Ministry)	BP	C-2	UCO

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

Attachment D: Interior Layout/Floor Plan

3.0 Discussion

New Life Outreach Ministry, based in the Webster Park South neighborhood, was founded by Larry Mitchell in 1989 to provide transitional and permanent housing for men with mental and physical disabilities or suffering from substance abuse. The ministry provides programs intended to help clients become independent, self-sufficient, and productive members of the community.

Under the Land Development Code, Group Homes, Level I, are defined as residential facilities which provide housing for up to eight clients in a family like living environment with necessary supervision and care to meet residents' physical, emotional, and social needs. The proposed group home will provide communal housing for up to six veterans on a permanent basis. Communal living refers to shared housing arrangements in which residents live independently but share common areas and are jointly responsible for maintenance of the household. Such living arrangements emphasize cooperation and community but lack the formal supervision and custodial care found in traditional group homes.

Rezoning of the subject property to O-1 will not create "spot zoning" as the property will remain as a single-family home blending in with the neighborhood. Even though the requested O-1 zoning district is intended for office uses which support local resident and business populations, single-family homes are permitted within this zoning in accordance with the RA-3/RA-4 zoning standards.

At the Planning and Zoning Board hearing on August 20, 2024, there were two phone calls and one e-mail from nearby residents opposing this request. The callers expressed significant concerns about the potential impact of the zoning change on the community, particularly regarding increased foot traffic and the safety of children in the neighborhood. One caller emphasized the importance of preserving the residential character of the area and preventing it from becoming a business corridor. The e-mail, sent by a resident with over 60 years of family ties to the neighborhood, highlighted concerns about the increasing commercial presence in this neighborhood.

3.1 Transportation and Concurrency

The proposed group home is not anticipated to result in any significant impacts on the surrounding road network.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

Letters of notification were mailed to 62 property owners within 500 feet of the subject property. The Community and Economic Development Department reviewed this request and recommends the approval of the change in zoning from RA-4 (Single-Family) to O-1 (Low Impact Office) with the following conditions:

4.2 The Planning & Zoning Board

It is recommended that the request for a change in zoning from RA-4 to O-1 and a conditional use for a Group Home, Level I, as described above and in Attachments "A," "B," "C," and "D," be approved with the following conditions:

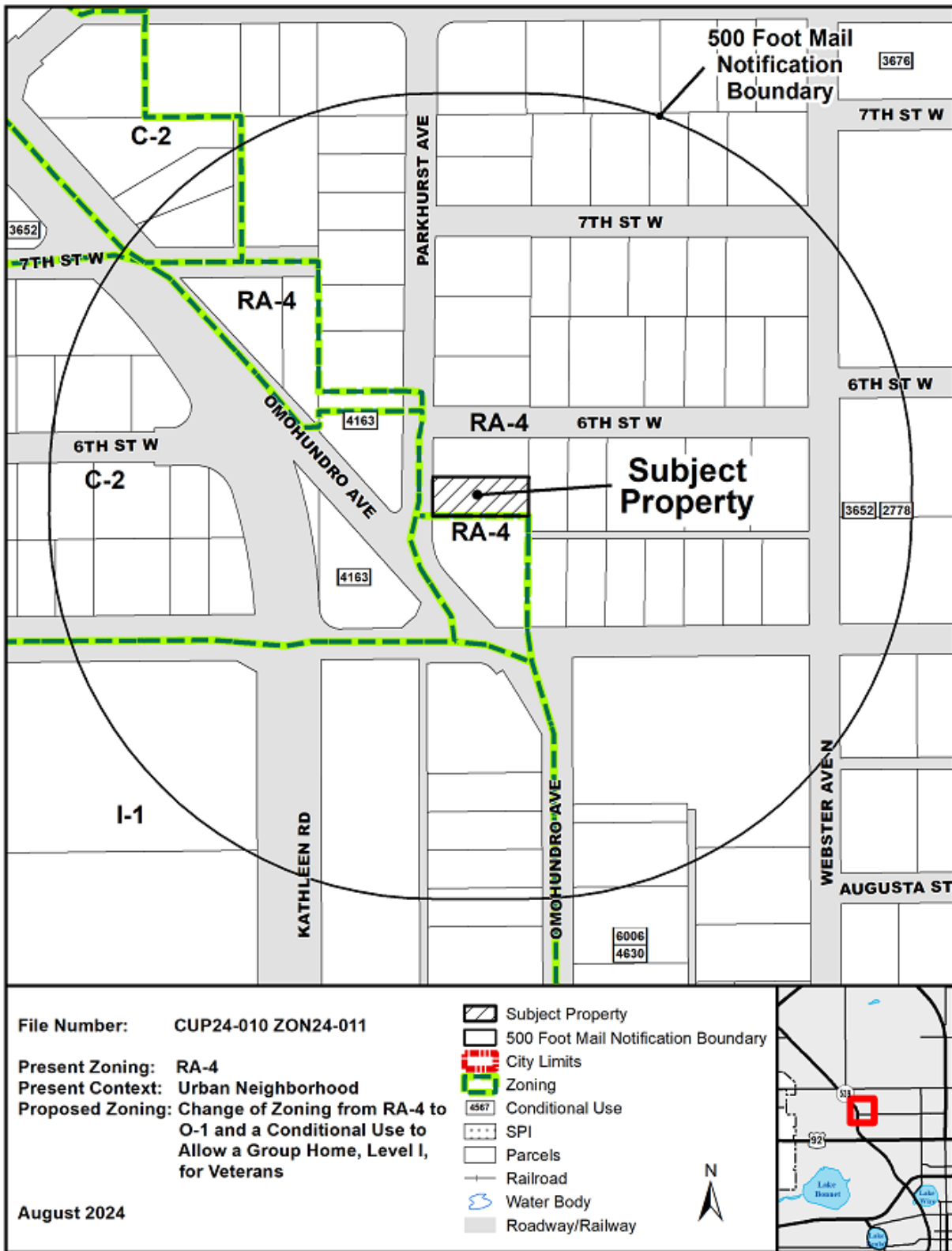
- A. Permitted Uses: A Group Home, Level I, to provide communal housing for veterans.
- B. Maximum Intensity of Use: Six (6) residents.
- C. Performance Standards: The subject property shall only be used to provide communal housing on a permanent basis for veterans. For the purpose of this conditional use, the term "veterans" shall mean any individuals which served in the Armed Forces of the United States and were released or discharged under honorable conditions. The use of the subject property to provide transient lodging for the homeless or transitional housing for individuals released from jail or prison, regardless of military service status, shall be prohibited.
- D. Design Standards: The subject property shall be maintained to retain the appearance of a single-family dwelling except for signage as specified below.
- E. Signage: Signage shall be limited to no more than one (1) building mounted sign with a maximum sign area not to exceed twelve (12) sq. ft.
- F. Off-Street Parking: A minimum of two off-street parking spaces shall be provided. Unauthorized parking within the right-of-way of Parkhurst Avenue shall be prohibited.
- G. This conditional use shall be for the benefit of New Life Outreach Ministry, Inc. Should the ownership of the property change, a group home shall not be re-established without the approval of the City Commission.
- H. The City Commission may revoke this conditional use upon the occurrence of more than one (1) violation of the provisions of this Ordinance or upon the occurrence in any twelve (12) month period of more than five (5) City of Lakeland Code violations, Lakeland Police Department registered incident reports, or any combination thereof.

ATTACHMENT "A"

LEGAL DESCRIPTION:

PARKHURST SUB PB 8 PG 10 BLK D LOT 10

ATTACHMENT "B"



File Number: CUP24-010 ZON24-011

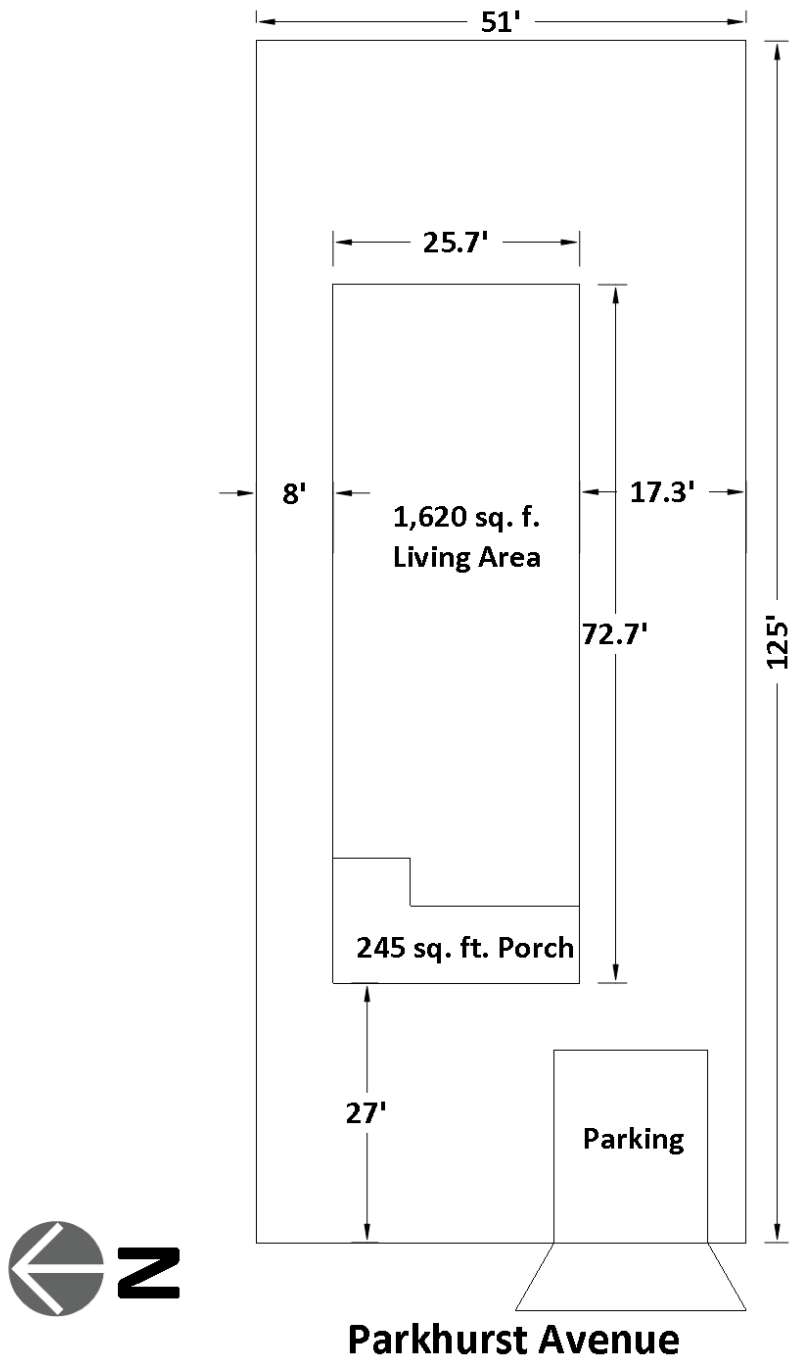
Present Zoning: RA-4
 Present Context: Urban Neighborhood
 Proposed Zoning: Change of Zoning from RA-4 to O-1 and a Conditional Use to Allow a Group Home, Level I, for Veterans

August 2024

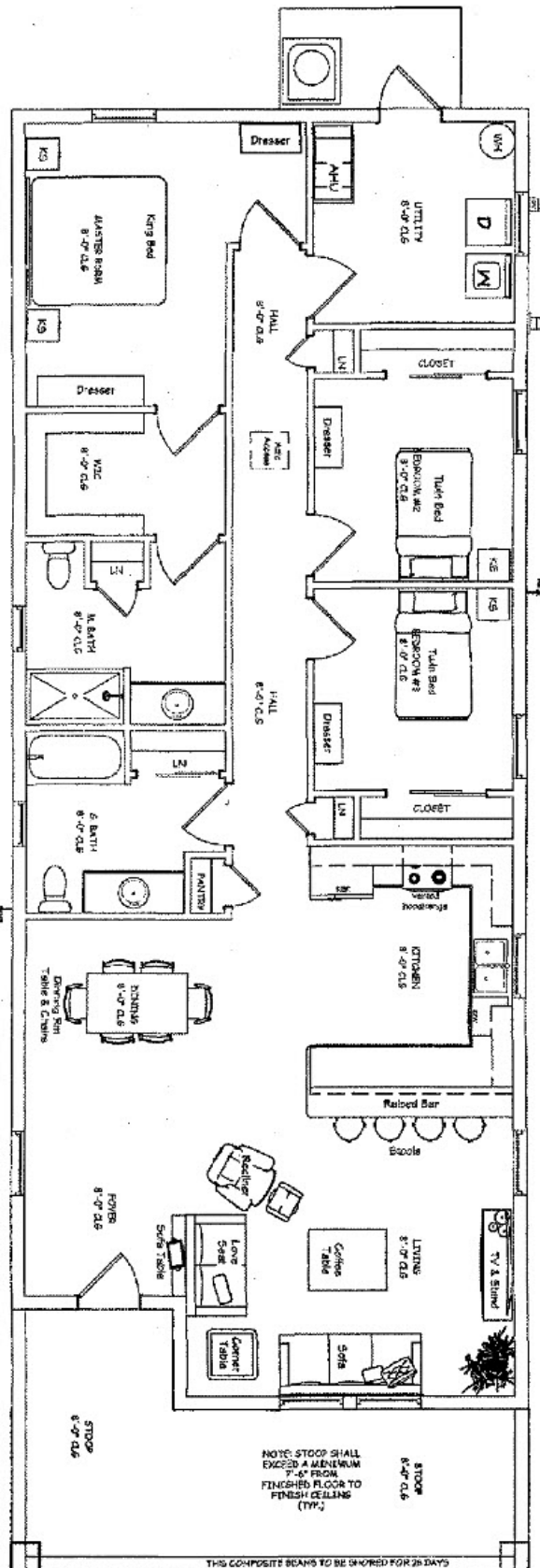
- Subject Property
- 500 Foot Mail Notification Boundary
- City Limits
- Zoning
- Conditional Use
- SPI
- Parcels
- Railroad
- Water Body
- Roadway/Railway



New Life Outreach Ministry Freddie C. Austin Veterans Home



ATTACHMENT "D"





Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, September 17, 2024

Meeting of September 3, 2024

Ordinances (First Reading)

Proposed 24-030; Voluntary Annexation of Approximately 10.82 Acres Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard. (ANX24-002)

Proposed 24-031; Proposed Text Amendment CPA24-001 to the Lakeland Comprehensive Plan to Correct a Typographical Error Pertaining to the Percentage of Residential Uses Allowed within Regional Activity Center (RAC), Community Activity Center (CAC), Neighborhood Activity Center (NAC) and Interchange Activity Center (IAC) Future Land Use Districts and the Percentage of Commercial Uses Allowed within Business Park (BP) Future Land Use Designations. (CPA24-001) **Approved 6—0 For Transmittal**

Proposed 24-032; Proposed Text Amendment CPA24-002 to the Lakeland Comprehensive Plan to Evaluate the Feasibility of Connecting On-Site Private Septic Systems to City Sanitary Sewer Service. (CPA24-002) **Approved 6—0 For Transmittal**

Proposed 24-033; Proposed Text Amendment LDC24-001 to the Land Development Code to Allow Ground Floor Residential Uses within Existing Non-Residential Buildings in C-6 and C-7 Zoning Districts, Define Restaurant and Retail Uses and Allow within Certain Zoning Districts, and Revise Definitions Pertaining to Outdoor Storage. (LDC24-001)

Proposed 24-034; Proposed Text Amendment LDC24-002 to the Land Development Code to Revise the Development Standards for Residential Uses in Urban Neighborhood Context Districts, Define the Minimum Front Yard Setback for Infill Properties Located within Established Residential Neighborhoods and Define the Frontage Buildout as a Percentage of the Overall Width of the Principal Structure (LDC24-002)

Proposed 24-035; Proposed Text Amendment LDC24-003 to the Land Development Code to Establish a Footprint for Accessory Structures on Single-Family or Two-Family Residential Lots, Prohibit the Installation of Secondary Electric Meters on Accessory Structures, Define Accessory Structures with Greater than 1,000 sq. ft. of Floor Area as Principal Structures and Provide Clarification Regarding Zoning Compliance for Certain Accessory Structures which do not Require a Building Permit. (LDC24-003)

Proposed 24-036; Proposed Text Amendment LDC24-004 to the Land Development Code to Establish Permitting Requirements for New and Existing Fences and Walls. (LDC24-004)

Proposed 24-037; Proposed Text Amendment LDC24-005 to the Land Development Code to Apply the Tree Preservation Requirements to Unplatted Parcels of Land which are Zoned for Single-Family or Two-Family Residential Uses of Greater than One Acre, Adopt a New list of Qualified Plantings and Incorporate Certain Florida-Friendly Landscaping Requirements for Irrigation Systems. (LDC24-005)

Proposed 24-038; Proposed Text Amendment LDC24-006 to the Land Development Code to Revise the Payment in Lieu of Construction Where a Sidewalk Network Does Not Exist on Local Streets and Where a Sidewalk Would Not be Feasible Due to Site Constraints (LDC24-006)

Proposed 24-039; Proposed Text Amendment LDC24-007 to the Land Development Code to Remove Development Standards Pertaining to Electric Vehicle Charging Facilities, Remove Application Requirements for a Business Tax Receipt for Food Trucks and Provide Clarification Regarding the Documentation of Property Owner Authorization and Access to Permanent Restroom Facilities. (LDC24-007)

Proposed 24-040; Proposed Text Amendment LDC24-008 to the Land Development Code to Adopt Changes Mandated by the Florida Department of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) Pertaining to the National Flood Insurance Program (NFIP). (LDC24-008)

Proposed 24-041; Proposed Text Amendment LDC24-009 to the Land Development Code to Require a Signed and Sealed Analysis Prepared by a Professional Traffic Engineer and Additional Safety Analyses that will be Required for Major Traffic Studies. (LDC24-009)

Proposed 24-042; Proposed Text Amendment LDC24-010 to the Land Development Code to Clarify Terminology and Correct Scrivener's Errors Throughout, Provide Clear Terminology and Organizational Clarity, Consistent with Historic Preservation Policies, Standards, and Design Guidelines, Add Review Criteria for the Relocation of Historic Buildings, and Add Formal Procedures for Processing Appeals of Decisions of the Historic Preservation Board and the Design Review Committee. (LDC24-010)

Meeting of August 19, 2024

Ordinances (Second Reading)

Proposed 24-027; Small Scale Amendment #LUS23-003 to the Future Land Use Map to Change Future Land Use from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI) on Approximately 2.29 Acres Located West of N. Florida Avenue, South of W. 5th Street, East of N. New York Avenue and North of W. 4th Street. (LUS23-003) **Approved 5—0, Ordinance 6046**

Proposed 24-028; Change in Zoning from RA-4 (Single-Family Residential) to PUD (Planned Unit Development) to Allow for the Development of a Four-Story Community Health Clinic/Medical-Office Use on Approximately 2.29 Acres Located West of N. Florida Avenue, South of W. 5th Street, East of N. New York Avenue and North of W. 4th Street. (PUD24-001) **Approved 5—0, Ordinance 6047**