AGENDA

Planning & Zoning Board City Commission Chambers 10/15/2024 8:30 a.m.

In accordance with the Americans with Disabilities Act 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. Minor modification of PUD (Planned Unit Development) zoning to increase the maximum buildable floor area on Outparcel B within the Lakeland Highland Plaza Shopping Center from 5,000 to 5,500 sq. ft. to allow for the construction of a 5,500 sq. ft. medical office building. The subject property is located east of Lakeland Highlands Road and south of S. Edgewood Drive (2027 S. Edgewood Drive). Owner: Lakeland Highlands Holdings LLC. Applicant: Excel 4 LLC. (PUD24-014)
- b. Consideration of final decision.

GENERAL MEETING

- ITEM 2: Review minutes of the September meeting.
- ITEM 3: 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) Note: Continued from a previous meeting.
- 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 5: Plat approval for Hawthorne, Phases 3A and 3B, a 347-lot residential subdivision on 184.08 acres generally located south of W. Pipkin Road, north of Ewell Road and west of Medulla Road. Owner: Forestar USA Real Estate Group. Applicant: Dewberry Engineers, Inc. (SUB22-009)

ITEM 6: Plat approval for Lakeside Preserve Phase 2, a 182-lot residential subdivision, on 160.84 acres generally located south of the Polk Parkway (SR 570) and east of Pipkin Creek Road and west of Harden Boulevard. Owner: Pipkin Creek Properties, LLC. Applicant: Kenneth Thompson, Platinum Surveying and Mapping, LLC (SUB24-001)

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.



Potable Water

GPD

Wastewater

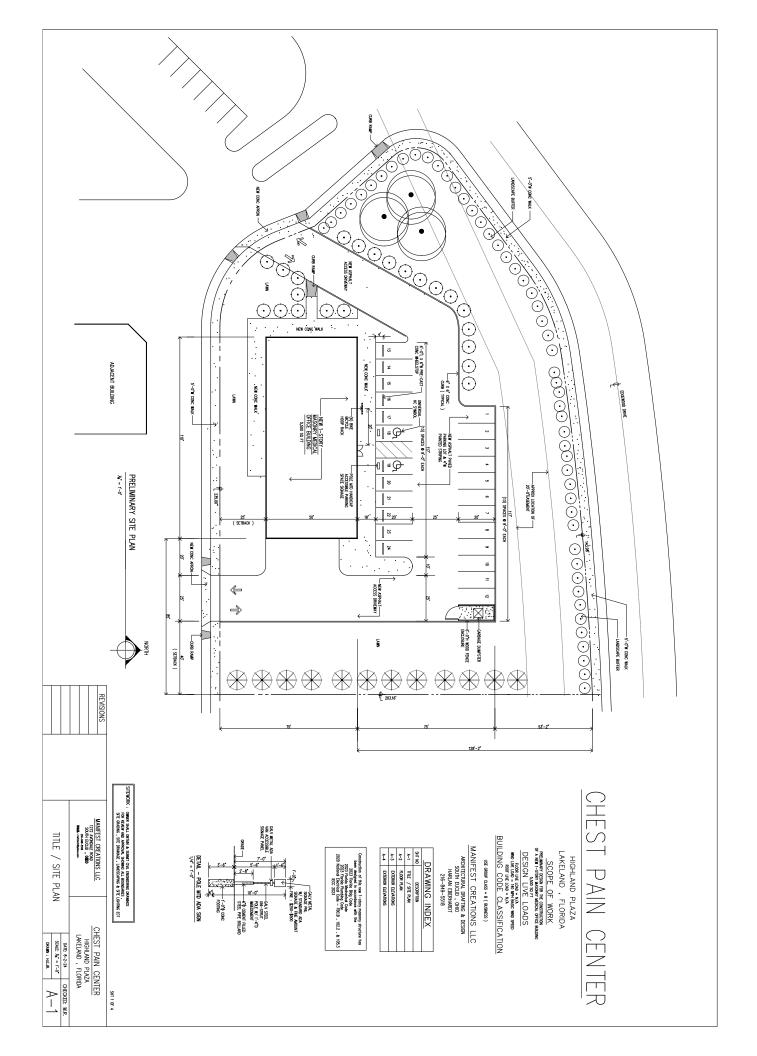
Planning & Zoning Board General Application

General Informati	on:							
Project No:		<u>PUD24-014</u> Ap		Application	Application Date:		9/3/2024	
Associated Project	s:	CPT24-06	3					
Project Name:	C	CHEST PA	IN CENTER					
Subject Property A	ddress: 2	2017 EDGEWOOD DR S						
Parcel ID:	2	242833000000033100			Total Acreage:		1.17	
Applicant Name:	E	XCEL4 LI	C (CGC1520462)					
Applicant Address	. 7	750 S ORA	NGE BLOSSOM TRA	IL ORLAI	NDO	FL	32805	
Owner Name:	L	.AKELAND	HIGHLANDS HOLDI	NGS LLC				
Owner Address:	3	41 N MAI	TLAND AVE STE 315	MAITL	AND	FL	32751	
Request:								
Application Type:	Planned Un	it Develop	ment		Minor Mo	difica	tion	
Land Use								
Current Neighborhood Activity Center (NAC)								
Proposed Not Applicable								
Zoning								
Curren	Planned Unit I	Developme	nt		(PUD) 347	0 F		
Proposed	Not Applicable	e						
Sub Context District								
Current	t (UCO)				Urban Corr	idor		
Proposed	I							
Explanation of Request: New 5,500 sf Medical Outpatient Building								
Justification:								
Concurrency:								
Proposed Dwelling	Units:	0	Project Floor Are	a:			Square feet	
Type of Use:				Phase			Year	
Estimate of Public	Service Dem	and						
Roadways	Daily Trips:	#Error	PM P	eak Hour Trips:				

PPD

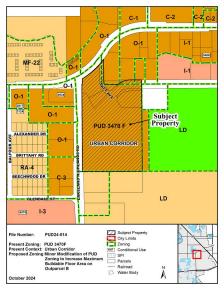
Solid Waste

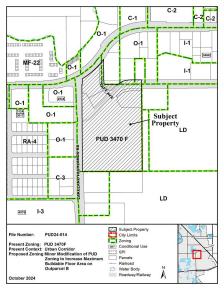
GPD





October 2024





MINUTES

Planning & Zoning Board

Lakeland Electric Building rooms 1A/B

Tuesday, September 17, 2024

8:30 a.m.

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

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)

Todd Vargo stated the purpose of the request is to change the zoning from R-4 (Single Family Residential) to C-1 (Pedestrian Commercial) on property located at 109 W. 7th Street and a change in zoning from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) on property located at 103 W. 7th Street. Mr. Vargo pointed to photos on the overhead screen of the subject property.

Shelley Guiseppi, Lakeland Community Redevelopment Agency, representing the applicant, was present in support of the request.

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

Shelly Guiseppi, representing the applicant, was present in support of the request.

ITEM 2: 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.

Todd Vargo stated the current PUD zoning was adopted 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. 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. Mr. Vargo pointed to photos on the overhead screen of the subject property and proposed PUD plan. 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.

Mr. Vargo stated no comments were received during the public hearing which were held on July 16th. 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.

Jonathan Rodriguez, Lakeland Community Redevelopment Agency, representing the applicant, made a presentation that provided an overview of the proposed request.

Mr. Vargo presented the recommended conditions for approval.

Mr. Vargo stated that staff received about five calls from residents who wanted to learn more about the proposed changes to the PUD, but none had any objections.

Jonathan Rodriguez, Lakeland Community Redevelopment Agency, representing the applicant, provided an overview of the proposed request. Discussion ensued on parking requirements/management.

Terry Dennis made a motion for approval of staff's recommendation. Bessie Reina seconded the motion and it passed 6—0.

GENERAL MEETING

ITEM 3: Review minutes of the August meeting.

Susan Seitz made a motion for approval of the minutes from the previous meeting. Silvana Knight seconded the motion and it passed 6—0.

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 previous meeting.

Joseph Lauk recused himself from the vote for this item.

Audrey McGuire stated the subject property is generally located north of W. Pipkin Road and southeast of Lakeland-Linder International Airport. The existing PUD was approved in 2017. 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. Ms. McGuire pointed to photos on the overhead screen of the subject property and proposed PUD plan.

Ms. McGuire presented the recommended conditions for approval.

Bart Allen, 225 E. Lemon Street, made a presentation that provided an overview of the proposed request as well as some of the history of the PUD.

Mr. Allen stated he has discomfort with some of staff's recommended conditions. Mr. Allen handed out printed copies with the developer's requested condition revisions to the Board and staff.

Mr. Allen summarized the requested revisions.

A lengthy discussion ensued among staff, the Board and the applicant regarding the requested revisions to staff's recommended conditions.

Chuck Barmby summarized the new recommended language to the Board based on the revisions to the conditions provided by the applicant.

In response to Susan Seitz, Mr. Allen stated he agrees to the language on the revised conditions summarized by Mr. Barmby.

Jeri Thom made a motion for approval of staff's recommendation with the amended conditions as summarized by staff. Jeri Thom seconded the motion and it passed 5—0.

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)

Philip Scearce stated 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 subdivision. The applicant presently owns the two adjacent single-family residential properties located to the east. The subject property is currently zoned RA-1 (Single-Family Residential). The applicant and his family presently utilize the subject property for outdoor recreational purposes as an extension of the rear yard of their home. Mr. Scearce pointed to photos on the overhead screen of the subject property. The applicant wishes to construct limited improvements such as a barn/storage building, a greenhouse and two small docks.

Mr. Scearce presented the recommended conditions for approval.

James Middleton, 4749 Highlands Place Circle, stated he is satisfied with most of the conditions however he would like the greenhouse not to be limited to 12.5 feet. Mr. Middleton stated the height requirement limits what he can do with the roof and width of the building. Mr. Middleton also stated that he wants the buildings tall enough to block commercial development located on E. Alamo Drive that is visible from his property.

A lengthy discussion was ensued regarding the height of the proposed greenhouse.

The Board suggested the applicant return with drawings for the proposed structures.

Mr. Scearce stated staff did not receive any public comment in response to the request.

In response to Joseph Lauk, Mr. Middleton agrees to return with proposed drawings.

Jeri Thom made a motion for a one-month continuance so that the applicant can provide drawings of the proposed structures as requested by staff. Susan Seitz seconded the motion and it passed 6—0.

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)

Damaris Stull stated the subject property is currently zoned RA-4 (Single-Family Residential). The subject property is currently improved with a new single-family home which was constructed by New Life Outreach Ministry. New Life Outreach Ministry 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 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. Ms. Stull pointed to photos on the overhead screen of the subject property.

Ms. Stull stated 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. Since then, there has not been any additional public comment.

Larry Mitchell, New Life Ministry, was present in support of the request.

Guy Lalonde, 640 Howard Avenue, was present in support of the request.

Ms. Stull presented the recommended conditions for approval.

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

Silvana Knight made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 6—0.

ITEM 7: 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 October hearing.

ITEM 8: Audience.

Lorenzo Robinson, 1929 Providence Road, asked the Board what the request was for Item 1 on the agenda. Staff provided Mr. Robinson with a summary of the proposed request. There were no additional comments from the audience.

ITEM 9: Adjourn.

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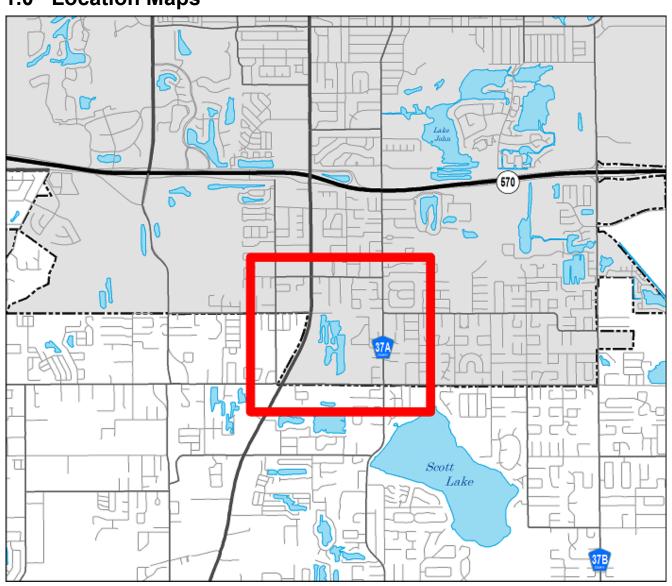
Respectfully Submitted,	
Joseph Lauk, Chair	Silvana Knight, Secretary

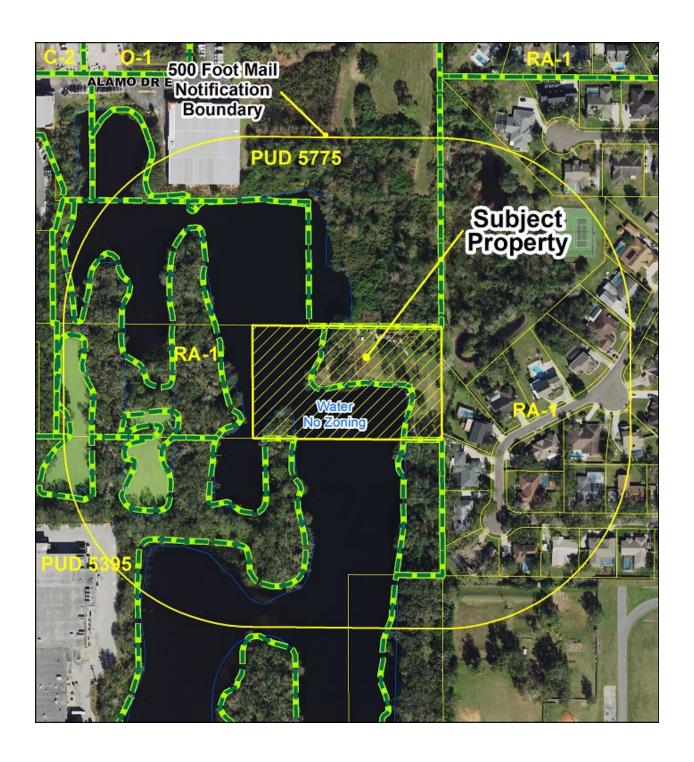


Community & Economic Development Staff Recommendation

Date:	October 15, 2024	Reviewer:	Phill	ce		
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: October 15, 2024					
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 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 a 14.41-acre parcel of the South Florida Ave. Mini-Storage facility which has a PUD zoning designation. The portion of the PUD immediately adjacent to the applicant's property is a conservation area. North of the conservation area, the PUD allows for seven (7) single-family detached lots.

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

Attachment D: Barn Elevations

Attachment E: Greenhouse Elevations

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.

At the September 17th meeting of the Planning & Zoning Board, the applicant requested that the Board allow a maximum height of 20 feet for both the barn/storage building and the greenhouse. As requested by staff, the applicant has provided conceptual architectural drawings, included as Attachments "D" and "E," which depict the overall height, roof pitch, and massing of each structure.

While both structures are very tall when compared to typical accessory buildings which are limited to a maximum height of 12.5 feet, the subject property is well buffered by natural vegetation and the applicant has provided documentation from the One Highlands Place Property Owners Association which states they have reviewed the drawings for both structures and do not have any objections.

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 <u>Lakeland Comprehensive Plan: Our Community 2030</u> 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:

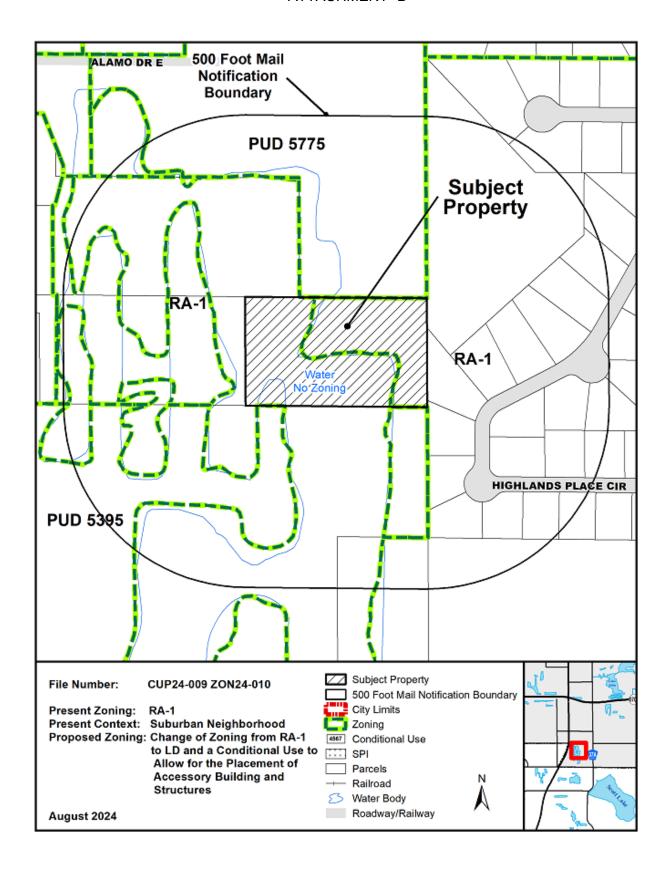
- A. Permitted Uses: Accessory structures such as a barn/storage building, greenhouse and two small water access structures in support of private, recreational activities which are typically incidental to a single-family residential dwelling.
- B. Site Development Plan: The project shall be developed 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: 20 feet
- E. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code.
- F. Architectural Design Standards: In substantial according with the architectural elevations included as Attachments "D" and "E." Accessory buildings 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. With the approval of the Director of Community and Economic, minor design changes may be made at the time of building permit review without requiring a modification to this conditional use.
- G. 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.

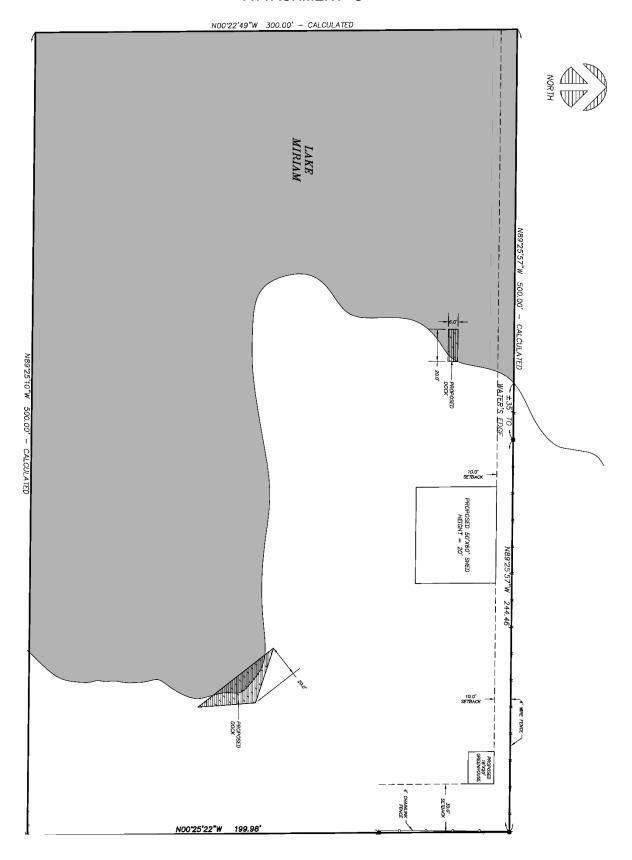
ATTACHMENT "A"

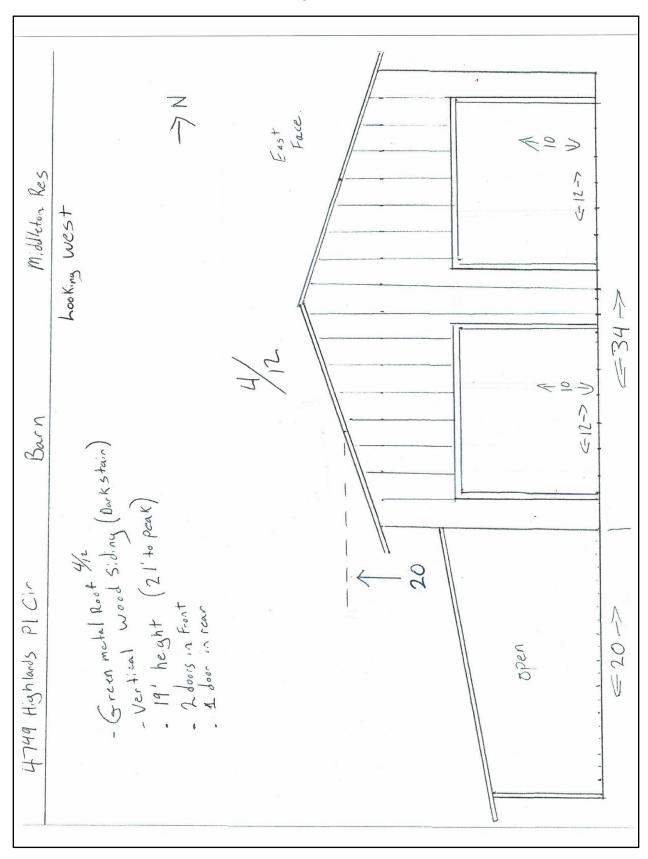
LEGAL DESCRIPTION:

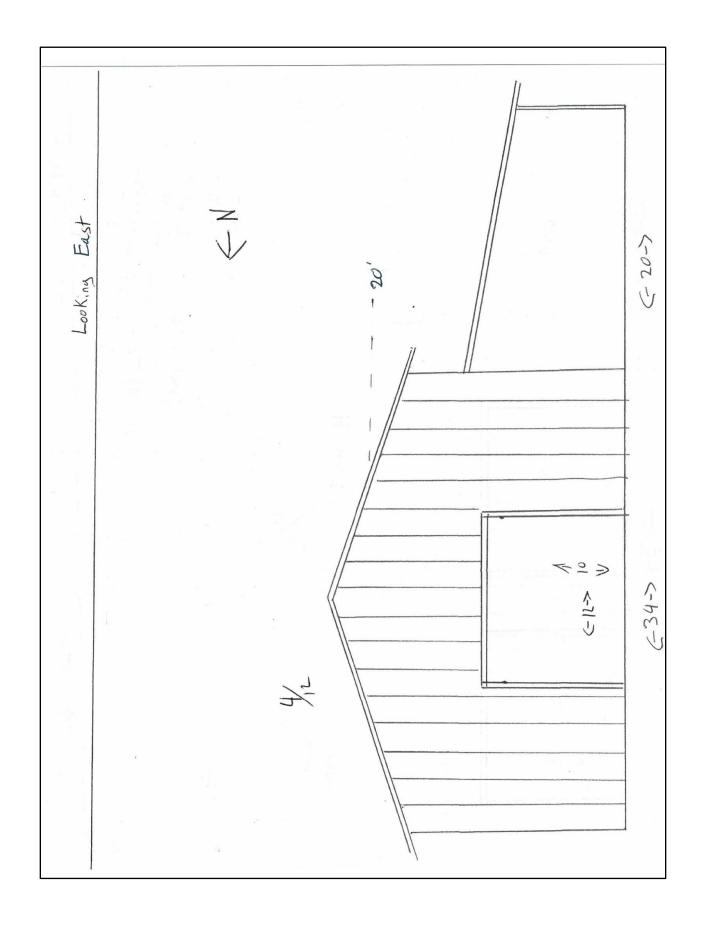
HALLAM & CO SUB CLUB COLONY TRACT PB 1 PG 102-A LOT 10 THAT PART DESC AS E 500 FT OF N 300 FT OF S 659.16 FT OF NW1/4 OF NW1/4 OF SEC

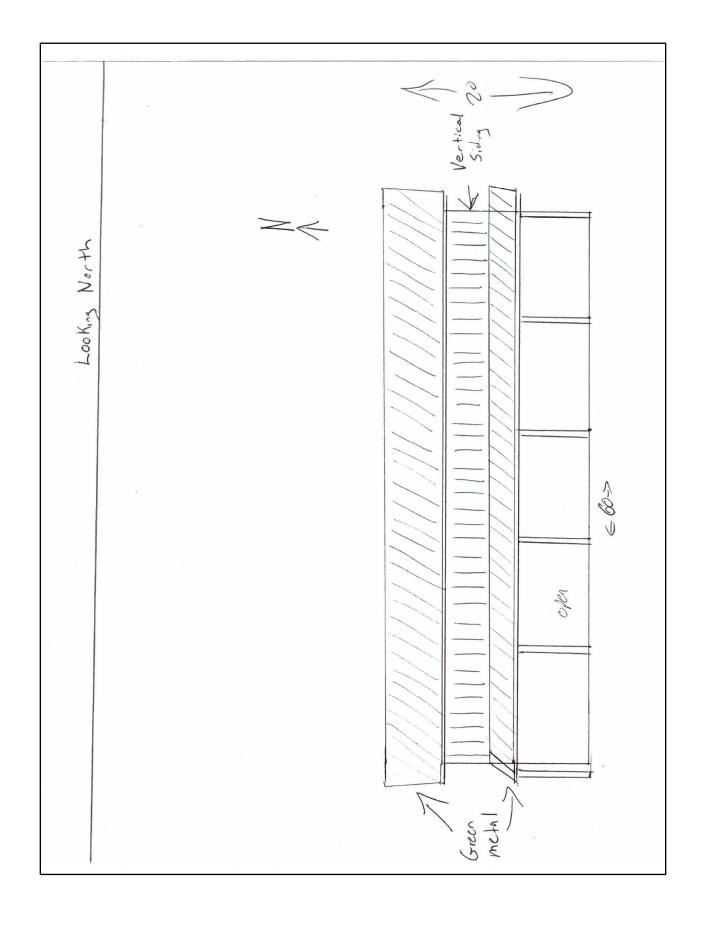


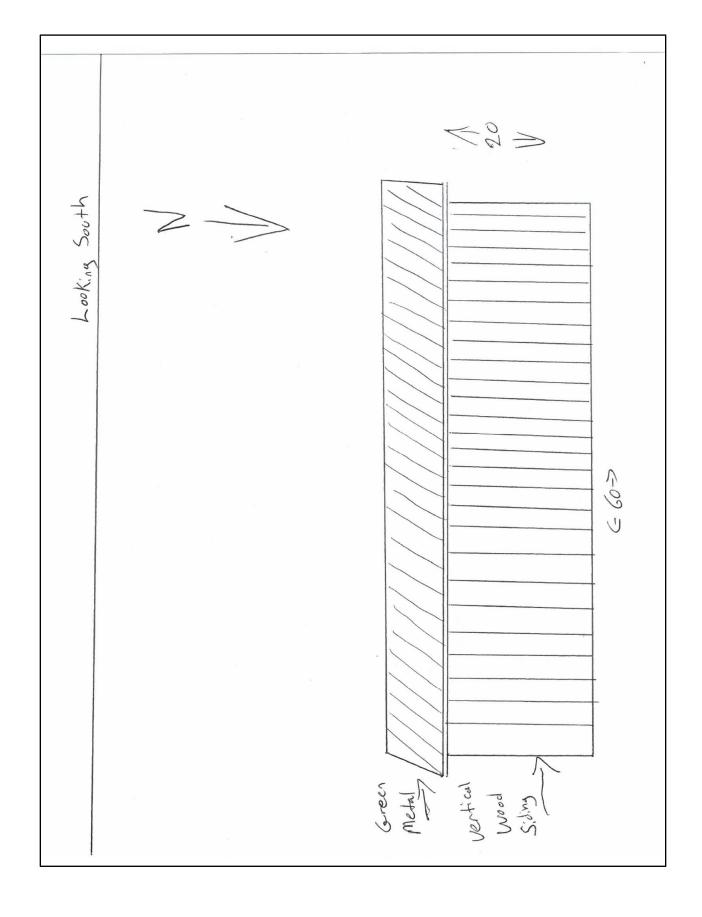
ATTACHMENT "C"

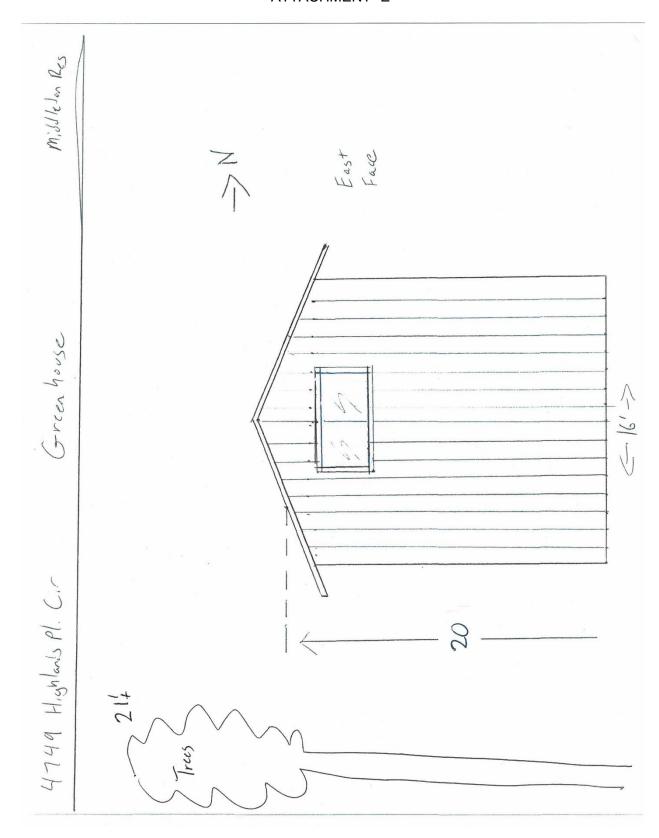


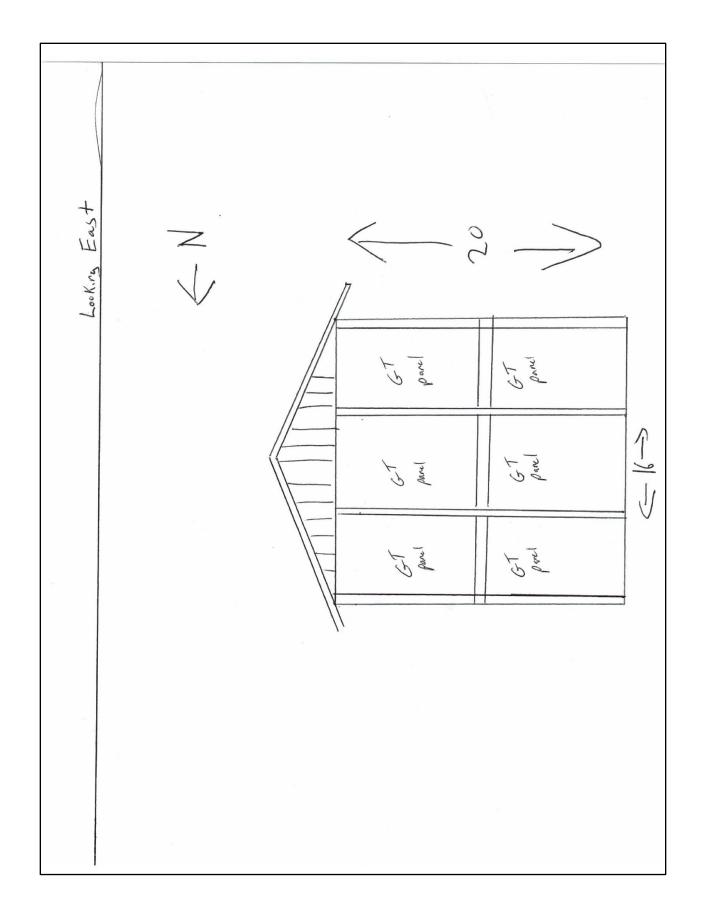


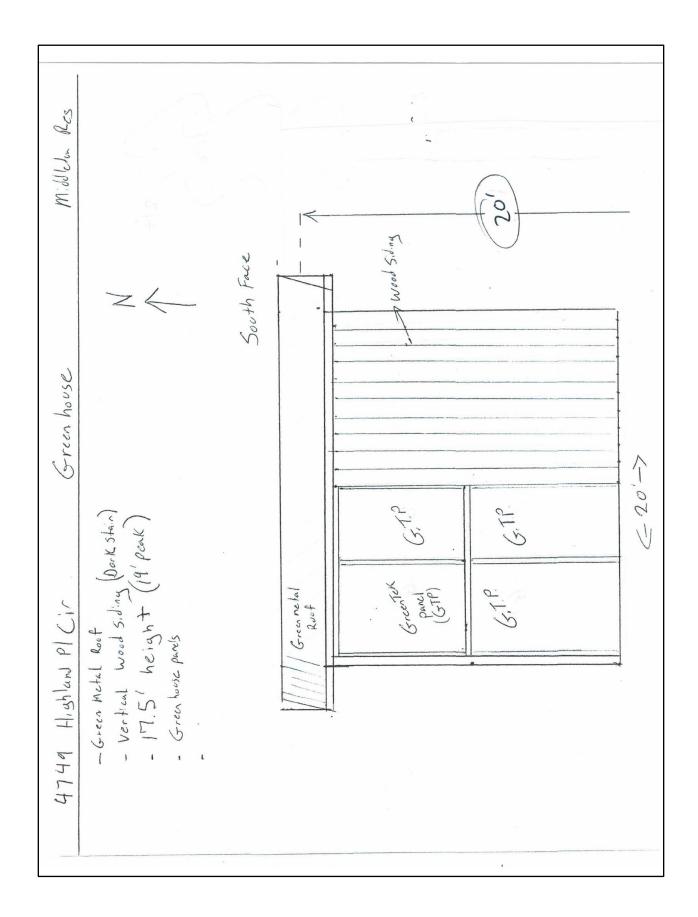


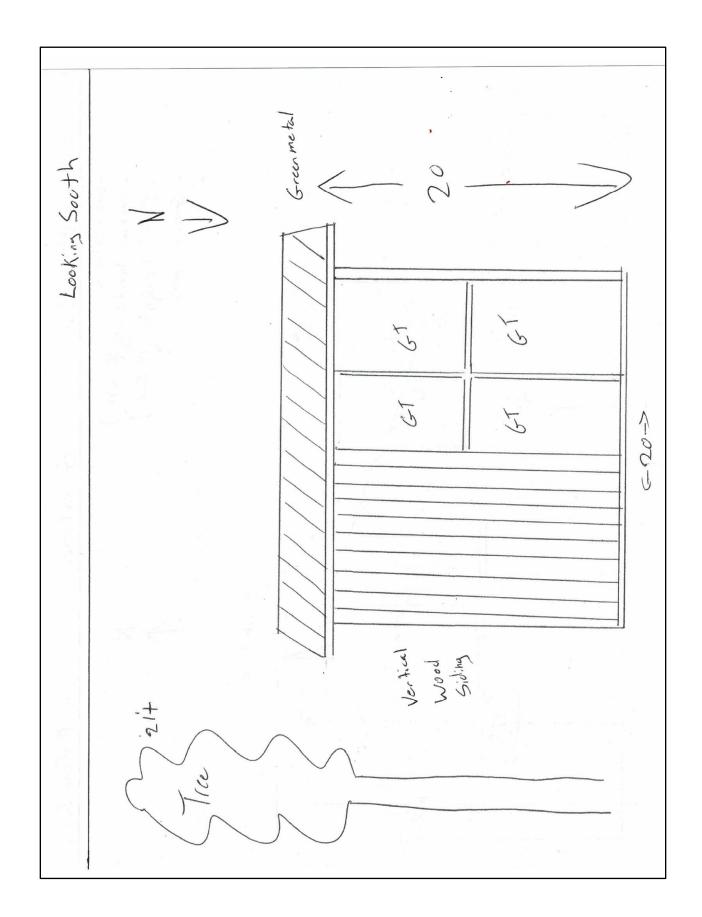










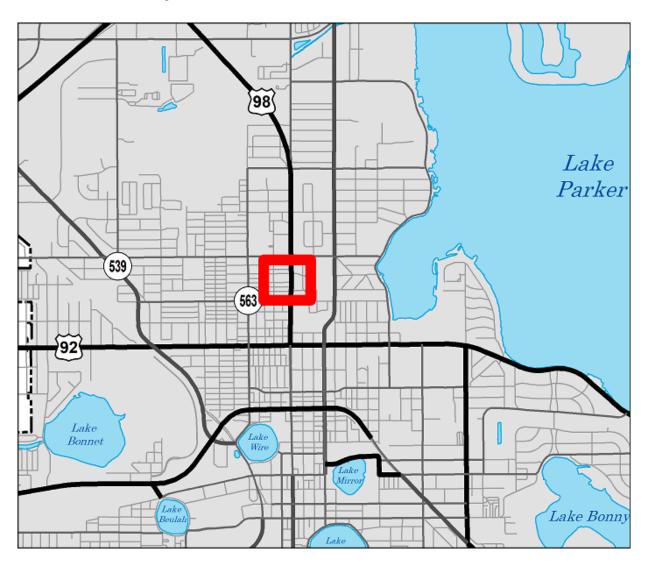


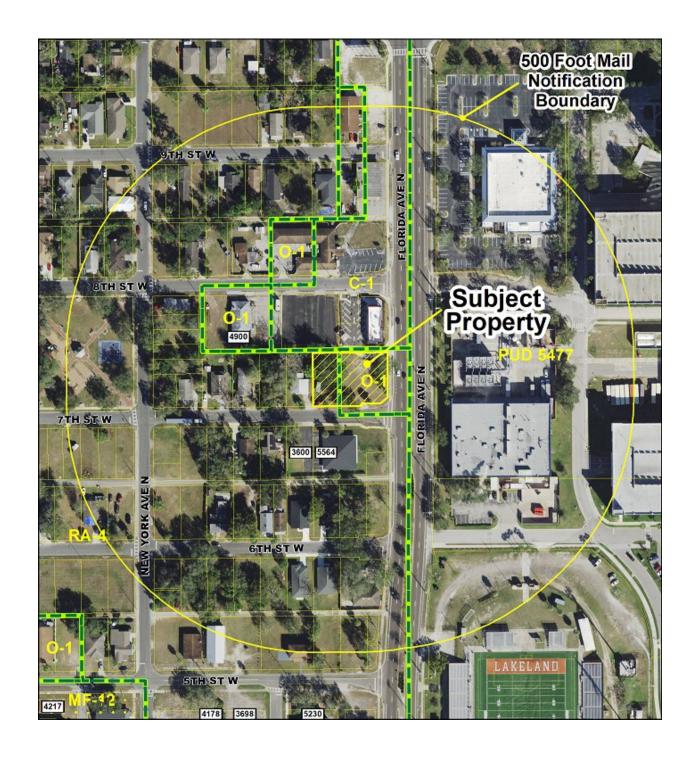


Community & Economic Development Staff Recommendation

Date:	October 15, 2024	Reviewer:	Todd Vargo				
Project No:	CUP24-011 ZON24-012	Location:	103/109 W. 7th Street				
Owner:	Lakeland Community Redevelopment Agency						
Applicant:	Lakeland Community Redevelopment Agency						
Current Zoning:	O-1 (Low Impact Office) RA-4 (Single-Family)						
Context District:	Urban Neighborhood (UNH)						
P&Z Hearing:	September 17, 2024	September 17, 2024 P&Z Final Decision: October 15, 2024					
Request:	A change in zoning from R-4 (Single Family Residential) to C-1 (Pedestrian Commercial) on approximately 0.13 acres on property located at 109 W. 7th Street; 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 a conditional use to allow for future development of C-1 uses within the Residential Medium Future Land Use Designation on approximately 0.37 acres on property located at 103 and 109 W. 7th Street.						

1.0 Location Maps





2.0 Background

2.1 Summary

The Lakeland Community Redevelopment Agency (CRA), requests a change in zoning from R-4 (Single Family Residential) to C-1 (Pedestrian Commercial) on approximately 0.13 acres on property located at 109 W. 7th Street; 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 a conditional use to allow for future development of C-1 uses within the Residential Medium Future Land Use Designation on approximately 0.37 acres on property located at 103 and 109 W. 7th Street. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, located at the northwest corner of N. Florida Avenue and W. 7th Street, consists of Lots 19, 20 and 21 within Block 7 of the Washington Park subdivision. The subject property, currently vacant, has a future land use designation of Residential Medium (RM) and an Urban Neighborhood (UNH) context sub-district designation. Adjacent land uses consist of C-1 commercial uses to the north, single-family residential uses to the west and a counseling center to the south. Adjacent land uses to the east, across N. Florida Avenue, consist of facilities associated with the Lakeland Regional Health medical campus.

In 2021, the City Commission approved a request by the CRA to rezone Lots 20 and 21 from RA-4 to O-1 to allow for the development of professional office uses. Due to a lack of market demand, the CRA is now seeking approval to rezone Lots 20 and 21, along with the adjacent Lot 19, to C-1 to market the property for future neighborhood-scale commercial uses.

2.3 Project Background

The purpose of this request is to change the zoning on the subject property from O-1 and RA-4 to C-1 (Pedestrian Commercial) and to establish a list of permitted uses and conditions of approval for commercial development through a Conditional Use Permit (CUP) pursuant to Policy FLU-1.2A in the City's Comprehensive Plan. While no new commercial development is proposed at this time, a conceptual site plan which shows the future development footprint, off-street parking and traffic circulation is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Restaurant	MCC	C-1	UCO
South	Counseling Center	RM	RA-4	UNH
East	Regional Medical Center	RAC	PUD 5477	USP
West	Single-Family Residential	RM	RA-4	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Conceptual Site Development Plan

3.0 Discussion

The C-1 zoning district allows for office uses and a limited range of retail uses primarily oriented toward pedestrians. Permitted uses do not include motor-vehicle-oriented uses and certain retail and personal services uses which have characteristics more appropriate for more intense areas. The proposed C-1 zoning will mirror the current zoning on adjacent properties to the north along W. 8th Street (Mary's Bagel Café and adjacent parking lot to the west).

Policy FLU-1.2A of the City's Comprehensive Plan (Our Community 2030) states that up to 20% of the land located within the Residential Medium (RM) Future Land Use designation may be developed for small-scale office and commercial uses when comprised primarily of non-auto-oriented uses. Such commercial uses, however, shall require either Planned Unit Development zoning or a Conditional Use and may only be located along a collector or higher functional classification roadway. Within the Central City Transit Supportive Area, transit friendly site design is also required.

To comply with this policy, staff has worked with the CRA to propose a list of permitted uses and conditions of approval which will support the CRA's development vision along the N. Florida Avenue corridor while minimizing impacts on adjacent residential uses to the west. Any future development of the site will require the principal building to be oriented towards N. Florida Avenue with off-street parking located to the west, behind the building. To minimize impacts on the single-family home to the west, the vehicle use area will be buffered by a Type A landscape buffer consisting of six-foot-high view blockage fence or wall and a 7.5-foot-wide planting strip with four "B" (medium) trees and 16 shrubs per 100 linear feet or portion thereof.

3.1 Transportation and Concurrency

The subject property is located within the Central City Transit Supportive Area and on US 98/N. Florida Avenue, a designated Transit Oriented Corridor in the Comprehensive Plan. It is also located within a "Development Corridor" defined in the *Mid-Town Redevelopment Plan* approved by the Lakeland Community Redevelopment Agency. The Lakeland Area Mass Transit District (Citrus Connection) operates fixed-route transit service along N. Florida Avenue via its Gold Line with 30-minute frequencies and long-term, the Florida Department of Transportation has evaluated the staged implementation of premium transit service along US 98 between Downtown Lakeland and Interstate 4 through its *US 98 Bus Rapid Transit Feasibility Study*. This feasibility study identifies a potential future transit station location on N. Florida Avenue in the vicinity of 6th Street. Sidewalks and bicycle lanes exist on N. Florida Avenue with a short sidewalk segment existing on the opposite side of 7th Street along the frontage of a commercial site located at N. Florida Avenue. US 98/N. Florida Avenue is a designated Type I roadway in the City Land Development Code, which requires cross-access between adjacent properties to minimize local traffic and improve corridor efficiency and safety on these important routes.

The rezoning and conditional use requests are expected to have a de minimis impact on traffic with sidewalk and cross-access mitigation measures being required per the Land Development Code.

3.2 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends the approval of the change in zoning from RA-4 (Single-Family Residential) and O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) and a conditional use to allow for future development of C-1 commercial uses within the RM Future Land Use designation.

4.2 The Planning & Zoning Board

It is recommended that the request for a change in zoning from RA-4 and O-1 to C-1 and a conditional use to allow for future development of C-1 uses within the Residential Medium Future Land Use Designation, as described above and in Attachments "A," "B," and "C," be approved with the following conditions:

A. Permitted Uses:

- 1. The following C-1 uses shall be allowed by right:
 - Residential, Above 1st floor fronting TOC
 - Office Uses, Medical
 - Office Uses, Non-Medical
 - Office Uses, R&D
 - Barber Shops, Hair Salons & Day Spas
 - Exercise, Fitness & Martial Arts Studios
 - Music & Dance Studios
 - Pet Grooming & Pet Day Care
 - Repair-Oriented Services
 - All Other Personal Services Uses, Not Specified
 - Artisan Oriented Retail
 - Office Support Retail & Services Uses
 - All Other Retail Uses, Not Specified, Indoors
 - Restaurant, Carry Out/Delivery
 - Restaurant, Low Turn-Over
 - Communication Studios
- 2. The following uses may be allowed subject to the approval of a separate Conditional Use Permit (CUP):
 - Restaurants, High Turn-Over
 - Banks, Credit Unions and Savings & Loan Associations
- 3. Prohibited Uses: Any C-1 uses not specified above shall be prohibited.

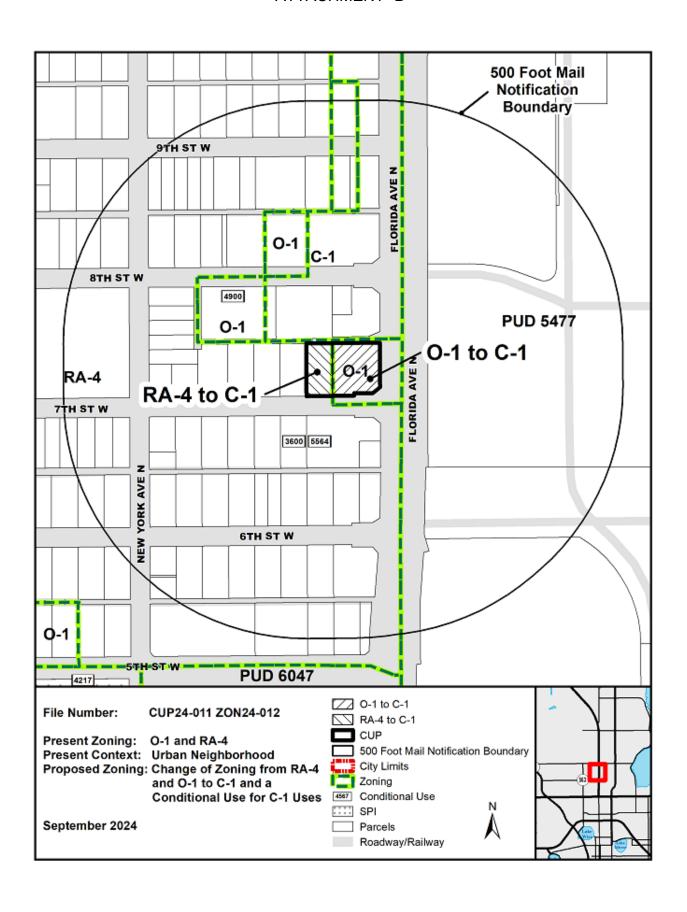
- B. Site Development Plan: The subject property shall be developed in general accordance with the conceptual site development plan, Attachment "C." With the approval of the Director of Community & Economic Development, minor changes may be made at the time of site plan review without requiring a modification to this conditional use.
- C. Site Design: In accordance with Policy FLU1.2A of the Comprehensive Plan, the subject property shall be developed with a transit-friendly site design such that the principal building is oriented towards N. Florida Avenue with off-street parking located to the west, behind the building.
- D. Principal Building Design: Design of the principal building shall be in accordance with Sections 3.4.5 and 3.4.7 of the Land Development Code.
- E. Landscape and Buffering:
 - a. The principal building and vehicle use areas shall be landscaped in accordance with Sections 4.5.5 and 4.5.7 of the Land Development Code.
 - b. In accordance with Table 4.5-2 and Figure 4.5.9 of the Land Development Code, a Type A buffer consisting of a six-foot high view blockage fence or wall and a minimum 7.5-foot-wide planting strip with four "B" (medium) trees and 16 shrubs per 100 linear feet or portion thereof shall be planted and maintained along the western property boundary.
- F. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code.
- G. Transportation:
 - a. A Binding Concurrency Determination shall be made at the time of site plan submittal.
 - ADA-compliant pedestrian connections shall be provided between the principal building and the vehicle use areas and between the principal building and the sidewalk located along the N. Florida Avenue frontage.
 - c. The site shall provide a cross-access connection to the existing inbound driveway access from N. Florida Avenue, formalized through an easement agreement that is recorded with the Polk County Clerk of Circuit Court.
 - d. Prior to issuance of a Certificate of Occupancy, an easement shall be dedicated for those portions of the shared driveway from N. Florida Avenue which are located on the subject property.
 - e. Bicycle parking shall be provided in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.
 - f. Site development shall comply with all Florida Department of Transportation permitting requirements.

ATTACHMENT "A"

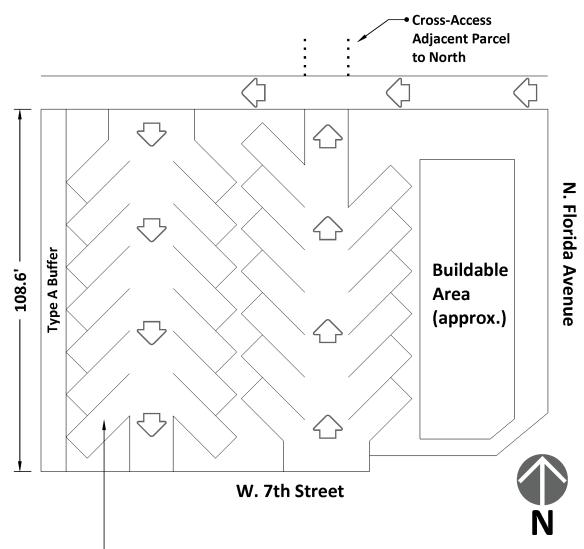
Legal Description:

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

ATTACHMENT "B"



CRA Conceptual Site Plan 103/109 W. 7th Street



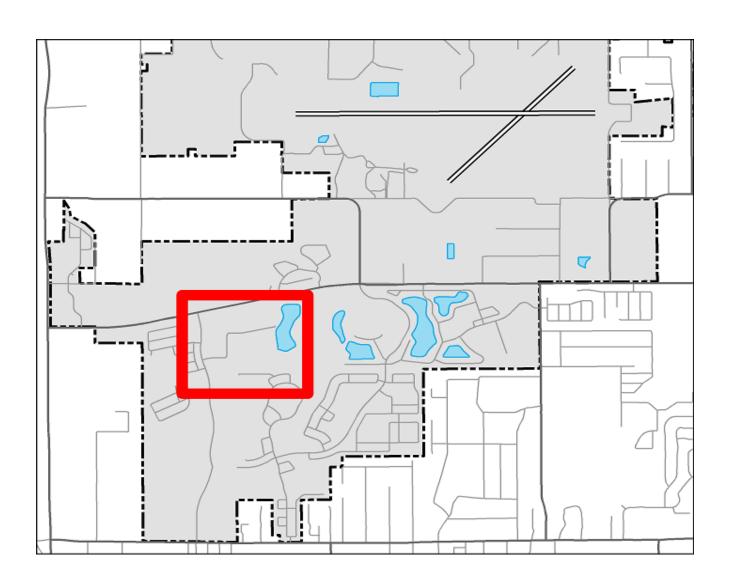
 Note: The proposed parking layout is for conceptual design purposes only. The west side of site may be designed for internal circulation as shown or for additional building area and infrastructure to support an allowable development program.



Community & Economic Development Staff Recommendation

Date:	October 15, 2024	Revie	ewer:	Audrey McGui	re
Project No:	SUB22-009	Loca	tion:	4770 W Pipkin	Road
Owner:	Forestar USA Real Es	state G	roup		
Applicant:	Dewberry Engineers,	Inc.			
Current Zoning:	PUD (Planned Unit Development) 5755		Future	Land Use:	Residential Low (RL)/ Conservation (C)
Context District:	Suburban Neighborho	od (SI	NH)		
P&Z Hearing:	October 15, 2024		P&Z	Final Decision:	October 15, 2024
Request:		y locat			47-lot residential subdivision on pad, north of Ewell Road and

1.0 Location Maps





2.0 Background

2.1 Summary

Dewberry Engineers, Inc., on behalf of Forestar USA Real Estate Group, has submitted a plat for the Hawthorne subdivision, phases 3A and 3B. The proposed 184.08-acre plat consists of 347 single-family residential lots with 167 single-family detached lots in Phase 3A and 180 single-family attached (townhome) lots in Phase 3B. Plats are reviewed by the City's Subdivision Review Team for compliance with Article 9 (Subdivision Standards) of the Land Development Code. The PUD (Planned Unit Development) zoning for the Hawthorne Ranch residential development (Ordinance 4832, as amended) allows for 1,329 single-family detached dwellings and 180 single-family attached (townhouse dwellings).

Attachments

Plat Sheets for Hawthorne Phases 3A and 3B

3.0 Recommendation

3.1 Community & Economic Development Staff

It is recommended that the Planning and Zoning Board approve the plat as conforming to Article 9 (Subdivision Standards) of the Land Development Code.

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SITUATED IN SECTIONS 7, 8 AND 18, TOWNSHIP 29 SOUTH, RANGE 23 EAST SECTIONS OF THE STAND FOLK COUNTY, FLORIDA ALL LOT CORNERS SHALL BE MONUMENTED WITH A 5/8" HOW ROD AND CAP (DEWBERRY LB 8011), IN ACCORDANCE WITH CHAPTER 177.091(9), FLORDA STATUTES, UNLESS OTHERWISE NOTED.

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FORESTAR (USA) REAL ESTATE GROUP INC., A DELAWARE CORPORATION

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CLERK OF COURT ACCEPTANCE

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I, STACY M, BUTTERFIELD, CLERK OF THE CRECUIT COURT OF POLK COUNTY, PLORDA DO HERREY FERTIFY THAT THIS PLAT HAS BEEN ACCEPTED FOR RECORDING THIS DAY OF ______, AD, 2024.

CERTIFICATE OF SURVEYOR AND MAPPER

MY COMMISSION NO.

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CITY SURVEYOR APPROVAL

DATE

SIGNED: RYAN KUHN, PSM \$7230 (CITY SURVEYOR)

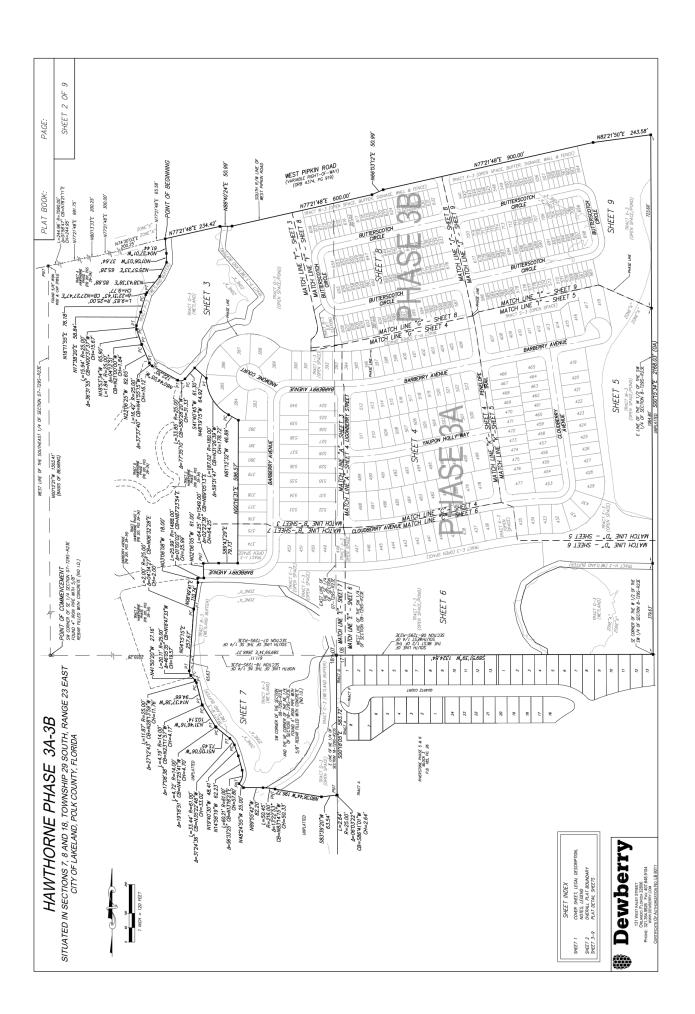
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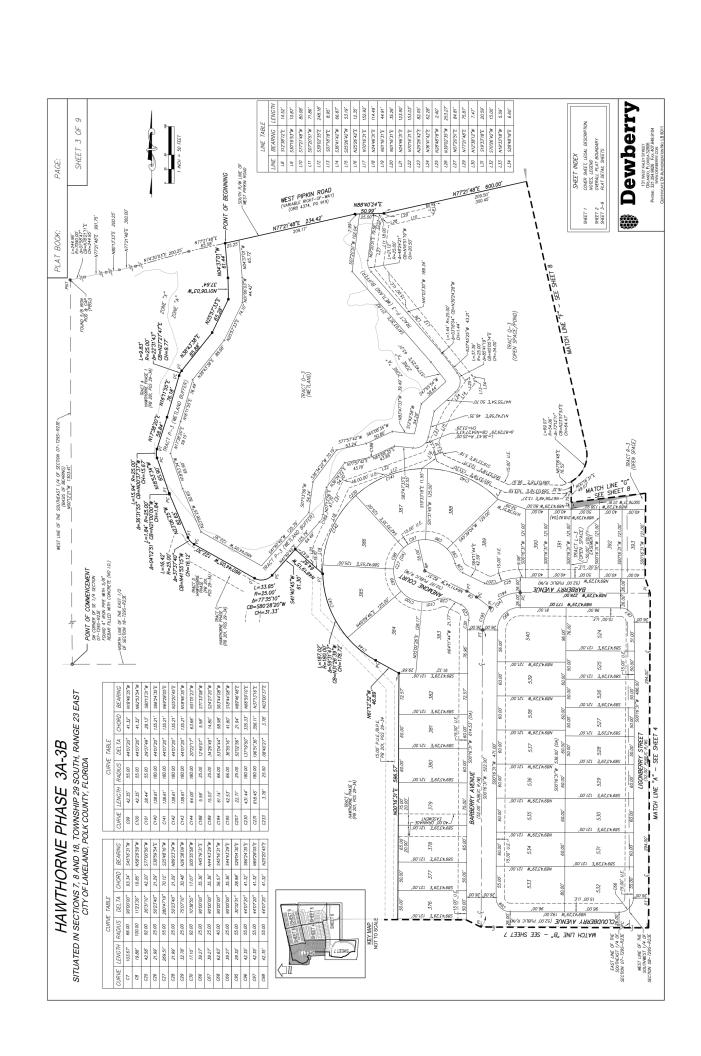
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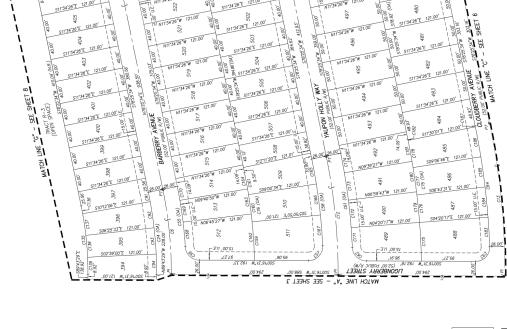




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8	152.62'	738.00	11'50'57"	152.35'	S84"21"02"E
C12	213.42'	1032.00	11'50'57"	213.04'	S84"21"02"E
513	274.23"	1326.00	11'50'57"	273.74	S84"21"02"E
C14	322.74	1730.00	10.41.50*	322.28'	S83'46'14"W
C22	92.22'	1268.00	.70,01,00	92.20,	N10'33'11"W
C23	37.92'	25.00	86"53"44"	34.38	N34"58"42"E
C24	147.24"	712.00	11'50'57"	146.98'	N84"21"02"E
C54	40.62'	25.00	.91,90.26	36.30'	W55'01'18"W
C55	108.58	764.00	.92,80,80	108.49"	1182"29"51"E
952	37.65'	25.00	86,17,38"	34.19"	S43"25"20"W
C57	40.57	25.00	92.28,48"	36.26	S4672'53"E
653	155.72'	1006.00	.60,25,80	155.57"	N82"51"38"E
653	37.92'	25.00	86'53'44"	34.38	N34"58"42"E
090	40.62	25.00	.91,90.26	36.30	W.81,10.55N
190	168.96	1058.00	_00,60.60	168.78"	3"¥0'00'EN
292	38.09'	25.00	87"18'03"	34.51"	S43"55'32"W
293	40.27	25.00	9217733"	36.06	S45"52"16"E
£90	216.84"	1300.00	09'33'24"	216.58	N8312'16"E
590	38.55	25.00	88"21"33"	34.85	N35*42'36"E
C75	217.84"	1179.00	10'35'08"	217.51"	3,80,5*,585
922	157.03"	885.00	10'09'56"	156.81	S83'30'32"E

		CURVE	: TABLE		
CURVE	LENGTH	RADIUS	DEL TA	CHORD	BEARING
C170	25.25	764.00	01'53'37"	25.25'	S79"22"22"W
1712	35.34"	1058.00	01'54'50"	35.34"	W 60'75'88S
C172	49.07	1058.00	.92,36,70	49.06	S84"20"00"W
C173	49.16'	1058.00	02'39'45"	49.16'	S81*40'25"W
C174	35.39'	1058.00	01.54'59"	35.38°	S79'23'03"W
C175	68.93'	1179.00	03'20'59"	68.92	S87"20"12"W
9213	49.13'	1179.00	02'23'15"	49.12'	S84"28"06"W
C177	49.13'	1179.00	02'23'15"	49.12'	S82.04"51"W
8213	49.13"	1179.00	02'23'15"	49.12,	S79'41'37"W
6213	54.68	1179.00	.92,36,70	54.67	S84"20"00"W
0813	54.79'	1179.00	02'39'45"	54.78"	S81"40"25"W
C181	39.43'	1179.00	01'54'59"	34,43"	S79'23'03"W
C182	1.52'	1179.00	00'04'25"	1.52"	S78"27"47"W
C183	52.66	1300.00	0279'15"	52.65'	S86*49'21"W
C184	54.17	1300.00	02'23'15"	54.16'	S84"28"06"W
C185	54.17"	1300.00	02'23'15"	54.16'	S82'04'51"W
C186	54.17"	1300.00	02'23'15"	54.16'	S79*41'37"W
C187	1.67	1300.00	00'04'25"	1.67	S78"27"47"W
C209	93.73	1730.00	91,90,50	93.72'	S79"58"42"W
C232	44.85	1756.00	01'27'48"	44.85	3,82,60,62N

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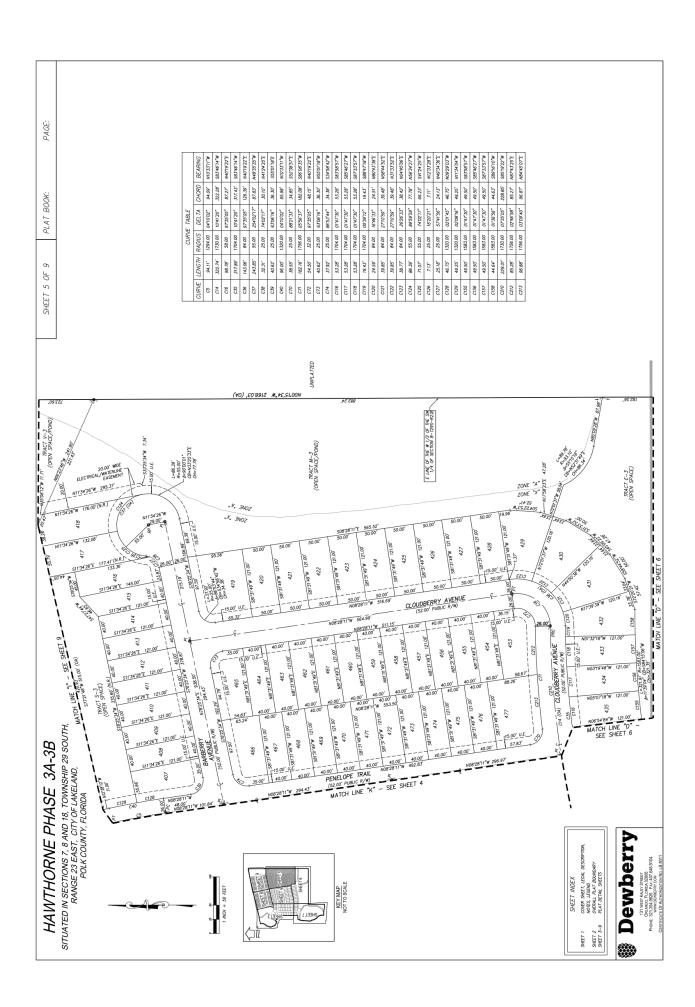
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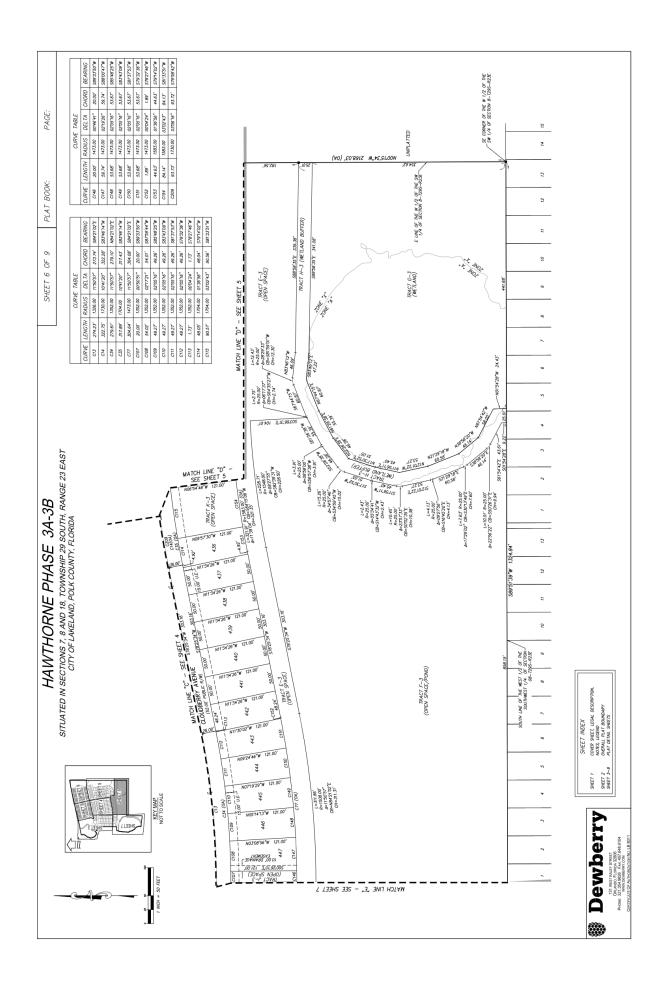


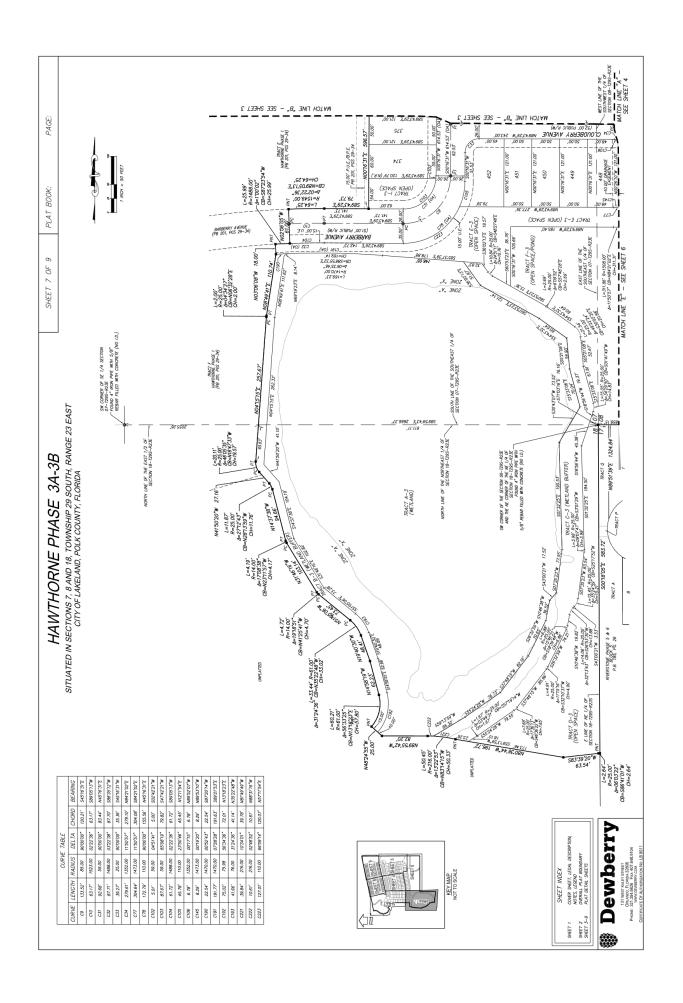
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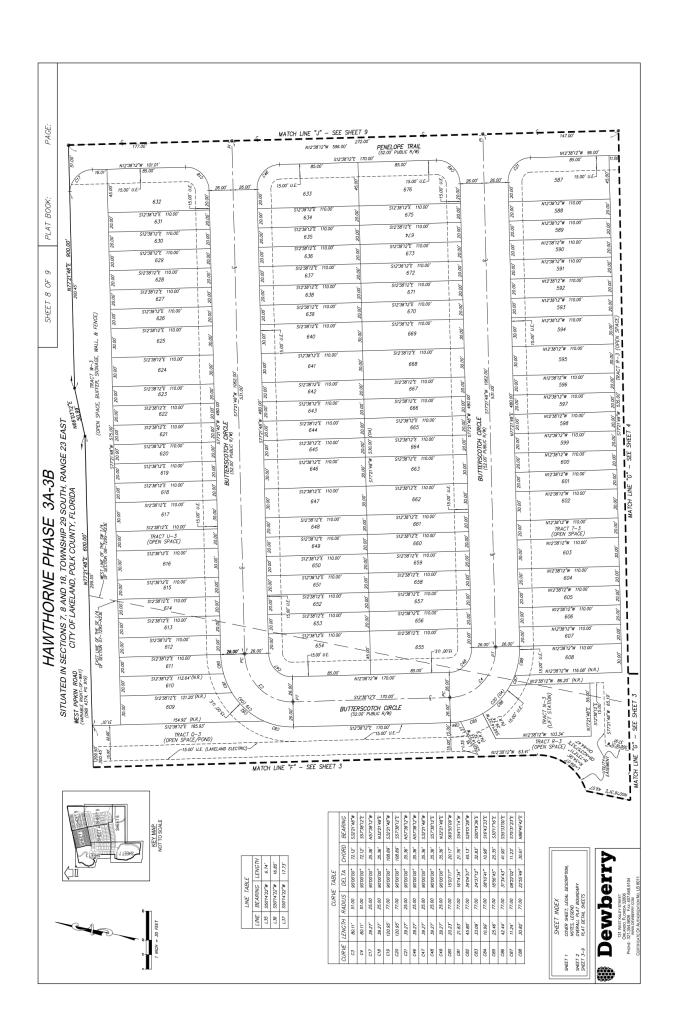
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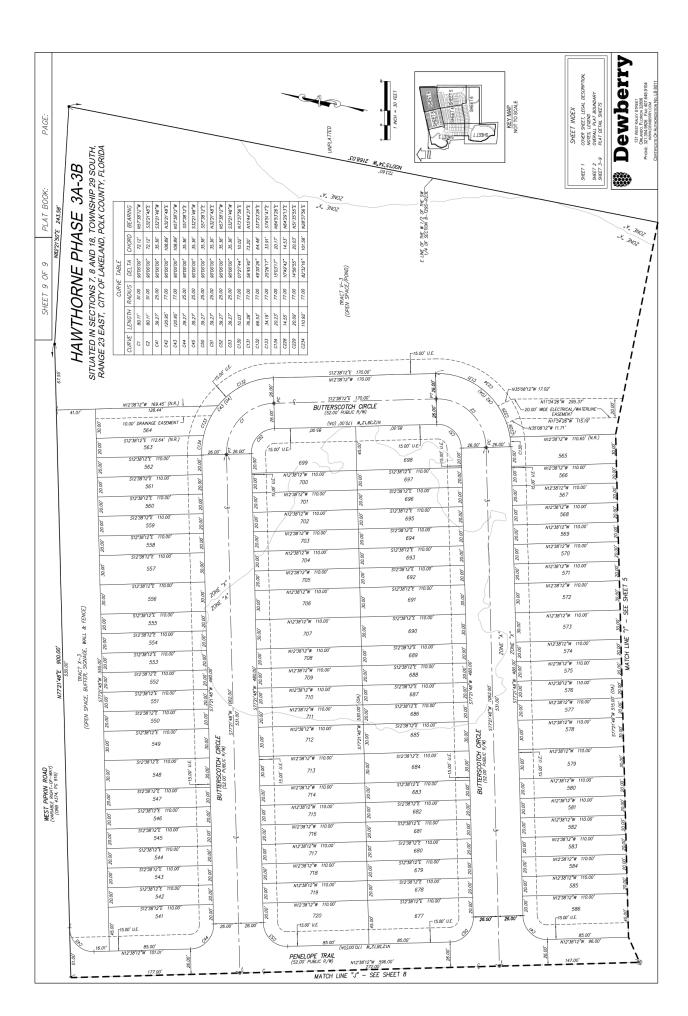
SHEET INDEX









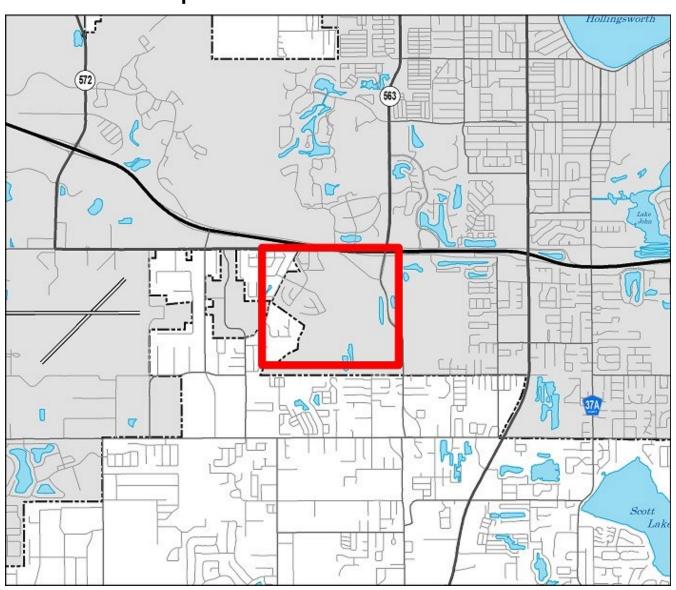




Community & Economic Development Staff Recommendation

Date:	October 15, 2024	Revie	ewer:	Phillip Scearce	;				
Project No:	SUB24-001	Loca	tion:	4010 Lakeside Preserve Blvd					
Owner:	Pipkin Creek Properties, LLC								
Applicant:	Kenneth Thompson, Platinum Surveying and Mapping, LLC								
Current Zoning:	PUD (Planned Unit Development) 5810		Future	Land Use:	Residential Medium (RM)				
Context District:	Suburban Neighborhood (SNH)								
P&Z Hearing:	October 15, 2024		P&Z	Final Decision:	October 15, 2024				
Request:	Plat approval for Lakeside Preserve Phase 2, a 182-lot residential subdivision, on 160.84 acres generally located south of the Polk Parkway (SR 570) and east of Pipkin Creek Road and west of Harden Boulevard.								

1.0 Location Maps





2.0 Background

2.1 Summary

Kenneth Thompson, Platinum Surveying and Mapping, LLC, on behalf of Pipkin Creek Properties, LLC, has submitted a subdivision plat for the Lakeside Preserve Phase 2. The proposed 160.84-acre plat consists of 182 single-family detached residential lots with an average lot size of 6,000 square feet (50' x 120'). Plats are reviewed by the City's Subdivision Review Team for compliance with Article 9 (Subdivision Standards) of the Land Development Code. The PUD (Planned Unit Development) zoning for the Lakeside Preserve residential development (Ord. 4382 as amended by Ord. 5810) allows for 461 single-family detached dwellings.

2.2 Attachments

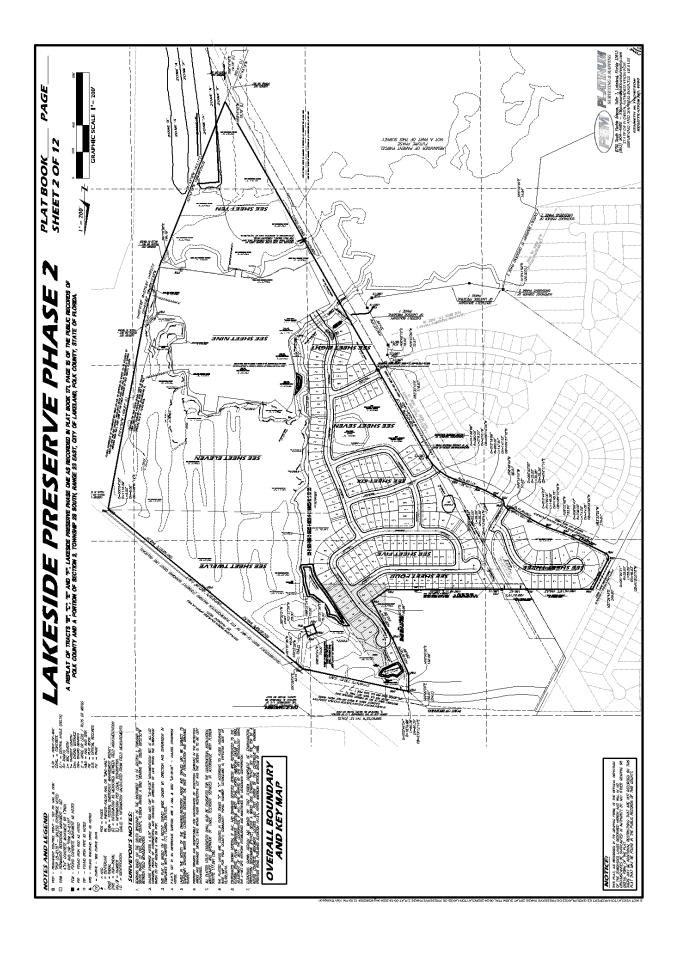
Plat Sheets for Lakeside Preserve Phase 2

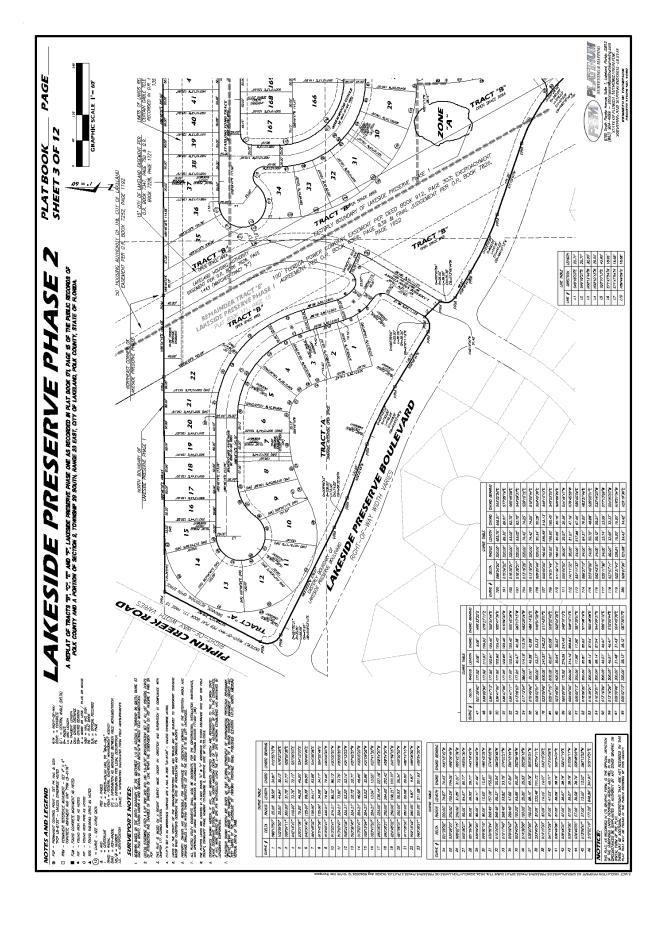
3.0 Recommendation

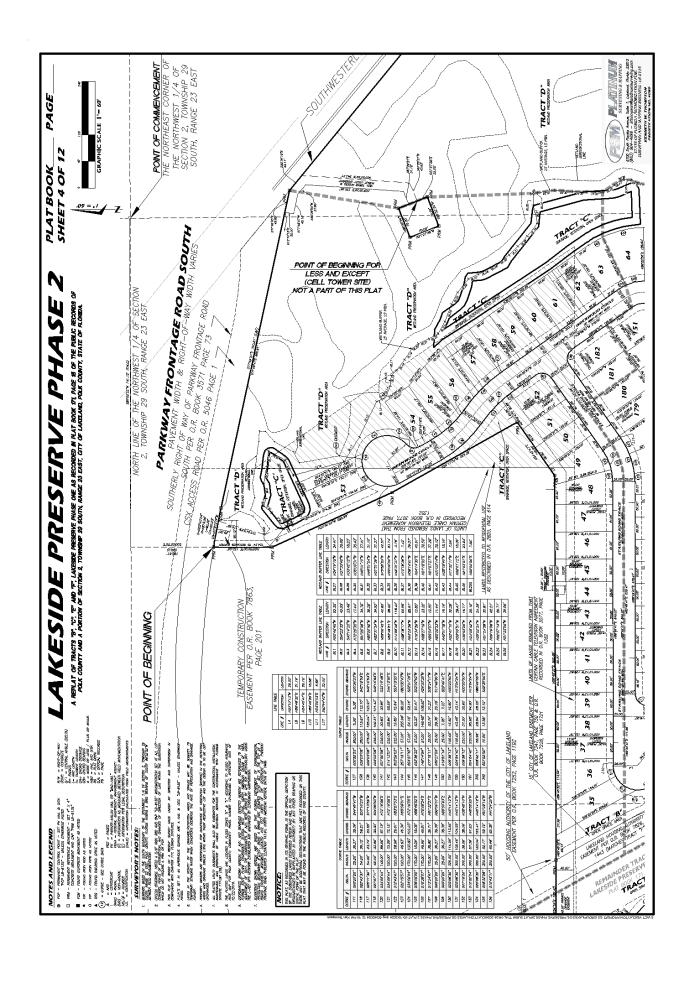
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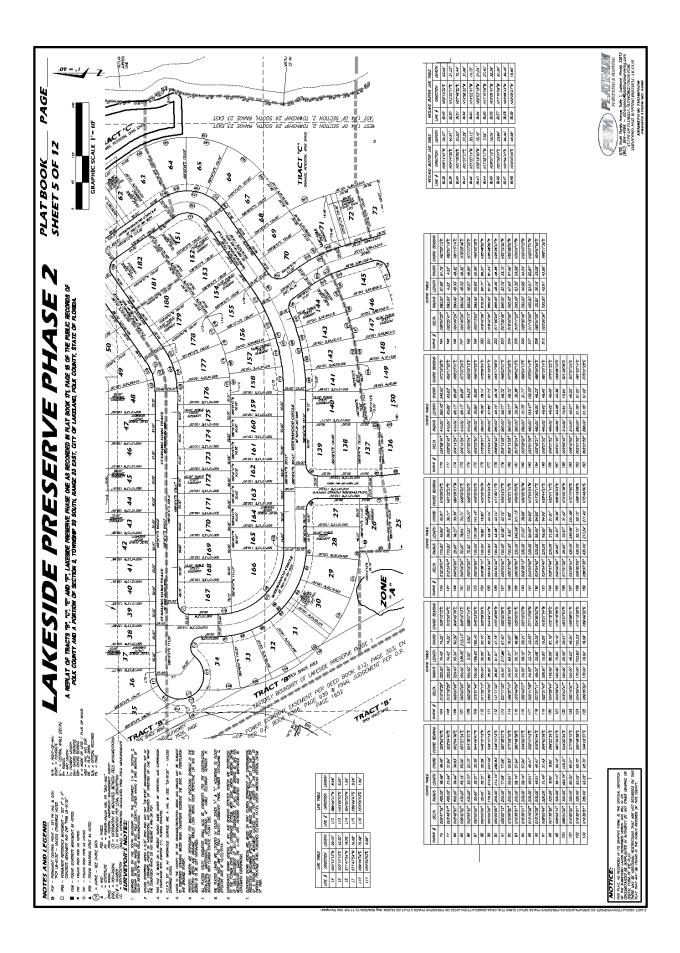
It is recommended that the Planning and Zoning Board approve the plat as conforming to Article 9 (Subdivision Standards) of the Land Development Code.

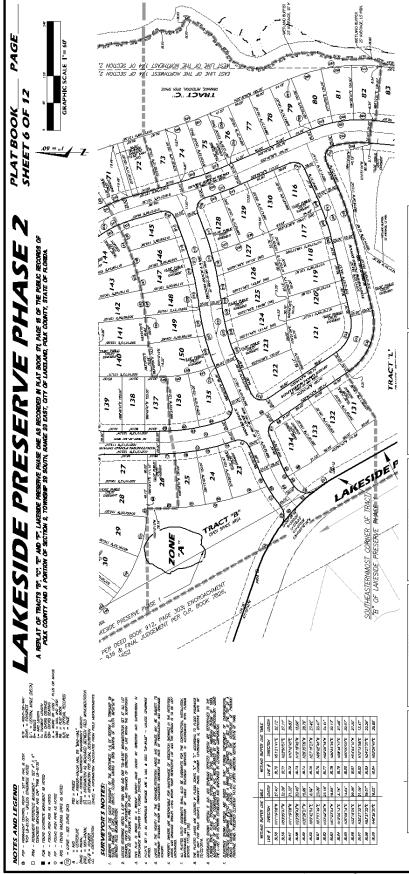
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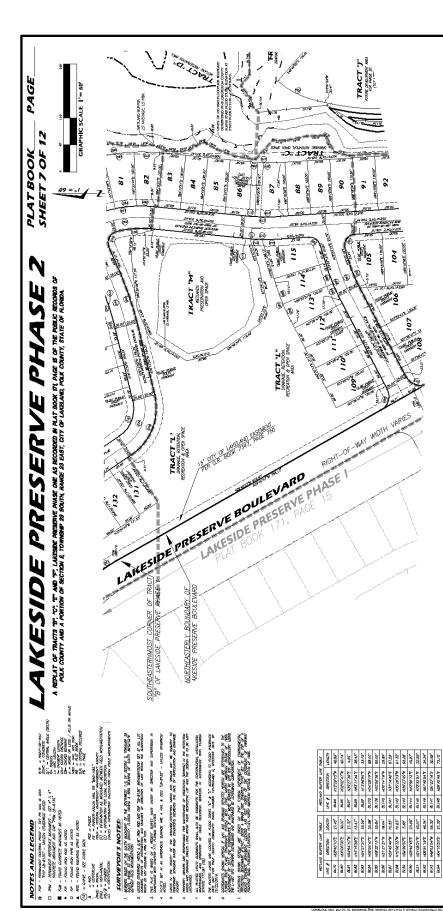
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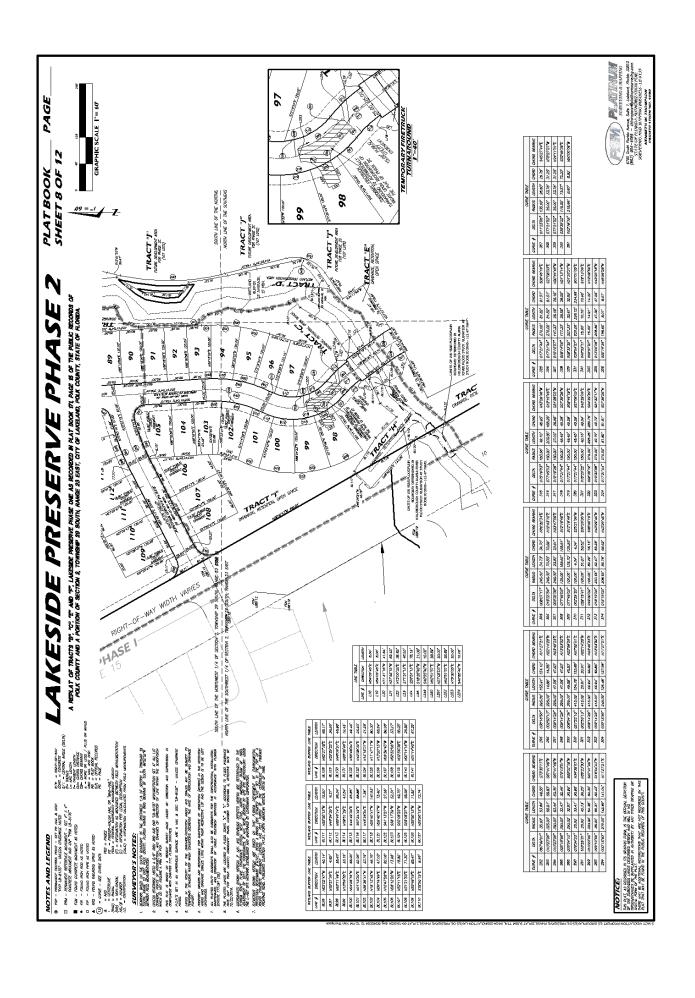
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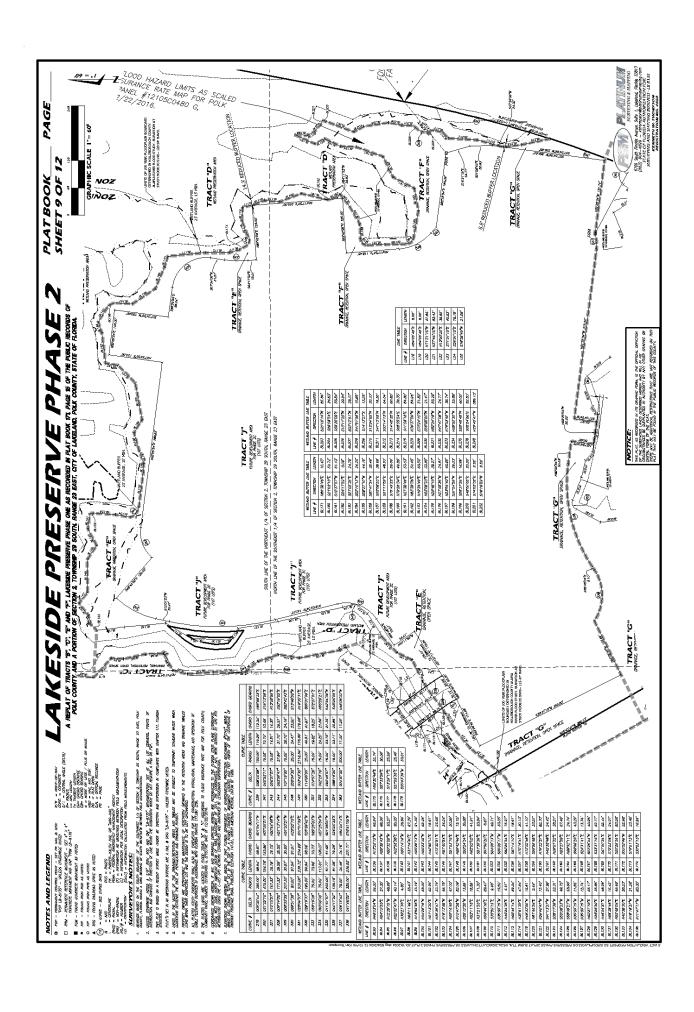
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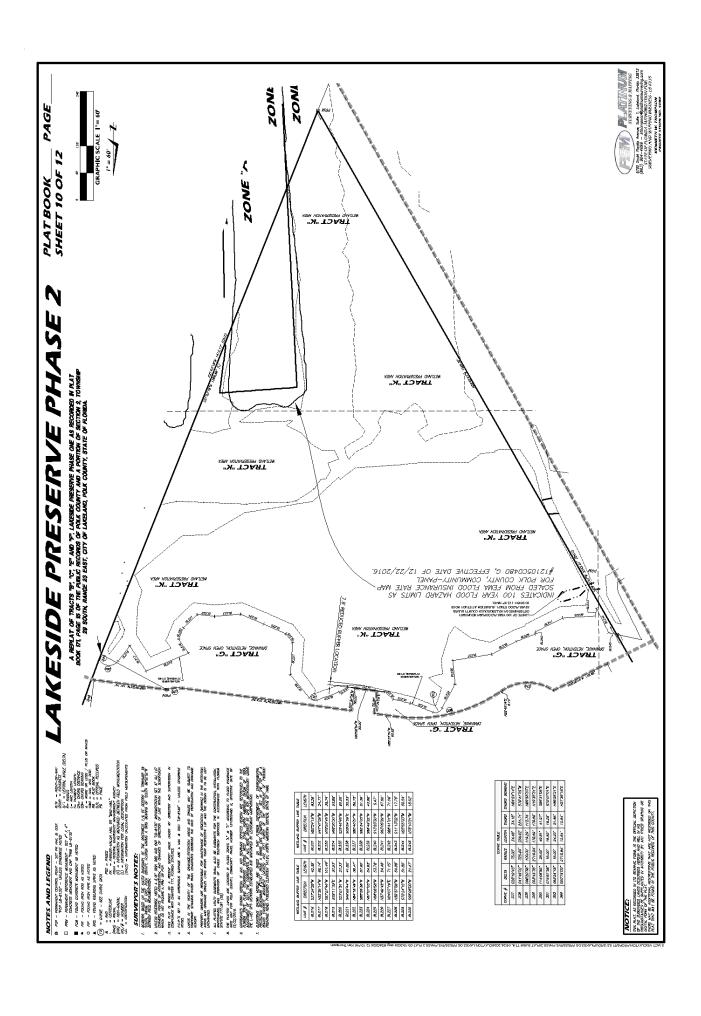


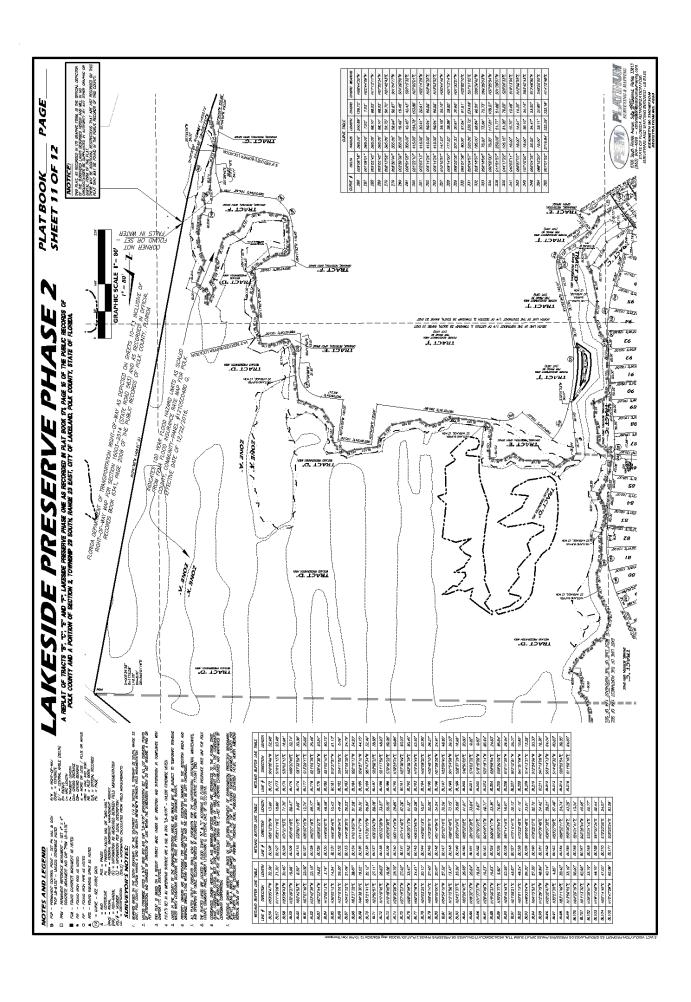
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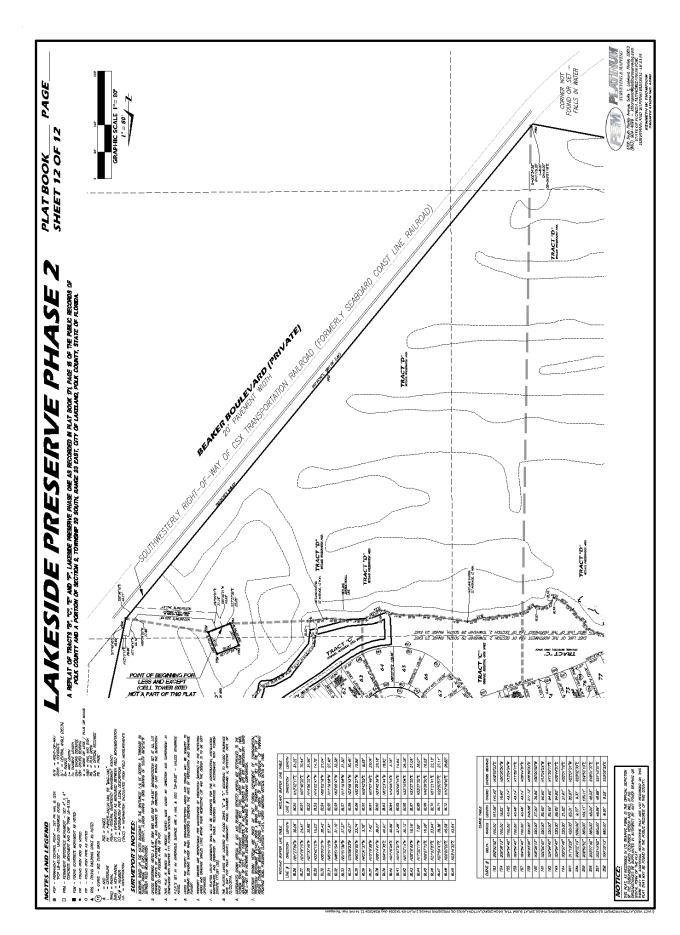
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Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, October 15, 2024

Meeting of September 16, 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 24-045; Large Scale Amendment #LUL24-003 to the Future Land Use Map to Apply Business Park (BP) Land Use on Approximately 10.82 Acres Located North of Interstate 4, South of N. State Road 33, and East of Epicenter Boulevard. (LUL24-003) **Approved 6—0 For Transmittal**

Ordinances (Second Reading)

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) **Approved 7—0, Ordinance 6049**

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) **Approved 7—0, Ordinance 6050**

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) **Approved 6—1, Ordinance 6051**

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) **Approved 7—0, Ordinance 6052**

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) **Approved 5—2, Ordinance 6053**

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) **Approved 6—0, Ordinance 6054**

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) **Approved 6—0, Ordinance 6055**

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) **Approved 7—0, Ordinance 6056**

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) **Approved 7—0, Ordinance 6057**

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) **Approved 7—0, Ordinance 6058**

Proposed 24-047; Small Scale Amendment #LUS24-009 to the Future Land Use Map to Change Future Land Use 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 Generally Located South of S. Parkway Frontage Road and East of Harden Boulevard. (LUS24-009) **Approved 6—1, Ordinance 6059**

Proposed 24-048; Amending Ordinance 3440, as amended, Major Modification of PUD Zoning 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; Change to Context District from Suburban Corridor (SCO) and Suburban Neighborhood (SNH) to Suburban Special Purpose (SSP) on Approximately 98.21 Acres Generally Located South of S. Parkway Frontage Road and East of Harden Boulevard. (PUD24-011/ZON24-009) **Approved 5—1, Ordinance 6060**