

AGENDA

Planning & Zoning Board
City Commission Chambers
September 19, 2023 8:30 a.m.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, 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, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, 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.

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PUBLIC HEARING

- ITEM 1:**
- a. Compatibility review to allow for the construction of an accessory dwelling unit on property located at 1206 E. Edgewood Drive. Owner: Shane I Willis. Applicant: Platinum Construction Group. (ADU23-009)
 - b. Consideration of final decision.
- ITEM 2:**
- a. Major modification of an existing conditional use for the Greater St. Paul Missionary Baptist Institutional Church to allow a 1,017 sq. ft. addition to an existing church office building and a food pantry along with support services for the elderly on property located at 1123 Omohundro Avenue. Owner: Greater St. Paul Missionary Baptist Institutional Church. Applicant: Mildred McMillon. (CUP23-015)
 - b. Consideration of final decision.
- ITEM 3:**
- a. Conditional use to allow a two-family dwelling (duplex) on property located at 814 N. Vermont Avenue. Owner: PSM Land Properties LLC. Applicant: Strickland Construction. (CUP23-016)
 - b. Consideration of final decision.
- ITEM 4:**
- a. Conditional use to allow for the conversion of an existing single-family detached dwelling to a two-family dwelling (duplex) on property located at 838 E. Peachtree Street. Owner: Nuview Trust Co. Applicant: New Heights Construction, Inc. (CUP23-017)
 - b. Consideration of final decision.
- ITEM 5:**
- a. Minor modification of PUD (Planned Unit Development) zoning to increase the maximum number of beds for a previously approved assisted living facility from 148 to 175 beds on property located at 3201 Airport Road. Owner: RBS Lakeland Investments LLC. Applicant: Sarah Case, Next Level Planning Permitting. (PUD23-018)
 - b. Consideration of final decision.
- ITEM 6:** Change in zoning from C-2 (Highway Commercial District) to I-2 (Medium Industrial District), concurrent with a City-initiated application to change the context sub-district designation from

Suburban Corridor (SCO) to Suburban Special Purpose (SSP), on approximately 0.46 acres located at 3070 New Tampa Highway. Owner: Lakeland Storage 1 LLC. Applicant: Michael Morcos. (ZON23-007/ZON23-008)

GENERAL MEETING

ITEM 7: Review minutes of the August meeting.

ITEM 8: Major modification of PUD (Planned Unit Development) zoning to allow Motor Vehicle Fuel Sales, Major, within Tract A, and Motor Vehicle Service & Repair Uses, Minor, within Tract B of the Cypress Point at Lake Parker subdivision. The subject property is located north of U.S. Highway 92 East, east of Lake Parker Drive, and west of Fairway Avenue (2020 E. Road 92). Owner: Cypress Point Commercial LLC. Applicant: Sarah Case, Next Level Planning & Permitting. (PUD23-011)

ITEM 9: Major modification of PUD (Planned Unit Development) zoning to allow a freestanding emergency room on property located at 1075 Carpenters Way. Owner: June 35 LLC. Applicant: Avery Steed, Fulmer Lucas Engineering, LLC. (PUD23-012)

ITEM 10: The application of C-1 (Pedestrian Commercial District) zoning on approximately 0.28 acres located at 1050 Sharon Drive. Owner: Jacquelyn W Scott Revocable Living Trust. Applicant: Sharon Laird. (ZON23-002)

ITEM 11: Change in zoning from MF-22 (Multi-Family Residential) to O-1 (Low Impact Office) on approximately 1.17 acres located south of E Lemon Street and east of Tyler Avenue (1303 E. Lemon Street). Owner: E Lemon Land Trust. Applicant: Sarah Case, Next Level Planning & Permitting. (ZON23-006)

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

ITEM 13: Audience.

ITEM 14: Adjourn.



Planning & Zoning Board General Application

General Information:

Project No:	ADU23-009	Application Date:	7/29/2023		
Project Name:	1206 E EDGEWOOD DR				
Subject Property Address:	1206 E EDGEWOOD DR				
Parcel ID:	242829000000044230	Total Acreage:	0.76		
Applicant Name:	PLATINUM CONSTRUCTION GROUP(CBC1255241)				
Applicant Address:	P.O. BOX 753	POLK CITY	FL	33868	
Owner Name:	WILLIS SHANE I				
Owner Address:	1206 E EDGEWOOD DR	LAKELAND	FL	338033224	

Request:

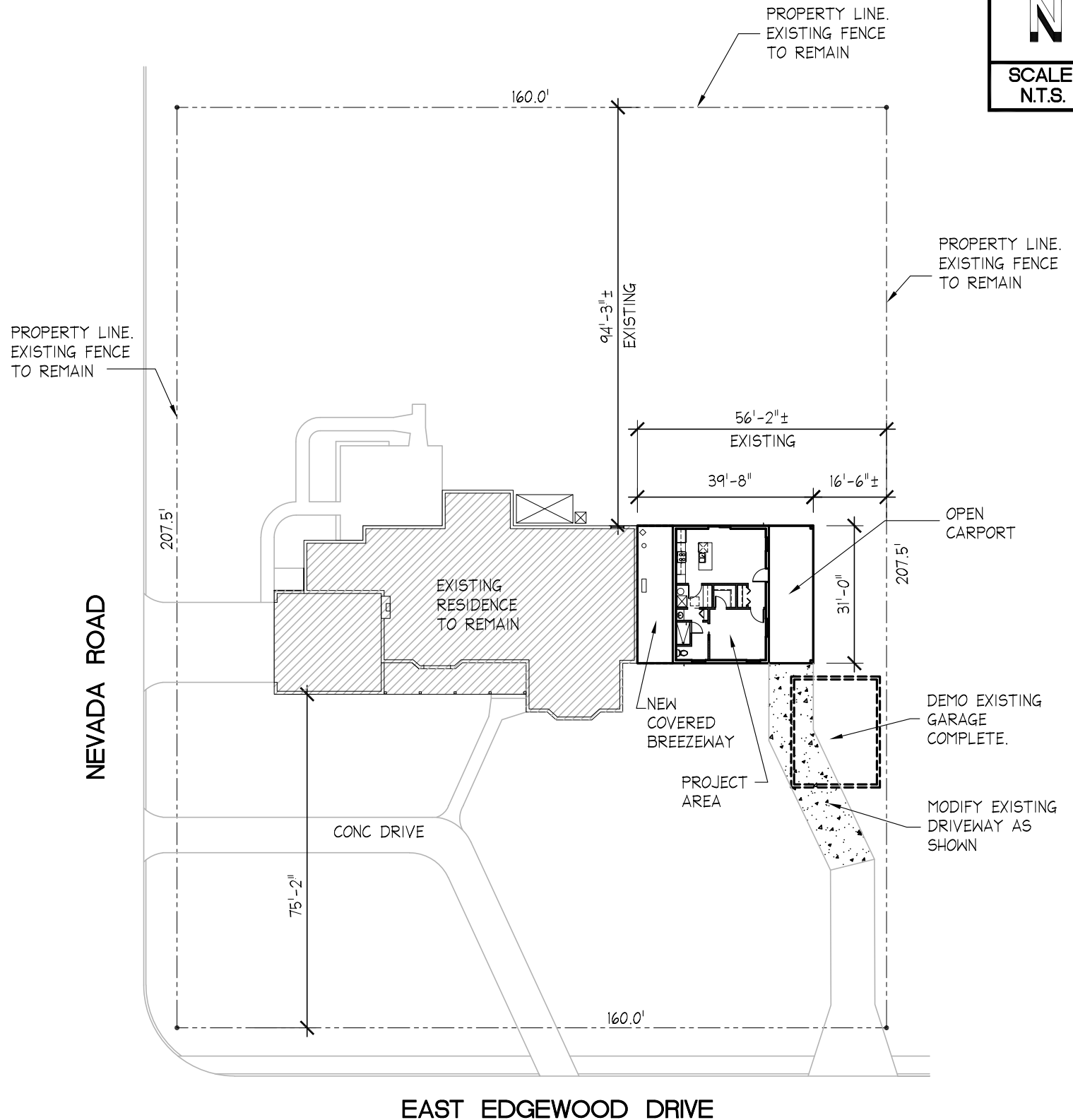
Application Type:	ACCESSORY DWELLING UNIT				
Proposed		Current			
Zoning:	Not Applicable	RA-1 (Single Family)			
Land Use:	Not Applicable	Residential Medium (RM)			
Context:	Not Applicable	Urban Neighborhood (UNH)			
Explanation of Request:	new adu				
Justification:	new ADU for our family. proposed living adu is 671 sf. The new single car carport is 200sf and the new covered breezeway (between existing house and new dwelling unit) and rear sitting area behind carport is 358sf. both house and new adu is same owner. the electric for the adu will be supplied by the existing meter at existing house				

Concurrency:

Proposed Dwelling Units:	1	Project Floor Area:	671	Square feet	
Type of Use:		Phase		Year	
Estimate of Public Service Demand					
Roadways	Daily Trips:	0	PM Peak Hour Trips:	0	
Potable Water		GPD	Wastewater	GPD	Solid Waste PPD

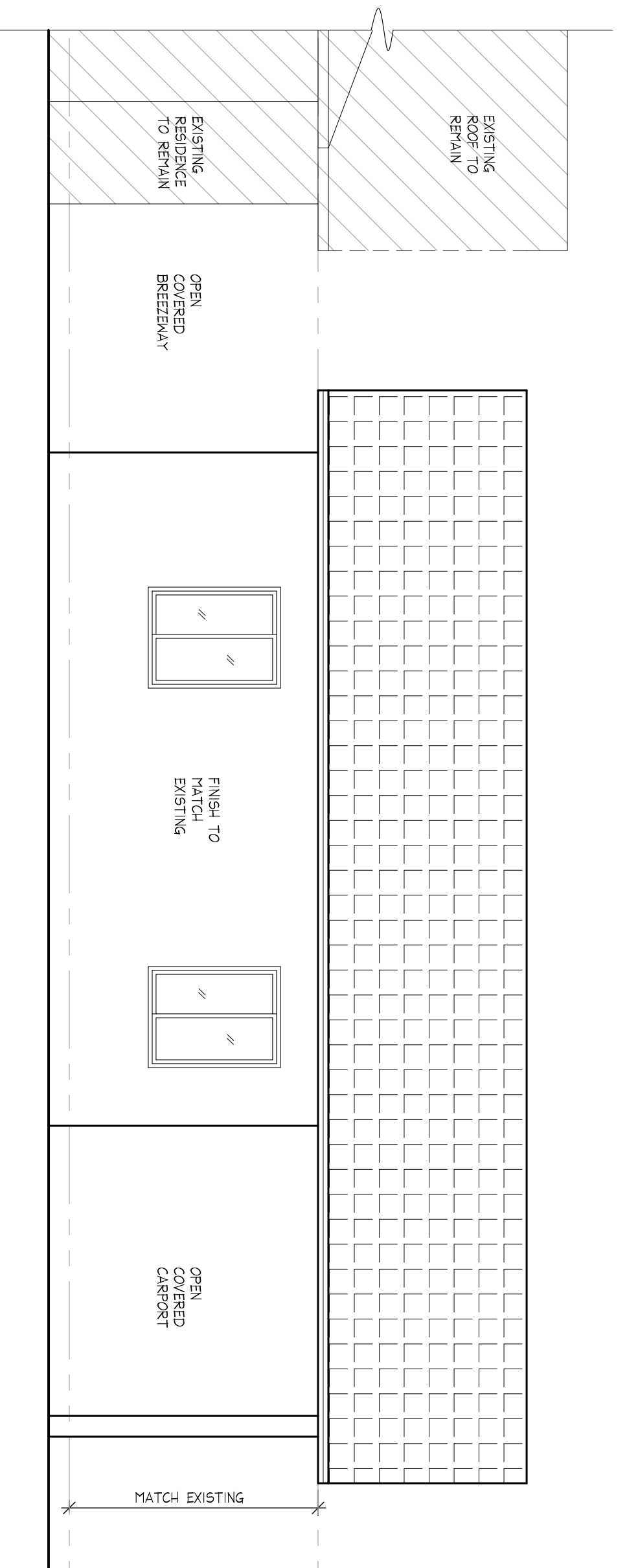


SCALE:
N.T.S.

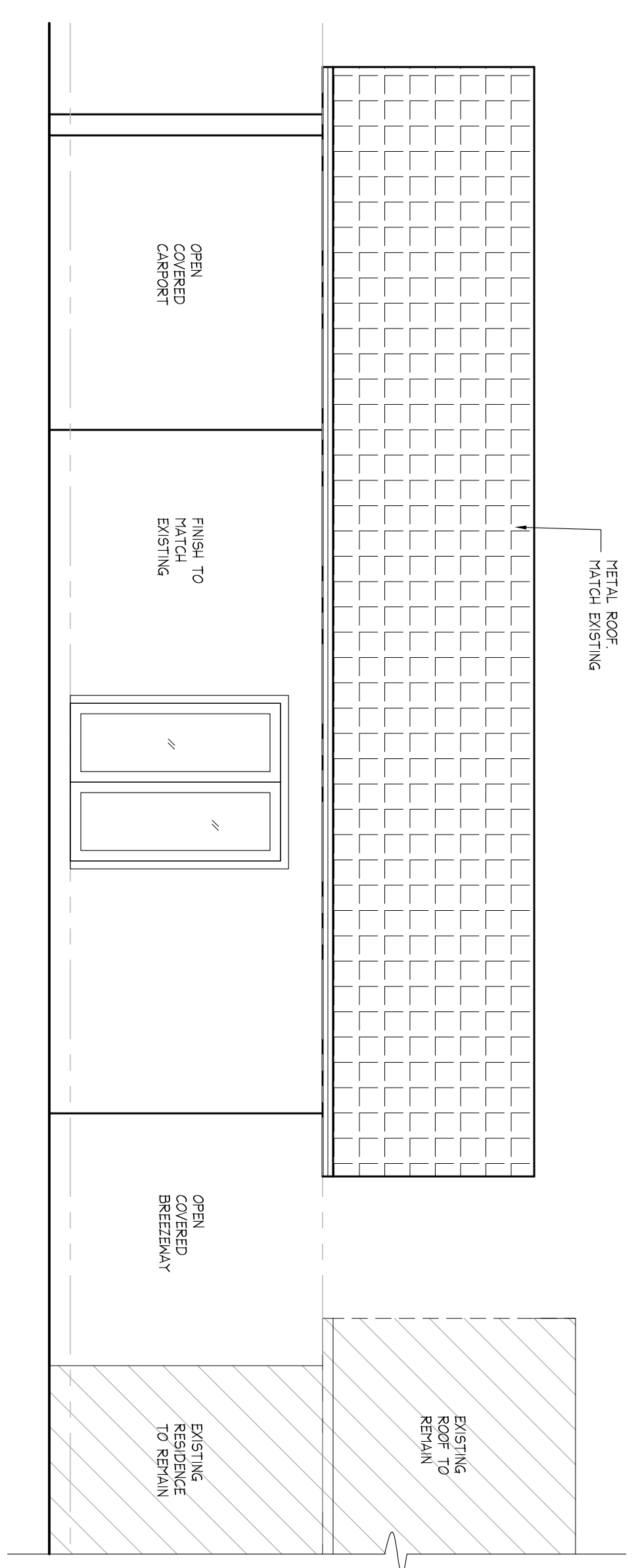


IT IS THE OWNERS RESPONSIBILITY TO VERIFY ALL DRIVES AND BUILDING SETBACKS ARE IN ACCORDANCE W/ ALL APPLICABLE LOCAL AND STATE CODES

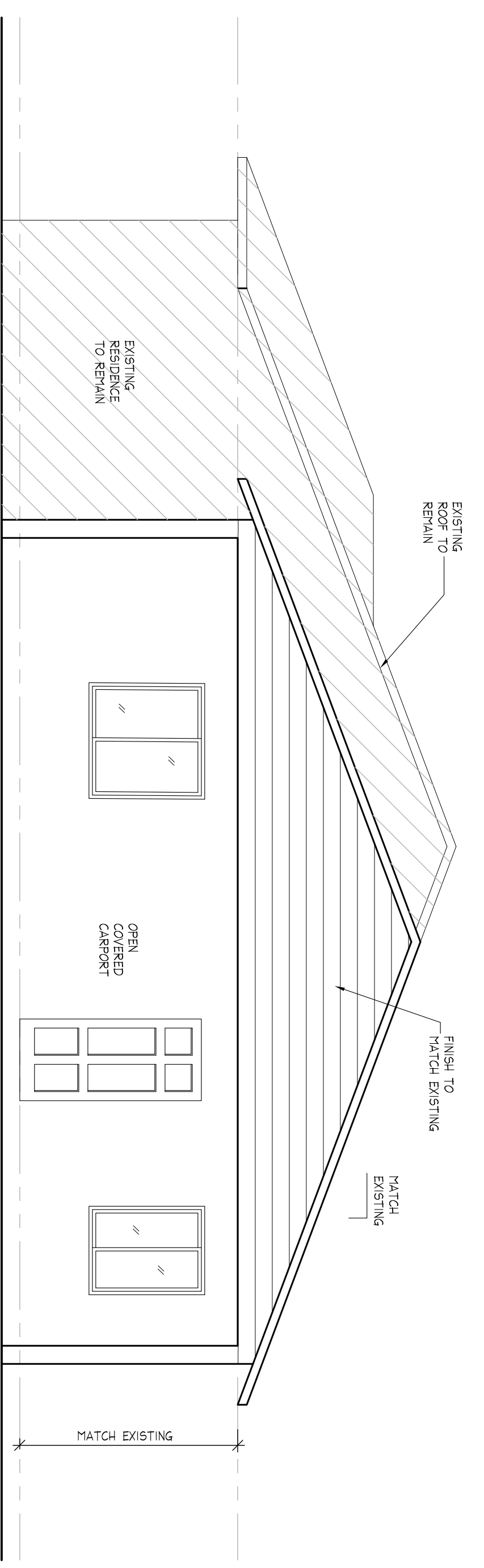
JOB#	WILLIS	WILLIS RESIDENCE	REVISIONS:
PLAN	SITE		1.
DATE	8-17-23		2.
		1206 EAST EDGEWOOD DRIVE LAKELAND, FLORIDA 33803	SHEET C-1



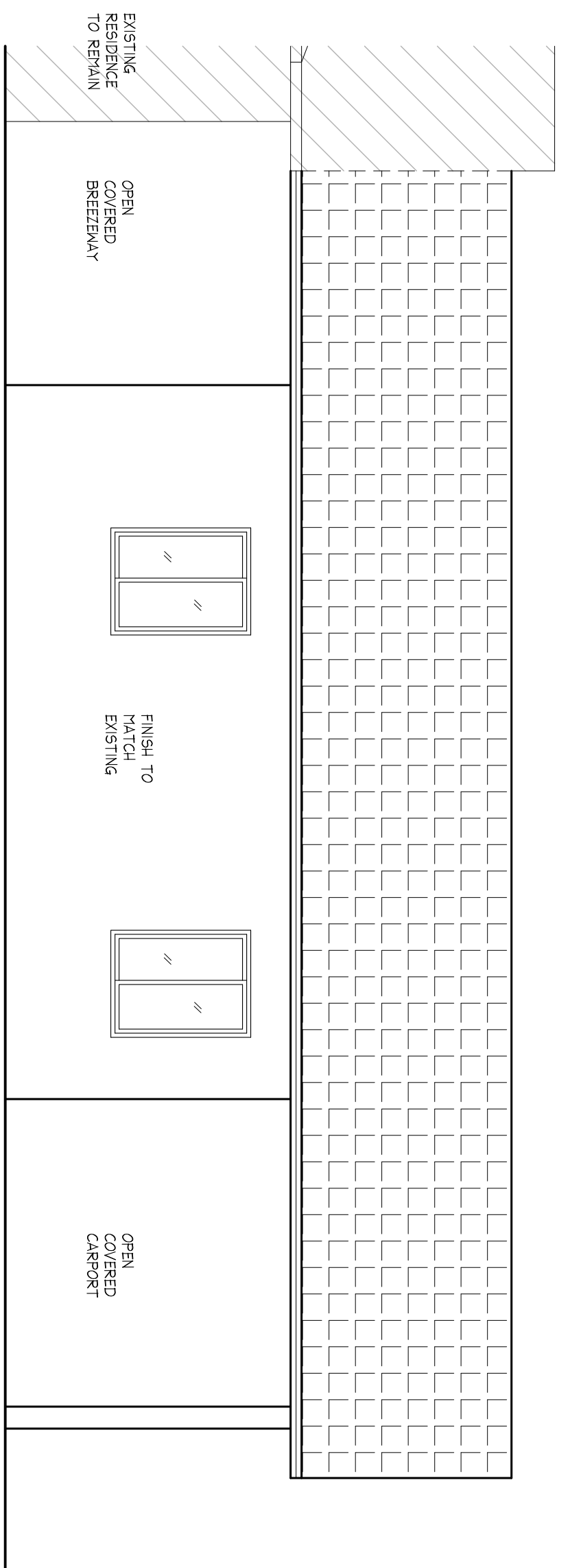
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



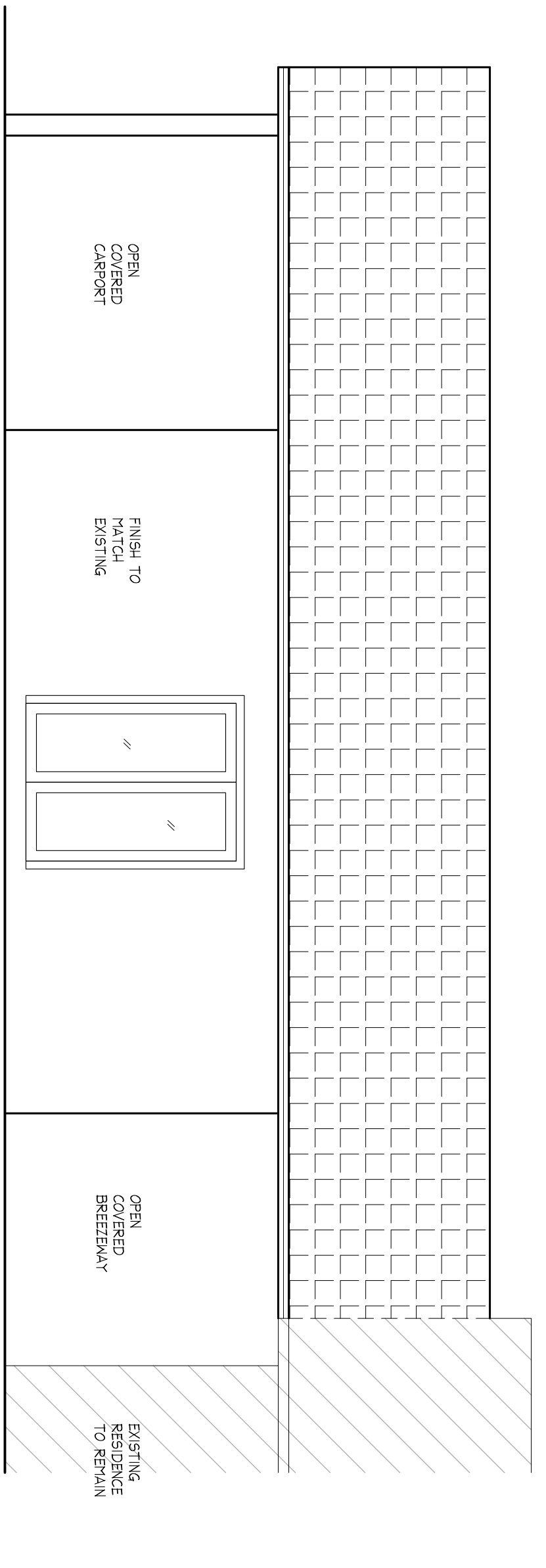
REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

**PRELIMINARY
DRAWINGS
NOT TO SCALE**

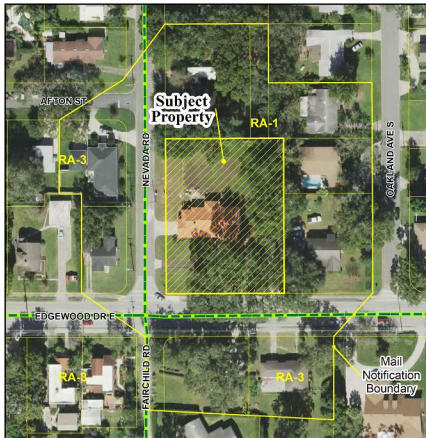
PLATINUM DESIGN GROUP
DESIGNERS + CONSULTANTS + PLANNERS
Phone: 863.660.6827 www.platcompanies.com
P.O. Box 753, Polk City Fl 33868

REVISIONS
1.
2.

INTERIOR REMODEL FOR:
WILLIS RESIDENCE
1206 East Edgewood Drive
Lakeland, Florida 33803
ELEVATIONS

JOB: WILLIS
PROJECT #
SHEET:
A2.0
DATE: 8-17-23

option - roof connected



File Number: ADU23-009

Present Zoning: RA-1

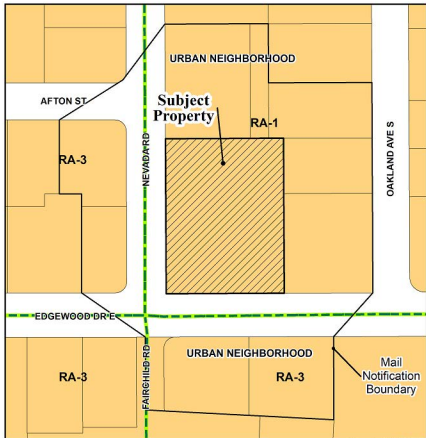
Context: Urban Neighborhood

Proposed Zoning: Compatibility Review for an Accessory Dwelling Unit

September 2023

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





File Number: ADU23-009

Present Zoning: RA-1

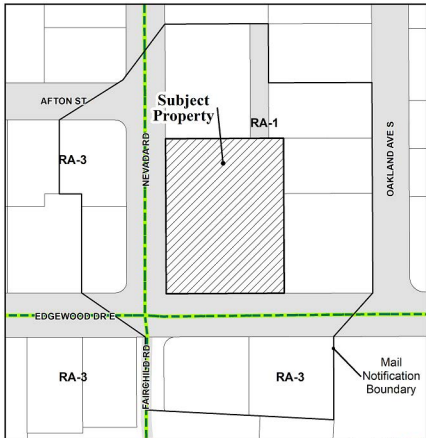
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September 2023





File Number: ADU23-009

Present Zoning: RA-1

Context: Urban Neighborhood

Proposed Zoning: Compatibility Review for an Accessory Dwelling Unit

September 2023

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





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

September 1, 2023

RE: 1206 Edgewood Drive - Project No. ADU23-009

Dear Property Owner:

This letter is to advise you that Antonio Pagan, Platinum Construction Group LLC, requests a compatibility review to allow for the construction of an accessory dwelling unit on property located at 1206 E. Edgewood Drive. The subject property is legally described as:

W 185 FT OF S 237.5 FT OF W1/2 OF SW1/4 OF SW1/4 LESS R/W FOR EDGEWOOD DR.
(A complete legal description is available in the Community & Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, September 19, 2023**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property adjacent to 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 19th meeting.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Planning & Zoning Board General Application

General Information:

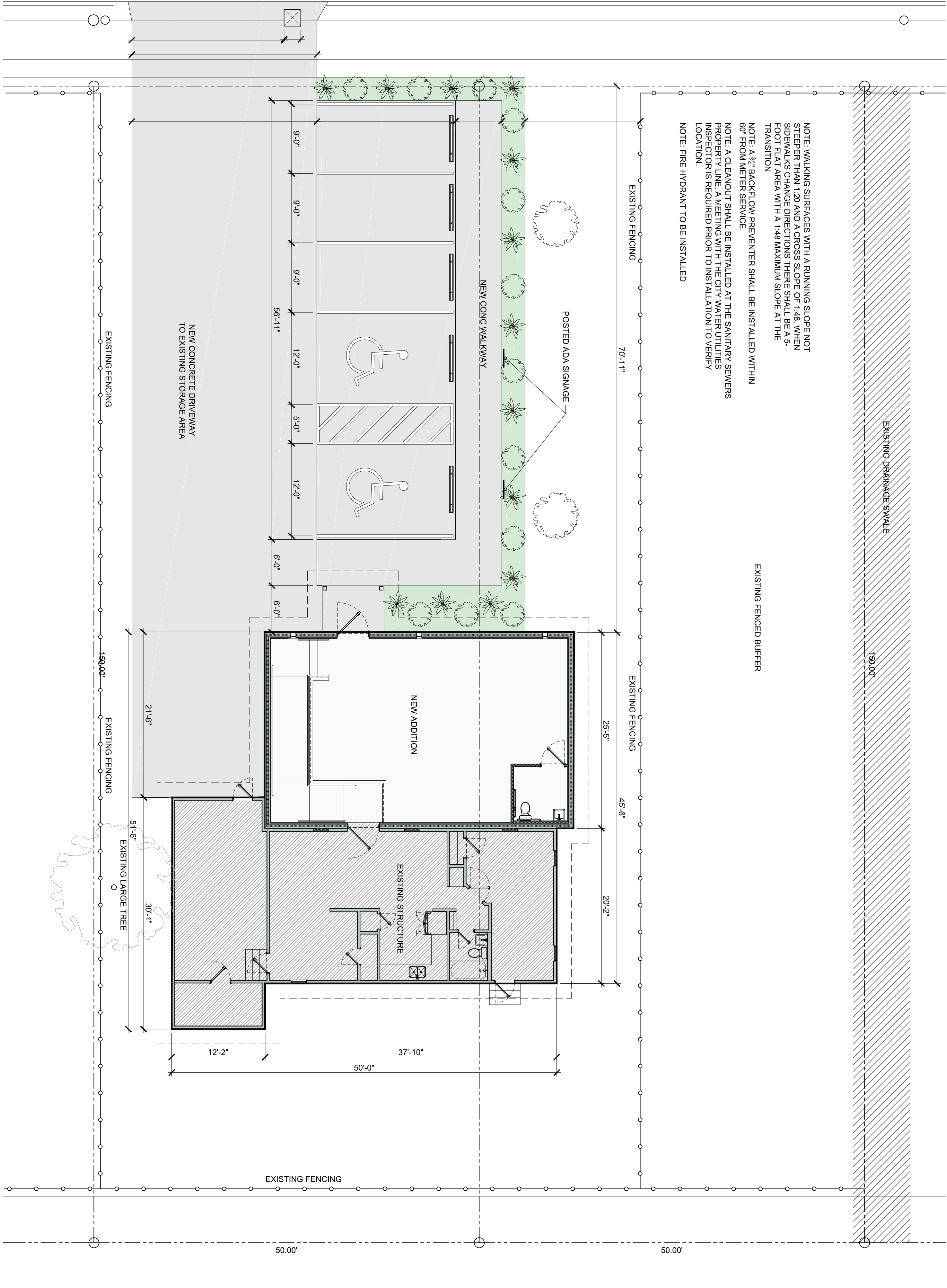
Project No:	CUP23-015	Application Date:	7/6/2023		
Project Name:	FAITH IN ACTION MODIFICATION				
Subject Property Address:	1123 OMOHUNDRO AV				
Parcel ID:	232812046500011900	Total Acreage:	0.34		
Applicant Name:	MILDRED MCMILLON				
Applicant Address:	1123 OMOHUNDRO AVENUE	LAKELAND	FL	33805	
Owner Name:	GREATER ST. PAUL MISSIONARY BAPTIST INSTITUTIONAL CHURCH				
Owner Address:	1130 NORTH WEBSTER AVENUE	LAKELAND	FL	33805	

Request:

Application Type:	CONDITIONAL USE	MAJOR MODIFICATION
Proposed		Current
Zoning:	SPI (Special Public Interest)	RA-4 (Single Family)
Land Use:	OC-Office Center	(Business Park) BP
Context:	USP-Urban Special Purpose	Urban Neighborhood (UNH)
Explanation of Request:	To add to the existing structure that was approved in 2005. This will be a major modification to the current structure, enlarging the square footage to allow for a sitting area and a restroom for the elderly.	
Justification:	To create additional square footage for a sitting area to better serve our Elderly patrons in the safest manner possible as we provide food services to them.	

Concurrency:

Proposed Dwelling Units:	0	Project Floor Area:	1521	Square feet	
Type of Use:	Church	Phase	2	Year	2023
Estimate of Public Service Demand					
Roadways	Daily Trips:	0	PM Peak Hour Trips:	0	
Potable Water		GPD	Wastewater	GPD	Solid Waste PPD



NOTE: WALKING SURFACES WITH A RUNNING SLOPE NOT STEEPER THAN 1:20 AND A CROSS SLOPE OF 1:48. WHEN SIDEWALKS CHANGE DIRECTIONS THERE SHALL BE A 5' FOOT FLAT AREA WITH A 1:36 MAXIMUM SLOPE AT THE TRANSITION.

NOTE: A 1/2" BACKFLOW PREVENTER SHALL BE INSTALLED WITHIN 60' FROM METER SERVICE.

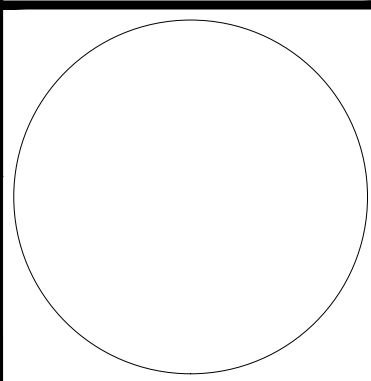
NOTE: A CLEANOUT SHALL BE INSTALLED AT THE SANITARY SEWERS PROPERTY LINE. A MEETING WITH THE CITY WATER UTILITIES DEPARTMENT IS REQUIRED PRIOR TO INSTALLATION TO VERIFY LOCATION.

NOTE: FIRE HYDRANT TO BE INSTALLED

EXISTING FENCED BUFFER

SITE PLAN OF ADDITION
SCALE: 1/8" = 1'-0"

SP1	CONSULTING ENGINEER ROBERT T. HAUG FLORIDA P.E. LICENSE #24575
	DATE: 08-28-2023
	DRAWN: S.T.G.
	CHECK: R.L.G.
	JOB: EV23-003

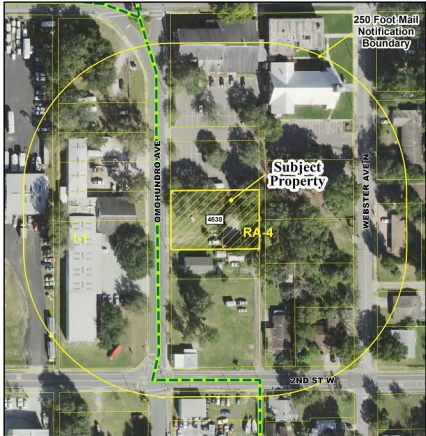


REVISION DATE:

FAITH IN ACTION NORTH LAKELAND
COMMERCIAL ADDITION
1123 OMOHUNDRO AVENUE
LAKELAND, FLORIDA 33805
SITE PLAN OF ADDITION

ROBERT T. HAUG, P.E.
STRUCTURAL ENGINEER
1820 E. EDGEWOOD DRIVE
LAKELAND, FL 33803
PHONE: 863.687.4225
MOOSEH@DIGITAL.NET

RANDY@ELEMENTSTUDIOSFL.COM
O: 863.258.1268 C: 863.220.0202



File Number: CUP23-015

Present Zoning: RA-4 with Conditional Use

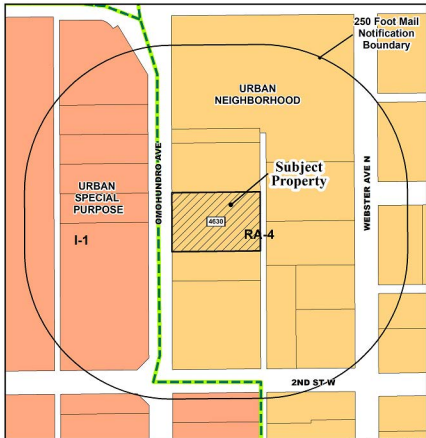
Present Context: Urban Neighborhood

Proposed Zoning: Major Modification of
 Conditional Use to Allow
 a Food Pantry and Services
 for the Elderly

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

September 2023





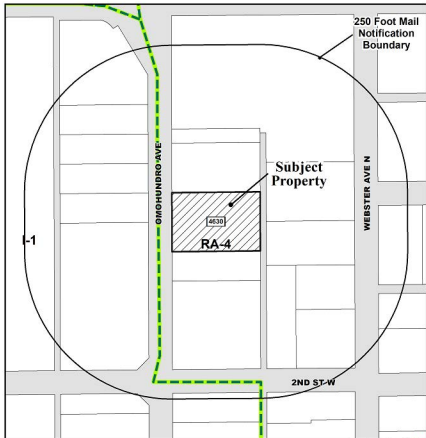
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September 2023



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-  Water Body
-  Roadway/Railway



September 2023



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

September 1, 2023

RE: 1123 Omohundro Avenue - Project No. CUP23-015

Dear Property Owner:

This is to advise you that Mildred McMillon, Faith in Action North Lakeland, Inc., requests a major modification of an existing conditional use for the Greater St. Paul Missionary Baptist Institutional Church to allow a 1,017 sq. ft. addition to an existing church office building and a food pantry along with support services for the elderly on property located at 1123 Omohundro Avenue. The property is legally described as:

WEBSTER & OMOHUNDRO ADD PB 3 PG 82 BLK A LOTS 19 & 20. (A complete legal description is available in the Community & Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, September 19, 2023**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 250 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 19th meeting.

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Planning & Zoning Board General Application

General Information:

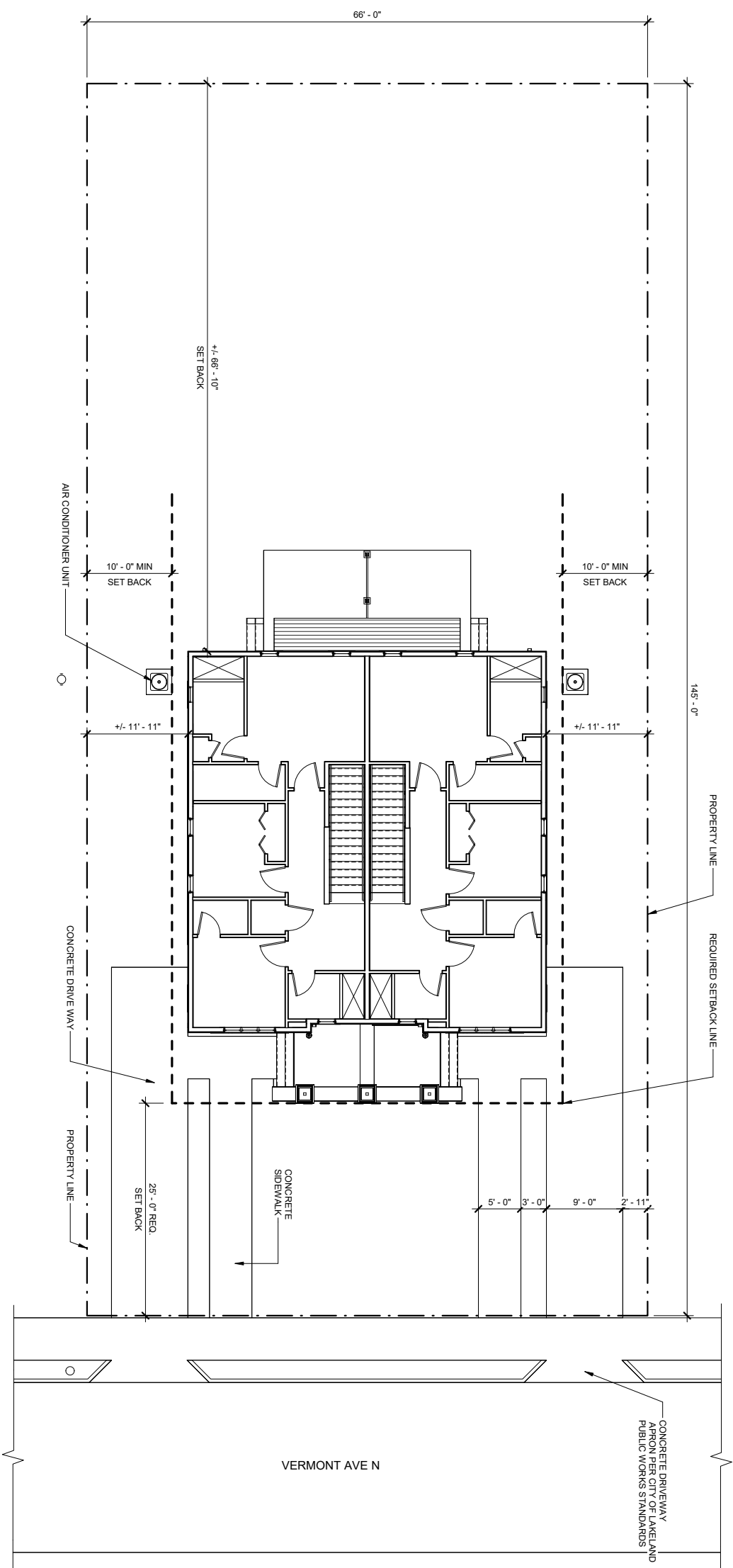
Project No:	CUP23-016	Application Date:	7/20/2023		
Project Name:	814 N. VERMONT AVENUE				
Subject Property Address:	814 N VERMONT AV				
Parcel ID:	242818000000031330	Total Acreage:	0.22		
Applicant Name:	STRICKLAND CONSTRUCTION				
Applicant Address:	1441 EAST GARY RD	LAKELAND	FL	33801	
Owner Name:	PSM LAND PROPERTIES LLC				
Owner Address:	719 N MASSACHUSETTS AVE	LAKELAND	FL	338011746	

Request:

Application Type:	CONDITIONAL USE	NEW
Proposed		Current
Zoning:	MF-22 (Multi-Family)	MF-22 (Multi Family)
Land Use:	RH-Residential High	Residential High (RH)
Context:	Not Applicable	Urban Neighborhood (UNH)
Explanation of Request:	Requesting a condition use permit to build 1 (one) duplex on a lot zoned as multi-family.	
Justification:	The property is optimal for a duplex which is the most cost effective solution for Parker Street Ministries affordable housing goals.	

Concurrency:

Proposed Dwelling Units:	2	Project Floor Area:	3892	Square feet	
Type of Use:	Other	Phase	1	Year	2024
Estimate of Public Service Demand					
Roadways	Daily Trips:	0	PM Peak Hour Trips:	0	
Potable Water		GPD	Wastewater	GPD	Solid Waste PPD



1 ARCHITECTURAL SITE PLAN
1/8" = 1'-0"

GENERAL NOTES

KEYNOTES



2008 E. Egmontville Rd
Lakeland, FL 34051
352.903.3001

2008 E. Egmontville Rd
Lakeland, FL 34051
352.903.3001

FOR A COMPLETE LIST OF PROJECTS VISIT OUR WEBSITE AT: WWW.STRAUGHNTROUT.COM
OUR OFFICE IS CURRENTLY OPEN TO NEW CLIENTS AND PROJECTS. WE ARE A FULL SERVICE ARCHITECTURAL FIRM AND CAN ASSIST YOU WITH ALL ASPECTS OF YOUR PROJECT FROM CONCEPT DEVELOPMENT TO CONSTRUCTION ADMINISTRATION. WE OFFER A WIDE RANGE OF SERVICES AND CAN ASSIST YOU WITH ALL ASPECTS OF YOUR PROJECT FROM CONCEPT DEVELOPMENT TO CONSTRUCTION ADMINISTRATION. WE OFFER A WIDE RANGE OF SERVICES AND CAN ASSIST YOU WITH ALL ASPECTS OF YOUR PROJECT FROM CONCEPT DEVELOPMENT TO CONSTRUCTION ADMINISTRATION.

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JONATHAN A. KIRK
FLORIDA REG. NO. AR25718

DUPLEX BUILDING
PARKER STREET MINISTRIES
814 N. VERMONT AVE.
LAKELAND, FL. 33801

STA PROJECT #: 2314.6

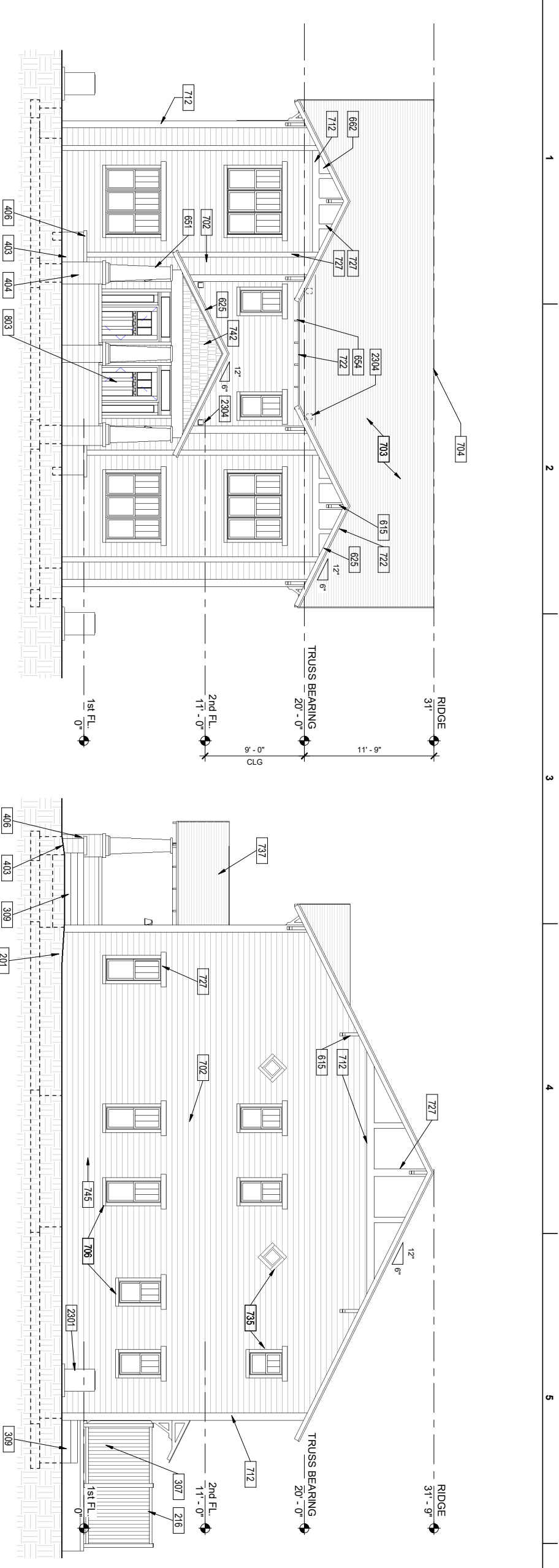
PROJECT MGR.: JAK

| DATE | ISSUED AS |

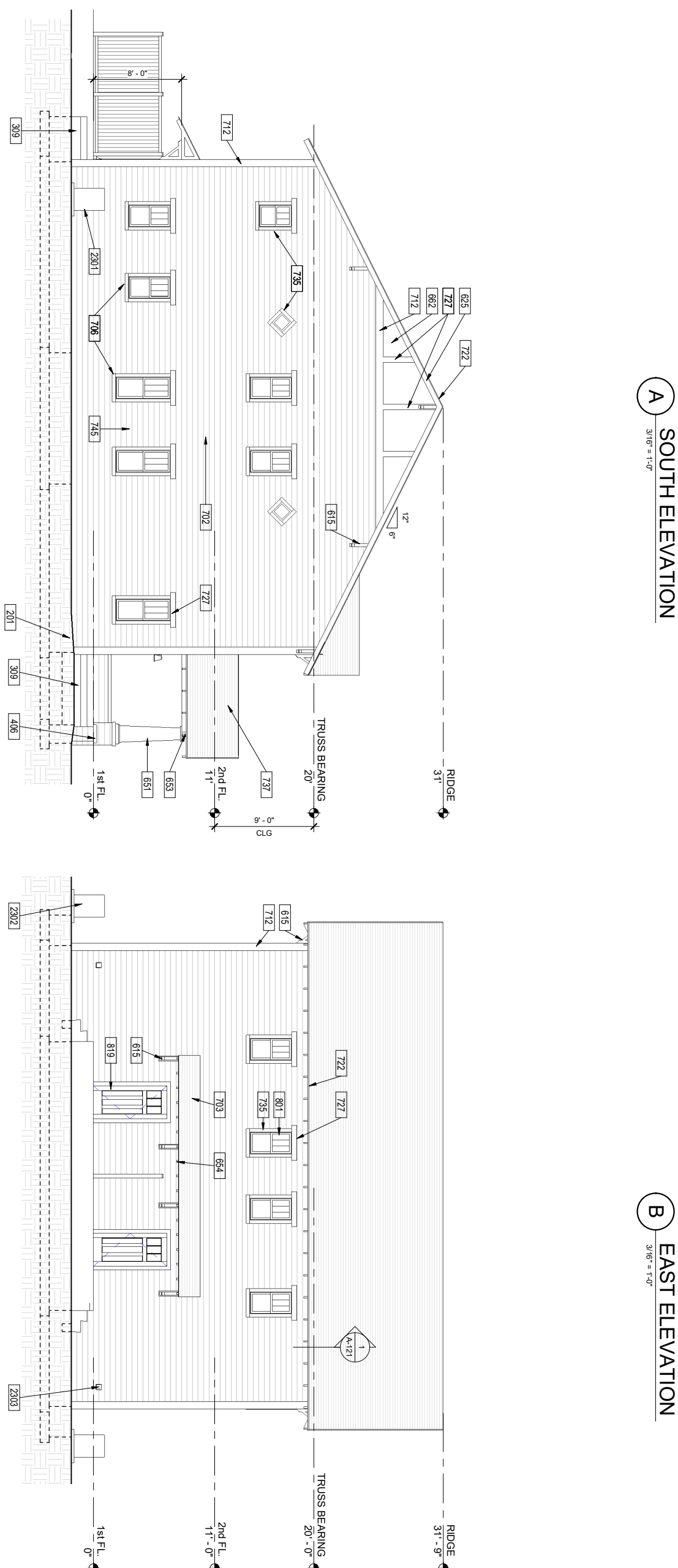
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SITE PLAN

AS-101



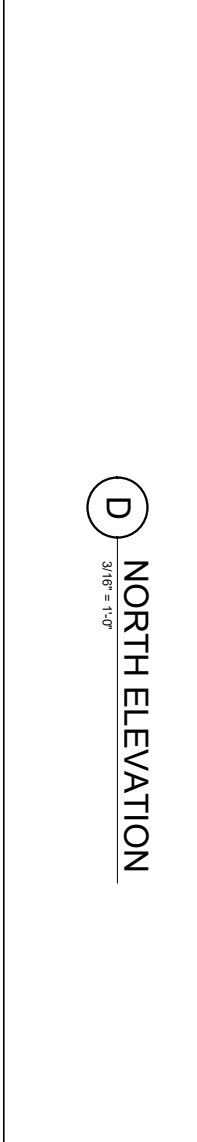
A SOUTH ELEVATION
3/16" = 1'-0"



B NORTH ELEVATION
3/16" = 1'-0"



C WEST ELEVATION
3/16" = 1'-0"



D EAST ELEVATION
3/16" = 1'-0"

GENERAL NOTES

- KEYNOTES**
- 201 FINISH GRADE SLOPE DOWN FROM BUILDING SLAB, TYP.
 - 216 6 FT HIGH WOOD PRIVACY FENCE.
 - 307 4 IN THICK FOURSIDED CONCRETE PORCH SLAB, REINFORCE WITH 6X6 W/ 4X4 W/ 4 WWP ON THERMITE TREATED AND WELL COMPACTED SUBGRADE. BRROOM FINISH SLOPE DOWN FROM INTERIOR SLABS.
 - 308 DOWNHOLE CONCRETE STEPS MIN. 4 IN THICK REINFORCE WITH #3 @ 12 IN ON CENTER. SEE DETAIL.
 - 403 MASONRY WALL WITH BRICK VENEER FINISH EACH SIDE. SEE DETAILS.
 - 404 MASONRY PIER WITH BRICK VENEER AND CONCRETE CAP. SEE DETAILS.
 - 406 4 IN THICK FOURSIDED CONCRETE CAP.
 - 615 2X4 WOOD BRACKET CONSTRUCTED TO SHAPES AS DETAIL.
 - 625 2X6 CONTINUOUS FASCIA/RAKE BOARD AT GABLE ENDS, HARDBOARD SMOOTH PANEL. COLUMNS SURROUND AS DETAIL.
 - 651 PRE-ENGINEERED DROPPED GABLE END TRUSS, TYP.
 - 654 EXPOSED 2X6 WOOD OUTLOOKERS WITH DECORATIVE END CUT SCAB TO TOP CHORD OF TRUSS. PAINT.
 - 662 5/16 IN THICK FIBER CEMENT PANEL WITH SMOOTH FINISH, FIBER CEMENT LAP SIDING WITH 6 IN. EXPOSURE (HARDBOARD OR EQUAL) OVER CONTINUOUS WEATHER RESISTIVE SHEATHING.
 - 703 ARCHITECTURAL DIMENSIONAL ASPHALT ROOF SHINGLES OVER 15 POUND FELT, 25 YEAR WARRANTY.
 - 704 RIDGE VENT SHINGLES.
 - 706 PROVIDE CONTINUOUS CALULKING FULL PERIMETER OF WINDOW / DOOR UNIT, TYP.
 - 712 1 IN. X 7.25 IN. FIBER CEMENT TRIM.
 - 722 CONTINUOUS METAL EAVE DRIP FLASHING.
 - 727 1 INCH X 5.5 INCH FIBER CEMENT TRIM.
 - 735 1 IN. X 3.5 IN. FIBER CEMENT SMOOTH TRIM.
 - 737 LOW ROOF BELLOW, WITH ASPHALT SHINGLES OVER 15B HARDBOARD SMOOTH PANEL.
 - 742 HEADLINE SHINGLE SIDING STRAIGHT EDGE PANELS.
 - 745 HARDBOARD SIDING OVER 42 PT. RUBBERING STRIPS ON WALL STUD TO ALLOW SIDING TO ALIGN.
 - 801 SINGLE HUNG ALUMINUM WINDOW.
 - 803 CRAFTSMAN STYLE FIBERGLASS ENTRY DOOR AND Sidelights SEE DOOR SCHEDULE.
 - 819 INSULATED EXTERIOR FIBERGLASS DOOR.
 - 2301 HVAC AIR HANDLER SEE MECHANICAL DRAWINGS.
 - 2302 HVAC CONDENSER ON CONCRETE PAD, TYPICAL.
 - 2303 THROUGH-WALL DRYER VENT.
 - 2304 EXTERIOR FINISH WINDOW INSPECT SCREEN, PROVIDE TRIM ADJACENT. SEE MECH. DRAWINGS. PAINT TO MATCH ADJACENT.

STRAUHN TROUT
ARCHITECTS

3500 E. EXPANDED HWY 8
SUITE 100
LAKELAND, FL 33801
3520032001

PROJECT NO. 2314.6
DATE: 06/27/2023

PERMISSION IS GRANTED TO THE USER TO REPRODUCE THIS DRAWING FOR PERSONAL OR INTERNAL COMPANY USE ONLY. ALL RIGHTS ARE RESERVED. THIS DRAWING IS THE PROPERTY OF STRAUHN TROUT ARCHITECTS. ANY REPRODUCTION OR TRANSMISSION IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF STRAUHN TROUT ARCHITECTS, IS STRICTLY PROHIBITED. THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF STRAUHN TROUT ARCHITECTS.

XXXX

PARKER STREET MINISTRIES
814 N. VERMONT AVE.
LAKELAND, FL. 33801

JONATHAN A. KIRK
FLORIDA REG. NO. ARS2118

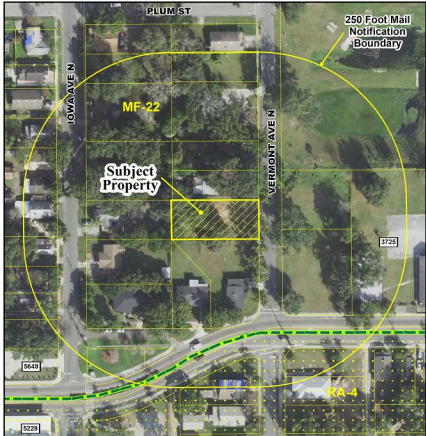
#	DATE	ISSUED AS
1	12/06/20	SD
2	01/13/20	DD
3	10/09/20	CD

PROJECT MGR.: JAK

STA PROJECT #: 2314.6

EXTERIOR ELEVATIONS

A-201



File Number: CUP23-016

Present Zoning: MF-22

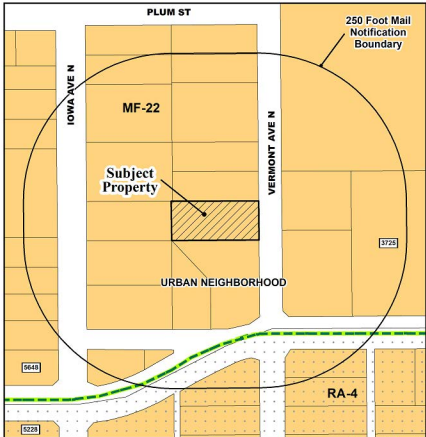
Present Context: Urban Neighborhood

Proposed Zoning: Conditional Use to Allow a Duplex

September 2023

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





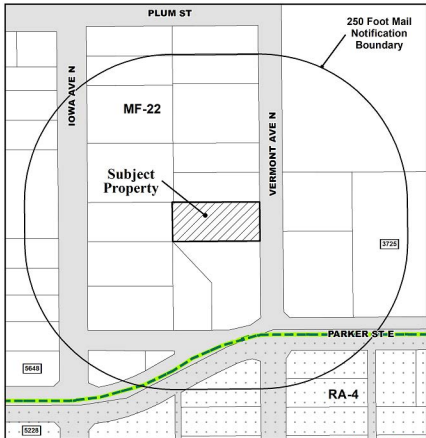
File Number: CUP23-016

Present Zoning: MF-22
Present Context: Urban Neighborhood
Proposed Zoning: Conditional Use to Allow a Duplex

September 2023

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





File Number: CUP23-016

Present Zoning: MF-22

Present Context: Urban Neighborhood

Proposed Zoning: Conditional Use to Allow a Duplex

September 2023

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





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

September 1, 2023

RE: 814 N. Vermont Avenue - Project No. CUP23-016

Dear Property Owner:

This is to advise you that Strickland Construction, on behalf of Parker Street Ministries, requests a conditional use to allow a two-family dwelling (duplex) on property located at 814 N. Vermont Avenue. The property is legally described as:

N 66 FT OF E 173PT1 FT OF S 216 FT OF S1/2 OF W1/2 OF SW1/4 OF
NE1/4 OF NW1/4. (A complete legal description is available in the Community
& Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, September 19, 2023**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 250 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 19th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Planning & Zoning Board General Application

General Information:

Project No:	CUP23-017	Application Date:	8/1/2023		
Project Name:	838 E PEACHTREE_RENO OF DUPLEX INSIDE				
Subject Property Address:	838 E PEACHTREE ST				
Parcel ID:	242818195000001070	Total Acreage:	0.312		
Applicant Name:	NEW HEIGHTS CONSTRUCTION, INC				
Applicant Address:	806 E JAMES ST	TAMPA	FL	33603	
Owner Name:	NUVIEW TRUST CO				
Owner Address:	280 S REAGAN BLVD STE 200	LONGWOOD	FL	327505463	

Request:

Application Type:	CONDITIONAL USE	NEW
Proposed		Current
Zoning:	MF-22 (Multi-Family)	MF-22 (Single Family)
Land Use:	RH-Residential High	Residential High (RH)
Context:	UNH-Urban Neighborhood	Urban Neighborhood (UNH)
Explanation of Request:	Existing permit BLD23-05009 request to detail a fire rated partition resulted in staff to request a CUP.	
Justification:	This has historically been a 4 unit building. Committee review required extensive site and building changes to operate as a 4 unit structure. It was decided to convert to a duplex. This resulted in staff request for CUP.	

Concurrency:

Proposed Dwelling Units:	2	Project Floor Area:	2169	Square feet	
Type of Use:	Apartment	Phase	01	Year	2023
Estimate of Public Service Demand					
Roadways	Daily Trips:	0	PM Peak Hour Trips:	0	
Potable Water		GPD	Wastewater	GPD	Solid Waste PPD

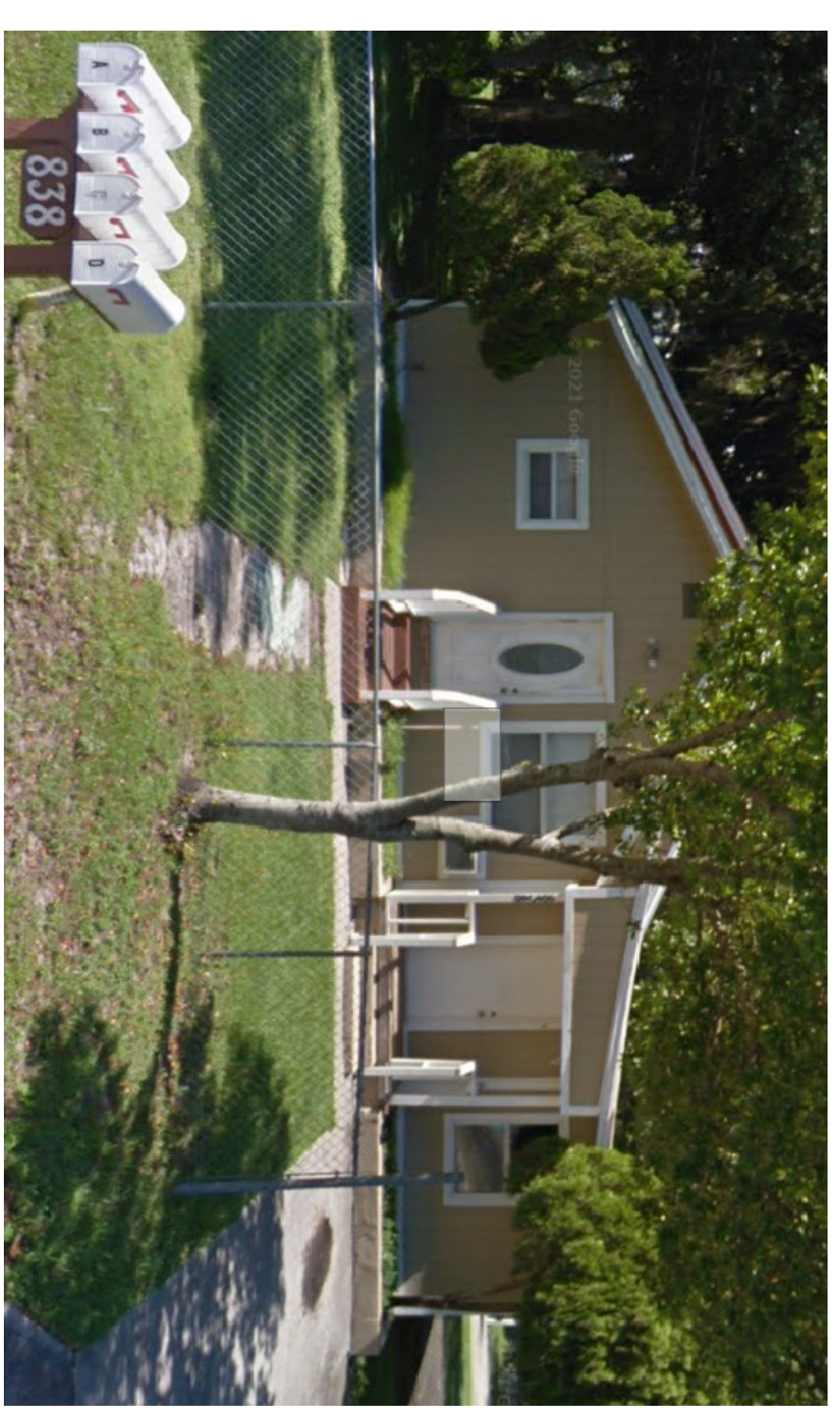
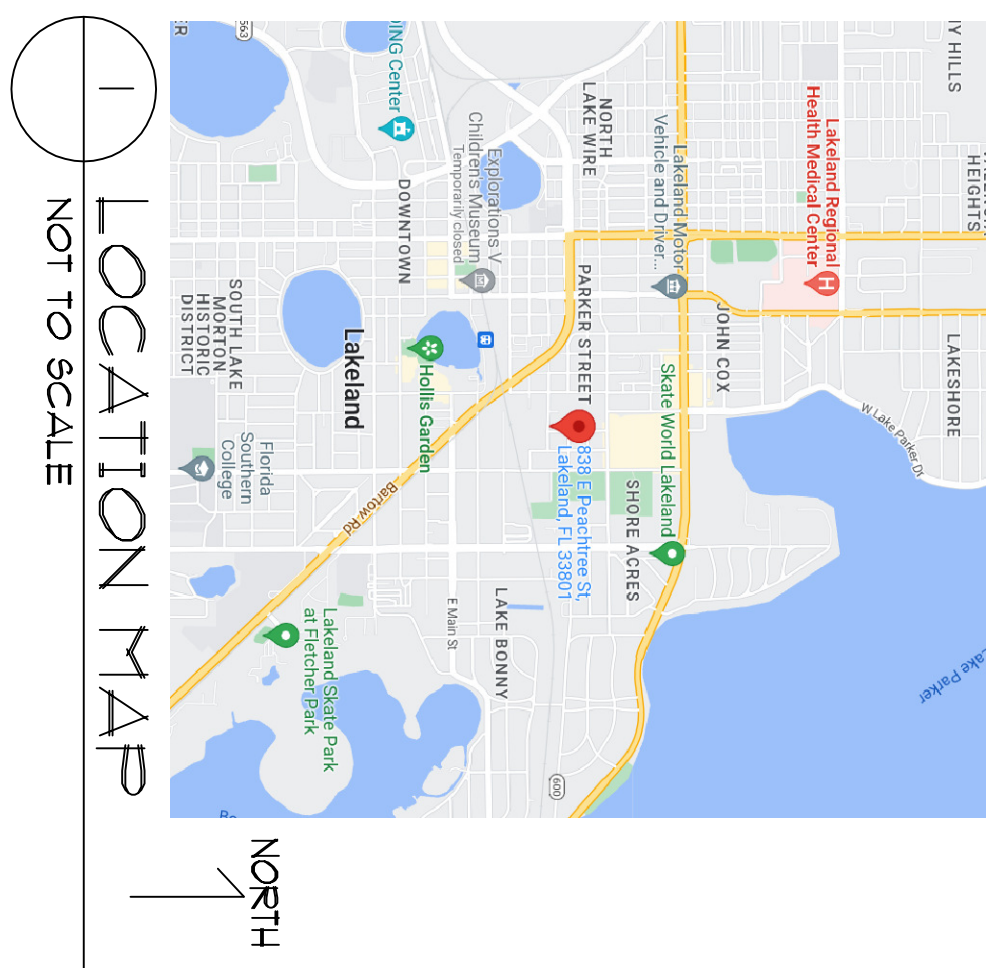
STRUCTURE:
TYPE: V CONSTRUCTION
RESIDENTIAL USE
SINGLE STORY CONCRETE BLOCK
STRUCTURE WITH WOOD TRUSS ROOF
SYSTEM
NO FIRE ALARM
NO FIRE SPRINKLER

SCOPE OF WORK
INTERIOR REMODEL OF EXISTING SINGLE FAMILY HOME
INTO A DUPLEX.
NO EXTERIOR WORK IS PROPOSED. BATHROOMS TO
REMAIN.

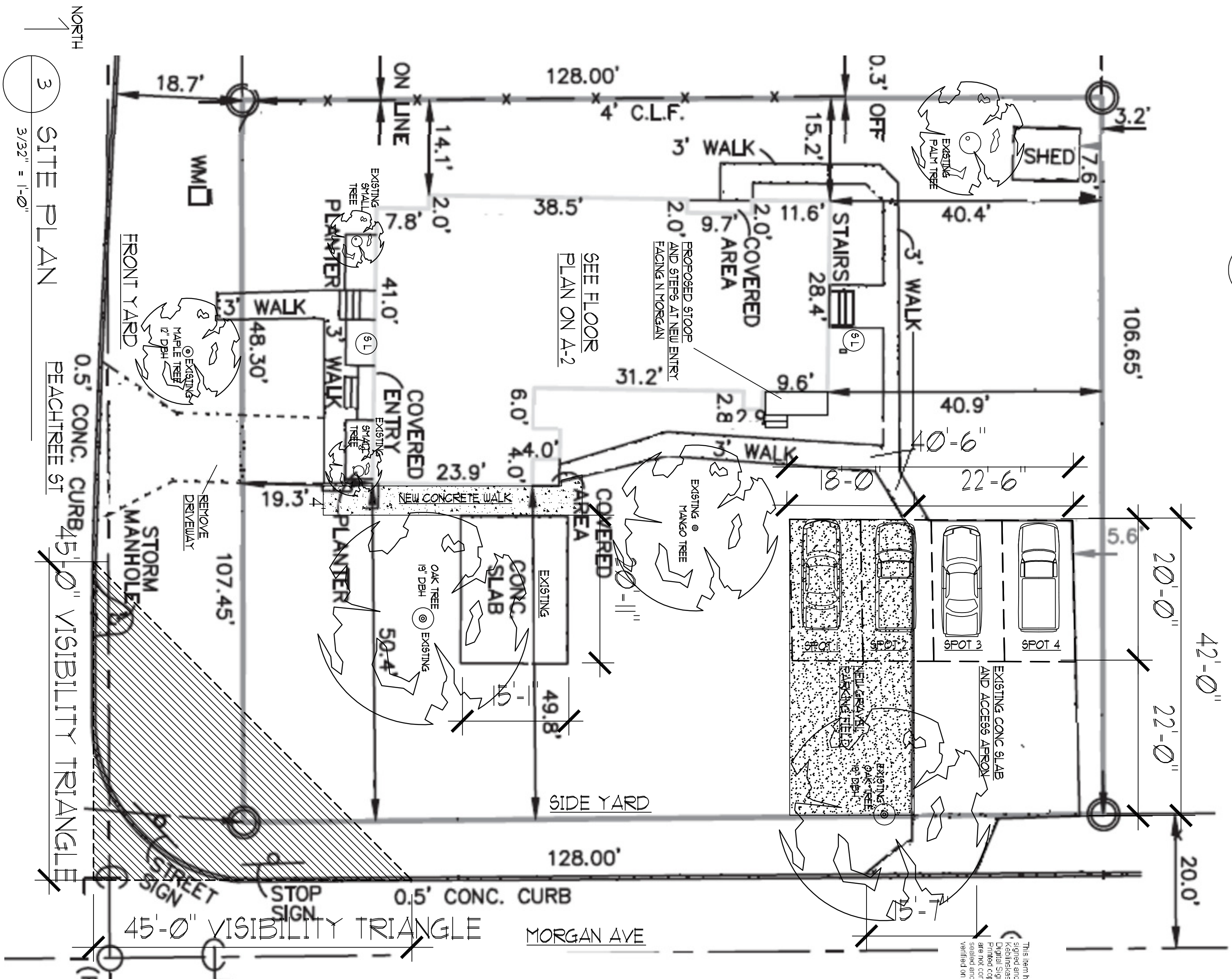
PARKING:
URBAN SETTING
1 BR = 1 SPOT PER DWELLING UNIT
2 BR = 1.5 SPOTS PER DWELLING UNIT
TOTAL PROVIDED: 4 SPOTS

TREE DENSITY:
MULTI FAMILY RESIDENTIAL
1 LARGE TREE PER DWELLING UNIT
TREES PROVIDED: 4

TREE PRESERVATION CREDIT:
(1) OAK TREES DBH 13-16"
CREDIT: 3/4 OR 9B OR 8C PER TREE
(1) MAPLE TREE DBH 8-12"
CREDIT: 2/4 OR 4B OR 12C
TOTAL TREE PROTECTION CREDIT:
5/4 OR 15B OR 30C



INSTALL NEW ENTRY DOOR AT EXISTING
WINDOW LOCATION. ADD WOOD DECK
STOOP AND STEPS FOR ACCESS



This sheet shall be a thorough
review of all information and
Digital Signatures are date
and time stamped and are
valid for the signature made
within the specified scope.

JULIUS KEELINKAS, SR
ARCHITECT
ARCHITECT FIRM ADDRESS:
806 EAST JAMES ST.
TAMPA, FL 33603

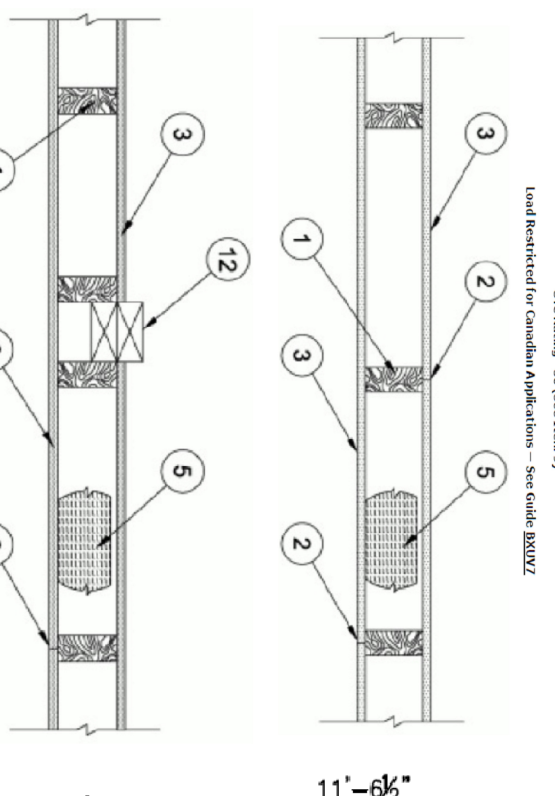
JULIUS THE ARCHITECT

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CONSTRUCTION DOCUMENTS

PROJECT:	INTERIOR RENOVATION OF DUPLEX
ADDRESS:	838 EAST PEACHTREE STREET LAKELAND, FL 33801
REVISIONS:	REV 1: STAFF COMMENTS 8/11/23 REV 2: STAFF COMMENTS 8/20/23
TITLE:	EXISTING SITE PLAN ENGINEERING INFORMATION
SHEET NO.:	A-1
ISSUE DATE:	7-03-23
PROJECT NO.:	22-039

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- 2. This drawing is not to be used for any other project without the express written consent of Julius The Architect, LLC.
- 3. This drawing is not to be used for any other project without the express written consent of Julius The Architect, LLC.
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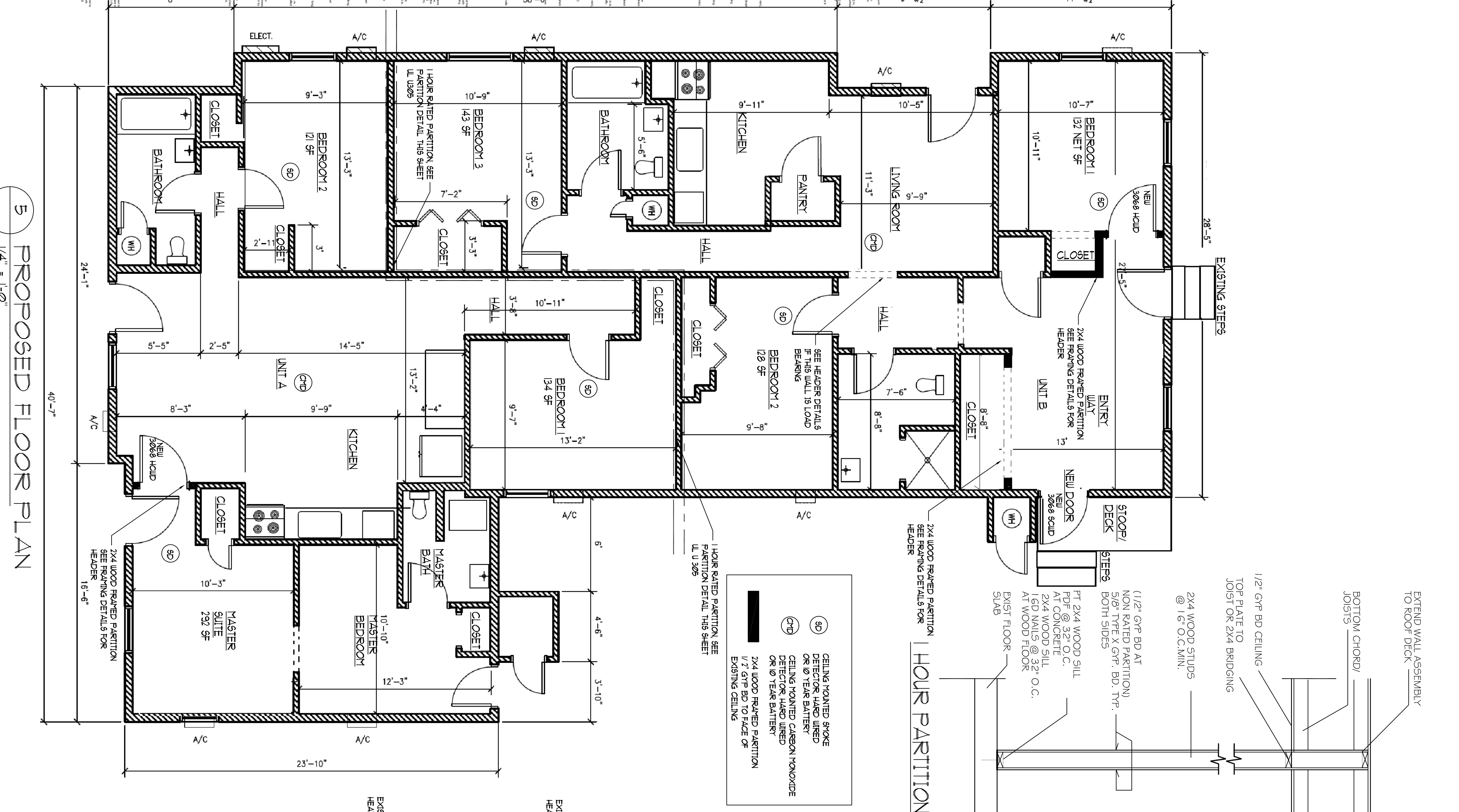
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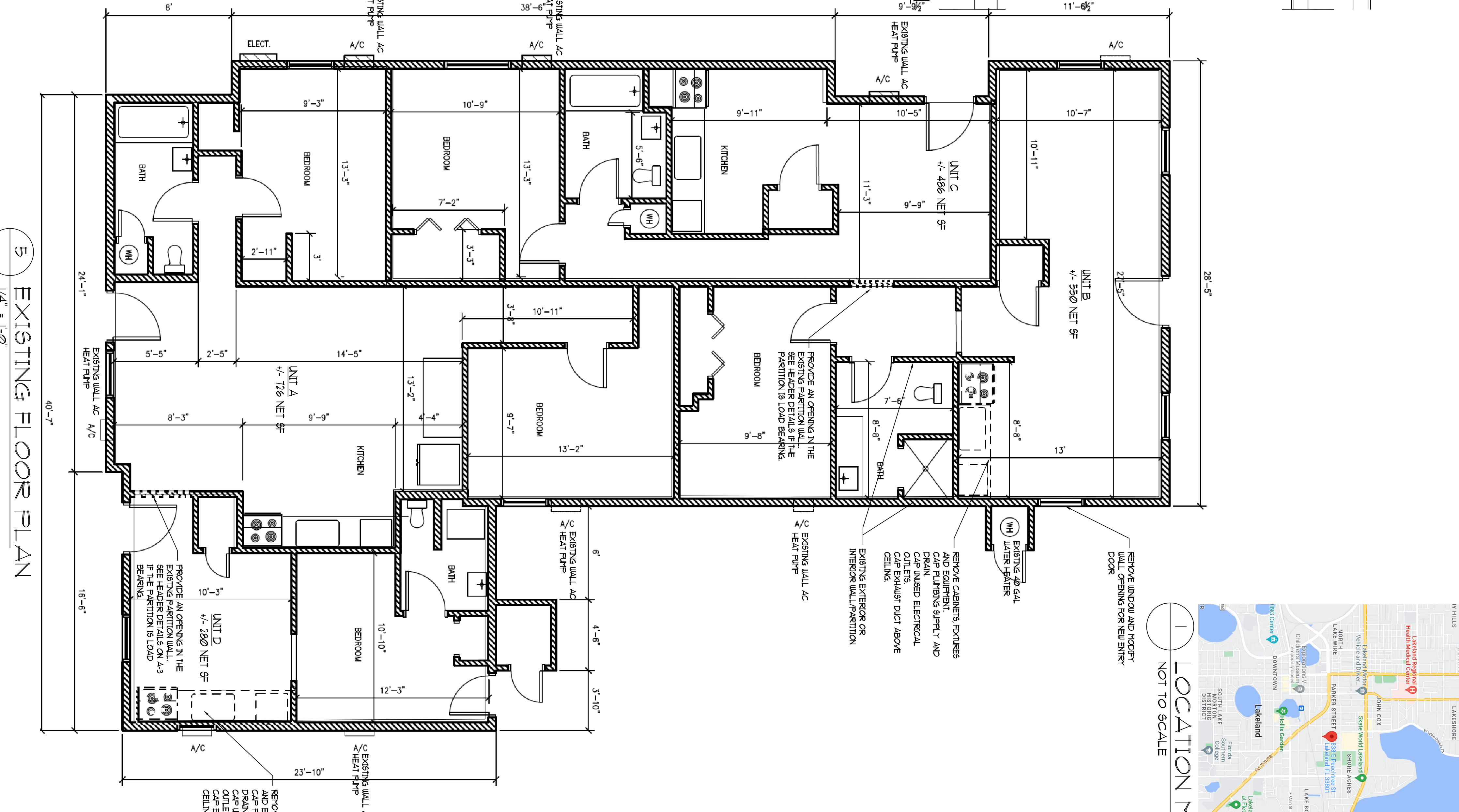
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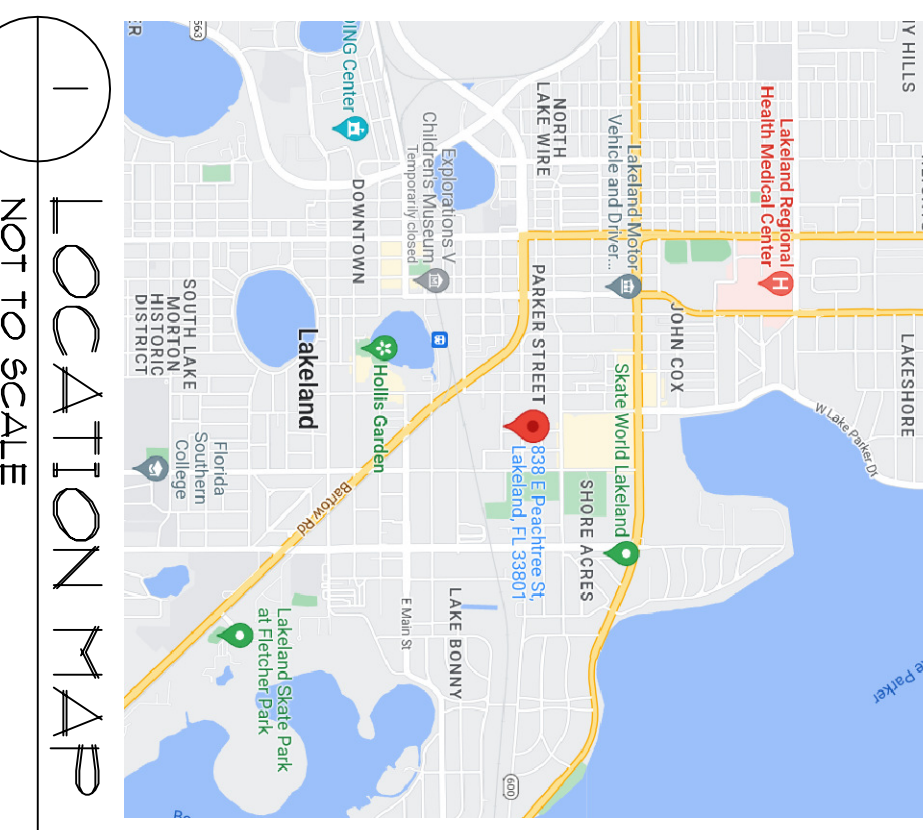
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5 PROPOSED FLOOR PLAN
1/4" = 1'-0"



5 EXISTING FLOOR PLAN
1/4" = 1'-0"



1 LOCATION MAP
NOT TO SCALE

CONSTRUCTION DOCUMENTS

TITLE: EXISTING FLOOR PLAN / PROPOSED FLOOR PLAN / 1-HOUR PARTITION DETAIL

SHEET NO: A-2

PROJECT: INTERIOR RENOVATION OF DUPLEX

ADDRESS: 838 EAST PEACHTREE STREET, LAKELAND, FL 33801

REVISIONS:

- REV 1: STAFF COMMENTS 8/12/23
- REV 2: STAFF COMMENTS 8/20/23

ARCHITECT: JULIUS THE ARCHITECT, LLC
ARCHITECT: JULIUS KEBLINSKAS, SR.
ARCHITECT: TARA BOGGS
ARCHITECT: ARCHITECT JAMES ST.
TAMPA, FL 33603

ARCHITECT'S SEAL

JULIUS THE ARCHITECT

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File Number: CUP23-017

Present Zoning: MF-22

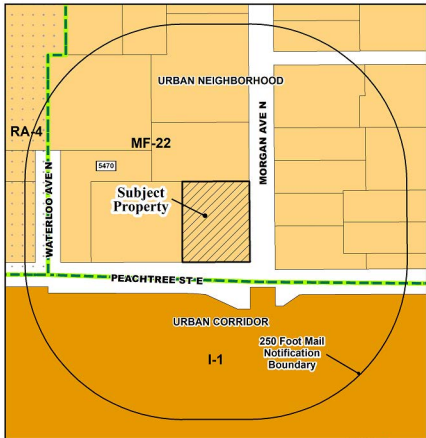
Present Context: Urban Neighborhood

Proposed Zoning: Conditional Use to Allow for Conversion of a Single-Family Dwelling to a Duplex

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



September 2023



File Number: CUP23-017

Present Zoning: MF-22

Present Context: Urban Neighborhood

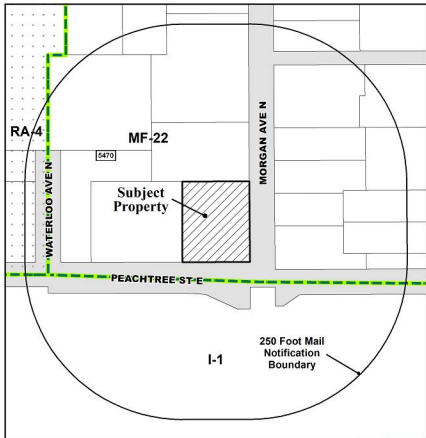
Proposed Zoning: Conditional Use to Allow for Conversion of a Single-Family Dwelling to a Duplex

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



September 2023





File Number: CUP23-017

Present Zoning: MF-22

Present Context: Urban Neighborhood

Proposed Zoning: Conditional Use to Allow for Conversion of a Single-Family Dwelling to a Duplex



September 2023





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

September 1, 2023

RE: 838 E. Peachtree Street - Project No. CUP23-017

Dear Property Owner:

This is to advise you that Brenda Ayala, New Heights Construction, Inc., requests a conditional use to convert an existing single-family detached dwelling to a two-family dwelling (duplex) on property located at 838 E. Peachtree Street. The property is legally described as:

Lots 7 and 8, Block 1, Johndale, According to the Plat Thereof as Recorded in Plat Book 20, Page 10, Public Records of Polk County, Florida. (A complete legal description is available in the Community & Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, September 19, 2023**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 250 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 19th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Planning & Zoning Board General Application

General Information:

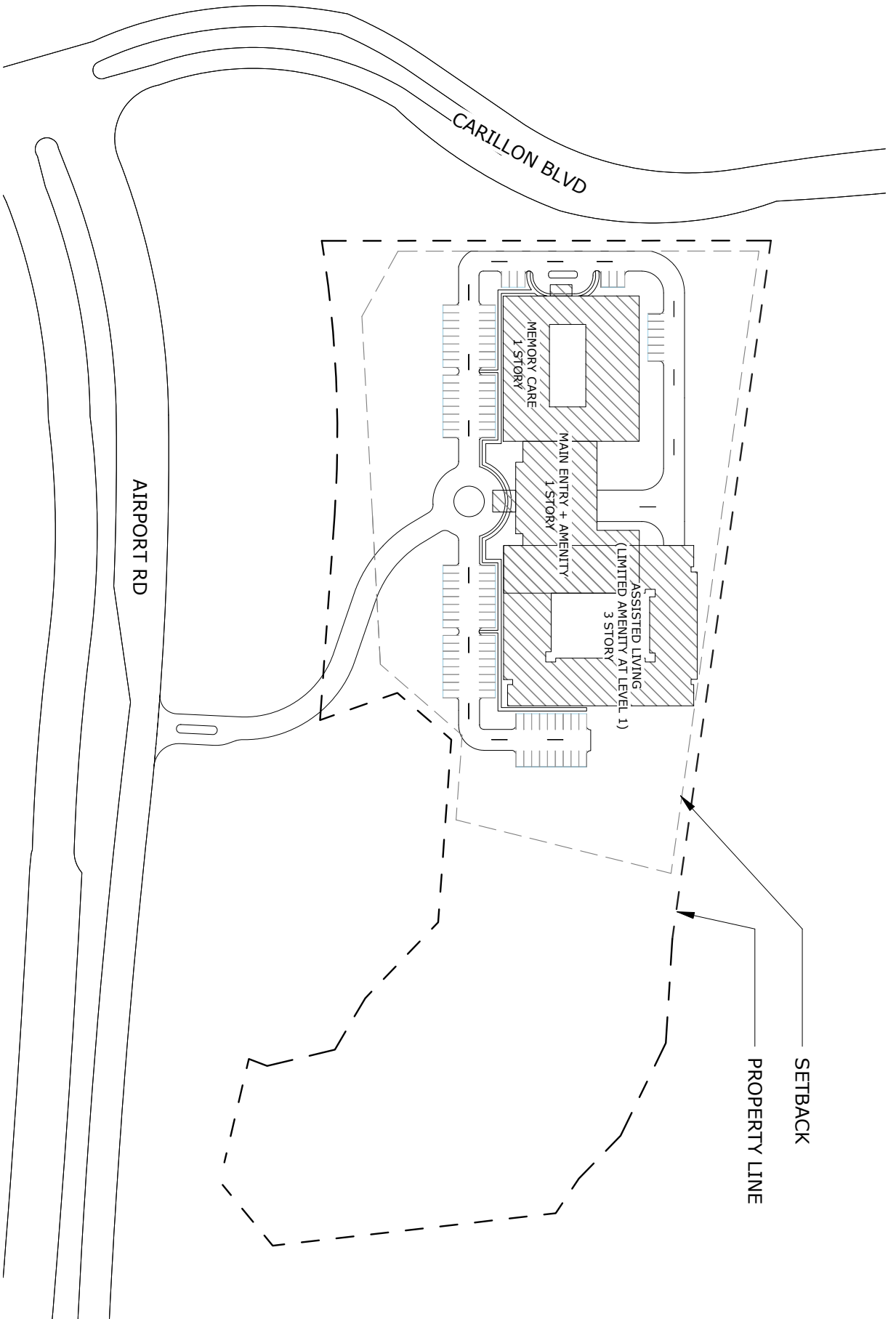
Project No:	PUD23-018	Application Date:	8/21/2023		
Project Name:	ADEN SENIOR LIVING				
Subject Property Address:	3201 AIRPORT RD				
Parcel ID:	232833000000031010	Total Acreage:	10.45		
Applicant Name:	NEXT LEVEL PLANNING PERMITTING				
Applicant Address:	3825 S FLORIDA AVE SUITE 4	LAKELAND	FL	33813	
Owner Name:	RBS LAKELAND INVESTMENTS LLC				
Owner Address:	4770 BISCAYNE BLVD STE 1400	MIAMI	FL	331373243	

Request:

Application Type:	PLANNED UNIT DEVELOPMENT	MINOR MODIFICATION
Proposed		Current
Zoning:	PUD (Planned Unit Development)	PUD 5908 (Planned Unit Development)
Land Use:	IAC-Interchange Activity Center	Interchange Activity Center (IAC)
Context:	SCO-Suburban Corridor	Suburban Corridor (SCO)
Explanation of Request:	Minor Mod to PUD21-011 - ORD 5908 to allow for 175 beds instead of the approved 148 beds.	
Justification:	The State of Florida has required Assisted Living Facilities to have local jurisdictional approval for the amount of beds that can be occupied all at once. Recent trend has determined more double occupancy than two years ago when originally submitted. NO change to building footprint.	

Concurrency:

Proposed Dwelling Units:	175	Project Floor Area:	120000	Square feet	
Type of Use:	Nursing Home	Phase	1	Year	2024
Estimate of Public Service Demand					
Roadways	Daily Trips:	0	PM Peak Hour Trips:	0	
Potable Water		GPD	Wastewater	GPD	Solid Waste PPD



ARCHITECTURAL SITE PLAN



Test Fit
PROJ. # 210066.00

WISAMAN / LAKELAND SENIOR LIVING
2021.08.25

A001



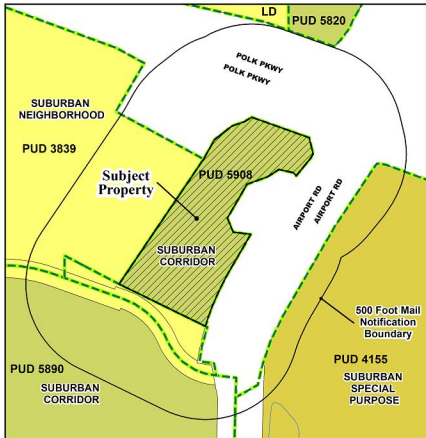
AA0002981 + LC26000437



File Number: PUD23-018
Present Zoning: PUD 5908
Present Context: Suburban Corridor
Proposed Zoning: Minor Modification of PUD Zoning to increase the Maximum Number of Beds from 148 to 175

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





File Number: PUD23-018

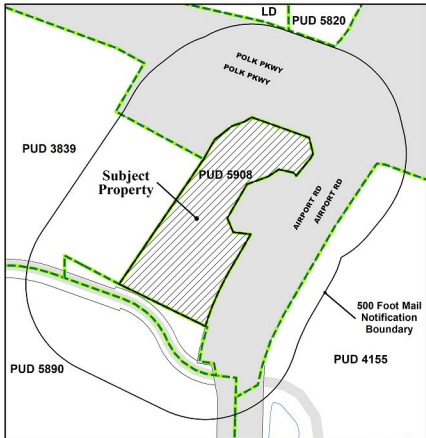
Present Zoning: PUD 5908

Present Context: Suburban Corridor

Proposed Zoning: Minor Modification of PUD Zoning to increase the Maximum Number of Beds from 148 to 175

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





File Number: PUD23-018

Present Zoning: PUD 5908

Present Context: Suburban Corridor

Proposed Zoning: Minor Modification of PUD Zoning to increase the Maximum Number of Beds from 148 to 175

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



September 2023



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

September 1, 2023

RE: 3201 Airport Road - Project No. PUD23-018

Dear Property Owner:

This is to advise you that Sarah Case, Next Level Planning & Permitting, requests a minor modification of PUD (Planned Unit Development) zoning to increase the maximum number of beds for a previously approved assisted living facility from 148 to 175 beds on property located at 3201 Airport Road. The subject property is legally described as:

UNRE AUCTION TRACT 12 COMM SW COR OF SEC RUN N 1335.42 FT E 1373.11 FT TO C/L AIRPORT RD N 01 DEG 41 MIN 57 SEC E 1572.81 FT N 28 DEG 26 MIN 15 SEC W 85.97 FT TO POB RUN N 64 DEG W 665 FT N 34 DEG 03 MIN 43 SEC E 809.23 FT N 30 DEG 24 MIN 16 SEC E 118.22 FT N 52 DEG 04 MIN 16 SEC E 118.29 FT N 70 DEG 11 MIN 04 SEC E 68.68 FT N 59 DEG 52 MIN 28 SEC E 48.22 FT S 70 DEG 30 MIN 36 SEC E 325.88 FT S 13 DEG 32 MIN 29 SEC E 144.22 FT S 29 DEG 58 MIN 37 SEC W 637.37 FT SWLY ALONG A CURVE 409.12 FT TO POB LESS R/W FOR SR 570. (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 19, 2023**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the Tuesday, September 19th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Planning & Zoning Board General Application

General Information:

Project No:	ZON23-007/ZON23-008	Application Date:	7/27/2023		
Project Name:	LAKELAND STORAGE 1 LLC				
Subject Property Address:	3070 NEW TAMPA HY				
Parcel ID:	232822095000002042	Total Acreage:	0.46		
Applicant Name:	MICHAEL MORCOS				
Applicant Address:	4343 MC CLUNG DR	NEW PORT RICHEY	FL	34653	
Owner Name:	LAKELAND STORAGE 1 LLC				
Owner Address:	5743 CORSA AVE STE 124	WESTLAKE VILLAGE	CA	913626423	

Request:

Application Type:	ZONING	STANDARD
Proposed		Current
Zoning:	I-2 (Medium Industrial)	C-2 (Highway Commercial)
Land Use:	I-Industrial	Business Park (BP)
Context:	Not Applicable	Suburban Corridor (SCO)
Explanation of Request:	We are requesting to rezone 3070 New Tampa Highway to match the zoning of our surrounding parcels, which include 3000, 3030, 3040, 3050, 3060, 3080, and 3090 New Tampa Highway.	
Justification:	<p>The adjacent properties along and across New Tampa Highway are designated for Industrial or Office use, including the remainder of our property with separate parcel numbers to the South and the East. Our surrounding parcels will be combined through the Polk County Property Appraisers office.</p> <p>Even though our properties will contain 2 separate parcels, (the surrounding property as one, and the subject property as the other), combined, the intention is to develop one industrial business park. The subject property is proposed for business park, industrial and wholesale uses.</p>	

Concurrency:

Proposed Dwelling Units:	0	Project Floor Area:	5664	Square feet	
Type of Use:	Manufacturing/Industrial		Phase 1	Year	2023
Estimate of Public Service Demand					
Roadways	Daily Trips:	0	PM Peak Hour Trips:	0	
Potable Water		GPD	Wastewater	GPD	Solid Waste PPD



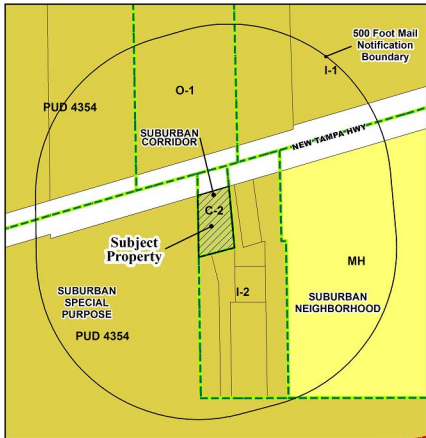
File Number: ZON23-007

Present Zoning: C-2
 Present Context: Suburban Corridor
 Proposed Zoning: I-2

September 2023

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





File Number: ZON23-007

Present Zoning: C-2

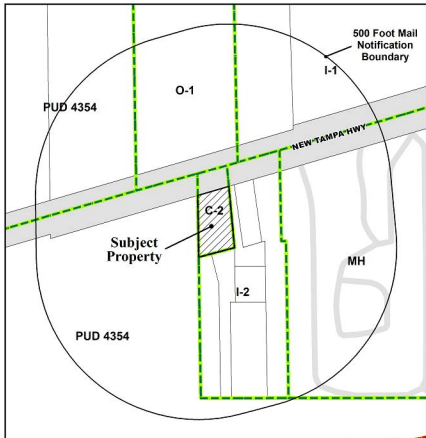
Present Context: Suburban Corridor

Proposed Zoning: I-2

September 2023

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





File Number: ZON23-007

Present Zoning: C-2
 Present Context: Suburban Corridor
 Proposed Zoning: I-2

September 2023

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





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

September 1, 2023

RE: 3070 New Tampa Highway - Project No. ZON23-007

Dear Property Owner:

This letter is to advise you that Michael Morcos requests a change in zoning from C-2 (Highway Commercial District) to I-2 (Medium Industrial District), concurrent with a City-initiated application to change the context sub-district designation from Suburban Corridor (SCO) to Suburban Special Purpose (SSP), on approximately 0.46 acres located at 3070 New Tampa Highway. The subject property is legally described as:

EDWARDS SUB PB 26 PG 10 BLK 2 LOT 4 BEG NW COR RUN S 190 FT E 112 FT N 195 FT W 100 FT TO BEG. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, September 19, 2023**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing *or* you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the Tuesday, September 19th meeting.

Anyone deciding to appeal a decision by the Board on any matter considered at this or any subsequent meeting will need a record of the proceedings, and for purposes of that appeal, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEASE BE ADVISED in accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, 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, Greg James. Because providing a reasonable accommodation may require outside assistance, organizations, or resources, the City asks that any request be made with as much notice as possible, preferably 72 hours, but no later than 48 hours in advance of the event, at: (863) 834-6040, 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 15, 2023

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members, Joseph Lauk, Leigh Ann Lunz, Lyle Philipson, Veronica Rountree and Susan Seitz were present. Community & Economic Development staff Chuck Barmby, Planning & Transportation Manager; Matthew Lyons, Chief 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: Minor modification of PUD (Planned Unit Development) zoning to allow for the construction of a drive-through coffee shop on a new Outparcel D within Lakeland Highlands Plaza Shopping Center. The subject property is located east of Lakeland Highlands Road and south of Edgewood Drive South (2810 Lakeland Highlands Road). Owner: Highlands Plaza Retail LLC. Applicant: Gadd & Associates, LLC. (PUD23-013)

Todd Vargo stated the request is for the minor modification of PUD (Planned Unit Development) zoning to allow for the construction of a drive-through coffee shop on a new Outparcel D within Lakeland Highlands Plaza Shopping Center. Edgewood Drive S is currently a private road. As part of the conditions, the right-of-way will be dedicated to the City. The proposed coffee shop will be 841 square feet.

In response to Leigh Ann Lunz, Mr. Vargo stated if this request is approved the existing shopping center will still have sufficient parking to meet the minimum code requirements.

Sarah Case, 3825 S. Florida Avenue, representing the applicant, stated the coffee shop will be drive-through only.

In response to Ms. Lunz, Ms. Case stated there would not be a walk-up window.

In response to Joseph Lauk, Ms. Case stated the parcel was not included in the original PUD but will now be included as Outparcel D.

In response to Mr. Lauk, Chuck Barmby stated staff does not anticipate that the proposed use will generate 750 additional daily trips which would be the threshold to require a traffic study.

Mr. Vargo presented the recommended conditions for approval.

Mr. Vargo stated staff did not receive any public comment in regard to the request.

Lyle Philipson made a motion for approval of staff's recommendation. Susan Seitz seconded the motion. The motion passed 5—0.

ITEM 2: Minor modification of PUD (Planned Unit Development) zoning to allow a bookstore with incidental sales of non-alcoholic beverages for on-site consumption on property located at 818 E. Lemon Street. Owner: Ten Cap Partners LLC. Applicant: Finley Walker, Inklings Book Shoppe, LLC. (PUD23-014)

Todd Vargo stated the request is for the minor modification of PUD (Planned Unit Development) zoning to allow a bookstore with incidental sales of non-alcoholic beverages for on-site consumption. The current PUD zoning does not allow for retail uses.

Finley Walker and Carmen Walker, 2120 S. Combee Road, the applicants, were present in support of the request.

Leigh Ann Lunz made a motion to approve staff's recommendation. Lyle Philipson seconded the motion. The motion passed 5—0.

ITEM 3: Major modification of PUD (Planned Unit Development) zoning to allow Motor Vehicle Fuel Sales, Major, within Lot A, and Motor Vehicle Service & Repair Uses, Minor, within Lot B of the Cypress Point at Lake Parker subdivision. The subject property is located north of U.S. Highway 92 East, east of Lake Parker Drive, and west of Fairway Avenue (2020 E. Road 92). Owner: Cypress Point Commercial LLC. Applicant: Sarah Case, Next Level Planning & Permitting. (PUD23-011)

Matthew Lyons stated the purpose of the request is to amend the PUD zoning to allow Motor Vehicle Fuel Sales, Major, within Tract A and Motor Vehicle Service & Repair Uses, Minor within Tract B. The subject property was voluntarily annexed into the City of Lakeland in 2012. The existing PUD was approved by the City Commission in June 2021 for 199 single-family dwelling units with two commercial Tracts.

Sarah Case, 3825 S. Florida Avenue, the applicant, made a presentation that provided an overview of the proposed request.

Susan Seitz stated that the area does not need another gas station. The closest gas station (Sunoco) is 8/10ths of a mile from the subject property and the size of a small city. Behind it, to the south along Combee Road, there is also a Shell station and then a Marathon station. Ms. Seitz said that Board should be looking at commercial uses which will benefit the 199 families which will live in the subdivision. Ms. Seitz added that if the applicant looks at the business just to east, there is a vehicle/tire repair business with multiple vehicles waiting to be picked up, repaired or serviced. Next to that is a used car dealer and then another auto repair place, an auto parts store, an auto glass tinting business and another small convenience store with four fuel pumps. There is no need for additional automotive uses in the area which is currently an eyesore. Allowing a large gas station or a car wash will generate more traffic. There is a need for affordable housing and uses which will directly support the 199 families which will live in the subdivision such as a bodega or a laundromat.

Leigh Ann Lunz stated she will have to recuse herself from voting on the item.

In response to Ms. Lunz, Matthew Lyons stated the 300-foot separation requirement and need for a conditional use for Motor Vehicle Fuel Sales, Major, was adopted as part of changes to the Master Use List in 2019 to mitigate impacts associated with the growth in the size of convenience stores over the last two decades.

Discussion ensued.

In response to Linda Bagley Wiggs, 4602 Highlands Place Drive, Mr. Lyons stated 98 notification letters were sent out to property owners.

In response to Ms. Wiggs, Chuck Barmby stated he has concerns with allowing Motor Vehicle Fuel Sales, Major, due to U.S. 92 being designated as a Transit Oriented Corridor (TOC). Because it is located on a TOC, it has to have a bicycle, pedestrian and transit-friendly design with motor vehicle uses being secondary per the policies of the City's Comprehensive Plan. Mr. Barmby provided recent examples of convenience stores with major motor vehicle fuel sales elsewhere in the City which met the 300-foot separation requirement.

Mr. Lauk stated that he agreed with Ms. Seitz's comments about compatibility. The purpose of the buffer is to insulate and provide relief from the impacts associated with such uses for future residents.

ITEM 4: Major modification of PUD (Planned Unit Development) zoning to allow a freestanding emergency room on property located at 1075 Carpenters Way. Owner: June 35 LLC. Applicant: Avery Steed, Fulmer Lucas Engineering, LLC. (PUD23-012)

Todd Vargo stated the purpose of this request is to allow for the construction of a new 11,570 sq. ft. free-standing emergency room (FSER). The subject property is currently improved with a one-story, 7,012 sq. ft. commercial building that was most recently used as a SunTrust branch bank. If approved, the existing bank building will be demolished as part of the redevelopment of the property.

In response to Leigh Ann Lutz, Chuck Barmby stated a traffic study would not be required as the proposed use will generate less traffic than the bank.

Avery Steed, 2002 Richard Jones Road, Nashville, Tennessee, the applicant, made a presentation that provided an overview of the proposed request.

Gary Ball, 1405 W. McLeod Street, Bartow, was also present in support of the request. The proposed FSER will be operated by the Hospital Corporation of America Florida (HCA Florida).

In response to Leigh Ann Lutz, Mr. Ball stated if further treatment and care is necessary, patients will be transferred by ambulance for admission to either Brandon Hospital, the closest hospital affiliated with HCA Florida, or another hospital of the patient's choosing.

Linda Bagley Wiggs, 4602 Highlands Place Drive, suggested that the current notification process was inadequate. Instead of mailing out letters to all property owners within a 500-foot radius, staff should mail out a minimum of 500 letters to nearby property owners. Mrs. Wiggs also stated that she is concerned about patients being transferred to Brandon Hospital rather than Lakeland Regional Hospital.

Discussion ensued.

ITEM 5: The application of C-1 (Pedestrian Commercial District) zoning on approximately 0.28 acres located at 1050 Sharon Drive. Owner: Jacquelyn W Scott Revocable Living Trust. Applicant: Sharon Laird. (ZON23-002)

Audrey McGuire stated the request is to apply C-1 (Pedestrian Commercial District) zoning in order to market the property for commercial development. The subject property, currently vacant, consists of Lot 16 within Block C of the former Woodland Acres residential subdivision.

Jack Stollo, Broadway Real Estate, representing the applicant, was present in support of the request.

ITEM 6: Change in zoning from MF-22 (Multi-Family Residential) to O-1 (Low Impact Office) on approximately 1.17 acres located south of E Lemon Street and east of Tyler Avenue (1303 E. Lemon Street). Owner: E Lemon Land Trust. Applicant: Sarah Case, Next Level Planning & Permitting. (ZON23-006)

Damaris Stull stated the request is a change in zoning from MF-22 (Multi-Family Residential) to O-1 (Low Impact Office). The subject property is presently vacant and is located at the southeast corner of E. Lemon Street and Tyler Avenue.

Damaris Stull handed out printed copies of an email from a nearby property owner. The email expressed concerns about the requested change in zoning due to traffic impacts on the 1300 block of E. Lemon Street which terminates in a cul-de-sac, speculative nature of the request, and a need for affordable housing.

Sarah Case, 3825 S. Florida Avenue, the applicant, made a presentation that provided an overview of the proposed request. The O-1 zoning classification is requested to allow for the development of the property as a business incubator for professional services.

In response to Joseph Lauk, Ms. Case stated all three parcels have been combined to create a single development parcel.

Discussion ensued.

Linda Bagley Wiggs, 4602 Highlands Place Drive, stated that she supports the request.

GENERAL MEETING

ITEM 7: Review minutes of the July meeting.

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

ITEM 8: 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 9: Audience.

There were no comments from the audience.

ITEM 10: Adjourn.

There being no further discussion, the meeting was adjourned at 10:14 AM.

Respectfully Submitted,

Joseph Lauk, Chair

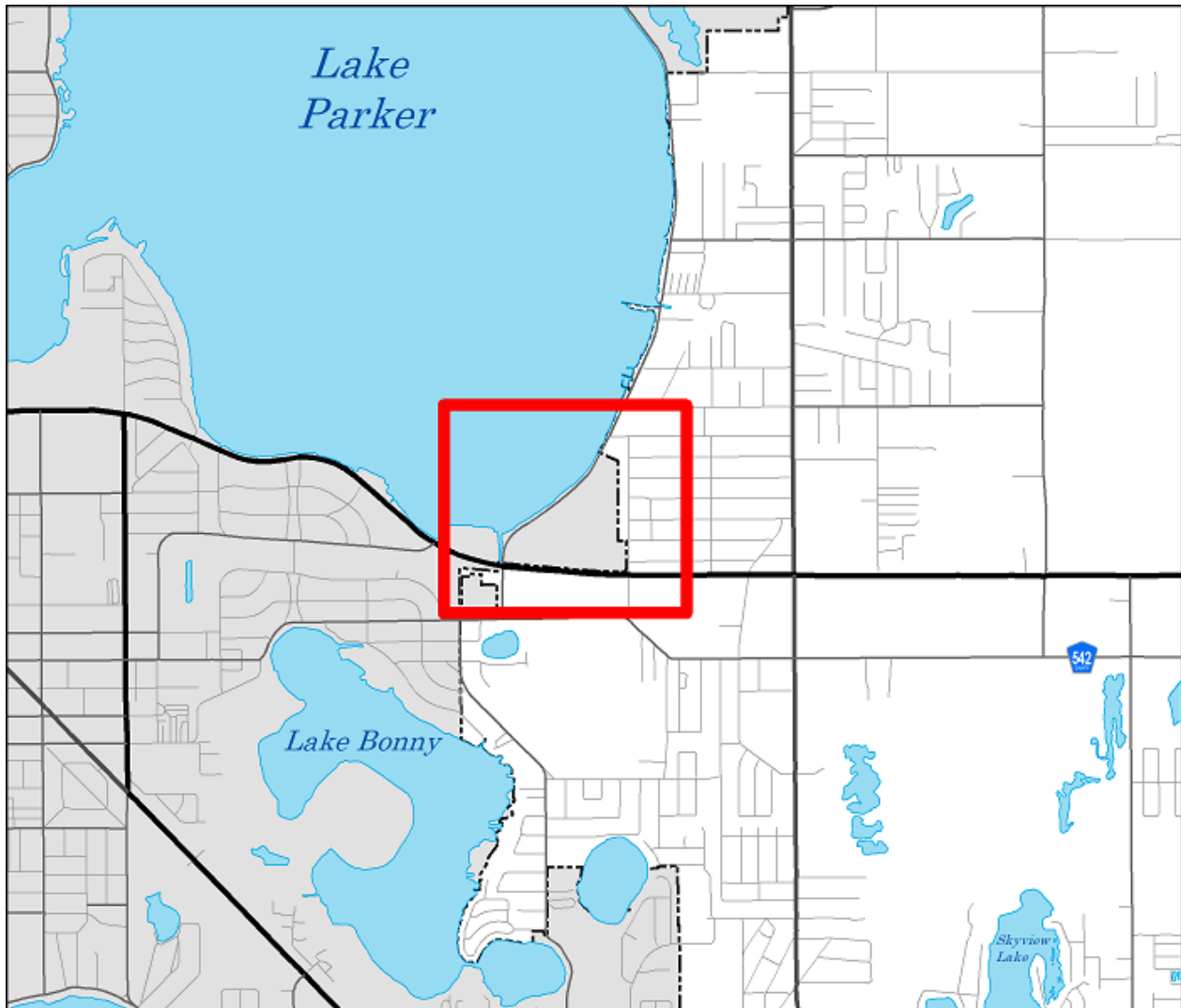
Leigh Ann Lunz, Acting Secretary



Community & Economic Development Staff Recommendation

Date:	September 19, 2023	Reviewer:	Phillip Scarce
Project No:	PUD23-011	Location:	2020 E. Road 92
Owner:	Cypress Point Commercial, LLC.		
Applicant:	Sarah Case, Next Level Planning & Permitting		
Current Zoning:	PUD (Planned Unit Development) 5875	Future Land Use:	Mixed Commercial Corridor (MCC)/ Residential Medium (RM)
Context District:	SCO (Suburban Corridor)		
P&Z Hearing:	August 15, 2023	P&Z Final Decision:	September 19, 2023
Request:	Major modification of PUD (Planned Unit Development) zoning to allow Motor Vehicle Fuel Sales, Major, within Tract A, and Motor Vehicle Service & Repair Uses, Minor, within Tract B of the Cypress Point at Lake Parker subdivision. The subject property is located north of U.S. Highway 92 East, east of Lake Parker Drive, and west of Fairway Avenue (2020 E. Road 92).		

1.0 Location Maps





2.0 Background

2.1 Summary

Sarah Case, Next Level Planning & Permitting, requests a major modification of PUD (Planned Unit Development) zoning to allow Motor Vehicle Fuel Sales, Major, within Tract A, and Motor Vehicle Service & Repair Uses, Minor, within Tract B of the Cypress Point at Lake Parker subdivision. The subject property is located north of U.S. Highway 92 East, east of Lake Parker Drive, and west of Fairway Avenue (2020 E. Road 92). A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, located on the southeastern shore of Lake Parker, is approximately 46.1 acres in area. First developed as the Lakeland Country Club and Golf Course in the 1920s when the area was a popular spot for boating and fishing, the most recent use of the property was for mobile home and storage shed sales, a liquor store, and an outdoor advertising structure (billboard). All these uses have since terminated and all associated structures removed. The subject property is bounded by the Larsen natural gas power plant to the west and the City limits on the east and south. Surrounding uses include a mix of industrial uses to the south and west, retail commercial uses to the southeast, and single-family residential uses to the east within unincorporated Polk County.

On June 18, 2012, the subject property was voluntarily annexed into the City of Lakeland. On January 22, 2013, through a large-scale map amendment, the following future land use designations were applied to the property: 12.03 acres of Mixed Commercial Corridor (MCC) along the frontage of U.S. Highway 92 East, 9.76 acres of Conservation (C) along the shore of Lake Parker, and 34.98 acres of Residential Medium (RM) east of Lake Parker Drive. The property owner sought the future land use designations at the time with the intent of marketing the property and as such zoning was not requested until several years later when a portion of the subject property was proposed to be developed as an affordable housing development. In 2015, MF-12 (Multi-Family) zoning was applied to a 10-acre tract located on the north side of the property to allow for development of either townhomes or apartments. The balance of the subject property remained without zoning until 2021.

On June 21, 2021, through a small-scale land use amendment and zoning action, 8.12 acres located along the frontage of U.S. Highway 92 East was changed from Mixed Commercial Corridor (MCC) to Residential Medium (RM) and PUD zoning was applied to the entire 46.1-acre tract. As specified by Ordinance 5875, the PUD zoning allows for 199 single-family dwellings and two commercial nodes (Tracts A and B). Tract A, which is 2.69 acres in area, is located at the northeast corner of U.S. Highway 92 East and E. Lake Parker Drive. Tract B, which is 1.55 acres in area, is located at the northwest corner of U.S. Highway 92 East and Fairway Avenue. Under the current PUD zoning, a range of C-2 (Highway Commercial) zoning uses are permitted within the commercial tracts with certain intense commercial uses prohibited, two of which include Motor Vehicle Service and Repair and Motor Vehicle Fuel Sales, Minor and Major. While both commercial nodes are currently vacant and undeveloped, the single-family residential portion of the project is currently under construction.

2.3 Project Background

The purpose of the request is to amend the PUD zoning to allow Motor Vehicle Fuel Sales, Major, within Tract A and Motor Vehicle Service & Repair Uses, Minor within Tract B. The adopted site development plan which shows the location of both Tracts is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Lake Parker	N/A	N/A	N/A
South	Light Manufacturing	County LCC & RL-3	N/A	UCO
East	Single-Family Residential & Commercial	County I	N/A	USP
West	Utility & Essential Service Facilities	I	I-3	SSP

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Approved PUD Site Plan

Exhibit A: Major Motor Vehicle Fuel Sales 300-foot Buffer

Exhibit B: Vehicle-Washing Setbacks

3.0 Discussion

The existing PUD zoning was approved by the Planning and Zoning Board in May 2021, and ultimately adopted by the City Commission only after the initial PUD proposal was denied (without prejudice) by the Board. The Board initially denied the development program based on several factors making it inconsistent with the Land Development Code, specifically the internal design (block/Tract typology), a large number of 40-foot-wide lots, and inconsistency with the Suburban Neighborhood (SNH) context sub-district standards. A revised site plan and amended conditions reflecting a reduction in the total unit count, from 209 to 199, a mix of 40-foot and 50-foot lot sizes, and a new overall layout were ultimately approved by the Board and City Commission. The two commercial nodes on Tracts A and B were approved with a range of C-2 (Highway Commercial) but excluding certain more intense uses to ensure compatibility with adjacent residential uses. Included in the list of prohibited uses are Motor Vehicle Fuel Sales, Major, and Motor Vehicle Service & Repair Uses, Minor. The applicant now seeks a major modification to allow Motor Vehicle Fuel Sales, Major, on the 2.69-acre Tract A, located at the northeast corner of U.S. Highway 92 and E. Lake Parker Drive and to allow Motor Vehicle Service & Repair, Minor on Tract B, the 1.55-acre parcel located at the northwest corner of U.S. Highway 92 East and Fairway Avenue.

These specific uses are defined below by Article 2, Section 2.6, Master Use List, of the Land Development Code:

Motor Vehicle Fuel Sales, Major:

Facilities used or intended to be used for the retail sale and dispensing of vehicular fuels, as a principal or accessory use, which have more than six pumps/twelve fueling positions. Where allowed as a conditional use, such uses shall be only located on an arterial street, at an intersection with another arterial or collector street or an interchange

with any limited access highway, subject to a minimum separation distance of 300 feet from any residential zoning districts.

Motor Vehicle Service & Repair, Minor:

Electric vehicle charging and battery exchange facilities, as a principal use; Motor vehicle cleaning, polishing and detailing; Motor vehicle service centers and service stations, including stores specializing in the sales and installation of tires, batteries and other minor parts and accessories. Motor vehicle repair, not including body work and paint shops; Motor vehicle washing facilities, automated or self-service; Small engine repair.

The Motor Vehicle Fuel Sales, Major use category is characterized by national convenience store chains with motor vehicle fuel sales such as 7-Eleven, RaceTrac, Circle K or WaWa. Such uses typically operate 24 hours a day, cater to a broad range of motorists and may include fueling stations and parking for oversized commercial vehicles such as semi-trucks and trailers. New convenience stores, which range in size from 4,500 – 7,500 sq. ft. or larger, offer a greater variety of products and more robust food and beverage options such as coffee bars, bakeries, cafés, grills or co-located quick-service restaurants. While larger than traditional convenience stores, new stores also offer more fueling options with a typical store having from 8 – 10 fuel pumps or 16 – 20 fueling positions. Such stores often have additional pumps dedicated to diesel vehicles only. For example, a newly built 7-Eleven located in the southwest quadrant of Interstate-4 and State Road 33 features a total of 16 pumps/32 fueling positions. Of this amount, half are reserved for diesel fuel sales only and designed to serve oversized vehicles such as commercial trucks and semi-tractor trailers.

Older convenience stores range in size from 800 - 2,400 sq. ft. and typically have no more than six pumps/12 fueling positions. Retail sales are generally limited to pre-packaged foods, dairy products, alcoholic and non-alcoholic beverages, health and beauty aids, and a limited range of prepared foods to go such as sandwiches or hot dogs.

As shown on Exhibit “A,” a total of eighteen (18) single-family residential lots are located within the required 300-foot separation distance surrounding Tract A on which Motor Vehicle Fuel Sales, Major uses are being sought. The 300-foot separation requirement is intended to mitigate impacts associated with the growth in the size of convenience stores over the last two decades. With additional impacts such as increased traffic, emissions, noise, outdoor lighting, and 24-hour operations, an allowance for convenience stores with motor vehicle fuel sales in such close proximity to residential uses is contrary to the Land Development Code and undermines the long-term viability of the neighborhood.

Further, as shown on Attachment “C,” a total of five (5) residential lots directly abut Tract B, the tract proposed for Motor Vehicle Service & Repair, Minor. This general use category is characterized by businesses which specialize in small engine and transmission repair, sales and installation of parts and accessory such as tires, mufflers, batteries, bed liners and window tinting, or services such as tire rotation, oil changes and car washes, either automated or self-service. Local examples of such uses include national chains such as Pep Boys, Midas, Jiffy Lube, Take 5 Oil Change, Line-X, Mister Car Wash, Tires Plus and Tire Kingdom.

While the Land Development Code does not specify a minimum separation distance for the general category of minor motor vehicle service and repairs uses, vehicle washing facilities, as shown on Exhibit “B,” are specifically required to be setback a minimum of 100 feet from the property boundary of adjacent residential uses. This use as well as the others within the category generate substantial impacts and will constitute a nuisance to the adjacent residential dwellings. A nearby example of the

type of use that can be developed under this category is the auto repair and tire repair business located on the east side of Fairway Avenue, opposite Tract B, in unincorporated Polk County. Visual impacts produced by this use include an outdoor service bay with a hydraulic lift on Fairway Avenue, an outdoor storage yard with tires and wheel rims, and the outdoor storage of multiple vehicles awaiting service or repairs. Noise impacts produced by the use include pneumatic tools such as air compressors, air wrenches, tire changing machines and tire bead seaters. Because of the proximity of this use to the Cypress Point subdivision, future homeowners will likely be impacted by the existing automobile repair/tire repair business. Allowing motor vehicle service and repair uses, minor, on Tract B would further impact the Cypress Point subdivision, with direct impacts on at least five lots which are immediately adjacent to Tract B.

3.1 Transportation and Concurrency

The City of Lakeland is a designated Transportation Concurrency Exception Area (TCEA) with locally adopted level-of-service and transportation mitigation standards. The development site is located within the Urban Development Area and fronts U.S. Highway 92 East (E. Memorial Boulevard), a principal arterial State Highway with an annual average daily volume of 32,800 vehicles as shown in the Polk Transportation Planning Organization's Roadway Network Database (RND) for the segment between North Lake Parker Avenue and State Road 659 (Combee Road). During the peak-hour, this segment operates at LOS "C", an acceptable level-of-service. On the west, the layout plan proposes three access points on East Lake Parker Drive (two street connections for the residential subdivision and one driveway for Tract A), an urban collector roadway operated by Polk County. Per the TPO's RND, the E. Lake Parker Drive/Canal Avenue/Idlewild Street corridor carries 5,100 vehicles per day, operating at LOS "C" during the peak-hour.

The Lakeland Comprehensive Plan designates E. Lake Parker Drive as a Proposed Priority Pathways corridor, highlighting the intent of this corridor to be a premier bicycle/pedestrian area that connects to the remainder of the area's trail network and to enhance adjacent properties and residential neighborhoods. The eastern boundary of the site fronts Fairway Avenue, a local street operated by Polk County. One street connection is being provided for the residential subdivision and one driveway is currently allowed for Tract B. The E. Lake Parker Drive-Canal Road and Fairway Avenue intersections at U.S. Highway 92 are signalized. Traffic calming has been installed by Polk County on Fairway Avenue and Lakeview Street. Northbound fixed-route transit service is available to the site via the Citrus Connection's Orange Line, which currently has 60-minute frequencies. Both U.S. Highway 92 and E. Lake Parker Drive adjacent to the development site have a posted speed limit of 45 mph.

Binding concurrency determinations will not be made until the time of subdivision plat approval for the on-going residential phase and site plan approval for future commercial uses on Tracts A and B. Depending on the specific non-residential uses that are constructed within this development, a higher-level of "internal capture" between the residential and commercial uses could lower the overall impact to the transportation system from a capacity standpoint. Depending on the amount of "pass-by capture" from the surrounding public street system that is attracted by the commercial uses, driveway volumes on U.S. Highway 92, E. Lake Parker Drive, and Fairway Avenue could increase, which while potentially reducing some traffic concurrency concerns, would increase turning movements at the site driveways and adjacent intersections. Higher volumes immediately adjacent to the site increase access and operational concerns for the City, County, and FDOT requiring turn lane improvements on the surrounding streets.

The 199-lot single-family subdivision approved through the PUD is currently under construction. As part of the subdivision construction plan review process, the applicant submitted a revised Major Traffic Study prepared by Turgut Dervish, P.E. with Traffic Planning and Design, Inc, signed and sealed on May 10, 2022. The development program upon which the traffic study was based contained 199 single-family detached dwelling units (Institute of Transportation Engineers Land Use Code 210) and 29,864 square feet of Strip Retail Plaza uses (< 40,000 square feet, Land Use Code 822) distributed between Tract A (21,864 square feet) and Tract B (8,000 square feet). The cumulative total trips (without reductions for “pass-by” capture) for this development program is an estimated 3,619 vehicles a P.M. Peak Hour (4 PM to 6 PM) volume of 387 vehicles. Once pass-by capture of traffic already on the adjacent roadway frontages is taken into consideration, the cumulative number of Net New/External Trips are estimated at 2,931 Daily and 308 PM Peak Hour (4 PM-6 PM) vehicles. Based on the currently approved development program, no concurrency failures are expected on roadway segments and intersections where the trip generation is expected to consume five percent or more of the adopted service volume (capacity); however, the northbound and southbound approaches to the E. Lake Parker Drive-Canal Road and Fairway Avenue intersections with U.S. Highway 92 are expected to operate at Level-of-Service (LOS) “E”.

With a development program consisting of a convenience store/gas station (Land Use Code 945) with eight pumps/16 fueling positions (Tract A) and an automated car wash (Land Use Code 948) with one tunnel, the cumulative PM Peak Hour trip generation (without pass-by capture) would be expected to increase from an estimated 387 vehicles to over 630 vehicles.

Comprehensive Plan Policy 4C states that the City will reduce roadway deficiencies by maximizing operational functions, access, and demand management strategies, adding lanes, constructing new roadways, and providing facilities for alternative transportation modes including transit, bicycle and pedestrian. Policy 4D states that the City’s access management standards will be utilized in review of all new developments or redeveloped parcels in the City in order to maintain operating speed and preserve capacity on arterials and collectors by minimizing driveway and median cuts. Where driveway access must be approved by the County or FDOT, coordination shall occur to ensure maximum acceptable access controls. Policy 4A.4 states that transit-related improvements must be approved by the applicable transit authority or transit director; however, City engineering standards and building code shall be followed for construction of proposed transit shelters within the City and coordination shall occur for shelters placed within the maintenance jurisdiction of either FDOT or Polk County.

It should be noted that within the City’s Transportation Concurrency Exception Area (TCEA), operational and safety-related mitigation may be required of development projects to ensure continued safety mobility within the transportation network. Improvements needed for development or redevelopment may need to address any combination of the following: coordinated access, signalization, turn lanes, bus pull-out lanes and/or geometric improvements to the same.

The proposed transportation conditions for the development program as previously approved satisfy the City Comprehensive Plan policies relating to a safe and efficient transportation system and generally satisfy the City’s Concurrency Management Ordinance as best as possible without the benefit of an operational analysis or Major Traffic Study having been submitted by the applicant.

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 inconsistent with the Comprehensive Plan.

The subject tracts are located on U.S. Highway 92 which is designated as a Transit Oriented Corridor (TOC). Staff finds the proposed modification is inconsistent with the following Transit Oriented Corridor (TOC) policies of the City's Comprehensive Plan.

- Policy 1.4A Transit Oriented Corridors shall encourage a mix of complementary land uses with medium to high residential densities along key designated existing or planned fixed route transit corridors. All new or redevelopment within a TOC shall be designed with pedestrian, bike, and transit friendly site design. All new or redevelopment within a TOC shall be designed with pedestrian, bike, and transit friendly site design.
- Policy FLU-1.4E: Both new development and redevelopment within the TOC shall be designed with primary focus on safe, attractive, and functional access for the pedestrian, with secondary focus on the vehicle.

By definition, the major motor vehicle fuel sales and minor motor vehicle service and repair uses that are being requested by the applicant are automobile-oriented and do not support transit or other alternative transportation modes.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends denial of the PUD modification.

The applicant's primary justification for the request to allow major motor fuel sales within Tract A relates to its location at a signalized intersection of a Principal Arterial (U.S. Highway 92/E. Memorial Boulevard) and an Urban Collector roadway (E. Lake Parker Drive). The applicant's secondary justification for the request pertains to the ownership of the adjacent residential subdivision which is currently in the early stages of construction.

The prior recommendation for PUD zoning by the Planning and Zoning Board and approval by the City Commission was contingent upon the prohibition of motor vehicle fuel sales, major or minor, and minor motor vehicle repair and service uses. This decision was made based on the incompatibility of these uses with adjacent residential development and the inability to meet the 300-foot separation requirement. This incompatibility is more acute given the non-standard lot sizes that have already been approved and are under construction given that the typical convenience store/gas station is open 24 hours a day and more residents will be exposed to noise, light, odors/fumes and other negative impacts of such a use.

The development of Tract A is also contingent upon relief from the 300-foot separation requirement, a standard adopted by the City Commission and for which the applicant is seeking relief through the PUD process without demonstrating special circumstances or an innovative design which provides qualitative improvement over this standard as intended by the PUD provisions in Section 7.1 of the Land Development Code. Further, eliminating the pedestrian connectivity between the residential and retail uses within the PUD to mitigate these negatives impacts would likewise eliminate the

transportation benefits of having a mix of uses within a master planned development as originally envisioned at the time that the property was annexed into the City. Smaller lots require a more walkable design, and this again was a significant consideration in recommending and approving the current PUD.

While Tract A is currently under the same ownership of the developer of the adjacent residential subdivision, the ownership will change as the subdivision is built out and the homes are sold to new homeowners or third-party investors. While the developer may not have any concerns about the impact of such uses on their ability to sell homes, future homebuyers will have little or no recourse for any nuisances generated by the use. Therefore, an allowance for Motor Vehicle Fuel Sales, Major does not comply with Section 2.6 the Land Development Code as the intent of the 300-foot buffer is to mitigate impacts for future residents of the subdivision, not the owner or developer of the property.

The applicant's justification for allowing minor motor vehicle repair and service uses in Tract B relates to the intent to develop the property for a car wash facility. According to the applicant, a binding site plan for this tract is not feasible at this time as an end user has not been identified. In the absence of a binding site plan, Tract B can be developed for the broad range of automobile service-related uses discussed previously. Should Tract B be developed for a car wash, there are no guarantees that the use of the property will remain a carwash over time. As mentioned previously, there is an existing auto service use on the east side of Fairway Avenue that currently poses a nuisance threat to the proposed subdivision. The addition of another auto service-related use will compound these negative impacts.

In the initial consideration and recommendation of the of the current PUD, careful consideration was given to the proposed list of permitted and inappropriate (prohibited) commercial uses to limit those with disproportionate impacts on adjacent residential uses. The currently approved list of permitted uses allows flexibility through a broad range of viable commercial uses and does not hinder future commercial development. Although the current property owner of the commercial tracts is also developing the adjacent subdivision, ownership is not a compelling justification for approval as this will change with the sale of the parcels and as the impacts generated will ultimately be borne by future residents.

In accordance with Section 7.2.1.2 (Use Compatibility) of the Land Development Code, the City Commission shall enact PUD zoning only after making a determination that the proposed uses and the density or intensity of use are consistent with the Lakeland Comprehensive Plan and are compatible with surrounding land uses. The applicant has failed to provide evidence to support this; the requested uses are inconsistent with the Comprehensive Plan; and the request does not comply with the minimum development standards within Section 2.6 and 5.12 the Land Development Code.

4.2 The Planning & Zoning Board

It is recommended that the request for major modification of PUD (Planned Unit Development) zoning as described in Attachments "A," "B," and "C," and Exhibits "A and B," to allow Motor Vehicle Fuel Sales, Major, within Tract A, and Motor Vehicle Service & Repair Uses, Minor, within Tract B of the Cypress Point at Lake Parker subdivision be denied.

ATTACHMENT "A"

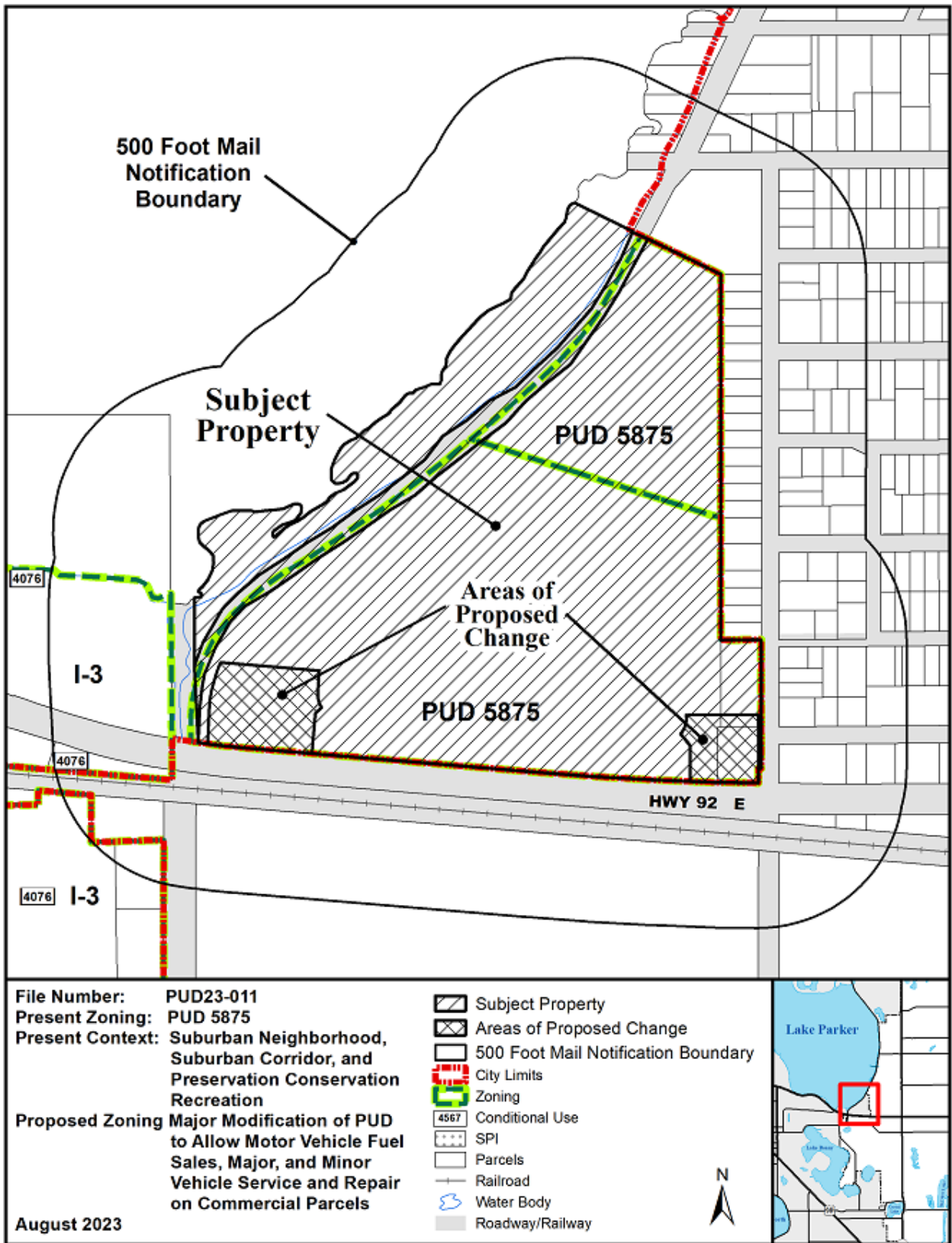
PARCEL 24-28-16-000000-034010 – TRACT A

COMM SE COR OF SE1/4 OF NW1/4 OF SEC N0-01-29W 72.95 FT N89-02-56W 34.54 FT TO N R/W OF US HWY 92 NWLY ALONG CURVE 764.02 FT N85-12-16W 783.19 FT TO POB N85-12-16W 228.64 FT NWLY ALONG CURVE 132.28 FT N2-12-39E 122.34 FT NELY ALONG CURVE 122.31 FT NELY ALONG COMPOUND CURVE 40.33 FT S85- 12-16E 341.46 FT S4-47-44W 77.16 FT SELY ALONG CURVE 53.94 FT S49-42-55W 29.14 FT S4-47-44W 137.8 FT TO POB

PARCEL 24-28-16-000000-032030 – TRACT B

FAIRVIEW PB 32 PG 1 BLK 1 PT OF TRACT 1 & THAT PT OF SE1/4 OF NW1/4 DESC AS: COMM SE COR OF SE1/4 OF NW1/4 OF SEC N0-01-29W 72.95 FT N89-02-56W 34.54 FT TO N R/W OF US HWY 92 NWLY ALONG CURVE 5.46 FT TO POB NWLY ALONG CURVE 236.43 FT N0-00- 59W 124.46 FT N38-31-40W 50.61 FT NELY ALONG CURVE 55.35 FT N0-00-59W 14.34 FT N89-59-01E 248.3 FT S0-01-29E 235.42 FT TO POB

ATTACHMENT "B"



ATTACHMENT "C"

CYPRESS POINT AT LAKE PARKER

BEING A PART OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA



NOTE:
A FUTUREWAY OR 30' LOTS TO BE SHOWN ON PROJECT

OWNER:
JOHN A. CALDWELL/DAVID COLEMAN TRUST
3190 U.S. HIGHWAY 92 E
LAKELAND, FLORIDA 33851

CONTACT:
JOHN C. HANVY JR. / SALLY CAIR
ECON SOUTH LLC
400 SOUTH FLORIDA AVENUE
LAKELAND, FLORIDA 33853
(888) 286-9944

PROJECT SITE

LOCATION MAP

NOTE:
THRU 31 INCLUSIVE SHALL BE SINGLE STORY RESIDENCES ONLY.

UTILTY PROVIDERS:

- CITY OF LAKELAND
- SMITHWAY
- CITY OF LAKELAND
- FRONTIER COMMUNICATIONS
- SECTRAVIA
- LAKELAND ELECTRIC
- ELCTRIC

TYPICAL CORNER LOT LAYOUT

TYPICAL LOT LAYOUT

SITE DATA:

PROPOSED LOTS: 100

PROPOSED TOTAL LAND AREA: 24.38 ACRES (20,000 SQ FT)

PROPOSED OPEN SPACE: 1.5 ACRES (13,000 SQ FT)

PROPOSED ACTIVE RECREATION: 1.5 ACRES (13,000 SQ FT)

NET DEVELOPABLE LAND: 22.88 ACRES (197,000 SQ FT)

TOTAL VAC LOTS: 100

LOT SIZE: 200 SQ FT ±

AVG. LOT SIZE: 200 SQ FT ±

SETBACKS:

- FRONT: 10 FEET
- REAR: 10 FEET
- SIDE: 5 FEET
- MIN. 5' MIN. 2' CONSERVATION
- MIN. 5' MIN. 2' CONSERVATION
- MIN. 5' MIN. 2' CONSERVATION

EXHIBIT "A"

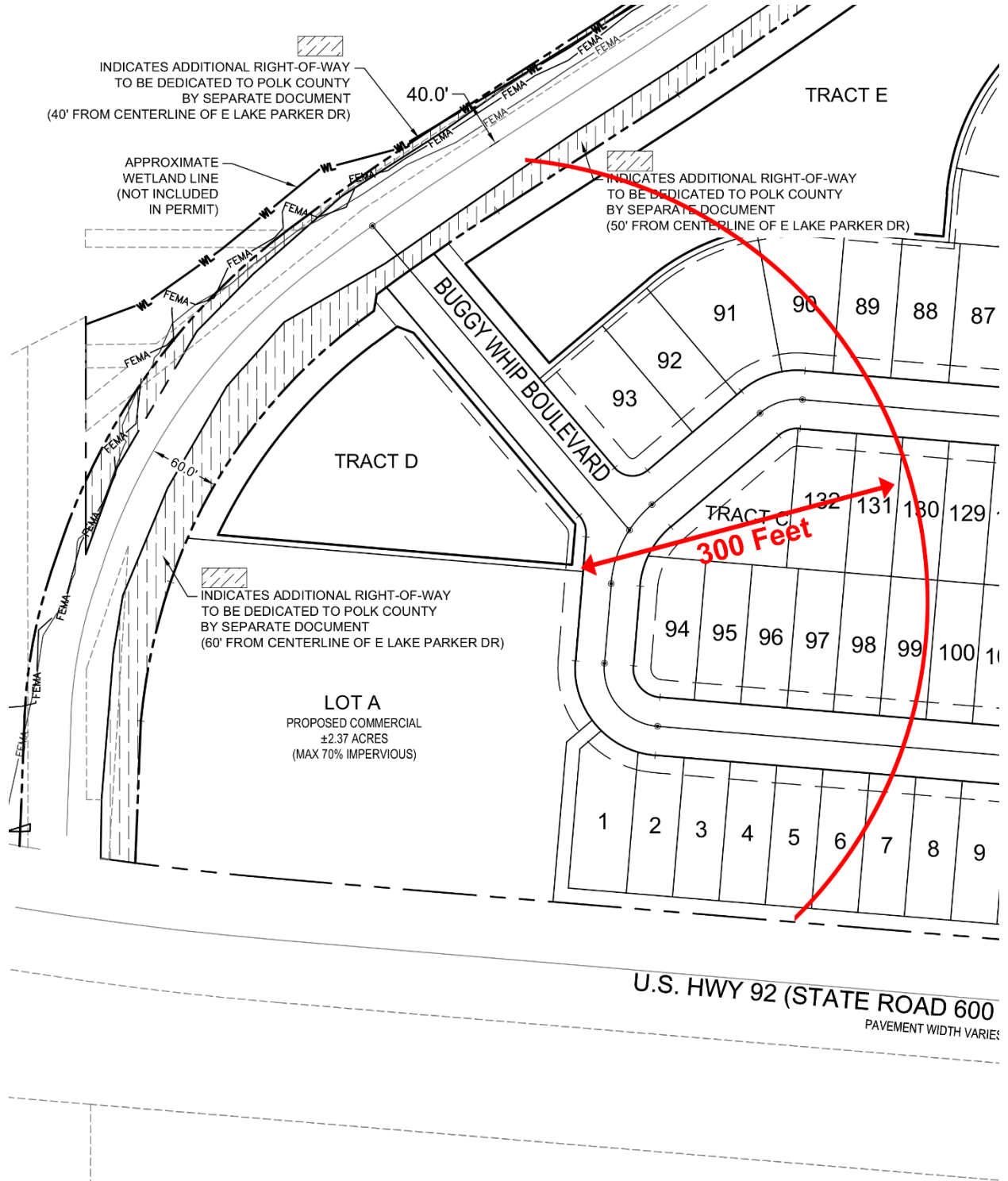
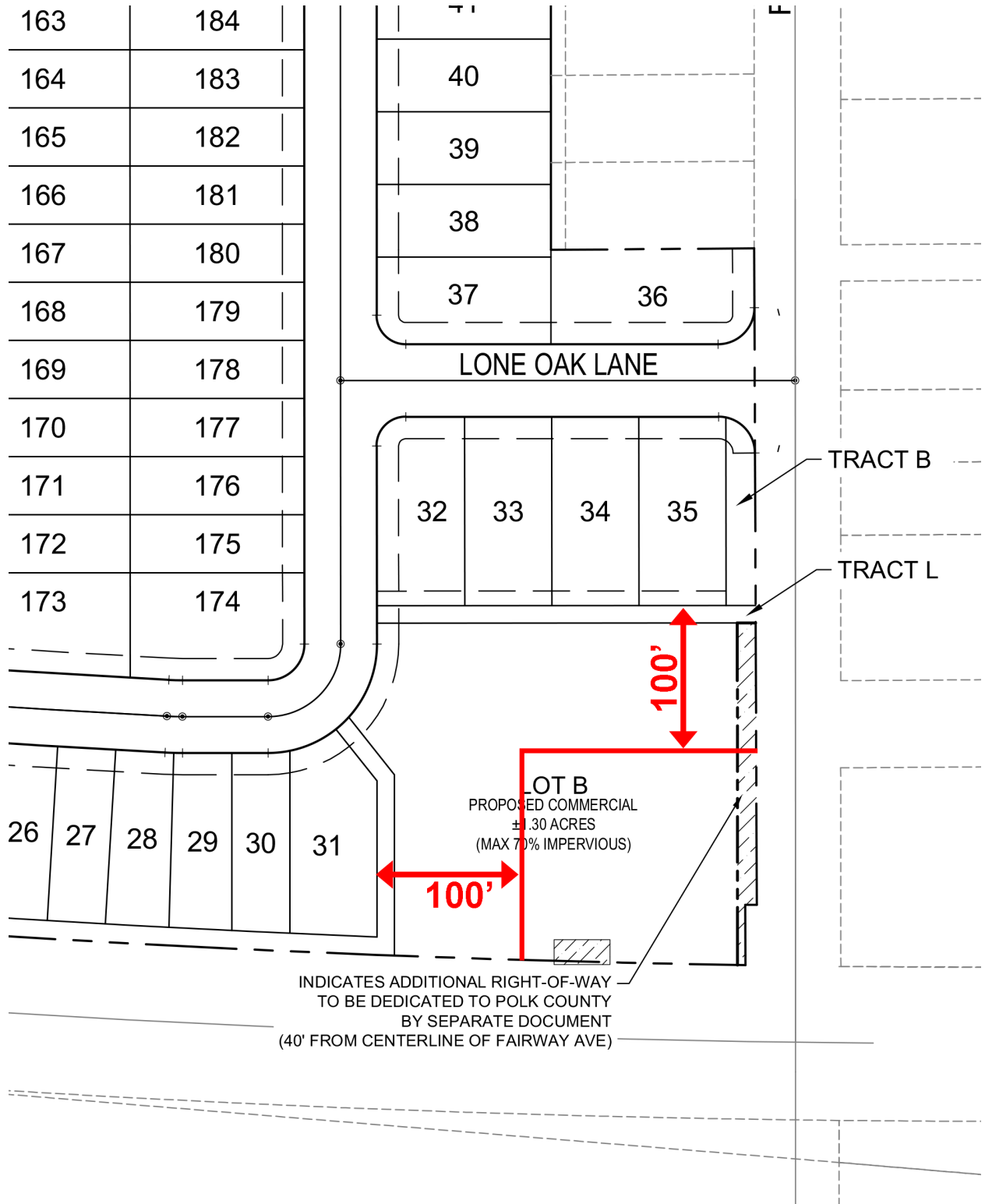


EXHIBIT "B"

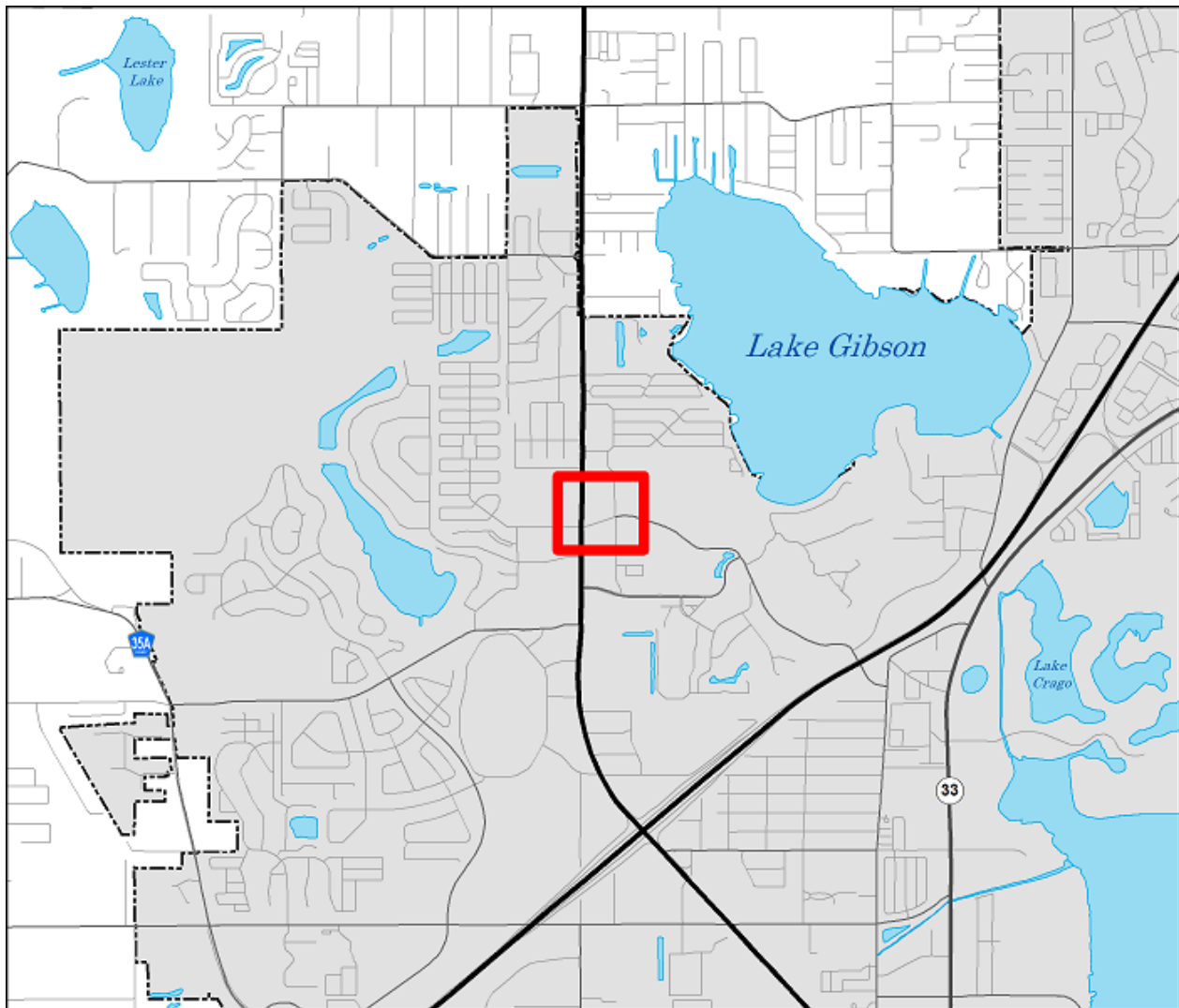


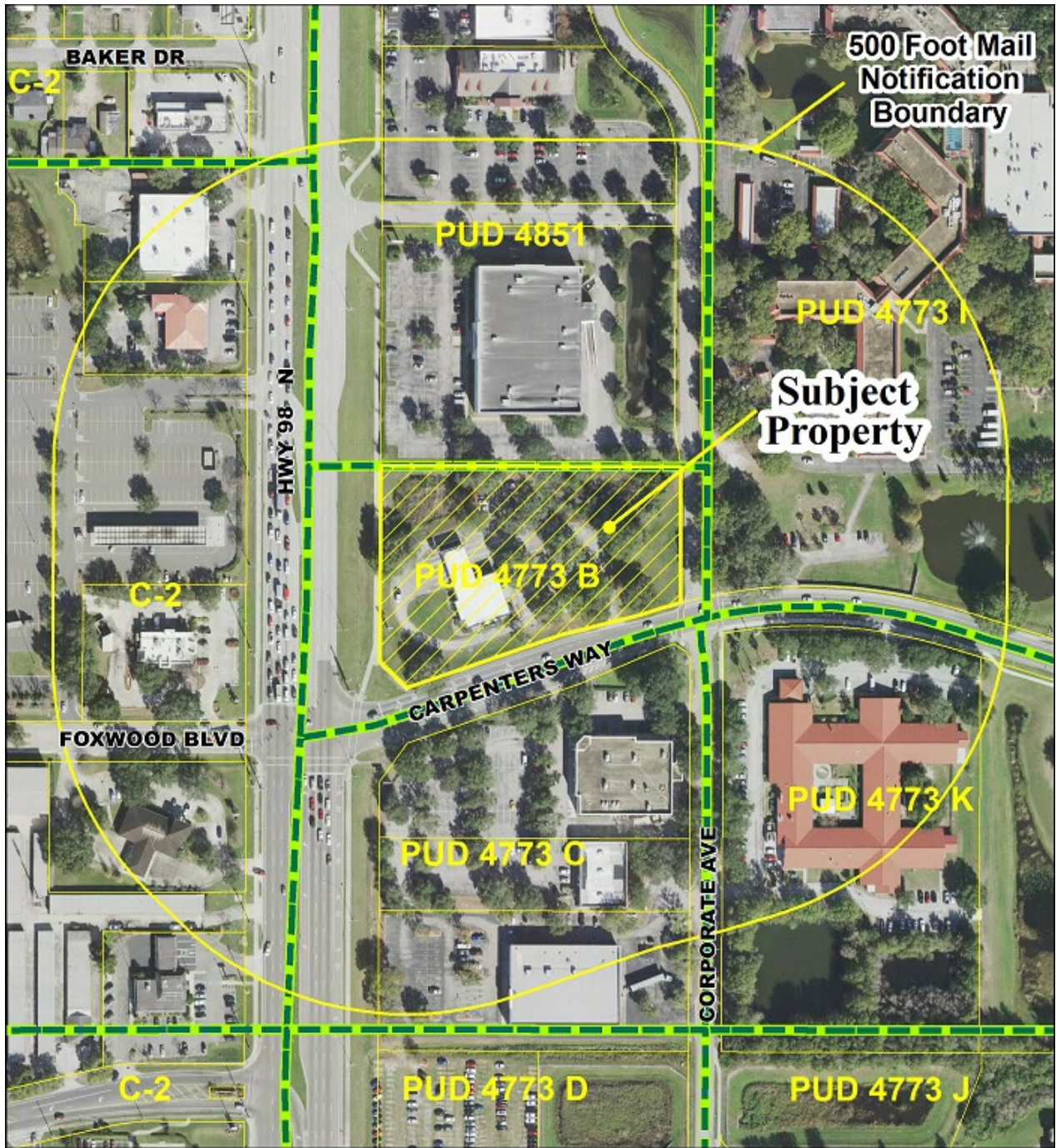


Community & Economic Development Staff Recommendation

Date:	September 19, 2023	Reviewer:	Todd Vargo
Project No:	PUD23-012	Location:	1075 Carpenters Way
Owner:	June 35, LLC		
Applicant:	Avery Steed, Fulmer Lucas Engineering, LLC		
Current Zoning:	PUD (Planned Unit Development) 4773 B	Future Land Use:	Mixed Commercial Corridor (MCC)
Context District:	Suburban Corridor (SCO)		
P&Z Hearing:	August 15, 2023	P&Z Final Decision:	September 19, 2023
Request:	Major modification of PUD (Planned Unit Development) zoning to allow a free-standing emergency room on property located at 1075 Carpenters Way.		

1.0 Location Maps





2.0 Background

2.1 Summary

Avery Steed, Fulmer Lucas Engineering LLC, requests a major modification of PUD (Planned Unit Development) zoning to allow for the development of a free-standing emergency room on property located at 1075 Carpenters Way. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, approximately 2.9 acres in area, is located at the northeast corner of U.S. Highway 98 North and Carpenters Way. The subject property is currently improved with a one-story, 7,012 sq. ft. commercial building that was most recently used as a SunTrust branch bank. SunTrust closed the bank in early 2021 and the building has been vacant since that time.

The subject property has a future land use designation of Mixed Commercial Corridor (MCC) and is zoned PUD (Planned Unit Development) as specified by Area B of Ordinance No. 4773, as amended. Under the current PUD zoning, use of the property is limited to a commercial bank.

2.3 Project Background

The purpose of this request is to allow for the construction of a new 11,570 sq. ft. free-standing emergency room. If approved, the existing bank building will be demolished as part of the redevelopment of the property. A site development plan which shows the proposed building footprint, off-street parking, internal driveways, and storm water retention is included as Exhibit “B-1.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Retail Commercial	MCC	PUD	SCO
South	Retail Commercial	MCC	PUD	SCO
East	Multi-Family Residential	RM	PUD	SNH
West	Retail Commercial	MCC	C-2	SCO

2.5 Attachments

Attachment “A”: Legal Description

Attachment “B”: Location Map

Exhibit B-1: Site Development Plan

Exhibit B-2: Proposed Free-Standing Emergency Room North/West Elevations

Exhibit B-3: Proposed Free-Standing Emergency Room South/East Elevations

3.0 Discussion

The requested PUD modification is necessary to allow for the free-standing emergency room use and adopt a binding site plan and elevations. As the city's population grows, so does the need for healthcare services, both emergency and non-emergency. Free-standing emergency rooms (FSERs) serve as alternative to traditional emergency rooms which are attached to full-service hospitals. FSERs are open 24 hours a day, 7 days a week, they provide the same level of care as traditional emergency rooms. FSERs, however, have more walk-in customers as most patients bring themselves to the ER instead of arriving by ambulance. FSERs are also more convenient, as they typically have shorter wait times than traditional emergency rooms and are often located near shopping centers in suburban or rural areas.

The proposed FSER will be operated by the Hospital Corporation of America Florida (HCA Florida). HCA Florida currently has one FSER in Lakeland located at 3526 S. Florida Avenue across from Merchant's Walk shopping center. If further treatment and care is necessary, patients will be transferred by ambulance for admission to either Brandon Hospital, the closest hospital affiliated with HCA Florida, or another hospital of the patient's choosing.

As shown on Exhibit "B-1" The proposed FSER consists of a 11,570 sq. ft., one-story building with a covered patient drop-off area on the west side facing U.S. Highway 98 North and parking located on the south, east, and west sides of the building. Existing driveway access from Carpenters Way will be retained and a new secondary driveway will be added to the east side of the property to provide access from Corporate Avenue. The new driveway will be placed as far north as possible to minimize any potential conflicts at the Corporate Avenue/Carpenters Way intersection. Exhibits "B-2" and "B-3" included architectural elevations for all four sides of the building which address the architectural relief and transparency requirements specified under Section 3.4.7 of the Land Development Code. Landscaping will be in accordance with Section 4.5 of the Land Development Code.

At the August 15, 2023, hearing before the Planning & Zoning Board, no comments were received from any nearby residents or property owners in support or against this request. One resident who lived outside the notification area, however, suggested a larger notification area.

3.1 Transportation and Concurrency

Based on information provided in the Polk Transportation Planning Organization's Roadway Network Database, dated April 8, 2022, the adjacent segment of U.S. Highway 98 North between Sleepy Hill Road and W. Daughtery Road is operating at an acceptable level of service. The adjacent segment of Carpenters Way (U.S. Highway 98 North to N. Florida Avenue) is also operating at an acceptable level of service; however, significant amount of new development is expected with the construction of the nearby Lake Gibson apartments project on the former Without Walls Church property and Gibson Trails development on the former Wedgewood Golf Course. City Public Works staff is working with the Florida Department of Transportation to make operational improvements that will help address the westbound queues on Carpenters Way approaching U.S. Highway 98 North.

The site is located on a Transit Oriented Corridor as designated in the Comprehensive Plan and is served by fixed-route transit service via the Lakeland Area Mass Transit District's (Citrus Connection's) Blue Line 2, which will be re-routed along Carpenters Way starting in October 2023 to serve the Lake Gibson apartments and Gibson Trails development. Sidewalks exist along the site's U.Ss Highway 98 North, Carpenters Way and Corporate Avenue frontages.

Using data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11th Edition), an 11,570 square foot Free-Standing Emergency Room (Land Use Code 650) is estimated to generate approximately 289 Daily and 18 P.M. Peak Hour (of Adjacent Street Traffic, 4-6 P.M.) trips. While ITE cautions the use of its trip generation data for this use due to a small sampling size, the expected trip generation is significantly lower than the ITE estimates for the 4,554 square foot (gross floor area) Drive-In Bank (Land Use Code 912) that previously operated on the subject property. Such a bank is estimated to generate 457 Daily and 96 PM Peak Hour (of Adjacent Street Traffic, 4-6 PM) trips. With a lower trip generation rate and secondary access point on Corporate Avenue, the proposed free-standing emergency room is expected to have a lower transportation impact on the surrounding street system than the previous bank.

3.2 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommends approval of the major modification to PUD zoning. Letters of notification were mailed to eighteen (18) property owners within 500 feet of the subject property.

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" and "B," "Exhibits "B-1," "B-2," and "B-3," be approved, subject to the following amended conditions:

Area B of Ordinance 4773, as amended:

- III. Area B
 - A. Land Use Intensity: PUD-30
 - B. Permitted Uses: ~~Commercial Bank~~ Free-Standing Emergency Room
 - C. Development of the property shall be in accordance with the site development plan attached hereto as Exhibit "B-1" and the architectural elevations attached hereto as Exhibits "B-2" and "B-3." With the approval of the Director of Community & Economic Development, minor changes may be made at the time of site plan and building permit review without requiring a modification to the PUD.
 - D. ~~A landscape buffer, satisfactory to the Director of Community Development Department, consisting of a hedge and/or plant materials may be substituted for a buffer fence or wall on the east property line.~~

- D. Landscaping and Buffering: In accordance with Sub-Section 4.5 of the Land Development Code.
- E. Signage: In accordance with the Retail Commercial and Large Lot Office Zoning District Regulations (C-2, C-3, C-4, C-5, C-6, C-7 and O-3) as specified in Sub-Section 4.9.4.4 of the Land Development Code.
- F. Transportation
1. Binding Concurrency Determinations will be made at the time of site plan approval.
 2. 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.
 3. An ADA-compliant pedestrian route shall be provided between the Carpenters Way sidewalk and principal building entrance. This route shall not require pedestrians to walk through any patient drop off zones.

ATTACHMENT "A"

A PORTION OF A PARCEL OF LAND SITUATE IN SECTION 25, TOWNSHIP 27 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE, AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 27 SOUTH, RANGE 23 EAST; THENCE, SOUTH 89°53'35" EAST, 114.68 FEET, TO A POINT SITUATE ON THE EAST RIGHT-OF-WAY LINE OF U.S. ROUTE 98 (ALSO KNOWN AS STATE ROAD 700) (204' WIDE RIGHT-OF-WAY PER FDOT SECTION 16210-2514); THENCE, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 0°13'57" EAST, 563.34 FEET, TO A POINT SITUATE AT THE INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE AND THE NORTHERLY RIGHT-OF-WAY LINE OF CARPENTERS WAY (RIGHT-OF-WAY WIDTH VARIES PER OFFICIAL RECORDS BOOK 2948, PAGE 404) ALSO BEING THE POINT OF BEGINNING; THENCE, DEPARTING SAID INTERSECTION AND CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 0°13'57" EAST, 300.00 FEET; THENCE, DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ALONG THE NORTH LINE OF LANDS FOUND IN OFFICIAL RECORDS BOOK 7489, PAGE 775, SOUTH 89°46'03" EAST, 459.43 FEET, TO A POINT SITUATE ON THE EAST LINE OF A SIDEWALK EASEMENT FOUND IN OFFICIAL RECORDS BOOK 8229, PAGE 1599; THENCE, LEAVING THE NORTH LINE OF SAID LANDS AND ALONG THE EAST LINE OF SAID SIDEWALK EASEMENT, SOUTH 0°13'57" WEST, 208.29 FEET, TO A POINT OF NON-TANGENT CURVATURE SITUATE ON THE SAID NORTHERLY RIGHT-OF-WAY LINE OF CARPENTERS WAY; THENCE, ALONG SAID NON-TANGENT CURVE AND NORTHERLY RIGHT-OF-WAY LINE, TO THE RIGHT AND CONCAVE TO THE SOUTHEAST FOR AN ARC DISTANCE OF 59.78 FEET, HAVING A RADIUS OF 777.82' AND A DELTA ANGLE OF 4°24'13" (CHORD = S 73°15'45" W, 59.76'), TO A POINT OF NON-TANGENCY; THENCE, CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (3) THREE COURSES AND DISTANCES: SOUTH 75°32'59" WEST, 127.80 FEET; SOUTH 71°03'42" WEST, 250.00 FEET; NORTH 46°20'50" WEST, 58.52 FEET, TO THE POINT OF BEGINNING,

CONTAINING 2.91 AC or 126,552 SQ FT MORE OR LESS

ATTACHMENT "B"

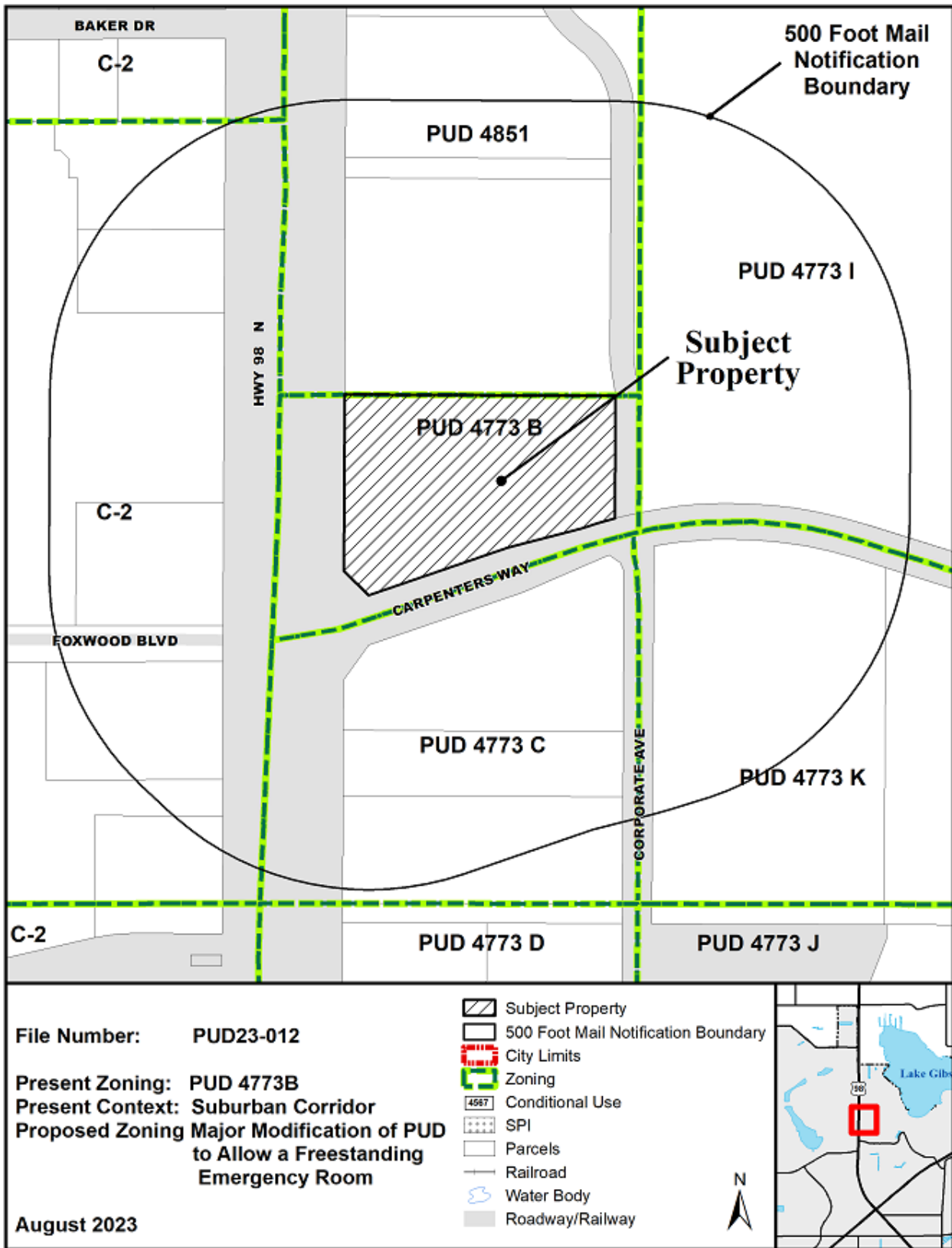


EXHIBIT "B-1"

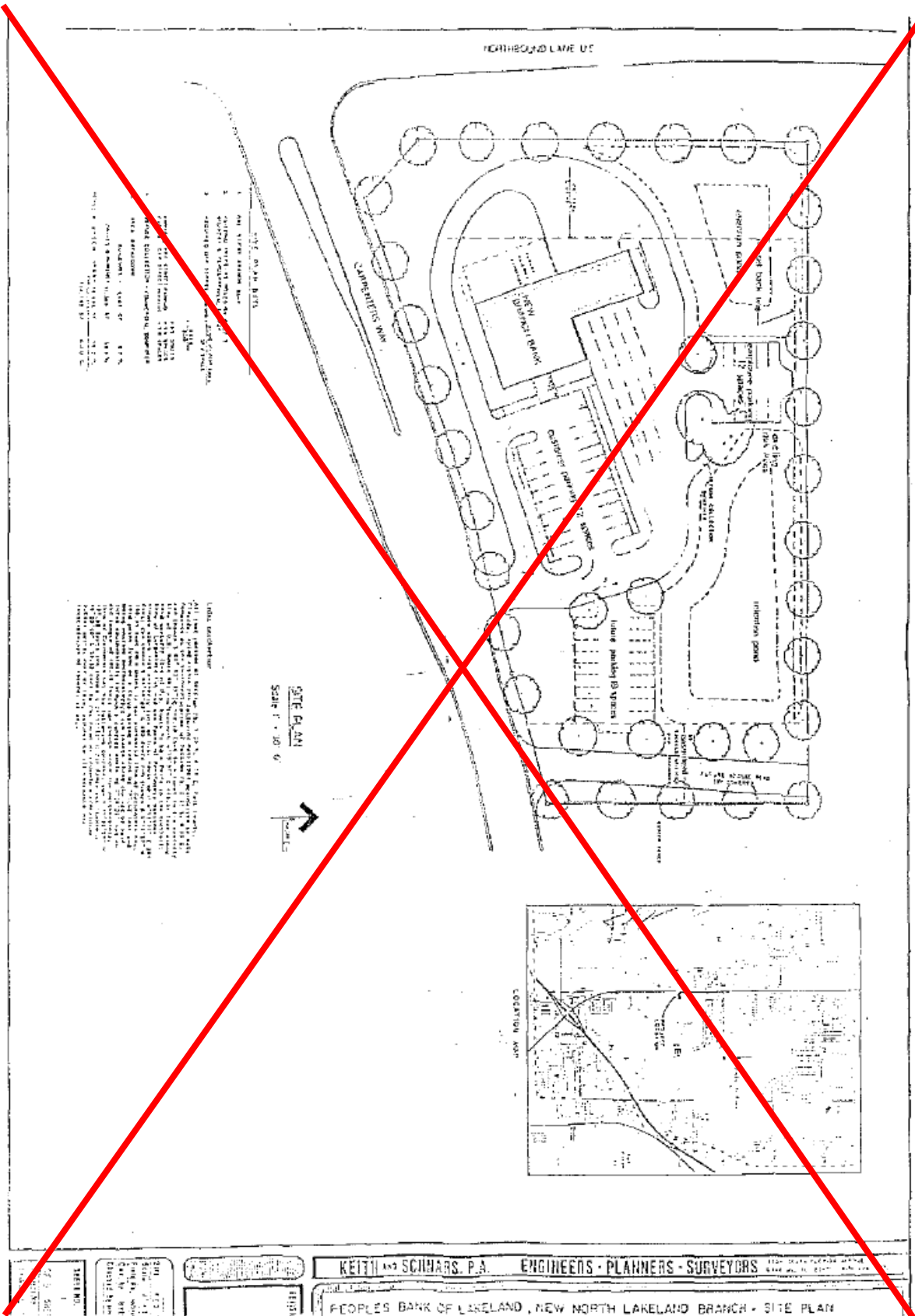
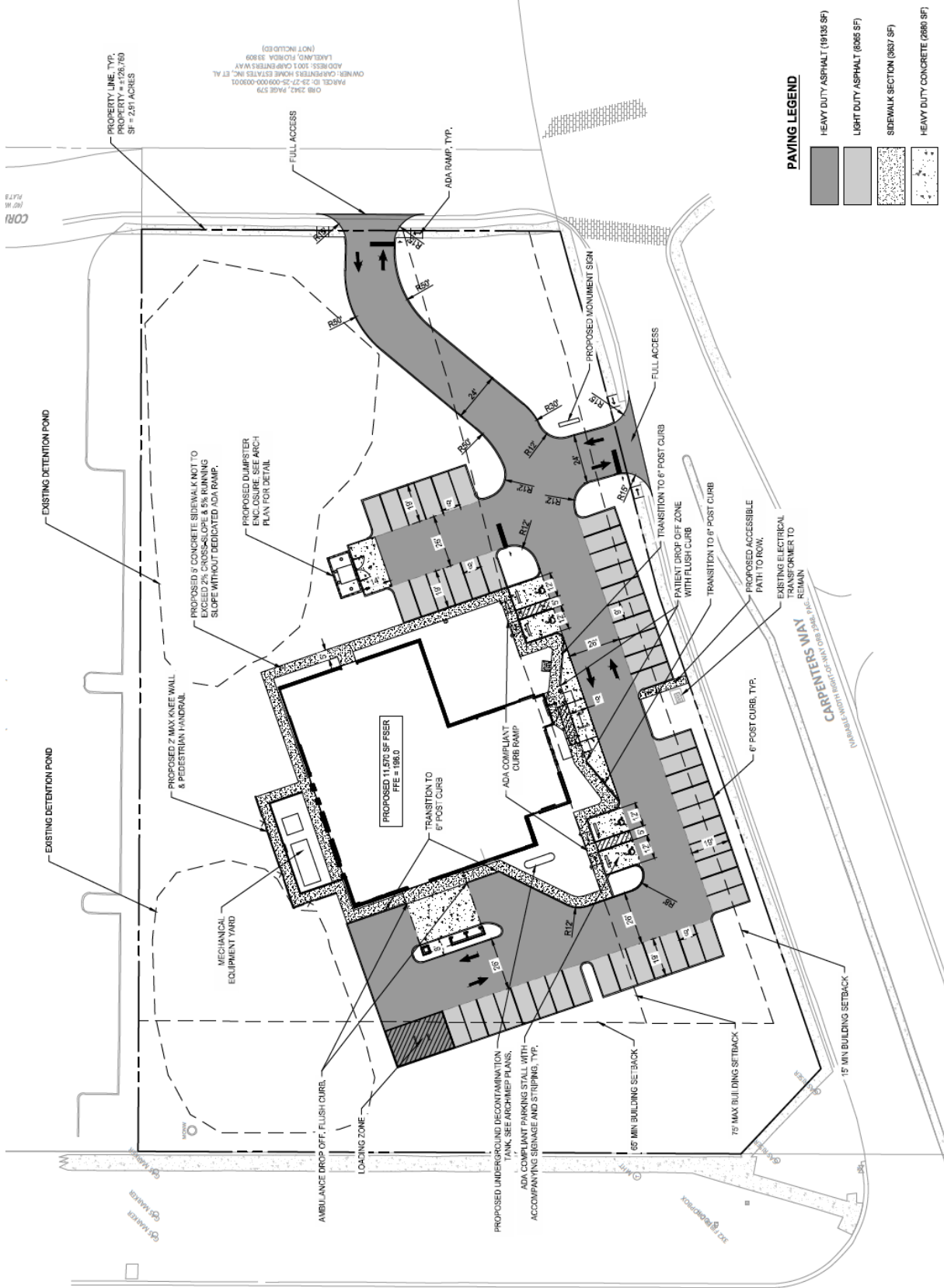


EXHIBIT "B-1"



PAVING LEGEND

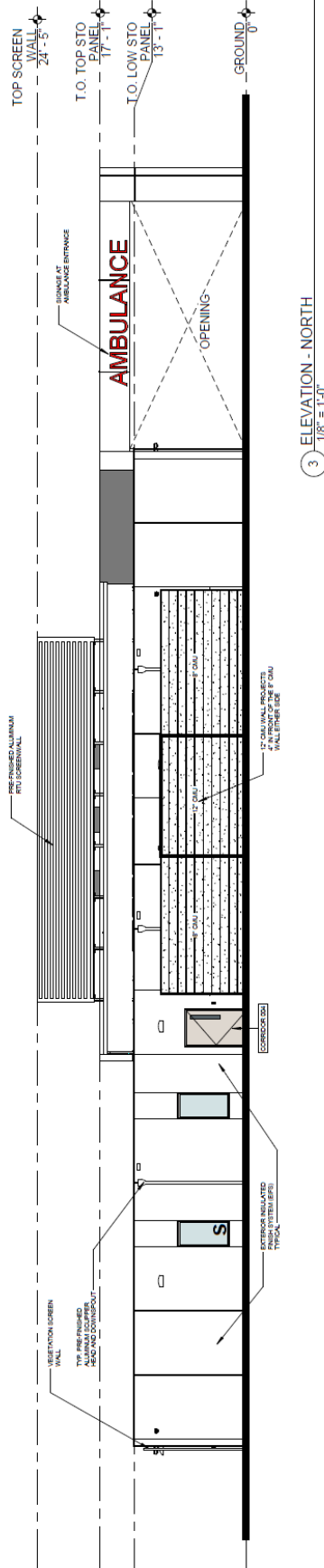
	HEAVY DUTY ASPHALT (19135 SF)
	LIGHT DUTY ASPHALT (8066 SF)
	SIDEWALK SECTION (3637 SF)
	HEAVY DUTY CONCRETE (2869 SF)

STATE ROAD NO. 700 & 35
 US HIGHWAY 98
 PLAN # 2024-000000-000001
 OWNERS: CARPENTERS BROS. ENTERPRISES, INC. ET AL.
 ADDRESS: 1001 CARPENTERS WAY
 LAND, FLORIDA 33009
 (NOT INCLUDED)

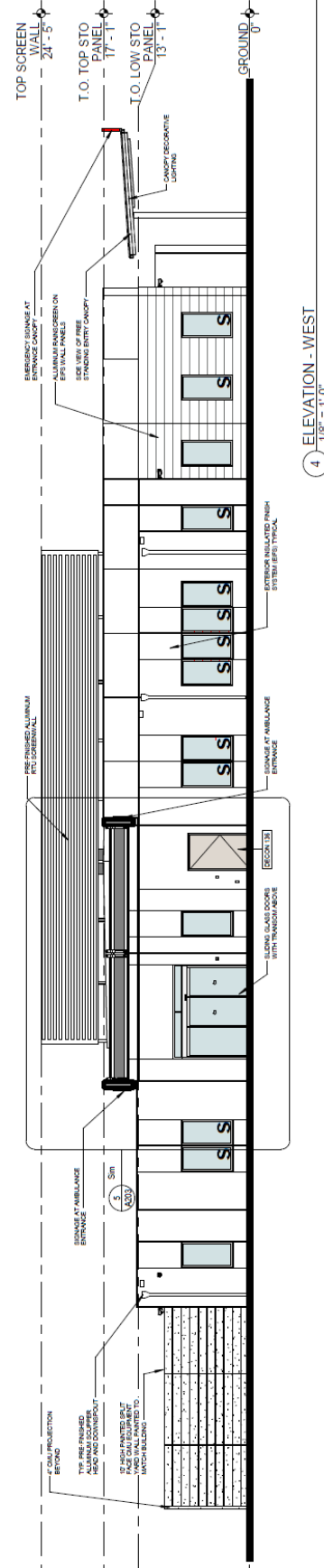
CORNER
 100 FT
 100 FT

CARPENTERS BROS. ENTERPRISES, INC.
 1001 CARPENTERS WAY
 LAND, FLORIDA 33009

EXHIBIT "B-2"

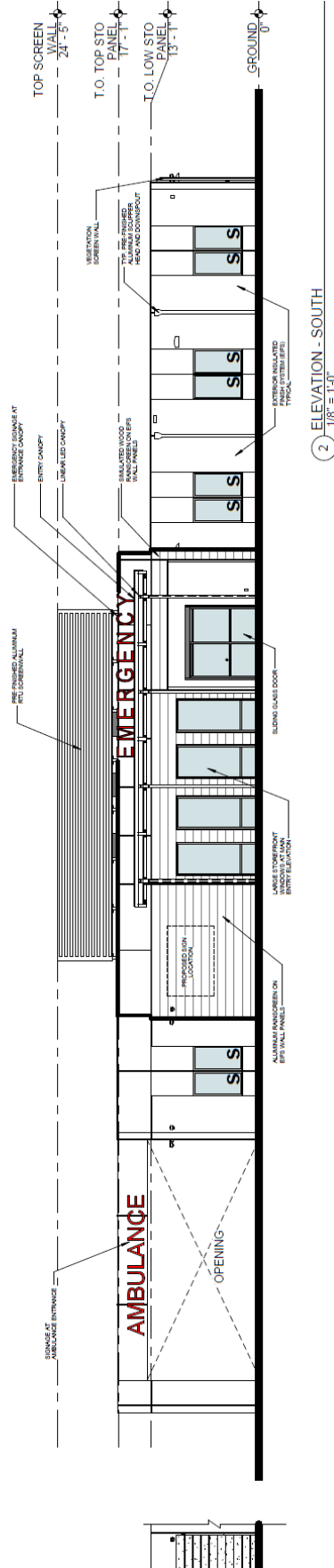
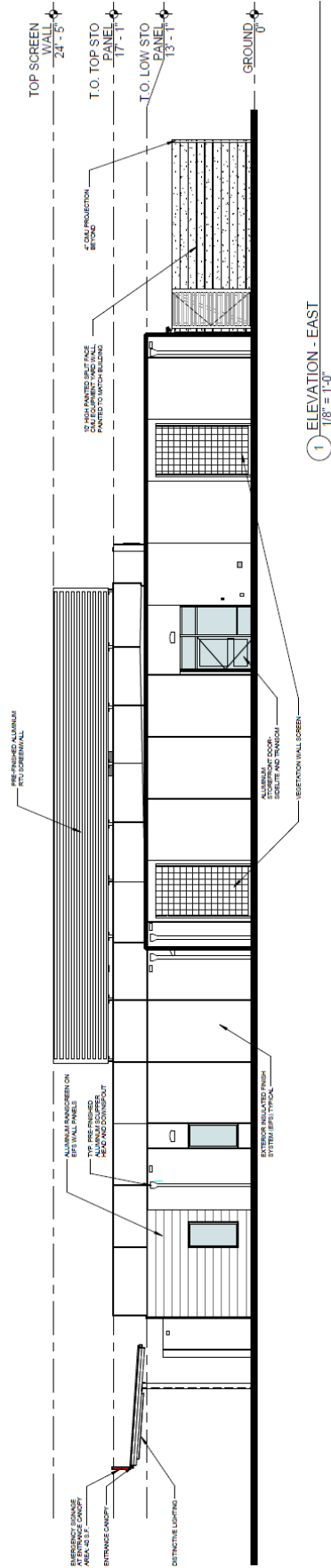


3 ELEVATION - NORTH
1/8" = 1'-0"



4 ELEVATION - WEST
1/8" = 1'-0"

EXHIBIT "B-3"



AMBULANCE

OPENING

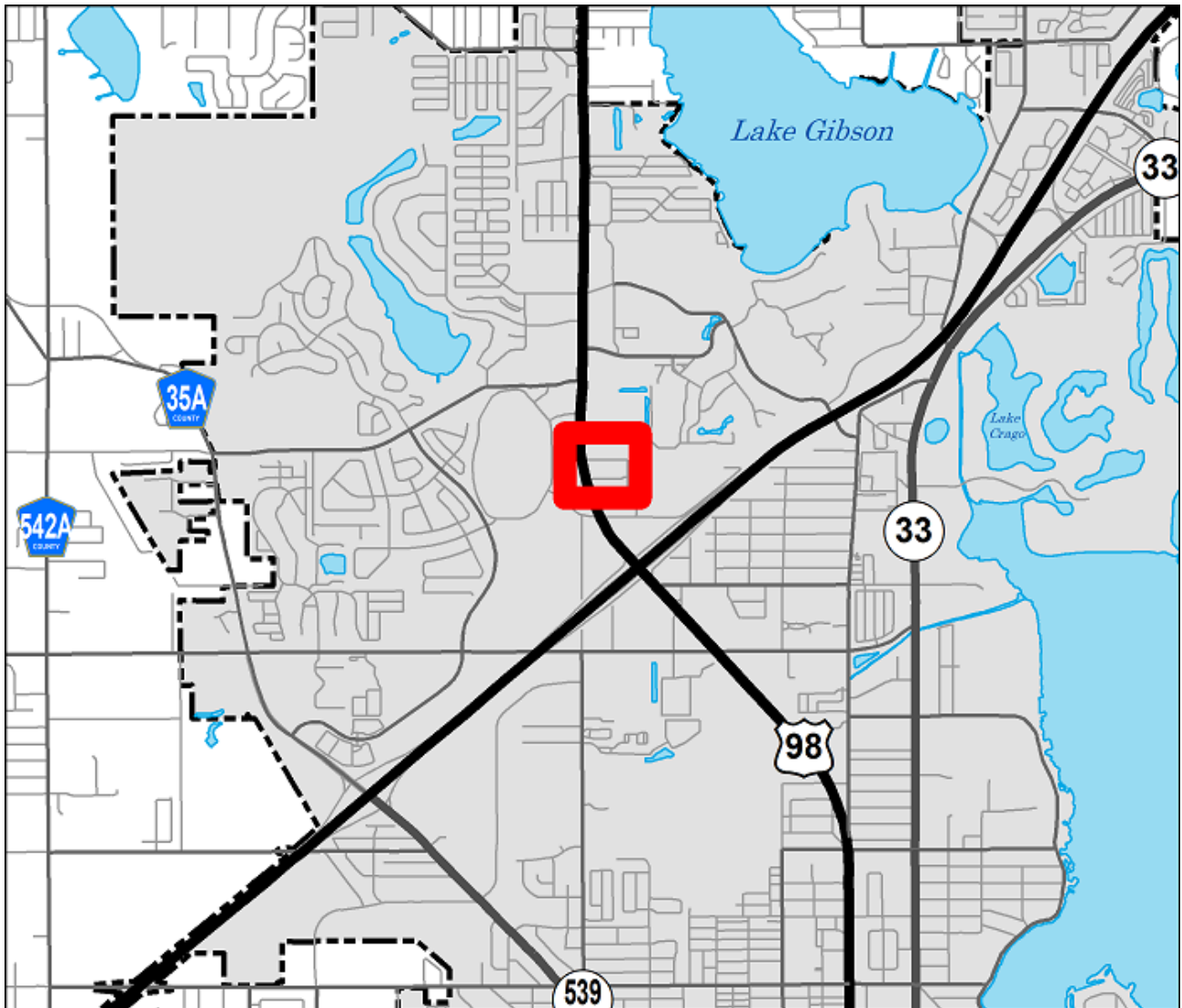
NO.	DESCRIPTION
1	VEGETATION SCREEN WALL
2	REFINISHED ALUMINUM RTG SCREEN WALL
3	EMERGENCY ESCAPE AREA AT 5' CANOPY
4	ENTRANCE CANOPY
5	VEGETATION SCREEN WALL LOBBY
6	ALUMINUM SCREENED DOOR, INSIDE AND OUTSIDE
7	VEGETATION WALL LOBBY
8	T.O. TOP STO PANEL
9	T.O. LOW STO PANEL
10	GROUND 0

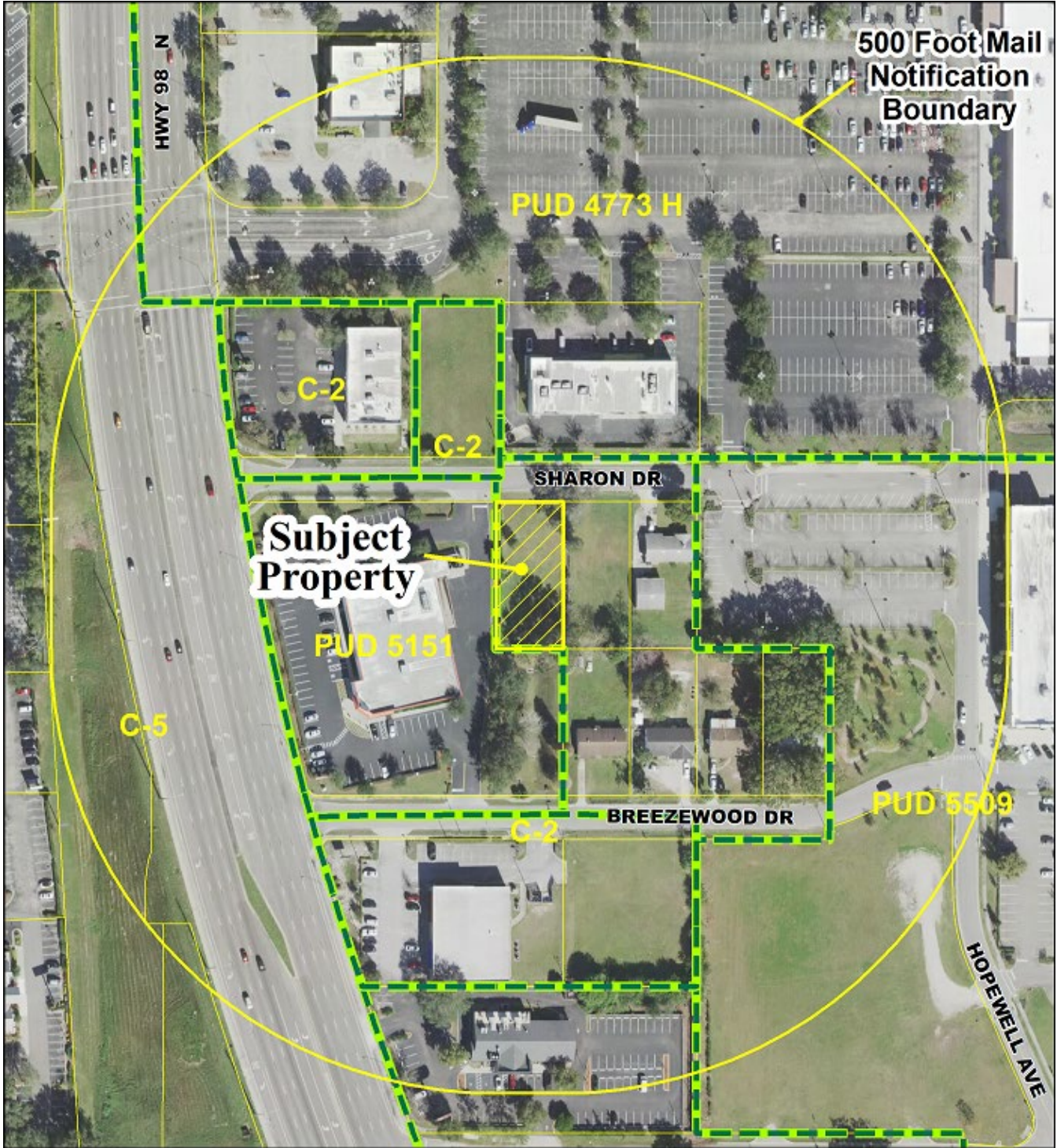


Community & Economic Development Staff Recommendation

Date:	September 19, 2023	Reviewer:	Audrey McGuire
Project No:	ZON23-002	Location:	1050 Sharon Drive
Owners:	Jacquelyn W Scott Revocable Living Trust		
Applicant:	Sharon Laird		
Current Zoning:	Not Assigned	Future Land Use:	Regional Activity Center (RAC)
Context District:	SCO (Suburban Corridor)		
P&Z Hearing:	August 15, 2023	P&Z Final Decision:	September 19, 2023
Request:	Application of C-1 (Pedestrian Commercial District) zoning on approximately 0.28 acres located at 1050 Sharon Drive.		

1.0 Location Maps





2.0 Background

2.1 Summary

Sharon Laird, on behalf of the Jacquelyn W. Scott Revocable Living Trust, requests the application of C-1 (Pedestrian Commercial District) zoning on approximately 0.28 acres generally located at 1050 Sharon Drive. 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, currently vacant, consists of Lot 16 within Block C of the former Woodland Acres residential subdivision. In 2007, the subject property was annexed into the City as part of a larger 26-acre tract which extended east of U.S. Highway 98 North between the Shoppes of Lakeland shopping center to the north and Crevasse St. (now known as Lakeland Park Center Drive) to the south. In 2008, this area and adjoining annexed properties were given a future land use designation of Regional Activity Center (RAC) in part to facilitate the land assemblage efforts of the developer of Lakeland Park Center (formerly known as Gateway Commons), a regional retail shopping center. The subject property and other nearby properties were not acquired as part of this larger retail development which received PUD zoning in 2011. As a result, these remaining properties are without City zoning. The subject property was previously developed with a single-family home which, according to City permit records, was demolished in 2013.

2.3 Project Background

The purpose of this request is to apply C-1 (Pedestrian Commercial District) zoning in order to market the property for commercial development in accordance with the C-1/SCO context sub-district standards. This request is for zoning only and there are no plans for development at this time.

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Retail Commercial	RAC CAC	C-2 & PUD	SCO
South	Retail Commercial	RAC	C-2 & PUD	SCO
East	Vacant, Residential	RAC	Not Assigned	SCO
West	Retail Commercial	RAC	PUD	SCO

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

3.0 Discussion

Sharon Drive is a local street which originally served the residential uses within the Woodland Acres subdivision. Including the subject property, there are a total of three residential lots located along the south side of Sharon Drive which do not currently have zoning. One of the lots located at 1042 Sharon Drive is improved with a single-family home constructed in 1955 which is presently owner-occupied as a non-conforming use.

Bounded by commercial uses to the north, east and west, the highest and best use for the subject property and adjacent residential lots to the east would be for redevelopment as either office, retail, or personal services uses. The C-1 zoning district allows for office uses, both medical and non-medical, personal services and a limited range of retail uses intended for pedestrians. Not permitted are motor vehicle repair, sales or service uses, motor vehicle-oriented uses such as very high turnover (fast food) restaurants with drive through facilities, convenience stores, and motor vehicle fuel sales, certain high impact commercial uses such as pawn shops, payday loan/check cashing business and liquor stores which are better suited for properties located directly on high-volume arterial and collector roadways.

Application of C-1 zoning will not create a spot zone as it is consistent with the land uses in the surrounding area. The application of the C-1 zoning district on the subject property will establish a precedent for the two adjacent residential lots to the east should the property owner wish to pursue redevelopment. The request is for zoning only and there are no plans for development at this time. Future development of the site will require site plan review and building permit approval before any construction activities move forward.

3.1 Transportation and Concurrency

The subject property is located adjacent to U.S. Highway 98 North which is designated as a Transit-Oriented Corridor. The Lakeland Area Mass Transit District (Citrus Connection) operates fixed-route transit service along this corridor via its Gold Line providing 30-minute frequencies from Lakeland Square Mall to Downtown Lakeland and points further south throughout the business day.

Due to the relatively small parcel size and the C-1 use limitations, impacts on the surrounding road system should be minimal if the property is redeveloped for office or commercial uses. Because this request is for zoning only, a binding concurrency determination will not be made until the future submittal of a site plan for the property.

3.2 Comprehensive Plan Compliance

The proposed C-1 zoning district is consistent with the current Regional Activity Center (RAC) future land use designation. Per the policies of the Comprehensive Plan, the RAC Future Land Use designation is intended to accommodate regional shopping needs through a balanced mix of large retail, commercial and office uses which serve the region. The subject property is part of a large RAC which includes Lakeland Square Mall, the Village Plaza and Lakeland Park Center shopping centers, and smaller outparcel and strip center developments along both sides of U.S. 98 North and has the potential to become a more intense and balanced mixed-use center over time.

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 is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

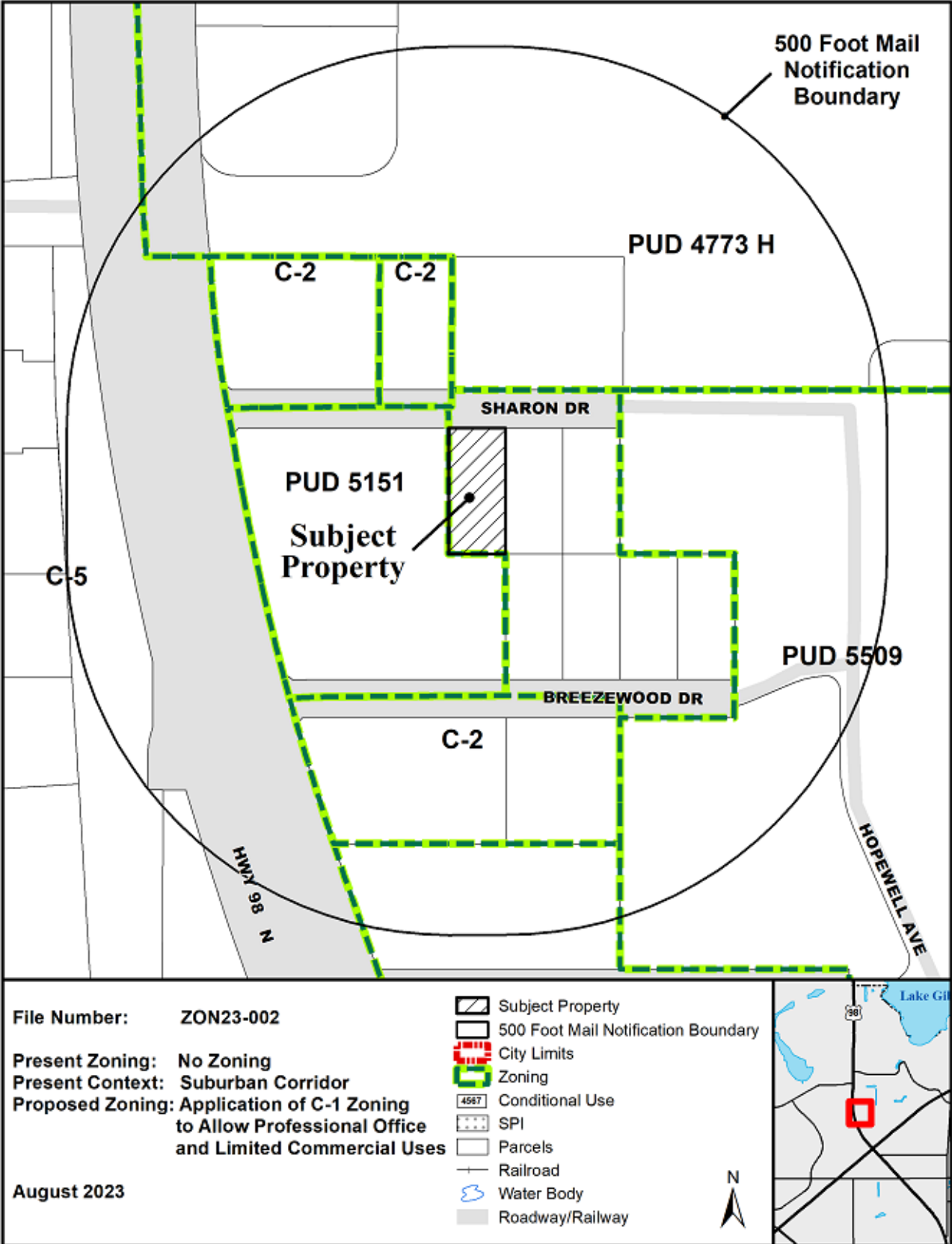
The Community and Economic Development Department reviewed this request and recommends the approval of the application of C-1 (Pedestrian Commercial District) zoning. Letters of notification were mailed to property owners within 500 feet of the subject property. No comments from the public were received before or during the public hearing at the August 15, 2023, meeting of the Planning and Zoning Board

ATTACHMENT "A"

Legal Description:

WOODLAND ACRES PB 36 PG 12 BLK C LOT 16.

ATTACHMENT "B"

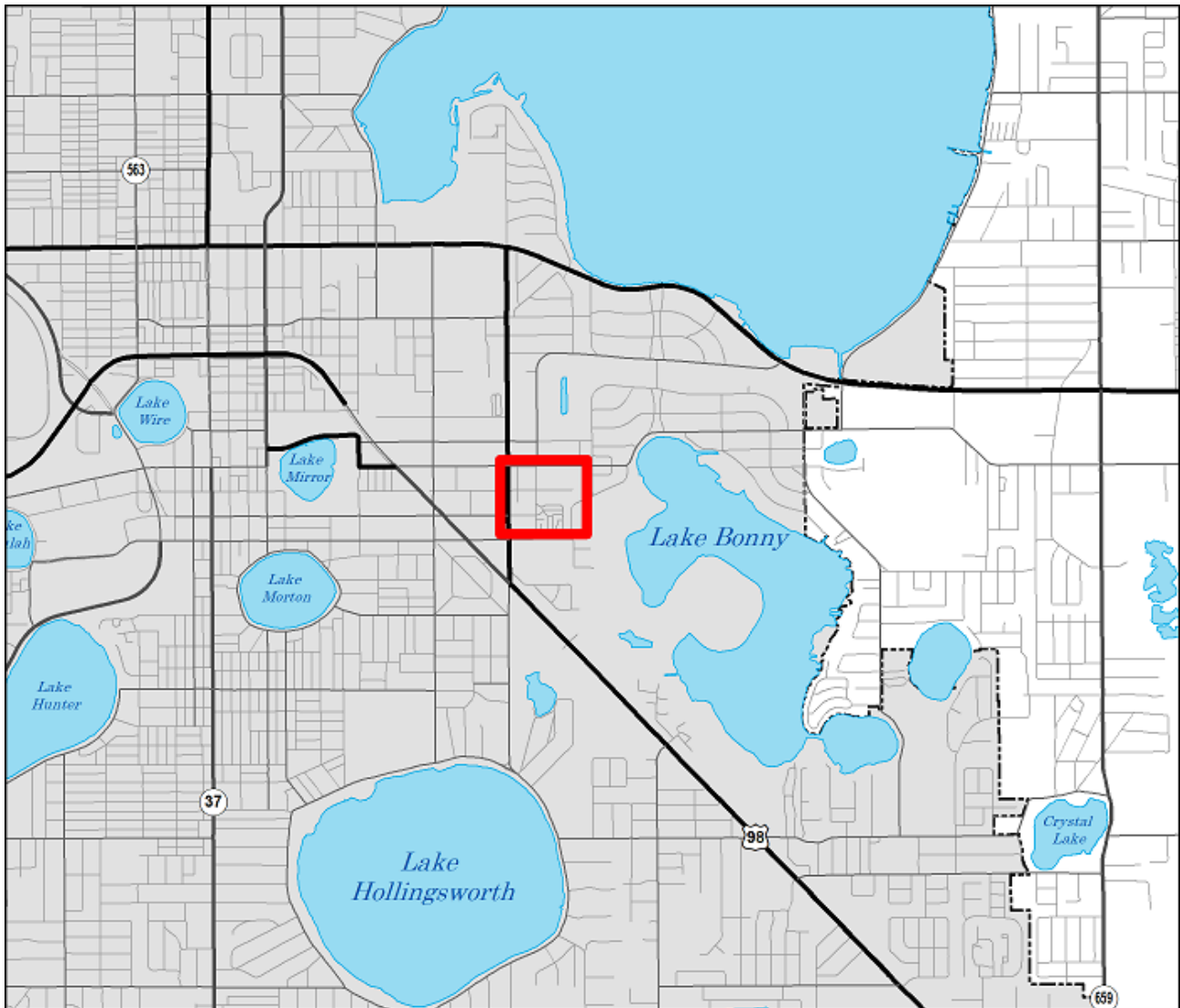




Community & Economic Development Staff Recommendation

Date:	September 19, 2023	Reviewer:	Damaris Stull
Project No:	ZON23-006	Location:	1303 E. Lemon Street
Owners:	E Lemon Land Trust		
Applicant:	Sarah Case, Next Level Planning & Permitting		
Current Zoning:	MF-22 (Multi-Family)	Future Land Use:	RH (Residential High)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	August 15, 2023	P&Z Final Decision:	September 19, 2023
Request:	A change in zoning from MF-22 (Multi-Family Residential) to O-1 (Low Impact Office) on approximately 1.17 acres located south of E. Lemon Street and east of Tyler Avenue (1303 E. Lemon Street).		

1.0 Location Maps





2.0 Background

2.1 Summary

Sarah Case, Next Level Planning & Permitting, requests a change in zoning from MF-22 (Multi-Family Residential) to O-1 (Low Impact Office) on approximately 1.17 acres located south of E. Lemon Street and east of Tyler Avenue (1303 E. Lemon Street). 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 is presently vacant and is located at the southeast corner of E. Lemon Street and Tyler Avenue, approximately 425 feet south of E. Main Street and 500 feet east of Lake Parker Avenue. The subject property has a future land use designation of Residential High (RH) and is within the Urban Neighborhood (UNH) context district. Adjacent properties to the north and west are zoned C-2 (Highway Commercial District). Adjacent properties to the south and east are zoned MH (Mobile Home District) and MF-22 (Multi-Family Residential).

The subject property is comprised of Lots 1 – 4 within Block D of the W.W. Randal’s Addition and an unplatted 0.46-acre parcel that was created through the recording of a metes and bounds survey. In January 2023, a demolition permit was issued to raze a small single-family dwelling located on Lot 3. The remainder of subject property is heavily wooded.

2.3 Project Background

The purpose of this request is to obtain zoning to allow for the redevelopment of the subject property in accordance with the development standards for the O-1/UNH context sub-district.

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Commercial	MCC	C-2	UCO
South	Residential (mobile home park)	RM	MH	UNH
East	Residential (single-family)	RH	MF-22	UNH
West	Public Institution (Pace Center for Girls)	MCC	C-2	UCO

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

3.0 Discussion

The O-1 zoning classification is intended for small-scale, professional office and medical office uses, limited personal services uses such as barber shops, hair salons, and day spas, music and dance studios and exercise, fitness and martial arts studios. O-1 is typically applied as a transition zone between more intense commercial uses and single-family residential uses or as a buffer zone for residential uses which are bisected by a high traffic volume corridor such as S. Florida Avenue from Ariana Street to Beacon Road. According to the applicant, the current owner intends to develop the property as a business incubator for professional services.

The current multi-family zoning designation has been in place since November 20, 1995, when the subject property and adjacent properties to the east along E. Lemon Street were rezoned from RM-1 (Residential Medium-1) to MF-22 as part of a zoning conformance action following the adoption of the 1993 Land Development Code. In 2021, an application was submitted for concept plan review to develop a new quadplex on Lots 1 and 2. Following concept plan review, the owner of the property decided to list the property for sale rather than proceed with development of the quadplex. Since that time, there have been no new proposals for development of the property for multi-family residential uses despite a demand for new housing units in other parts of the City.

Prior to the public hearing, two comments were received from nearby property owners by phone and email. The first property owner expressed opposition to the request due to the additional traffic impacts on E. Lemon Street, a need for more housing in the City of Lakeland, and lack of certainty regarding the future development of the site. The second property owner's comments were limited to the possibility of purchasing the property to expand the mobile home park community to the south and did not have an opinion on the proposed zoning change. At the public hearing on August 15th, the owner of a commercial property located on the west side of Tyler Avenue spoke in favor of the request.

The potential traffic impacts associated with the proposed rezoning are discussed below under Transportation and Concurrency. While rezoning the property for O-1 does not preclude future development of the property for residential uses, there has been little market demand for new residential development in the immediate area for such uses despite the high demand for housing elsewhere in the City. While O-1 is primarily intended for office and personal services uses, it also allows for multi-family residential uses such as apartments and condominiums. Therefore, if plans for the business incubator do not reach fruition, the property probably could potentially be developed for multi-family residential uses if sold to a different owner.

Since this request is for conventional zoning, the specific use and form of any proposed development is subject to all applicable provisions of the Land Development Code but will not be known until the time of site plan review. Use of the property will be limited to those uses permitted by right in O-1 zoning districts. Within the Urban Neighborhood context sub-district, any future non-residential development will be limited to a maximum building height of 36 feet and a maximum lot coverage of 60%. If developed for residential multi-family uses, the O-1 zoning classification and Residential High future land use designation would allow a maximum building height of 55 feet and maximum development intensity of 75 dwelling units per acre.

3.1 Transportation and Concurrency

If the property is developed for O-1 uses, the traffic generated would be less than a four-story apartment building if the property were developed to the highest intensity permitted under the MF-22 zoning and Residential High future land use designation. Any future development plans for the site will be subject to a binding concurrency determination at the time of site plan review. Based on the relatively small parcel size and the types of uses permitted within O-1 zoning districts, the proposed rezoning is not anticipated to negatively impact or diminish the level-of-service on the local roadway network.

3.2 Comprehensive Plan Compliance

The proposed O-1 zoning district is consistent with the current Residential High (RH) future land use designation. The intent of the RH future land use classification is to promote compact, walkable development, and infill redevelopment through mixed use land uses, office or commercial uses per the policies of the Comprehensive Plan. 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 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 MF-22 (Multi-Family Residential) to O-1 (Low Impact Office). Letters of notification were mailed to fifty-six (56) property owners within 500 feet of the subject property and one objection was received as noted previously.

ATTACHMENT "A"

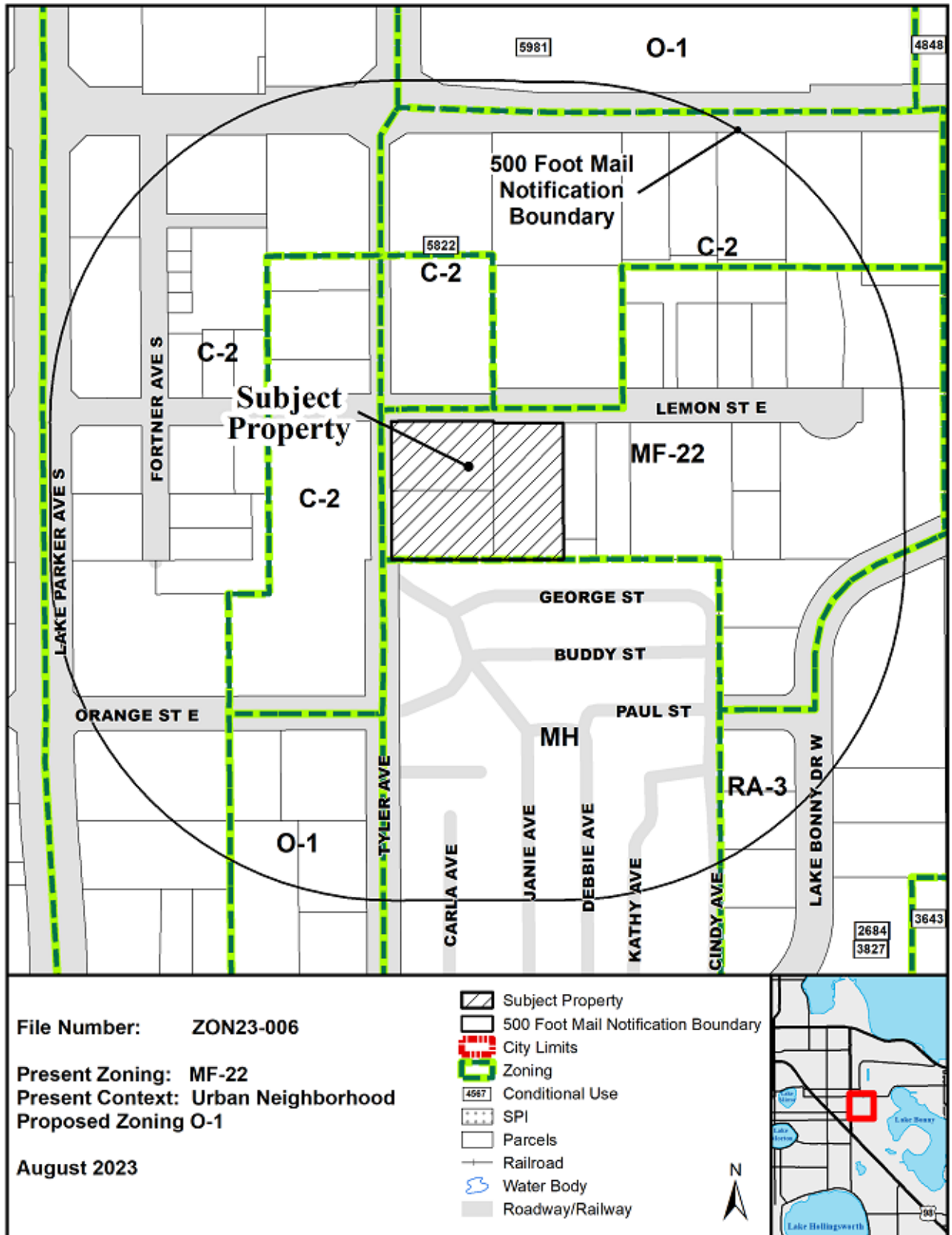
Legal Description:

PARCEL 24-28-17-000000-044460

Being a part of Section 17, Township 28 South, Range 24 East, Polk County, FL and being more particularly described as follows:

BEG SW COR OF NE1/4 OF SW1/4 OF SW1/4 RUN E 102 FT N 200 FT W 102 FT S TO BEG & RANDALLS W W ADD PB 4 PG 1 BLK D LOTS 1 THRU 4 ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34, PAGE 11, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

ATTACHMENT "B"



File Number: ZON23-006
 Present Zoning: MF-22
 Present Context: Urban Neighborhood
 Proposed Zoning O-1

August 2023

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





Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, September 19, 2023

Meeting of September 5, 2023

No New Items

Meeting of August 21, 2023

Ordinances (Second Reading)

Proposed 22-029; Approving a Conditional Use to Allow for Off-Street Parking as a Principal Use on Property Located at 411 E. Orange Street. (CUP22-006) **Approved 7—0, Ordinance 5995**

Proposed 23-029; Approving a Conditional Use to Allow a 103-Foot-Tall Personal Wireless Services Facility (Cell Tower) on Approximately 0.11 Acres Located South of Parkway Frontage Road South and West of Beaker Boulevard. (CUP23-013) **Approved 7—0, Ordinance 5996**

Proposed 23-030; Change in Zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) on Approximately 0.88 Acres Located South of East Lane, East of Morrell Drive and North of Parkview Place (301-309 East Lane). (ZON23-005) **Approved 7—0, Ordinance 5997**

Proposed 23-031; Amending Ordinance 3432, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Allow for the Development of a New Two-Story, 8,000 Square Foot Office Building on Property Located at 1301 Grasslands Boulevard. (PUD23-008) **Approved 7—0, Ordinance 5998**