

## AGENDA

Planning & Zoning Board  
City Commission Chambers  
April 18, 2023, 8:30 a.m.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Jenny Sykes, no later than 48 hours prior to the proceeding, at **(863) 834-8444**, Email:

**Jennifer.Sykes@lakelandgov.net**. If hearing impaired, please contact the TDD numbers: Local - **(863) 834-8333** or **1-800-955-8771** (TDD-Telecommunications Device for the Deaf) or the Florida Relay Service Number **1-800-955-8770 (VOICE)**, for assistance.

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

## PUBLIC HEARING

- ITEM 1:**
- Conditional use to allow for the construction of two duplexes on property located at 830 Lakeshore Drive. Owner: Millenia Realty Group LLC. Applicant: Samuel Graybeal. (CUP23-004)
  - Consideration of final decision.
- ITEM 2:**
- Minor modification to PUD (Planned Unit Development) zoning for Lakeland Central Park to allow for the allocation of existing multi-family residential entitlements within Parcel 12 on property located at 2615 Airport Road. Owner: LCP Phase II LLC. Applicant: Timothy Campbell. (PUD23-003)
  - Consideration of final decision.

## GENERAL MEETING

- ITEM 3:** Review minutes of the March meeting.
- ITEM 4:** Major modification to PUD (Planned Unit Development) zoning to allow for the construction of a 41,000 sq. ft. field house building, a 4,000 sq. ft. expansion of an existing childcare building, and relocation of existing off-street parking facilities on property located at 3620 Cleveland Heights Boulevard (Lakeland Family YMCA). Owner: Young Men's Christian Association. Applicant: Shelton Rice, Peterson & Myers, P.A. (PUD23-002) **Note: Continued from a previous meeting.**
- ITEM 5:** Application of PUD (Planned Unit Development) zoning to allow for the development of 19,600 sq. ft. of professional office, office-type research and development, warehouse/storage and limited industrial service/wholesale trade uses on property located at 2815 W. Pipkin Road. Owner: Khodabhai and Kashiben Patel. Applicant: JSK Consulting. (PUD22-025)
- ITEM 6:** Change in zoning from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow for professional office and limited office support retail and personal services uses on property located at 2330 Commerce Point Drive. Owners: Tymar Capital LLC, Tinsley Family Properties LLC, and Practice Building LLC. Applicant: James Edwards. (PUD23-001)

**ITEM 7:** Plat approval for the Oaks at Lake Parker on 3.54 acres generally located north of Lake Place Court, south of Heritage Landings Drive and west of N. Lake Parker Avenue. Owner: CMTG Real Estate Enterprises. Applicant: JSK Consulting. (SUB17-004)

**ITEM 8:** Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.

ITEM 9: Audience.

ITEM 10: Adjourn.



# Planning & Zoning Board General Application

## General Information:

Project No:	CUP23-004	Application Date:	2/9/2023		
Project Name:	830 LAKESHORE DR_LOT SPLIT				
Subject Property Address:	830 LAKESHORE DR				
Parcel ID:	242807170000014070	Total Acreage:	0.23		
Applicant Name:	SAMUEL GRAYBEAL				
Applicant Address:	1380 6 IRON DRIVE	LAKELAND	FL	33801	
Owner Name:	MILLENIA REALTY GROUP LLC				
Owner Address:	PO BOX 1924	WINDERMERE	FL	347861924	

## Request:

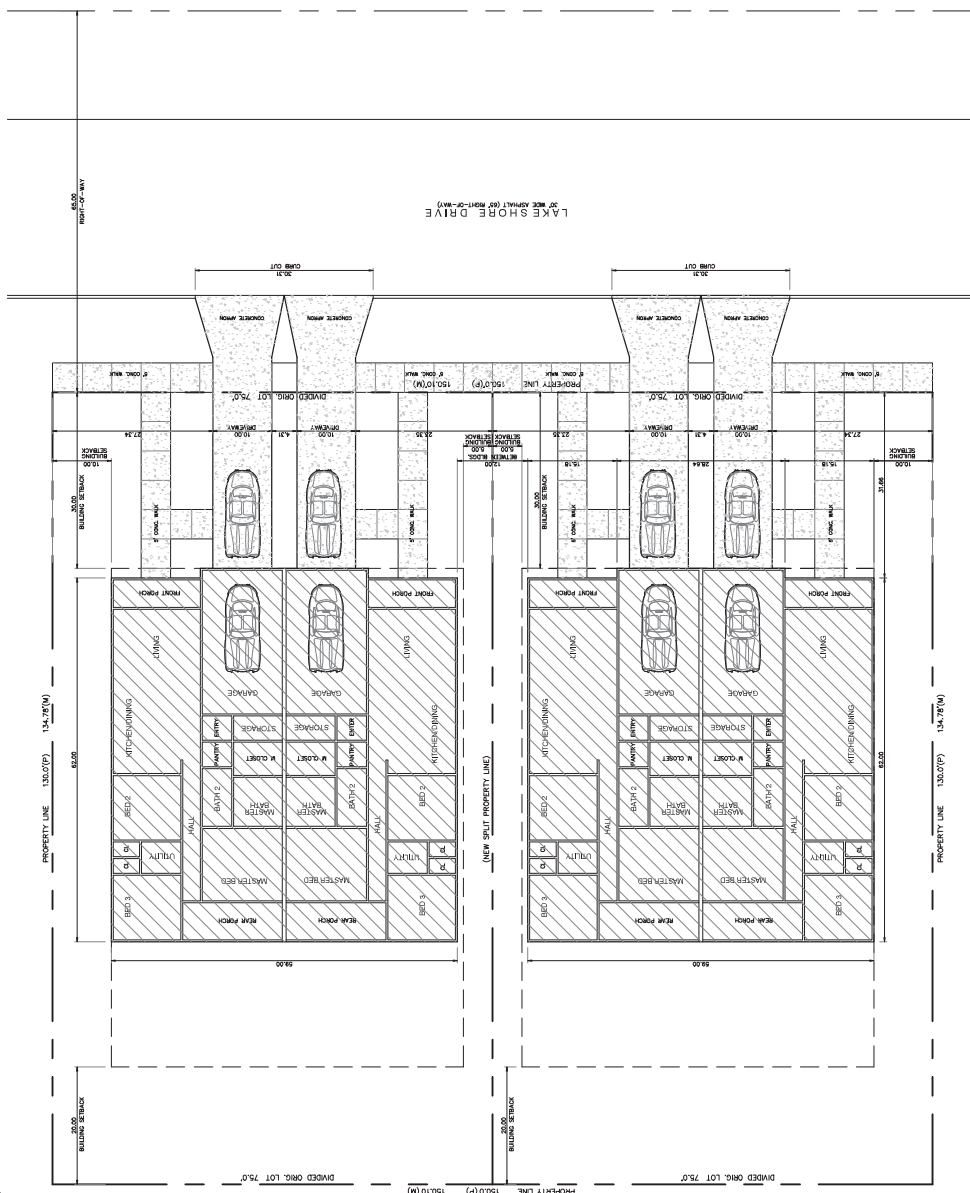
<b>Application Type:</b>	<b>CONDITIONAL USE</b>	<b>NEW</b>
<b>Proposed</b>		<b>Current</b>
<b>Zoning:</b>	MF-22 (Multi-Family)	Multi Family (MF-22)
<b>Land Use:</b>	RL-Residential Low	Residential High (RH)
<b>Context:</b>	Not Applicable	Urban Neighborhood (UNH)
<b>Explanation of Request:</b>	split 0.46 ac lot to place a duplex on each lot in MF-22 existing zoning	
<b>Justification:</b>	CUP required	

## Concurrency:


<b>Proposed Dwelling Units:</b>	4	<b>Project Floor Area:</b>	1853	Square feet	
<b>Type of Use:</b>	Other	<b>Phase</b>	1	<b>Year</b>	2023
<b>Estimate of Public Service Demand</b>					
<b>Roadways</b>	<b>Daily Trips:</b>	0	<b>PM Peak Hour Trips:</b>	0	
<b>Potable Water</b>		GPD	<b>Wastewater</b>	GPD	<b>Solid Waste</b> PPD



LEGAL DESCRIPTION	SITE INFORMATION
LOTS 6 THROUGH 8, BLOCK 14, BOW AIR BEACH, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 6, PUBLIC RECORDS OF POLK COUNTY, FLORIDA	ZONING: MF-22 AREAS: TOTAL PARCEL (AFTER SPLIT) 10,125.00 S.F. TOTAL BUILDING AREA 1,953.75 S.F. BUILDING:

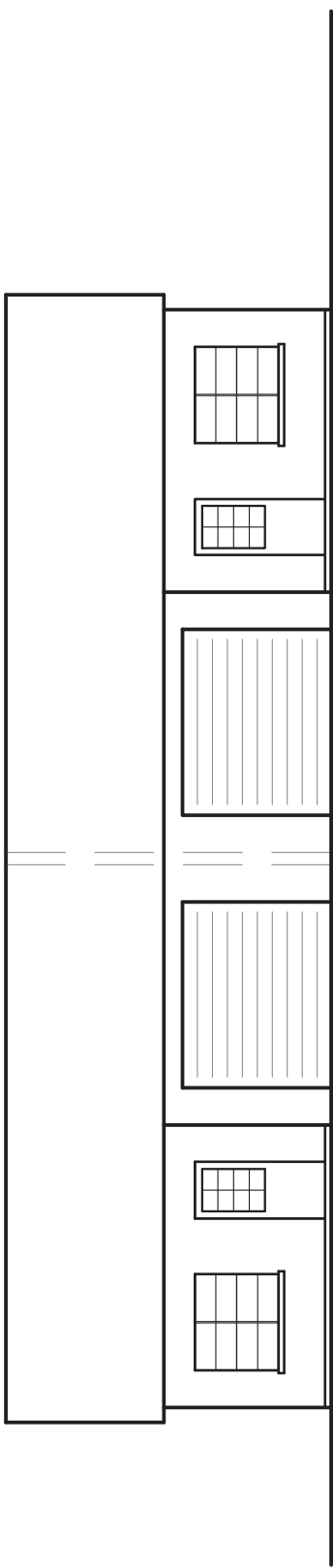


SITE PLAN

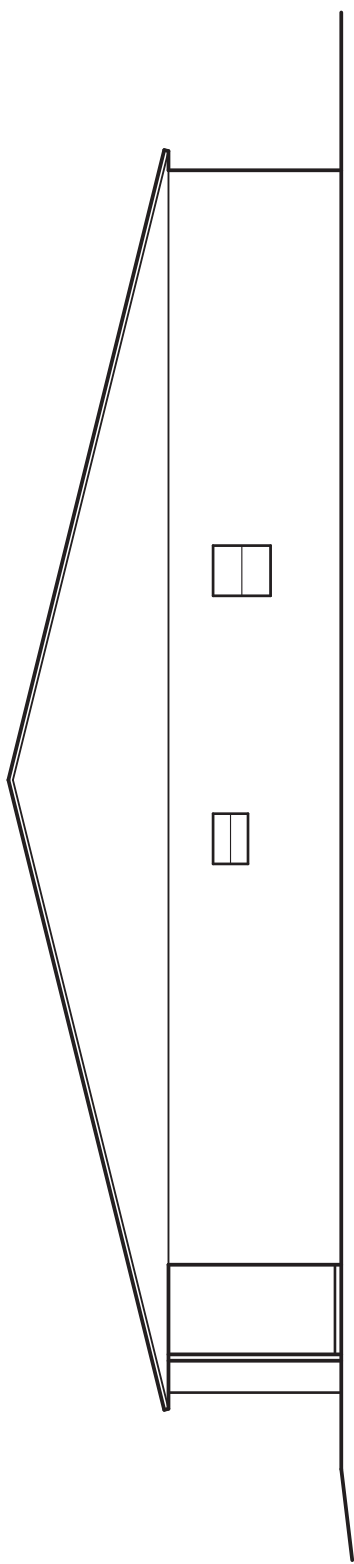
NO.	ISSUE SHOWN HERE ARE FROM THE PREVIOUS EDITION. THIS INFORMATION IS FOR YOUR INFORMATION ONLY. IF YOU HAVE A NEW ISSUE, PLEASE PRINT THE NEW ISSUE NUMBER AND DATE. IF YOU HAVE A USED OR DESTROYED WITHOUT THE PROOF WRITTEN PERMISSION OF CAMEL, CHANGING PA.	BY	DATE
SITE PLAN - NOTES			
BLANK SCALE AS SHOWN			
<div> <div> 830 LAKESHORE DRIVE  LAKELAND, FLORIDA 33801 </div> <div>  <div> CAMEL  LAKESHORE DRIVE  LAKELAND, FLORIDA 33801  (863) 896-2625  CAMELDESIGNER@NORMAL.COM </div> </div> </div>			
DESIGNED	50	FILE NAME	1/15/2023
DRAWN	52	DATE	1/15/2023
		SHEET	OF 1



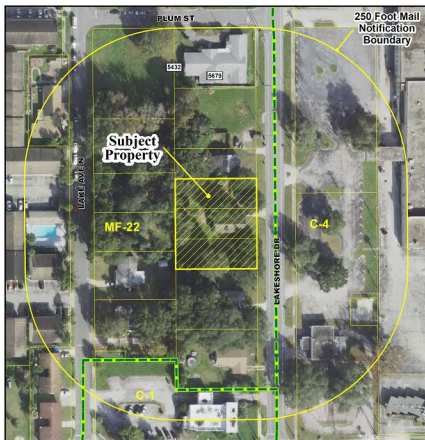
CONTRACTOR SHALL FIELD VERIFY ALL CONSTRUCTION PRIOR TO BIDDING. THIS PLAN MAY NOT REFLECT ALL CONSTRUCTION OBSTACLES, ACCESS, DEWATERING, LOCAL PERMITTING, ETC.



FRONT ELEVATION



SIDE ELEVATION



**File Number:** CUP23-004

**Present Zoning:** MF-22

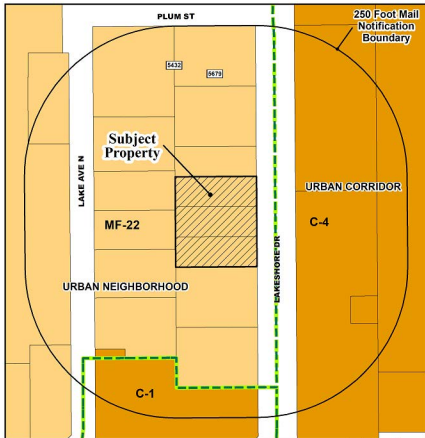
**Present Context:** Urban Neighborhood

**Proposed Zoning:** Conditional Use to Allow  
Two Duplexes

**April 2023**

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





File Number: CUP23-004

Present Zoning: MF-22

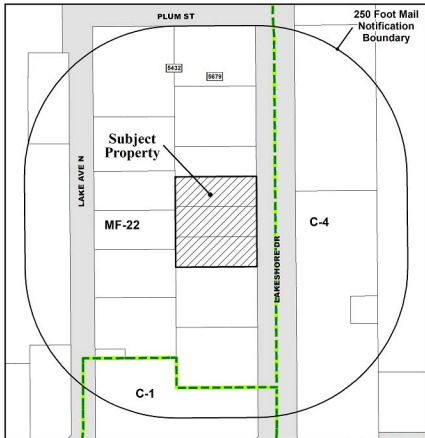
Present Context: Urban Neighborhood

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**File Number:** CUP23-004

**Present Zoning:** MF-22

**Present Context:** Urban Neighborhood

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228 S Massachusetts Avenue  
Lakeland FL 33801  
[planning@lakelandgov.net](mailto:planning@lakelandgov.net)

March 31, 2023

RE: 830 Lakeshore Drive - Project No. CUP23-004

Dear Property Owner:

This is to advise you that Samuel Graybeal requests a conditional use to allow for the construction of two duplexes on property located at 830 Lakeshore Drive. The property is legally described as:

Lots 6 through 8, Block 14, BON AIR BEACH according to the plat thereof recorded in Plat Book 7, page 6, 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, April 18, 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](mailto:planning@lakelandgov.net), prior to the Tuesday, April 18<sup>th</sup> meeting.

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

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

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Planning & Zoning Board General Application

## General Information:

Project No:	PUD23-003	Application Date:	2/5/2023		
Project Name:	LAKELAND CENTRAL PARK MULTI-FAMILY (LOT 9)				
Subject Property Address:	2615 AIRPORT RD				
Parcel ID:	232828000000034010	Total Acreage:	11.62		
Applicant Name:	TIMOTHY CAMPBELL				
Applicant Address:	500 SOUTH FLORIDA AVENUE	LAKELAND	FL	33801	
Owner Name:	LCP PHASE II LLC				
Owner Address:	800 N MAGNOLIA AVE STE 1625	ORLANDO	FL	328033258	

## Request:

<b>Application Type:</b>	<b>PLANNED UNIT DEVELOPMENT</b>	<b>MINOR MODIFICATION</b>
<b>Proposed</b>		<b>Current</b>
<b>Zoning:</b>	PUD (Planned Unit Development)	(PUD) 5859 Planned Unit Development
<b>Land Use:</b>	Not Applicable	Conservation (C), Business Park (BP), Interchange Activity Center (IAC)
<b>Context:</b>	Not Applicable	Suburban Special Purpose (SSP)
<b>Explanation of Request:</b>	The purpose of the request is to modify Exhibit C (Site Development Plan) to modify Note 1 to allow multi-family uses in Lot 9 and reflect Lot 9 boundary.	
<b>Justification:</b>	Given the demand for additional housing varieties in the City, the location of Lot 9 in close proximity to the Polk County Parkway, the need to provide housing in this area of southwest Lakeland to serve nearby employment centers and the desire to have a mix of uses in Lakeland Central Park, Lot 9 is an appropriate location for multi-family residential uses.	

## Concurrency:

<b>Proposed Dwelling Units:</b>	252	<b>Project Floor Area:</b>	0		Square feet
<b>Type of Use:</b>	Apartment	<b>Phase</b>	1	<b>Year</b>	2023
<b>Estimate of Public Service Demand</b>					
<b>Roadways</b>	<b>Daily Trips:</b>	0	<b>PM Peak Hour Trips:</b>	0	
<b>Potable Water</b>		GPD	<b>Wastewater</b>	GPD	<b>Solid Waste</b> PPD



CLARK, CAMPBELL, LANCASTER,  
WORKMAN & AIRTH, P.A.  
— ATTORNEYS AT LAW —

H. ADAMS AIRTH, JR., LL.M.  
KEVIN R. ALBAUM<sup>4</sup>  
TIMOTHY F. CAMPBELL<sup>1, 3</sup>  
SABRINA L. CHIANESE  
RONALD L. CLARK  
KYLE H. JENSEN  
JOHN J. LANCASTER, LL.M.<sup>2</sup>  
ELLIOTT V. MITCHELL  
PETER J. MUNSON  
MICHAEL E. WORKMAN<sup>1</sup>

**TIMOTHY F. CAMPBELL**

Board Certified Real Estate Attorney  
Board Certified City, County & Local Government Attorney  
Land Use and Zoning | Commercial Real Estate | Corporate Law

[tcampbell@clarkcampbell-law.com](mailto:tcampbell@clarkcampbell-law.com)

**BOARD CERTIFICATIONS:**

1. REAL ESTATE 2. TAX LAW  
3. CITY, COUNTY & LOCAL GOVERNMENT  
4. ELDER LAW

March 10, 2023

Brian Rewis, Director  
Community and Economic Development Department  
City of Lakeland  
228 South Massachusetts Avenue  
Lakeland, Florida 33801

**Re: LCP Owner, LLC / Request to Modify PUD Ordinance 5859  
Lakeland Central Park**

Dear Brian:

Our firm represents LCP Owner, LLC (“**LCP Owner**”) with respect to its development of the property known as “**Lakeland Central Park**.” LCP Owner is seeking a minor modification to PUD Ordinance 5859 (the “**PUD**”) to allow the development of multi-family uses on Parcel 12 by substituting the attached revised Attachment “C” (Site Development Plan) that does not contain the note prohibiting a multi-family residential land use of Parcel 12. The following shall serve as background information and the justification for this request.

**Background Information**

In 2019, LCP Owner sought and received approvals that (i) rescinded the Lakeland Central Park Development of Regional Impact Development Order (the “**DRI**”); and (ii) modified the PUD to incorporate provisions of the DRI into the PUD. LCP has subsequently sought and received several amendments to the PUD to allow development of Lakeland Central Park in accordance with the overall development plan. LCP has begun construction in Phase I and is moving forward with development of other phases within Lakeland Central Park. LCP Owner desires to develop approximately 252 multi-family units within Parcel 12 on the northwest corner of the intersection of Airport Road and Winston Park Boulevard. The PUD presently allows the development of 300 multi-family units within Lakeland Central Park so that the proposed multi-family phase within Parcel 12 is a permitted use within Lakeland Central Park.

Name: Brian Rewis, Community and Economic Development Department  
Subject: Lakeland Central Park – Minor PUD Modification  
Date: March 10, 2023  
Page: Page Two of Two

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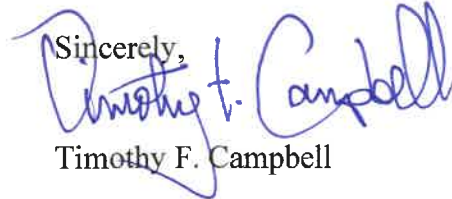
Justification

This minor modification will allow LCP Owner to proceed with the development of Lakeland Central Park in a manner that is consistent with approvals and permits it has received to date and consistent with the City's goal and market demand to provide additional multi-family housing to address the substantial population growth that the City of Lakeland has experienced and projects to continue to experience. The location just north of the intersection of Airport Road and the Polk County Parkway is ideal for the multi-family use as given the proximity to existing and a growing number of employment center opportunities and to employment opportunities that are easily accessed as a result of the proximity to the Polk County Parkway.

Conclusion

We respectfully request your support of this minor modification to the PUD. Please let me know if you have any questions or require any additional information from LCP Owner or us.

Thank you very much.

Sincerely,  
  
Timothy F. Campbell

Copy: Client (transmitted via email)





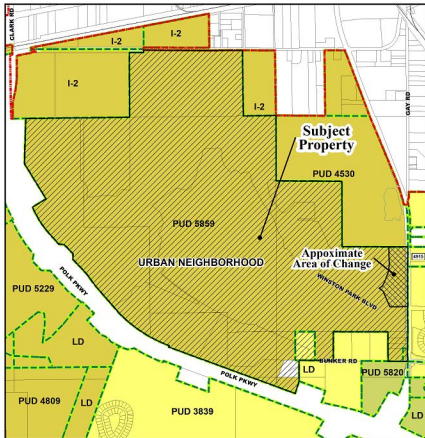
**File Number:** PUD23-003

**Present Zoning:** PUD 5859  
**Present Context:** Urban Neighborhood  
**Proposed Zoning:** Minor Modification of PUD Zoning to Allow Multi-Family Uses on Parcel 12

- Subject Property
- Approximate Area of Change
- City Limits
- Zoning Conditional Use
- SPI
- Parcels
- Railroad
- Water Body



April 2023



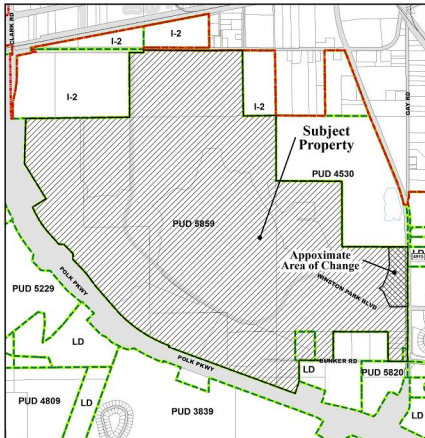
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April 2023



**File Number:** PUD23-003

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## MINUTES

Planning & Zoning Board

City Commission Chambers

Tuesday, March 21, 2023

8:30 a.m.

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

## PUBLIC HEARING

**ITEM 1:** Compatibility review to allow for the construction of an accessory dwelling unit on property located at 319 E. Maxwell Street. Owner/Applicant: Deborah Cheyne. (ADU22-006)

Damaris Stull stated the proposed accessory dwelling unit will be located towards the rear of the subject property. She also stated no public comment was received in regard to the request.

Deborah Cheyne, 319 E. Maxwell Street, was present in support of the request.

Ms. Stull presented the recommended conditions for approval.

Joseph Lauk made a motion for approval of staff's recommendation. Jeri Thom seconded the motion. The motion passed 7—0.

**ITEM 2:** Compatibility review to allow for the construction of an accessory dwelling unit on property located at 809 Osceola Street. Owner: Gregory Neely. Applicant: Sharrett Construction. (ADU23-001)

Damaris Stull stated the subject property is located within the East Lake Morton Historic District. The Historic Preservation Board Design Committee reviewed and approved the request on February 23, 2023. The proposed accessory dwelling unit will be a second story addition to an existing garage that is located at the rear of the home. She also stated no public comment was received in regard to the request.

Dan Sharrett, Sharrett Construction, 124 W. Main Street, was present in support of the request.

In response to Silvana Knight, Matthew Lyons stated the proposed addition of an ADU above the existing garage meets the minimum parking requirements.

Cliff Taylor, 807 Osceola Street, stated he supports the request.

Ms. Stull presented the recommended conditions for approval.

Leigh Ann Lunz made a motion for approval of staff's recommendation. Joseph Lauk seconded the motion. The motion passed 7—0.

**ITEM 3:** Major modification of a conditional use to increase the height of an existing ground-mounted personal wireless facility (cell tower) from 112.8' to 127.8' on property located south of E. Edgewood Drive, east of Buckingham Avenue, west of Oxford Avenue, and northwest of Ashling Drive (Cleveland Heights Golf Course). Owner: City of Lakeland. Applicant: Harrison Frye, Tower Engineering Professionals, Inc. (CUP22-016)

Phillip Searce stated the request has been withdrawn by the applicant.

**ITEM 4:** Conditional use to allow for a child daycare facility on property located at 1350 E. Main Street. Owner: Shawn Scarborough. Applicant: Patrick Panton. (CUP23-001)

Todd Vargo stated applicant requests conditional use approval to establish a child daycare facility within the former church sanctuary and accessory building. The maximum enrollment will be 150 children of preschool age. The hours of operation will be from 8:00 AM to 6:00 PM, Monday through Friday.

Mr. Vargo stated the applicant has provided a circulation plan which will mitigate impacts on adjacent streets and has agreed to close a nonconforming driveway on E. Main Street which does not conform to current driveway spacing standards. During school pick-up and drop-off hours, the westernmost driveway on E. Main Street will also be blocked by traffic cones to ensure that school traffic enters and exits the site from either Alicia Road or E. Rose Street. Mr. Vargo stated no public comment has been received in regard to the request.

Patrick Panton, 1707 E. Elm Road, stated that during pick-up and drop-off hours parents will park and walk their children to the daycare rather than forming a line in their vehicles.

Mr. Vargo presented the recommended conditions for approval.

In response to Silvana Knight, Kevin Goddard, 5115 St. Lucia Drive, stated the facility will not be an after-school facility for school aged children.

In response to Matthew Lyons, Mr. Goddard stated the daycare facility will most likely open in the fall.

Sorle Stanley Diih, 1295 E. Main Street, stated he supports the request.

Roger Fox, 6211 Hereford Drive, stated he supports the request.

Ronald Roberts made a motion to approve staff's recommendation. Silvana Knight seconded the motion. The motion passed 7—0.

**ITEM 5:** Conditional use to recognize an existing used car dealership and allow for the expansion of the vehicle parking/storage area on property located at 1200 W. Memorial Boulevard (OkCarz Lakeland). Owner: OkCarz. Applicant: Susan Swift, Boggs Engineering, LLC. (CUP23-002)

Phillip Searce stated the purpose of the request is to obtain a conditional use permit which will recognize the existing used car dealership and allow for the expansion of the off-street parking/vehicle storage area.

Susan Swift, Boggs Engineering, LLC., 607 S. Alexander Street, Plant City, made a presentation that provided an overview of the proposed request. Ms. Swift stated there are no objections to staff's recommended conditions.

In response to Chuck Barmby, Ms. Swift stated the intent is to remove and relocate existing motor vehicle inventory from a storage yard located on the north side of W. Memorial Boulevard.

Mr. Searce presented the recommended conditions for approval.

Leigh Ann Lunz made a motion to approve staff's recommendation. Jeri Thom seconded the motion. The motion passed 7—0.

**ITEM 6:** Major modification of a conditional use to allow for the expansion of an existing bar into ground floor retail space located at 201 E. Main Street. Owner: Hi Shabnam LLC. Applicant: Soloman Wasseff. (CUP23-003)

Todd Vargo stated the applicant seeks to amend the conditional use to allow for the expansion of the existing bar into the ground floor tenant space. The proposed bar expansion, which would have a

tropical island theme and operate under a different name, would provide seating for up to 200 patrons. To allow for outdoor seating, the applicant's plans propose to recess the ground floor facade of the building to create an outdoor covered seating area. The proposed ground floor bar expansion will be marketed as Lakeland Island Breeze, an island-themed tiki bar which offers Caribbean-themed cocktails and music. The venue, which would operate under the same 4-COP license as Lakeland Loft, will offer a full bar with beer, wine and liquor. No food would be prepared or served in the ground floor space. The establishment, however, will share an interior connection with Lakeland Loft which serves small plates of food and hors d'oeuvres.

Mr. Vargo stated the applicant presented the project to the Lakeland Downtown Development Authority (LDDA) at its regular meeting on February 16, 2023. At that meeting, the LDDA Board of directors voted 4-0 to accept the LDDA staff recommendation in support of the proposed bar. Mr. Vargo stated no public comment has been received in regard to the request.

Soloman Wassef, 1512 Mariner Road, the applicant, was present in support of the request.

Matthew Lyons stated that as a condition for approval, music may not be played outside of the building.

Discussion ensued.

Stuart Simm, 1561 Royal Forest Loop, stated he supports the request but believes it should be considered a new venue, rather than an expansion of the existing bar.

Mr. Vargo presented the recommended conditions for approval.

Palmer Davis stated that condition 6c should be amended to specify that no music shall be played outside or within the recessed area of the building.

Jeri Thom made a motion to approve staff's recommendation with the amended language for condition 6c. Leigh Ann Lunz seconded the motion. The motion passed 7—0.

**ITEM 7:** Application of PUD (Planned Unit Development) zoning to allow for the development of 19,600 sq. ft. of professional office, office-type research and development, warehouse/storage and limited industrial service/wholesale trade uses on property located at 2815 W. Pipkin Road. Owner: KP Patel. Applicant: JSK Consulting. (PUD22-025)

Todd Vargo stated the subject property is undeveloped and approximately 2.46 acres. The subject property was annexed into the City in 2008 and in 2010 and was assigned a future land use designation of Business Park (BP) as part of a larger planning action on 159 acres. Zoning, however, was not assigned at that time. The purpose of the request is to obtain PUD zoning approval to allow for the development of two 9,800 sq. ft. buildings for use as professional office, office-type research and development, warehousing/storage, and limited industrial service/wholesale trade type uses.

Justin Hinton, 5904 Hillside Heights Drive, the applicant, was present in support of the request.

**ITEM 8:** Change in zoning from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow for professional office and limited office support retail and personal services uses on property located at 2330 Commerce Point Drive. Owner: Tymar Capital LLC. Applicant: James Edwards. (PUD23-001)

Phillip Scearce stated the purpose of the request is to obtain PUD zoning which will allow for limited office support retail and personal services uses in addition to current office entitlements. No new development is proposed at this time.

Jim Studiale, 925 Wedgewood Lane, the applicant was present in support of the request.

Discussion ensued.

## **GENERAL MEETING**

### **ITEM 9:** Review minutes of the February meeting.

Leigh Ann Lunz made a motion for approval of the minutes as amended. Silvana Knight seconded the motion and it passed 7—0.

### **ITEM 10:** Major modification to PUD (Planned Unit Development) zoning to allow for the construction of a 41,000 sq. ft. field house building, a 4,000 sq. ft. expansion of an existing childcare building, and relocation of existing off-street parking facilities on property located at 3620 Cleveland Heights Boulevard (Lakeland Family YMCA). Owner: Young Men's Christian Association. Applicant: Shelton Rice, Peterson & Myers, P.A. (PUD23-002)

Bart Allen, 225 E. Lemon Street stated he requests a one-month continuance.

Leigh Ann Lunz made a motion for approval of a one month continuance. Joseph Lauk seconded the motion. The motion passed 7—0.

### **ITEM 11:** Change in zoning from C-1 (Pedestrian Commercial) to MF-22 (Multi-Family Residential) on property located at 401 W. Peachtree Street. Owner: 401 W Peachtree LLC. Applicant: The Lunz Group. (ZON22-014)

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

Damaris Stull stated the request is a change in zoning from C-1 (Pedestrian Commercial) to MF-22 (Multi-Family Residential). The subject property is currently improved with a former two-story single-family dwelling that was previously used as a restaurant and a two-story accessory building. In 2002, the property was rezoned from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial) to allow for the conversion of the former single-family home into a restaurant. From 2006 until January 2011, the property operated as Zohra's Restaurant. The building has been vacant since that time.

Ms. Stull stated the purpose of the request to obtain zoning which will allow for the redevelopment of the property for multi-family residential uses. If approved by the City Commission, the former single-family home and accessory building will either be relocated or demolished. The Land Development Code requires a minimum of one parking space for each one-bedroom unit and 1.5 parking space for each two-bedroom units, or a total of 36 parking spaces to support the proposed use. The conceptual site plan provided by the applicant provides a total of 42 parking spaces.

Ms. Stull stated staff did not receive any public comment in regard to the request and recommends approval.

Susan Seitz made a motion to approve staff's recommendation. Silvana Knight seconded the motion. The motion passed 6—0.

### **ITEM 12:** 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 April hearing.

### **ITEM 13:** Audience.

There were no comments from the audience.

### **ITEM 14:** Adjourn.

There being no further discussion, the meeting was adjourned at 10:15 AM.

Respectfully Submitted,

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Lyle Philipson, Chair

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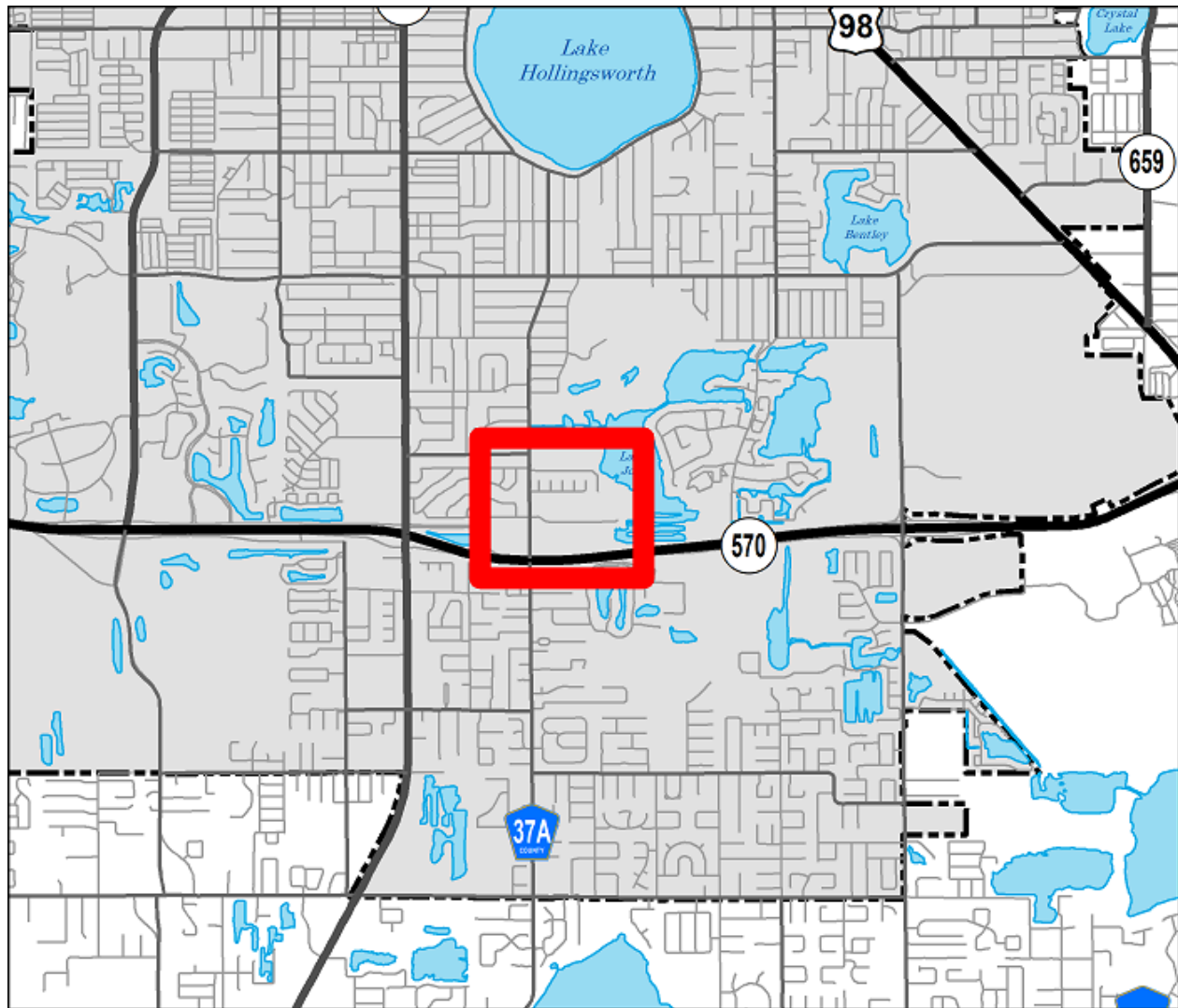
Ronald Roberts, Secretary



# Community & Economic Development Staff Recommendation

Date:	April 18, 2023	Reviewer:	Phillip Searce
Project No:	PUD23-002	Location:	3620 Cleveland Heights Boulevard
Owner:	Young Men's Christian Association of West Central Florida, Inc		
Applicant:	Shelton Rice, Peterson & Myers, P.A.		
Current Zoning:	PUD (Planned Unit Development)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	February 21, 2023	P&Z Final Decision:	April 18, 2023
Request:	Major modification of PUD (Planned Unit Development) zoning to allow for the construction of a 41,000 sq. ft. field house building, a 4,000 sq. ft. expansion of an existing childcare building, and relocation of existing off-street parking facilities on property located at 3620 Cleveland Heights Boulevard (Lakeland Family YMCA).		

## 1.0 Location Maps





## 2.0 Background

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### 2.1 Summary

Shelton Rice, Peterson & Myers, P.A., requests a major modification of PUD (Planned Unit Development) zoning to allow for the construction of a 41,000 sq. ft. field house building, a 4,000 sq. ft. expansion of an existing childcare building, and relocation of existing off-street parking facilities on property located at 3620 Cleveland Heights Boulevard (Lakeland Family YMCA). A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property, approximately 14.68 acres in area, is located at the northeast corner of Cleveland Heights Boulevard and Westover Street, north of Curtis Peterson Park. The subject property has a future land use designation of Residential Medium (RM) and is zoned PUD (Planned Unit Development) as specified by Attachment “G” of Ordinance 3470, as amended by Ordinance 3945.

Adjacent land uses to the south, consist of a veterinary clinic and outdoor recreational uses associated with the City of Lakeland’s Peterson Park. Adjacent land uses to the west, across Cleveland Heights Boulevard, consist of single-family residential dwellings. To the north, the property is bounded by a city-owned and maintained drainage canal. The canal, which is located within a strip of land 75 feet wide, is heavily wooded and serves as a buffer between the YMCA and adjacent single-family residential uses located to the north in the Raintree Village subdivision. The eastern half of the property, which is heavily wooded, consists of approximately 6.21 acres of jurisdictional wetlands which will not be impacted by the proposed PUD modification.

Last amended in 1998, the current PUD zoning allows for the existing YMCA facility which consists of a 59,941 sq. ft. wellness center, a 5,308 sq. ft. childcare building, associated off-street parking and outdoor recreation facilities.

### 2.3 Project Background

The purpose of this request is to amend the PUD zoning to allow for the construction of a new 41,000 sq. ft. field house and a 4,000 sq. ft. expansion to the existing childcare building as part of a large renovation project which will update both the existing wellness center and childcare facility. To account for the field house addition, existing off-street parking spaces located in the northwest corner of the site adjacent to Cleveland Heights Boulevard will be relocated to the south side of the property along with additional parking adjacent to Westover Street. A revised overall site plan which shows the location of the proposed field house, childcare building expansion, and relocated off-street parking facilities is included as Exhibit “1.”

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	PUD	UNH
South	Office / Recreation	RH	PUD/RA-1	UCO
East	Recreation	RM	RA-3	PCR
West	Single-Family Residential	RH	RA-2	UNH

## 2.5 Attachments

Exhibit A: Legal Description

Exhibit B: Location Map

Exhibit 1: Revised Site Development Plan

Exhibit 2: Previously Approved Ground Sign

Exhibits 3 and 4: Architectural Elevations for Fieldhouse Building

## 3.0 Discussion

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The proposed fieldhouse building, which will house an indoor basketball court and soccer field, will have a maximum height of 36 feet which is consistent with the maximum building height allowed in the adjacent office and residential zoning districts. Architectural elevations, which depict the building height, façade treatment and sign placement for the fieldhouse, are included as Exhibit “3” and will be adopted as part of the binding conditions for approval. The proposed 4,000 sq. ft. expansion of the childcare facility will be located within a portion of the existing building that is currently underroof and functions as an outdoor, open-air pavilion. The finishing materials used will match those of the existing, but the overall footprint and massing of the building which has a maximum height of 36 feet will not change since the expansion will be located entirely under the existing roofline.

A portion of the existing parking lot will be relocated along the southern portion of the site which is currently used for outdoor recreation activities. The redesigned parking area includes a total of 267 parking spaces and relocates an existing driveway connection on Westover Street further east to improve vehicle access and queuing at the intersection of Cleveland Heights Boulevard. Including an additional 18 parking spaces which already exist on site, a total of 285 parking spaces will be provided for YMCA employees and patrons. To preserve existing trees located on the site, an underground stormwater system will be used to account for the additional runoff generated by the fieldhouse building and relocated parking. Since the YMCA will remain open during the construction of the new facilities, these improvements will be completed as part of a phased approach to maintain access for existing users throughout the redevelopment process.

Prior to the February 21, 2023 public hearing, staff received one phone call which expressed concern about the impact of the project on the adjacent drainage canal located to the north, between the YMCA and Raintree Village residential subdivision. As previously stated, the drainage canal is owned and maintained by the City and will not be impacted by the proposed expansion to the YMCA campus. Because the drainage canal serves as a buffer to the adjacent single-family uses to the north, no additional buffering is proposed.

### 3.1 Transportation and Concurrency

The existing YMCA facility has 59,941 sq. ft. of Recreation Community Center space and a 15,308 sq. ft. Day Care Center. The Applicant is requesting an expansion of 41,000 sq. ft. of Recreation Community Center and 4,000 additional sq. ft. of Day Care Center uses. The total at build out would be 116,249 sq. ft. of Recreation Community Center and 19,308 sq. ft. of Day Care Center uses.

The proposed expansion project is expected to generate 1,372 new Daily, 122 new AM Peak Hour (7-9 AM) and 147 new PM Peak Hour (4-6 PM) Trips, using trip generation estimates provided for Land Use Code 495 (Recreational Community Center) and Land Use Code 565 (Day Care Center) as published in the Institute of Transportation Engineers' *Trip Generation Manual 11<sup>th</sup> Edition*. The cumulative trip

generation of the existing facility and proposed expansion will generate an estimated 3,828 Daily, 404 AM Peak, and 467 PM Peak trips. According to the latest Roadway Network Database published by the Polk Transportation Planning Organization (dated 2022), the adjacent segment of Cleveland Heights Boulevard is currently a Level of Service (LOS) C, with an LOS standard of E. The traffic analysis prepared by VHB, Inc. on behalf of the applicant by shows that the project traffic is significant on the segment of Cleveland Heights Boulevard from Westover St. to Hallam Dr., meaning that the project traffic consumes more than five percent of the adopted capacity for that segment of Cleveland Heights Boulevard. The traffic analysis does not show that the additional traffic will cause this section of Cleveland Heights Boulevard to operate at a failing level of service.

With the proposed expansion project, the existing exit-only access onto Cleveland Heights Boulevard will be removed, with the existing western driveway on Westover Street being shifted east to provide greater separation from the Cleveland Heights/Westover intersection and to enhance on-site circulation. All access to the site will be from a full access driveway on Westover Street. Since access will be restricted to Westover Street once the expansion plan is completed, City staff focused on the operations of the Cleveland Heights/Westover intersection. The applicant's analysis shows that project traffic will impact the southbound left turn lane on Cleveland Heights Boulevard, causing volumes to slightly exceed the existing turn lane length at this location. The applicant's representatives and City staff conducted a field meeting on March 4, 2023, to view actual traffic conditions at this intersection between 4:30 P.M. and 5:30 P.M., noting six occasions when vehicles filled the turn lane and on another five occasions, turning traffic extended into the southbound through lane on Cleveland Heights Boulevard. Staff recommends that this southbound left turn lane at Cleveland Heights Boulevard and Westover Street be lengthened to a sufficient length to accommodate future left turn queuing. To minimize impacts to an existing residential driveway on the west side of Cleveland Heights Boulevard north of this intersection, staff recommends a turn lane extension of approximately 40 feet, with final length being determined at the time of permitting. To better serve Peterson Park patrons, the City has offered to fund the extension of this turn lane with the responsibility for the construction of this improvement being determined based on cost and impact to the traveling public.

The YMCA site is adjacent to the Three Parks Trail West project area, which is scheduled for construction later in 2023. Three Parks Trail is an approximately 3.5-mile loop that connects Woodlake Park, The Heights Golf Course, Publix Charities (Common Ground) Park, Dog Leg Woods Park and of course, the YMCA. The site is also located near Carlton Palmore Elementary School. The applicant's traffic study counted seventeen (17) pedestrians in the AM peak hour and sixteen (16) pedestrians in the PM peak hour crossing the intersection at Cleveland Heights Boulevard and Westover Street. The recreational land use located to the southeast (Peterson Park) attracts both pedestrians and bicycle riders, many of them under 18. Therefore, staff recommends that additional lighting be provided for the Cleveland Heights Boulevard and Westover Street intersection and that the crosswalks on all four approaches have a high emphasis design. The City will incorporate these improvements into future resurfacing and safety improvements at this location. Internal pedestrian routes which connect to the local sidewalk network and bicycle parking will also be required in accordance with the Land Development Code.

The site is located within the Central City Transit Supportive Area as defined in the Comprehensive Plan. However, fixed-route transit service does not currently operate on Cleveland Heights Boulevard. Therefore, the recommended conditions do not address transit facilities.

### **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

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### 4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends approval of the major modification of the PUD zoning. Letters of notification were mailed to one hundred and nine (109) property owners within 500 feet of the subject property and no objections were received aside from a question pertaining to drainage as noted above.

### 4.2 The Planning & Zoning Board

It is recommended that the request for a major modification of PUD zoning, as described above and in Exhibits "A," and "B," "1," "2," "3," and "4," be approved, subject to the following amended conditions:

*Attachment "G" of Ordinance 3470, as reamended.*

- A. Land Use Intensity: PUD-30.
- B. Permitted Uses: Indoor and outdoor recreational uses operated in conjunction with the YMCA.
- ~~C. Minimum Building Setbacks: Building construction shall be limited to the north two hundred eighty three (283) feet of the subject property. The south three hundred (300) feet of the subject property shall be utilized for various sports activities such as ball diamonds, ballfields and other outdoor recreational activities. No building construction shall be permitted on this southern portion of the property. The minimum setback for the main structure shall be one hundred forty five (145) feet from the east right of way line of Cleveland Heights Boulevard.~~
- C. Minimum Building Setbacks: Minimum building setbacks shall be as shown on the revised site development plan, Exhibit "1."
- ~~D. Access: The main point of access to this property shall be from Westover Street the entrance road to Curtis Peterson Park. One point of access shall be permitted to Cleveland Heights Boulevard along the northern property line, which may be used for egress only.~~
- ~~E. Landscaped Buffer: An earthen berm shall be constructed at the perimeter of the parking area on the west, north and south. Landscaping and buffering shall be in accordance with Sub-Section 4.5 of the Land Development Code.~~
- F. Signage: A double-faced, prime identification sign may be located at the northeast corner of Cleveland heights Boulevard and the entrance road to Curtis Peterson Park in accordance with the attached sign site plan and proposed sign drawing, Exhibit "2," subject to a maximum sign area of seventy-two (72) square feet per sign face.
- G. The site shall be developed in accordance with the site development plan submitted with the application, a copy of which is included as Exhibit 1. With the approval of the Director of Community & Economic Development, minor changes may be made at the time of site plan review without requiring a modification to the PUD.

H. Architectural Elevations: The fieldhouse building located adjacent to Cleveland Heights Blvd shall be developed as follows:

1. Maximum Building Height shall not exceed 36';
2. The building shall be designed and constructed substantially in accordance with the elevations included Exhibits "3" and "4."; and
3. Both the fieldhouse building and childcare facility expansion shall not be subject to the Ground Floor Building Transparency requirements in Section 3.4.7.4 (b) of the Land Development Code. With the approval of the Director of Community & Economic Development, minor changes may be made at the time of building permit review without requiring a modification to the PUD.

I. Transportation Improvements:

1. With City funding, the southbound left turn lane at Cleveland Heights Boulevard and Westover Street shall be lengthened to accommodate future left turn vehicle queuing. To minimize impacts on an existing residential driveway located on the west side of Cleveland Heights Boulevard, north of the intersection, the turn lane is expected to be extended for an approximate length of 40 feet. During site plan review, the City and applicant shall determine who will perform this work based on factors such as cost and impact to the traveling public.
2. Internal ADA-compliant pedestrian routes shall be provided which connect to the local sidewalk network.
3. Bicycle parking shall be provided in accordance with Section 4.11.6 of the Land Development Code and Index 900 of the Public Works Engineering Standards Manual.
4. At the time of site plan review, the new driveway connection to Westover Street shall be designed to ensure adequate throat length in compliance with the Land Development Code

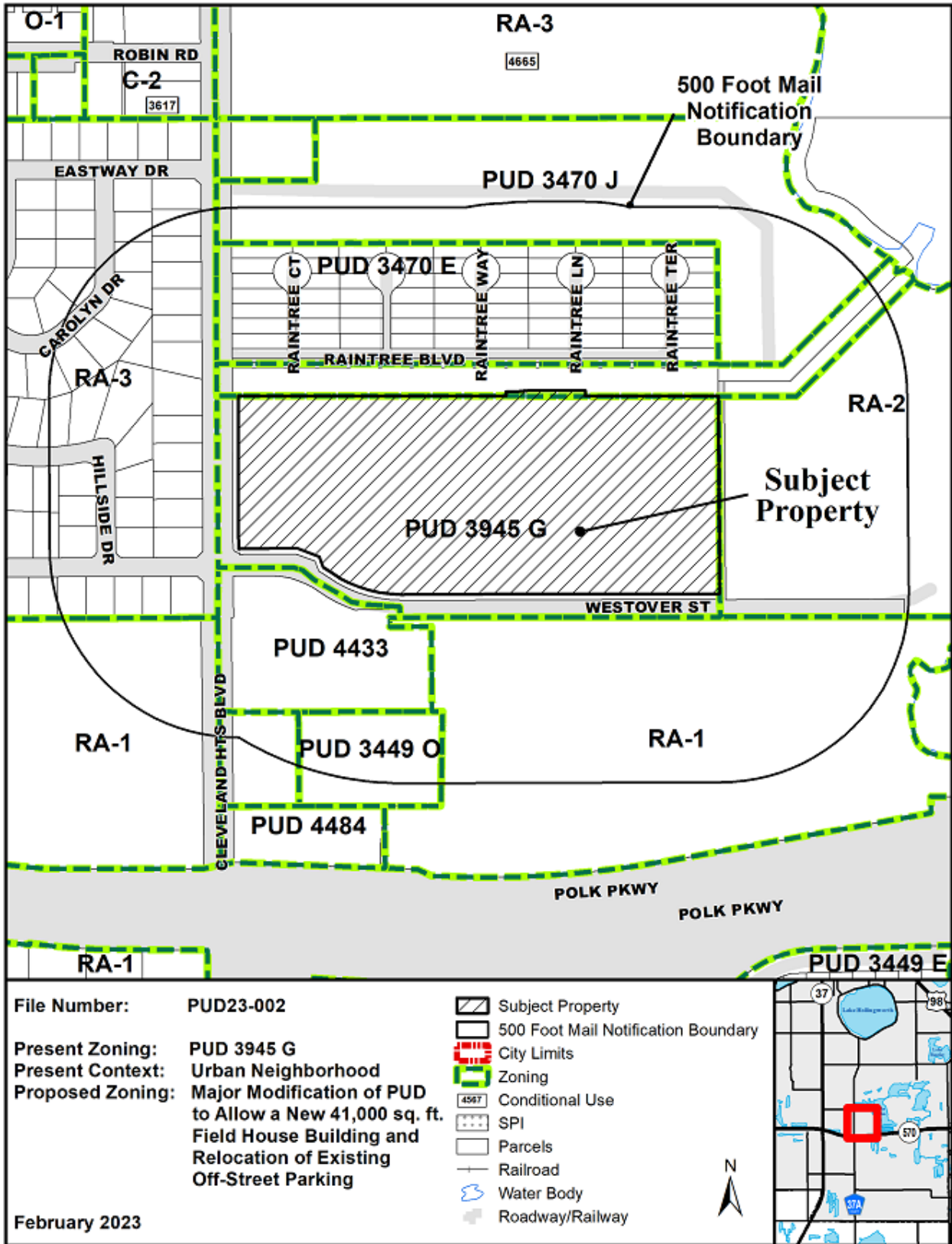
EXHIBIT "A"

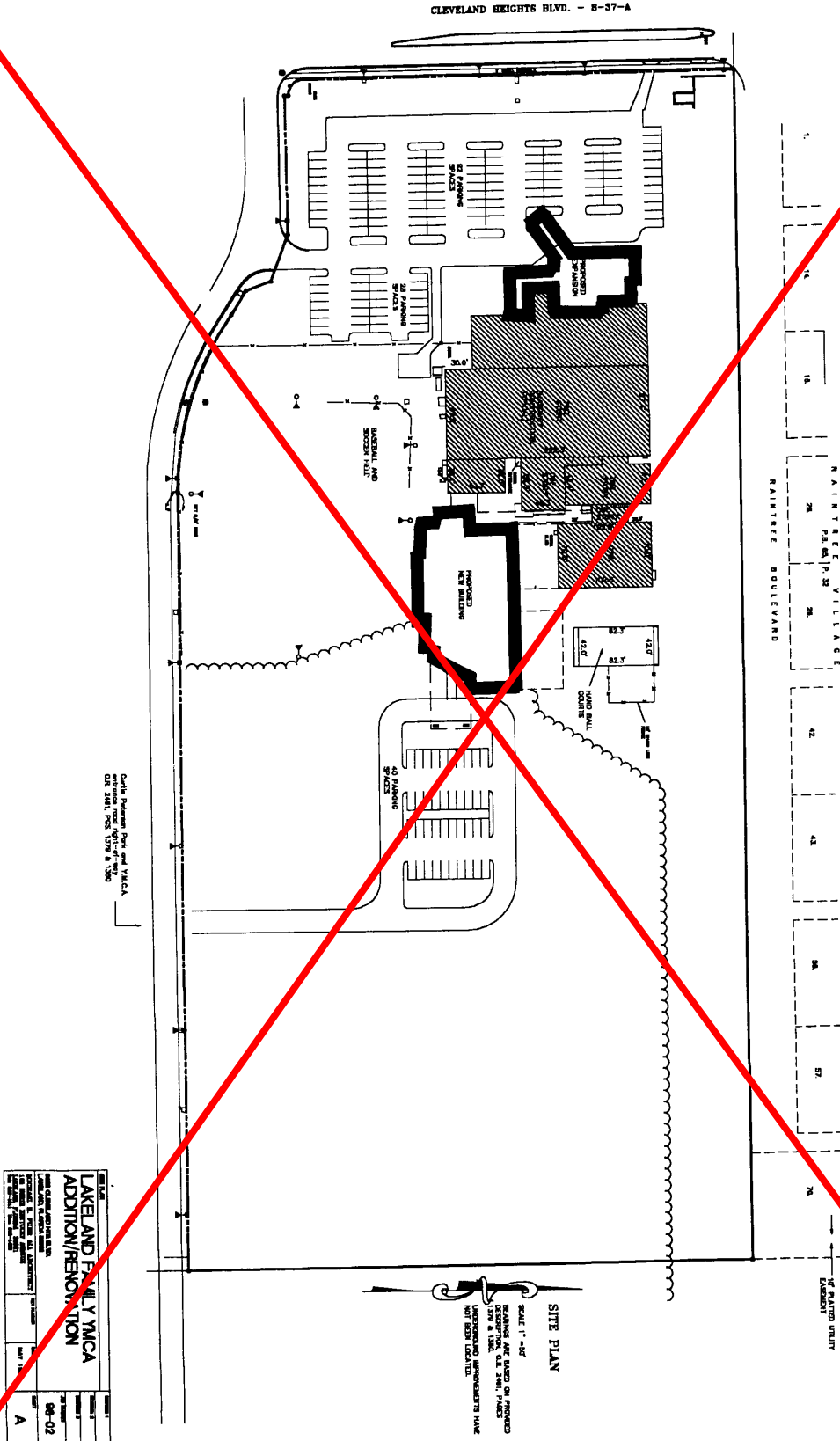
**LEGAL DESCRIPTION:**

LOTS 61 AND 62, FARMING & TRUCKING LANDS OF W.F. HALLAM & CO'S LAKE LAND  
HIGHLANDS, IN SECTION 31, TOWNSHIP 28 SOUTH, RANGE 24 EAST, AS RECORDED IN PLAT  
BOOK 1, PAGE 101, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, THE SAME BEING  
EQUIVALENT TO THE SOUTH HALF (S - 1/2) OF THE SOUTHWEST QUARTER (SW - 1/4) OF  
THE SOUTHEAST QUARTER (SE - 1/4) OF SAID SECTION, TOWNSHIP AND RANGE, LESS  
ROAD RIGHT-OF-WAY, LESS AND EXCEPT THAT PORTION CONVEYED BY DEEDS  
RECORDED IN OFFICIAL RECORDS BOOK 2453, PAGE 1204, AND CORRECTED IN OFFICIAL  
RECORDS BOOK 2491, PAGE 1379 AND OFFICIAL RECORDS BOOK 2453, PAGE 1206, AND  
CORRECTED IN OFFICIAL RECORDS BOOK 2491, PAGE 1381 AND OFFICIAL RECORDS  
BOOK 10092, PAGE 75, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

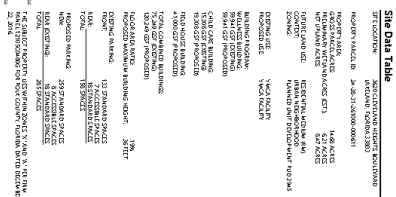
ALSO LESS AND EXCEPT THAT PORTION OF SAID LOT 61, DESCRIBED AS PARCEL 4 AND  
PARCEL 5, OFFICIAL RECORDS BOOK 292, PGS 832-835, PUBLIC RECORDS OF POLK COUNTY,  
FLORIDA.

## EXHIBIT "B"

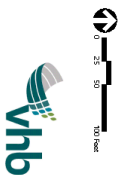




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City of Cambridge  
Date: March 15, 2023

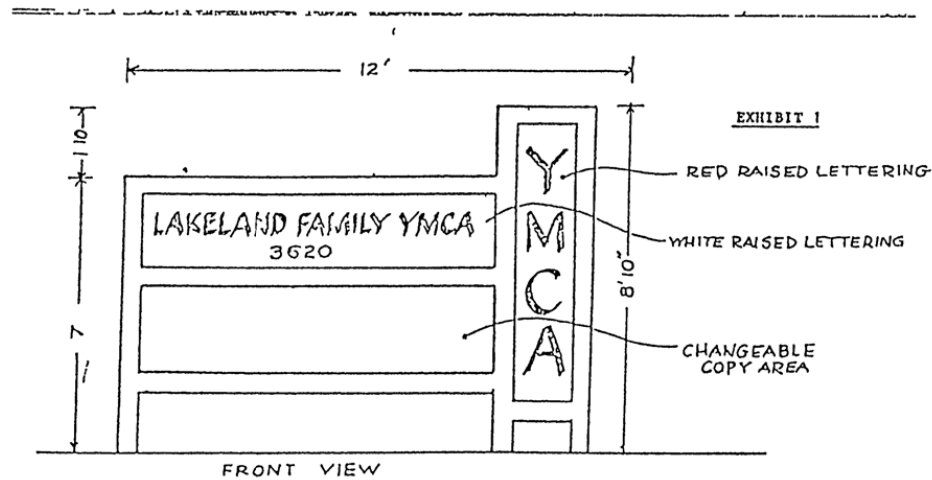
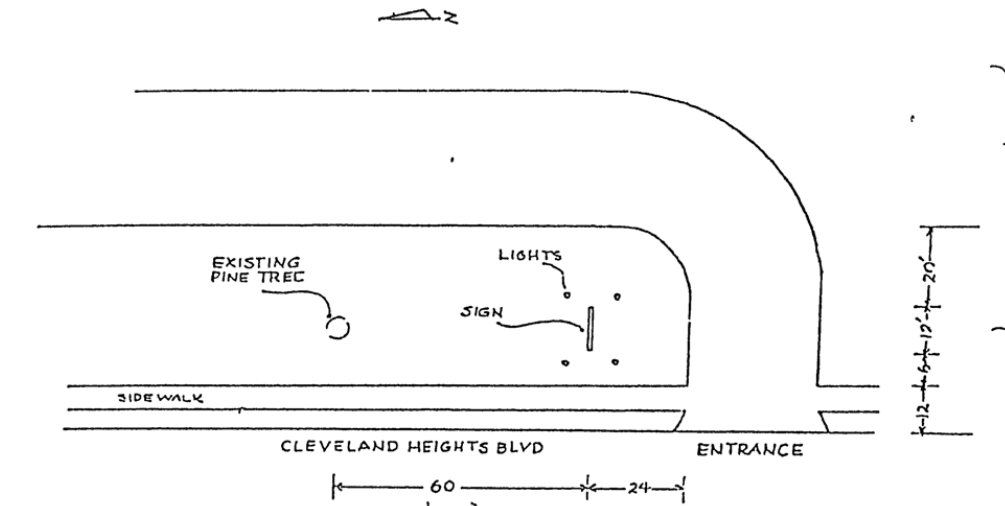
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# EXHIBIT "2"

## SITE PLAN - SIGN

LAKELAND FAMILY YMCA  
January 17 1984

EXHIBIT 2



ROUGH CUT CEDAR CONSTRUCTION  
CHANGEABLE  
SITE AREA ATTRACTIVELY LANDSCAPED  
LIGHTING 4 FLOOD LAMPS PLACED AT EACH CORNER - 4'-6" FROM SIGN

## PROPOSED SIGN

LAKELAND FAMILY YMCA

January 17, 1984

EXHIBIT "3"

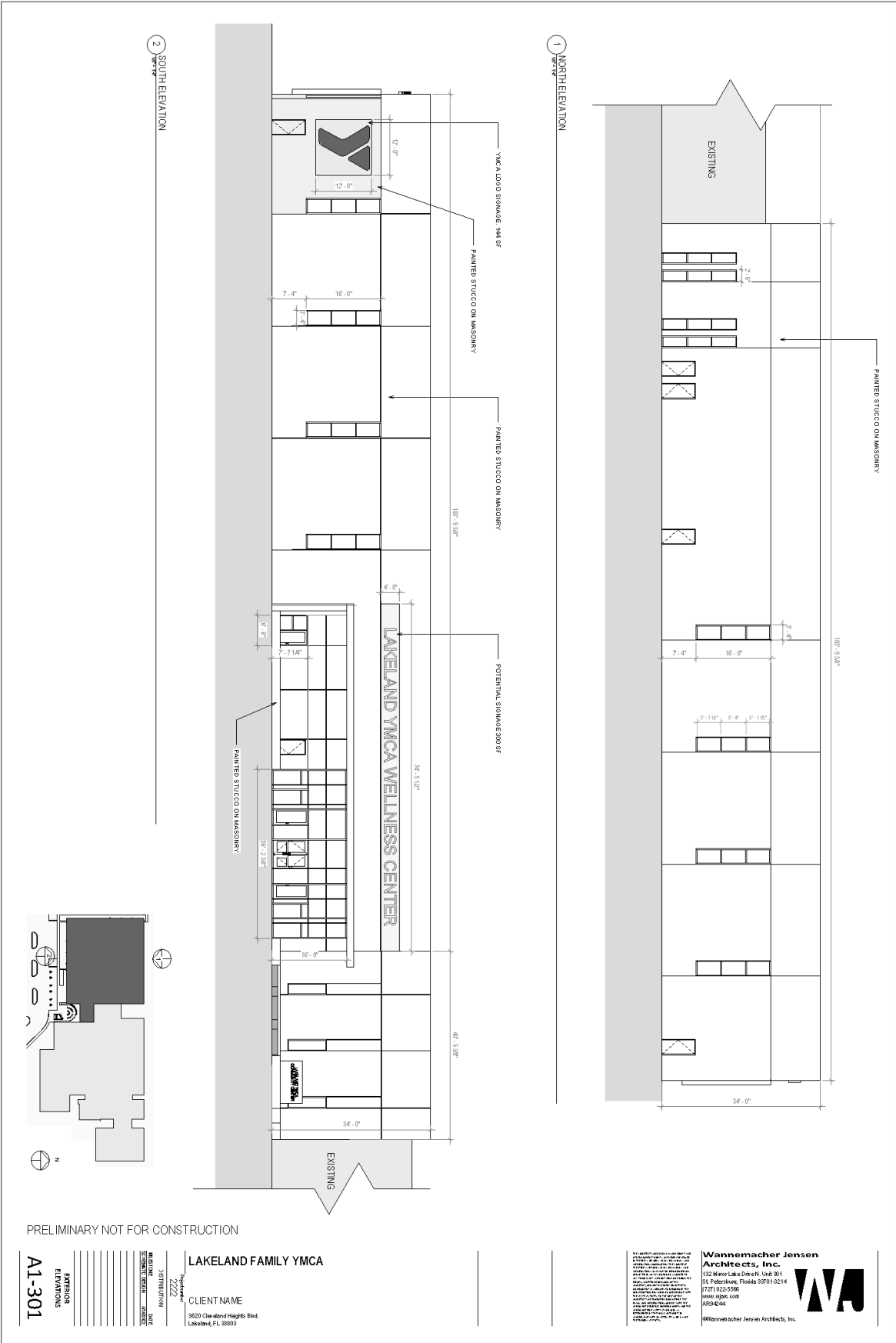
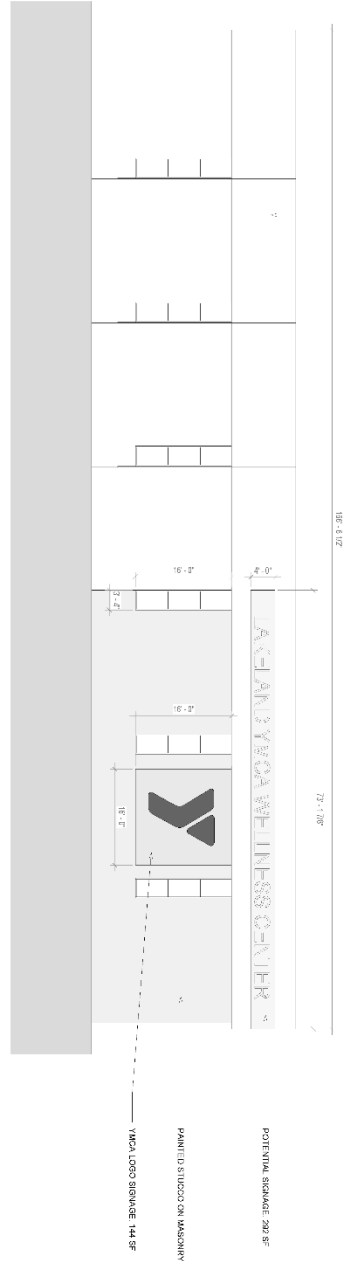
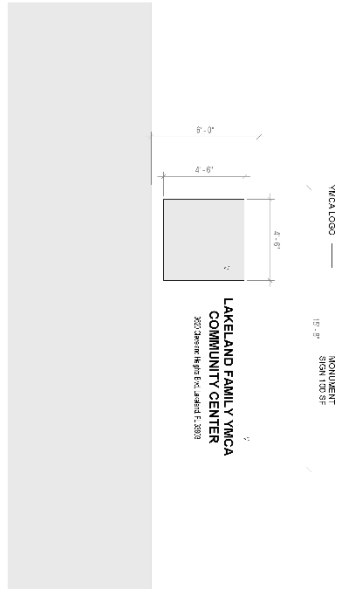


EXHIBIT "4"

1 WEST ELEVATION



2 MONUMENT SIGN - WEST ELEVATION



PRELIMINARY NOT FOR CONSTRUCTION

A1-302

EXTERIOR  
ELEVATIONS

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©Wannemacher Jensen Architects, Inc.

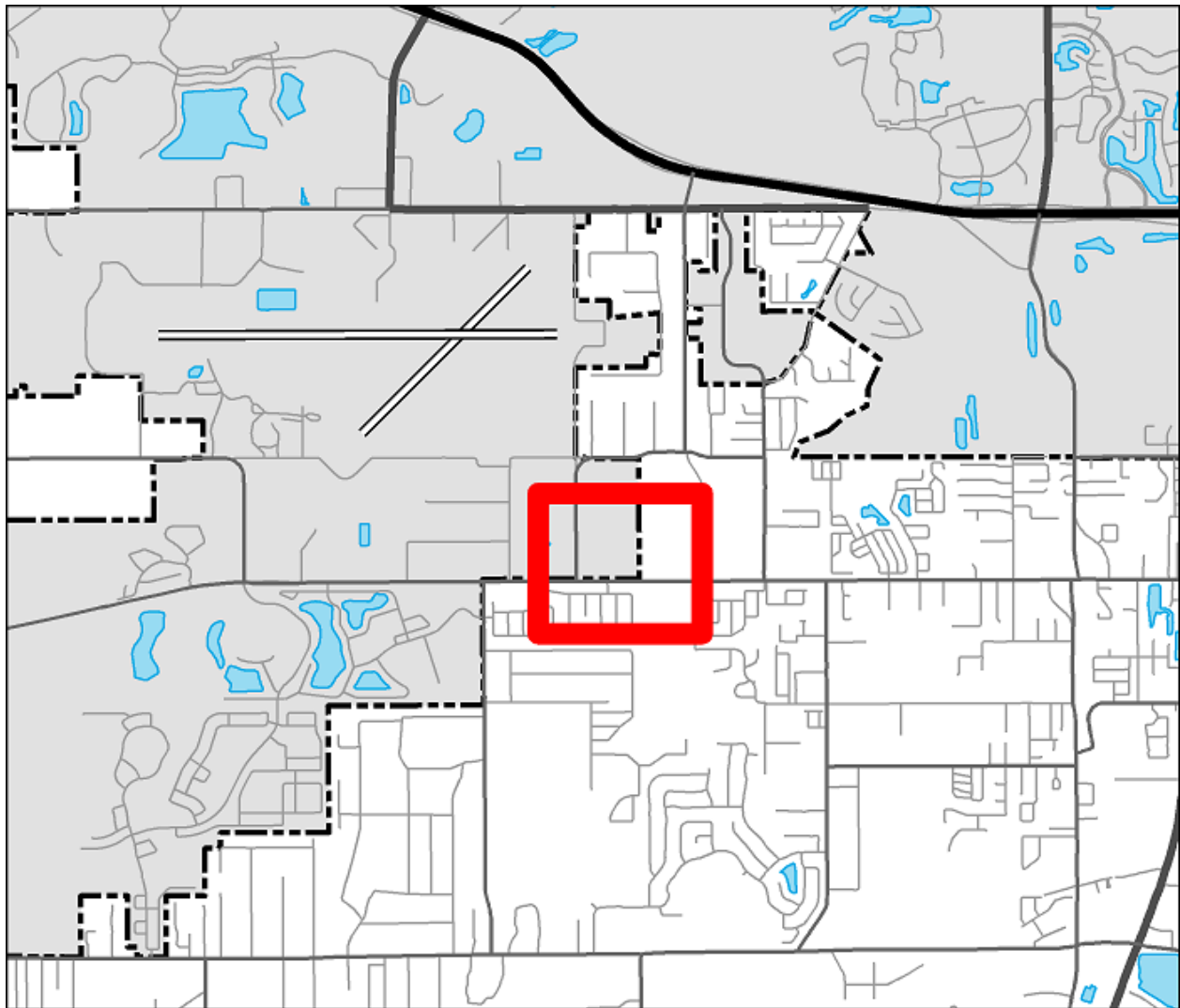


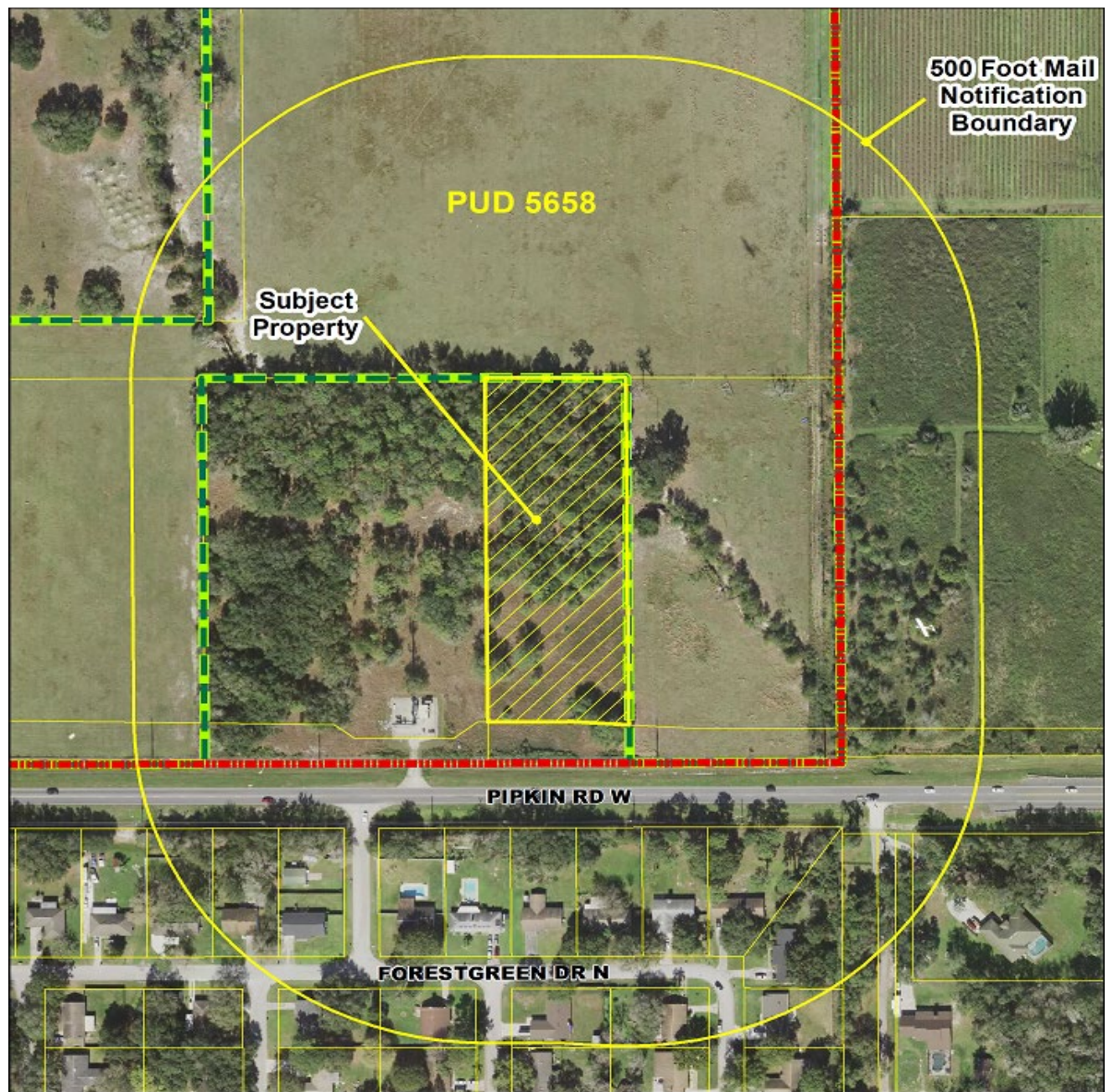


# Community & Economic Development Staff Recommendation

Date:	April 18, 2023	Reviewer:	Todd Vargo
Project No:	PUD22-025	Location:	2815 W Pipkin Road
Owners:	Khodabhai and Kashiben Patel		
Applicant:	JSK Consulting		
Current Zoning:	None	Future Land Use:	BP (Business Park)
Context District:	Suburban Special Purpose (SSP)		
P&Z Hearing:	March 21, 2023	P&Z Final Decision:	April 18, 2023
Request:	Application of PUD (Planned Unit Development) zoning to allow for the development of 19,600 sq. ft. of professional office, office-type research and development, warehouse/storage and limited industrial service/wholesale trade uses on property located at 2815 W. Pipkin Road.		

## 1.0 Location Maps





## 2.0 Background

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### 2.1 Summary

JSK Consulting, on behalf of Khodabhai and Kashiben Patel, requests the application of PUD (Planned Unit Development) zoning to allow for the development of 19,600 sq. ft. of professional office, office-type research and development, warehouse/storage and limited industrial service/wholesale trade uses on property located at 2815 W. Pipkin Road. A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property, approximately 2.46 acres in area, is currently undeveloped. The subject property was annexed into the City in 2008 as part of a larger 159-acre annexation initiative and in 2010 was assigned a Business Park (BP) future land use designation. Zoning, however, was not assigned at that time. To the north and the east, the subject property abuts a larger tract of land with PUD zoning that was approved in 2017 (Ordinance 5658) and allows a business park with limited commercial, office and light industrial uses. The adjacent property to the west remains without zoning but is currently developed with a personal wireless service facility (cell tower). Adjacent land use to the south, across W. Pipkin Road, consists of single-family residential uses located within unincorporated Polk County (Forestgreen subdivision).

### 2.3 Project Background

The purpose of this request is to obtain PUD zoning approval to allow for the development of two 9,800 sq. ft. buildings to be used for professional office, office-type research and development, warehousing/storage and limited industrial service/wholesale trade type uses. An overall site development plan which shows the footprints of proposed buildings, off-street parking areas, internal driveways, stub-outs to adjacent properties and stormwater retention is included as Attachment “C.”

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Vacant, Undeveloped Land	BP	PUD5658	SSP
South	Single-Family Residential	County	County	County
East	Vacant, Undeveloped Land	BP	PUD5658	SSP
West	Personal Wireless Services Facility	BP	None	SSP

### 2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

## 3.0 Discussion

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The proposed development is located southeast of Lakeland Linder International Airport along W. Pipkin Road which serves as major east-west corridor between S. Florida Avenue and County Line Road. The applicant's plans call for two office/warehouse buildings, each approximately 9,800 square feet in size. In accordance with the City's Comprehensive Plan, the area located south and east of Old Medulla Road and north of W. Pipkin Road has been identified for the future development of business park uses in support of the airport. The proposed uses are similar to those found in Parkway Corporate Center, a light industrial/office park located east of the airport along S. Pipkin Road. High traffic generating uses such as retail will not be permitted under the proposed conditions. Development will be in accordance with the I-1/Suburban Special Purpose context sub-district and any new development will be required to meet the design standards for principal buildings specified by 3.4.7 of the Land Development Code.

### 3.1 Transportation and Concurrency

The subject property is located along the north side of W. Pipkin Road, within the Urban Development Area as designated in the Comprehensive Plan. The W. Pipkin Road corridor is operated by Polk County and classified in the City Land Development Code as an arterial roadway due to its designation as 'Type I' roadway; a roadway of particular significance for freight movement and high capacity connectivity to the urban core. According to the 2022 Polk County Roadway Network Database (dated April 8, 2022), W. Pipkin Road between Medulla Road and S. Pipkin Road has an Annual Average Daily Traffic Volume of 10,400 vehicles, with a two-hour average P.M. Peak Period volume of 378 vehicles in the eastbound direction and 363 vehicles in the westbound direction. This segment of W. Pipkin Road is currently operating at a level-of-service of "C" but is expected to experience a significant increase in traffic due to the residential and employment growth that is occurring within the surrounding area. Polk County is currently widening W. Pipkin Road to four lanes between Medulla Road and Harden Boulevard and is widening the road to three-lanes between Harden Boulevard and State Road 37/S. Florida Avenue. Adjacent to the subject property, W. Pipkin Road will have sidewalks and bicycle lanes on both sides of the roadway. Construction of these improvements is expected to conclude in Year 2024.

The closest transit route that is operated by the Lakeland Area Mass Transit District (LAMTD, Citrus Connection) is the Coral Line, approximately .65 miles to the west and north. Prior to site plan approval, a LAMTD annexation petition shall be submitted to its Board of Directors for consideration. If approved, this property would be subject to the half-mill ad valorem tax levied for transit services in the Lakeland area.

At buildout, the two proposed buildings (total of 19,600 square feet) is expected to generate approximately 124 Daily, 17 A.M. Peak Hour (of Adjacent Street Traffic, 7 A.M. to 9 A.M.) and 13 P.M. Peak Hour (of Adjacent Street Traffic, 4 P.M. to 6 P.M.) trips, using data published in the Institute of Transportation Engineers' Trip Generation Manual (11th Edition) for Land Use Code 110 (General Light Industrial).

### 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 as conditioned is consistent with the Comprehensive Plan.

## 4.0 Recommendation

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### 4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends the approval of the major modification to PUD zoning. Letters of notification were mailed to twenty-five (25) property owners within 500 feet of the subject property and no objections were received.

### 4.2 The Planning & Zoning Board

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

A. Permitted Uses:

- Office Uses, Non-Medical
- Office-Type Research and Development
- Warehousing and Motor Freight Transportation Uses, Level I
- Industrial service uses, Level I, but not automobile towing services
- Wholesale trade uses, Level I

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

C. Development Standards: In accordance with I-1/Suburban Special Purpose context sub-district standards.

D. Outdoor Lighting: In accordance with Section 4.6 of the Land Development Code.

E. Transportation:

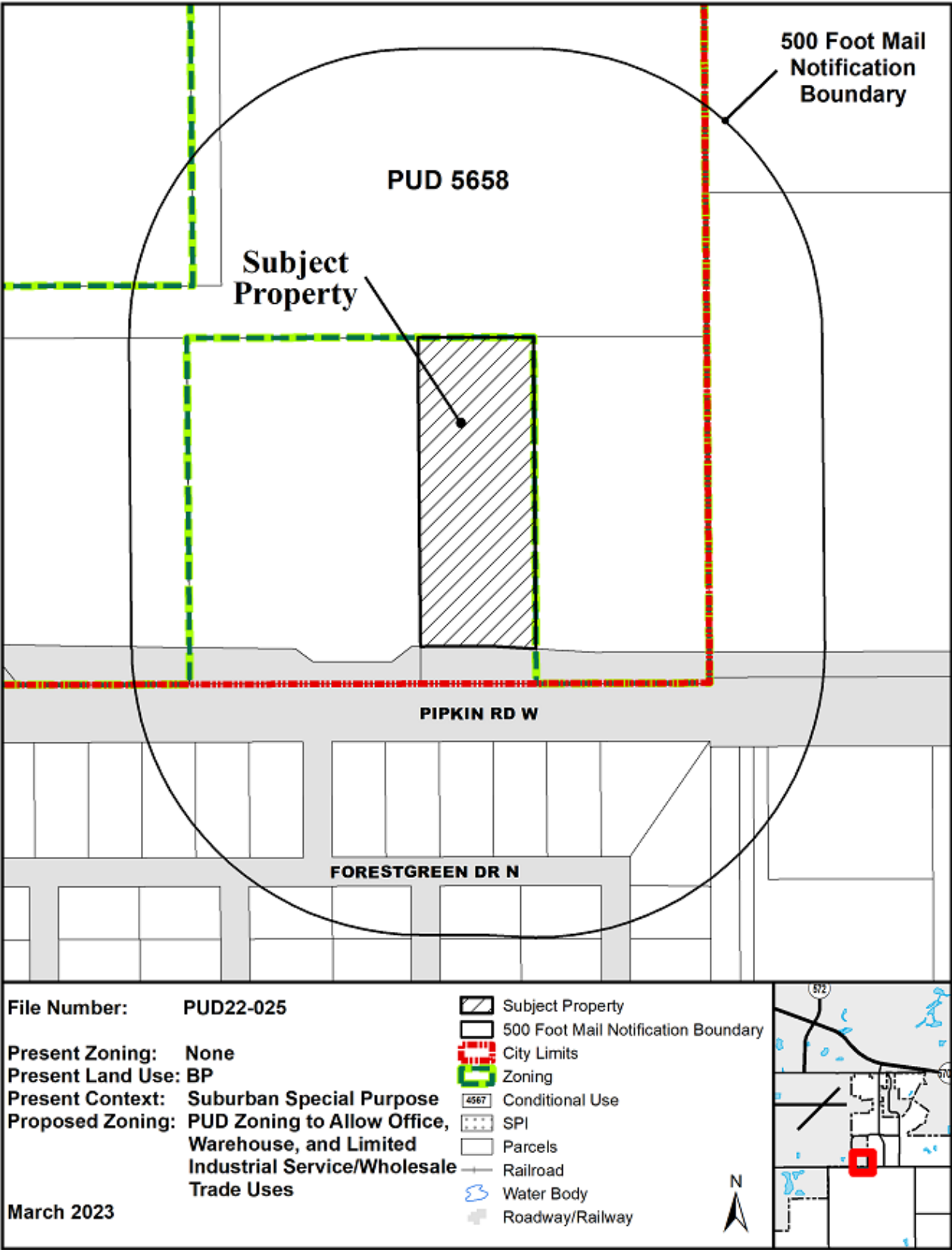
1. Binding Concurrency Determinations shall be made at the time of each commercial site plan approval.
2. An ADA-compliant pedestrian network is required between each building on-site and an ADA-compliant pedestrian route is required between the new West Pipkin Road sidewalk and principal building entrance(s).
3. West Pipkin Road is a designated Type 1 roadway per the City Land Development Code, therefore, cross-connectivity with adjacent properties is required. Cross-access easement agreements shall be recorded with the Polk County Clerk of Courts.
4. The West Pipkin Road driveway throat length shall comply with Section 4.2.5.2 (Throat Length) of the City Land Development Code.
5. 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.
6. Prior to first site plan submittal, a Lakeland Area Mass Transit District (LAMTD) annexation petition shall be submitted to its Board of Directors for consideration.
7. Project shall comply with all Polk County permitting requirements.

ATTACHMENT "A"

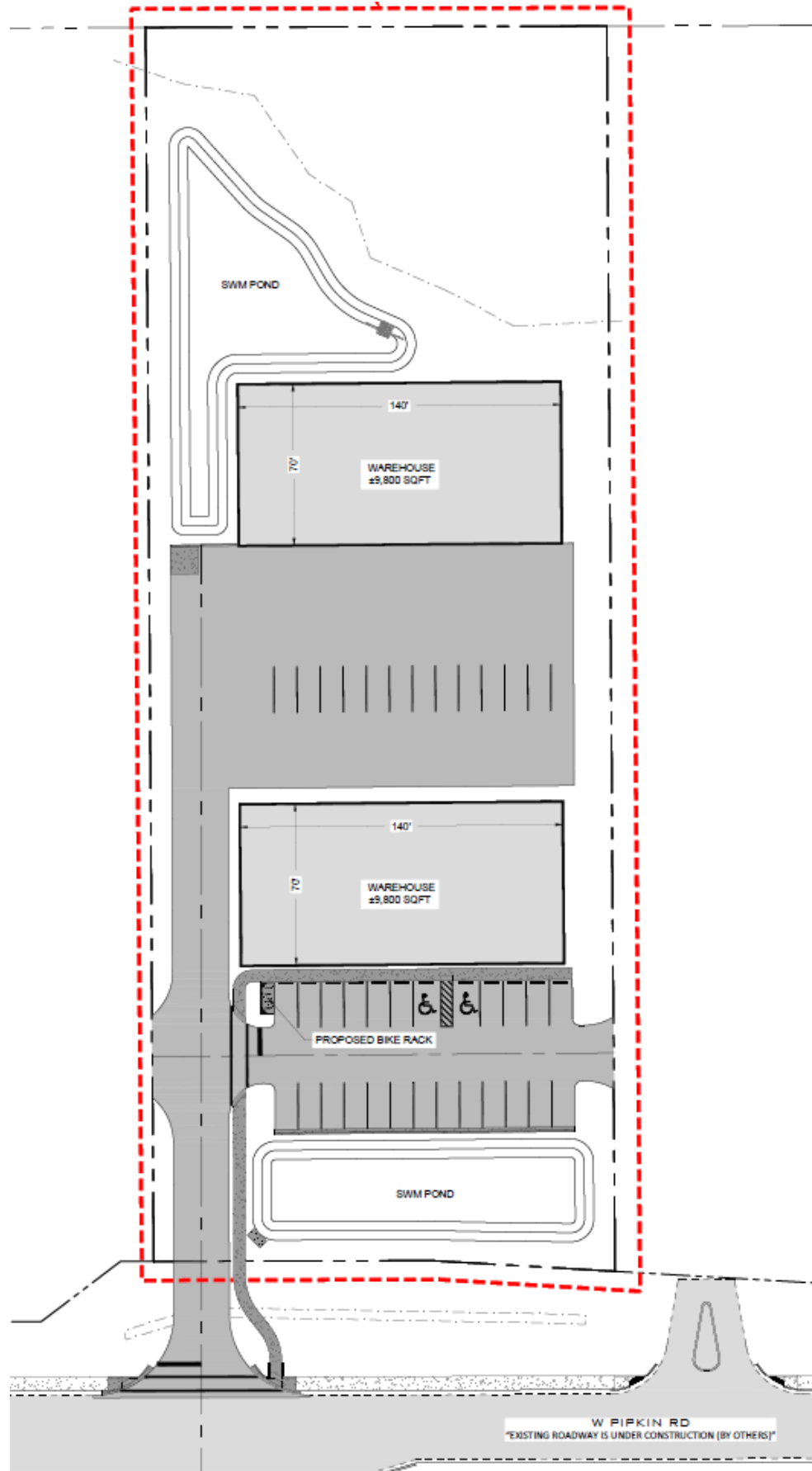
**Legal Description:**

The South 650.00 feet of the West 200.00 feet of the East 500.00 feet of the West 1/2 of the Northwest 1/4 of Section 10, Township 29 South, Range 23 East, Polk County, Florida, Less Right of Way for West Pipkin Road.

ATTACHMENT "B"



ATTACHMENT "C"

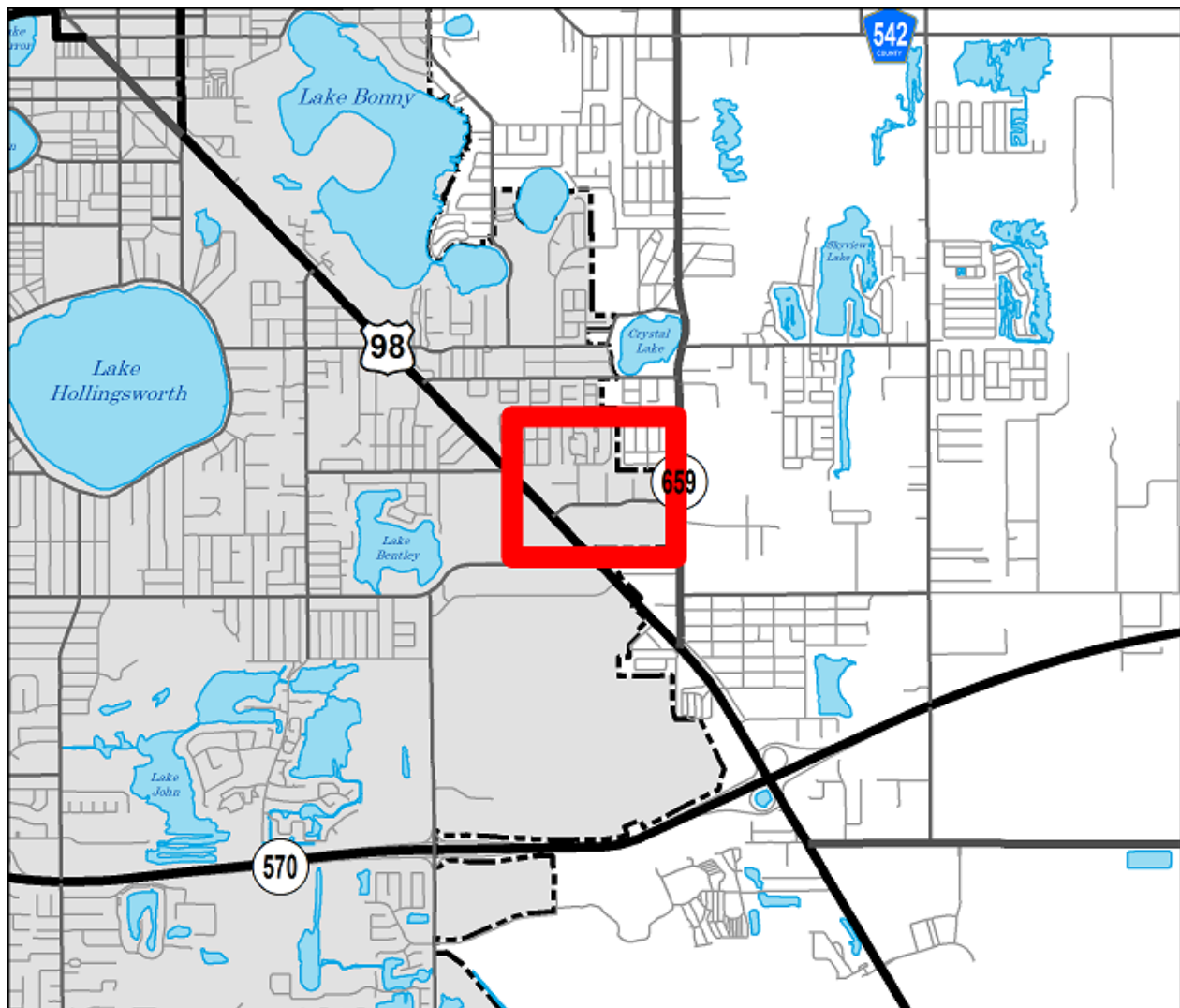


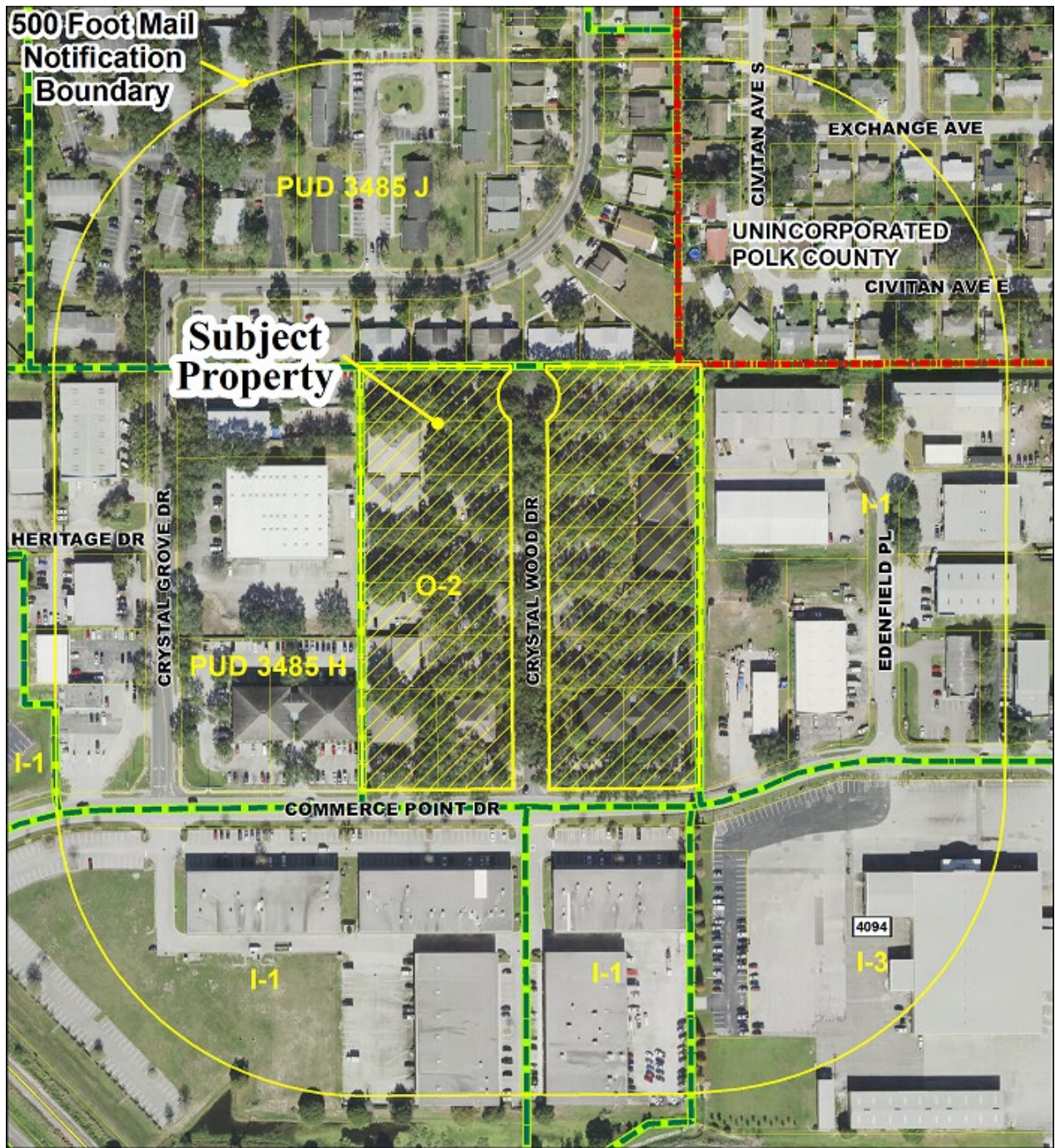


# Community & Economic Development Staff Recommendation

Date:	April 18, 2023	Reviewer:	Phillip Searce
Project No:	PUD23-001	Location:	2330 Commerce Point Drive
Owners:	Tymar Capital LLC, Tinsley Family Properties LLC, and Practice Building LLC		
Applicant:	James Edwards		
Current Zoning:	O-2 (Limited Impact Office)	Future Land Use:	Business Park (BP)
Context District:	Urban Corridor (UCO)		
P&Z Hearing:	March 21, 2023	P&Z Final Decision:	April 18, 2023
Request:	A change in zoning from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow for professional office and limited office support retail and personal services uses on property located at 2330 Commerce Point Drive.		

## 1.0 Location Maps





## 2.0 Background

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### 2.1 Summary

James Edwards, on behalf of the property owners, requests a change in zoning from O-2 (Limited Impact Office) to PUD (Planned Unit Development) to allow for professional office and limited office support retail and personal services uses on property located at 2330 Commerce Point Drive. A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property consists of the Tall Oaks Business Park, an 8.78-acre office park which was developed in the early 1990s. According to the Polk County Property Appraiser the subject property is currently improved with eight (8) buildings with a total floor area of 78,931 sq. ft. Until recently, most of the office space within Tall Oaks was occupied by Summit Consulting, a provider of workers' compensation insurance products, which recently relocated to a new office building in downtown Lakeland. With the departure of Summit Consulting, the office park has had difficulty attracting new office tenants in the post-COVID-19 economic climate. The subject property has a future land use designation of Business Park (BP) and is within the Urban Corridor (UCO) context sub-district.

### 2.3 Project Background

The purpose of this request is to obtain PUD zoning which will allow for limited office support retail and personal services uses, in addition to current office entitlements, to provide more flexibility when leasing. No new development is proposed at this time. A site plan which depicts existing building footprints, off-street parking areas and internal driveways is included as Attachment “C”.

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Multi-Family Residential	RM	PUD	UNH
South	Office / Industrial	BP	I-1	UCO
East	Industrial	BP	I-1	UCO
West	Office / Industrial	BP	PUD	UCO

### 2.5 Attachments

Attachment A: Legal Description

Attachment B: Location Map

Attachment C: Existing Site Development Plan

## 3.0 Discussion

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While the COVID-19 pandemic has largely subsided, vacancy rates for office buildings throughout the country are at record levels due to the work-from-home trend which began early in the pandemic. Many companies have been slow to return to the traditional office environment with tenants either not renewing their leases and going fully remote or opting for a hybrid approach in which they renew their lease but for less space. The proposed PUD zoning is intended to afford the business park flexibility through the addition of limited office support retail and personal services uses to the current office entitlements and to increase its economic viability.

Proposed retail uses include business equipment and computer stores, drug stores and pharmacies, office furniture and office supply stores, sandwich shops and snack bars. Proposed personal services include barber shops, hair salons and day spas, business service centers, including pack and ship stores, delivery services, exercise, fitness and martial arts studios, music and dance studios, photocopying, offset printing and similar reproduction services, tailor and dressmaker shops, tax return preparation services, travel agencies, veterinary clinics and hospitals, but not kennels, and other uses whose operating characteristics are similar to the above and deemed compatible with surrounding land uses. In addition, Community Facilities uses such as churches, day care centers, schools, and vocational training will also be permitted by right. Except for schools which are only allowed through a conditional use, all of these uses are currently permitted by right under the O-2 zoning.

The adopted site plan reflects existing site conditions, and no enhancements will be required since the existing facilities are code compliant. While no new development is planned at this time, any future expansion of the office park will require a modification of the PUD.

### 3.1 Transportation and Concurrency

The subject property is located at 2330 Commerce Point Drive, approximately 1,200' east of US 98/State Road 35/Bartow Road within the Central City Transit Supportive Area as designated in the Comprehensive Plan. The property is bisected by Crystal Wood Drive, a private road that dead ends on the subject property, which serves as the access point onto Commerce Point Drive. Commerce Point Drive is an east/west Urban Collector roadway maintained by the City of Lakeland that connects to US 98/State Road 35/Bartow Road at its west terminus and State Road 659/South Combee Road on the east terminus.

The Polk County 2022 Roadway Network Database (dated April 8, 2022) reports Commerce Point Drive with a Level of Service (LOS) standard of E. Currently this roadway operates at a LOS of C. Commerce Point Drive had a Year 2021 Annual Average Daily Traffic (AADT) volume of 9,600 vehicles, and a two-hour average volume during the P.M. Peak of 335 eastbound vehicles and 349 westbound vehicles. These counts were likely taken prior to Summit Insurance's relocation to Downtown Lakeland in 2022. The Lakeland Area Mass Transit District's Green Line provides hourly westbound transit service to the site along Commerce Point Drive.

Sidewalks currently exist along both sides of Crystal Woods Drive and along the north side of Commerce Point Drive. Sidewalks do not currently exist immediately north or south of Commerce Point Drive along US 98/State Road 35/Bartow Road; however, capacity and operational improvements are planned that would add sidewalks to the west side of the roadway. Construction is not currently programmed in the Florida Department of Transportation's (FDOT) Five-Year Work Program. Likewise, FDOT is currently designing a "complete street" project along State Road 659/South Combee Road that will include sidewalks, turn lane improvements and roundabouts at Maine Avenue and Skyview Drive; however, construction of this project is also not currently funded in the FDOT Work Program.

The requested PUD zoning allows for the current professional office uses and includes limited support retail and personal services. There are no additional changes to the size of the existing buildings, access to and from the site, and the modification of allowable uses will not significantly change the expected number of trips already attributed to the site. Therefore, no additional impact to the transportation network is expected.

### **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 and are not expected to be impacted by the proposed PUD zoning. Other essential services are presently available to provide concurrency for the proposed use.

## **4.0 Recommendation**

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### **4.1 Community and Economic Development Staff**

The Community and Economic Development Department reviewed this request and recommends the change in zoning from O-2 to PUD. Letters of notification were mailed to sixty-three (63) property owners within 500 feet of the subject property and no objections were received.

### **4.2 The Planning & Zoning Board**

It is recommended that the request for a change in zoning from O-2 to PUD, as described above and in Attachments "A," "B" and "C" be approved, subject to the following amended conditions:

A. Permitted Uses:

**Office Uses**

Office Uses, Medical  
Office Uses, Non-Medical  
Office Uses, Research & Development

**Office-Support Retail Uses**

Business development and computer stores  
Drug stores and pharmacies  
Office furniture and office supply stores  
Sandwich shops and snack bars

**Personal Service Uses**

Barber shops, hair salons and day spas  
Business service centers, including pack and ship stores  
Delivery services  
Exercise, fitness and martial arts studios  
Music and dance studios  
Photocopying, offset printing and similar reproduction services  
Tailor and dressmaker shops  
Tax return preparation services  
Travel agencies  
Veterinary clinics and hospitals, but not kennels

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

**Community Facilities**

Churches, synagogues and other houses of worship

Adult day care centers

Child day care centers

Vocational training for activities permitted in the district where located

Schools

Healthcare and social services

Blood banks and plasma collection facilities

**Infrastructure & Transportation**

Communication studios

Utility and essential services facilities, Level 1

- B. Site Development Plan: The site shall be maintained in substantial accordance with the site development plan included as Attachment "C". Any future expansion of the office park shall require a modification to the PUD zoning.
- C. Development Standards: In accordance with the O-2/Urban Corridor context sub-district standards.
- D. Landscaping and Buffering: Landscaping and buffering shall be maintained in accordance with Section 4.5 of the Land Development Code.
- E. Change of Use: For existing tenant spaces, a change in use from the current/most recent use to a different use may necessitate a Change in Occupancy Group review. Such a review may require certain improvements to the property and the need for additional reviews and/or permits, including but not limited to compliance with building and fire codes and their respective reviews.

ATTACHMENT "A"

**LEGAL DESCRIPTION:**

OR 7264, PG 996-998;

SPECIAL WARRANTY DEED

Buildings 8, 9 and 13

PARCEL I:

Lots 5, 6, 7, and 8, CRYSTAL WOOD, according to the plat thereof, recorded in Plat Book 65, page 31, Public Records of Polk County, Florida; (See sheet one),

AND

PARCEL II:

Lot 6, HERITAGE CENTER, according to the plat thereof, recorded in Plat Book 73, page 35, Public Records of Polk County, (See sheet two).

OR 7264, PG 999-1001:

SPECIAL WARRANTY DEED

Buildings 3, 6, 7, 10, 11 and 12

Parcel I:

Lots 1, 2, 3, 4, 11 and 12, CRYSTAL WOOD, according to the plat thereof, recorded in Plat Book 65, page 31, Public Records of Polk County, Florida; (See sheet one),

AND

Parcel II:

Lots 1, 2, and 5, HERITAGE CENTER, according to the plat thereof, recorded in Plat Book 73, page 35, Public Records of Polk County, Florida, (See sheet two).

AND

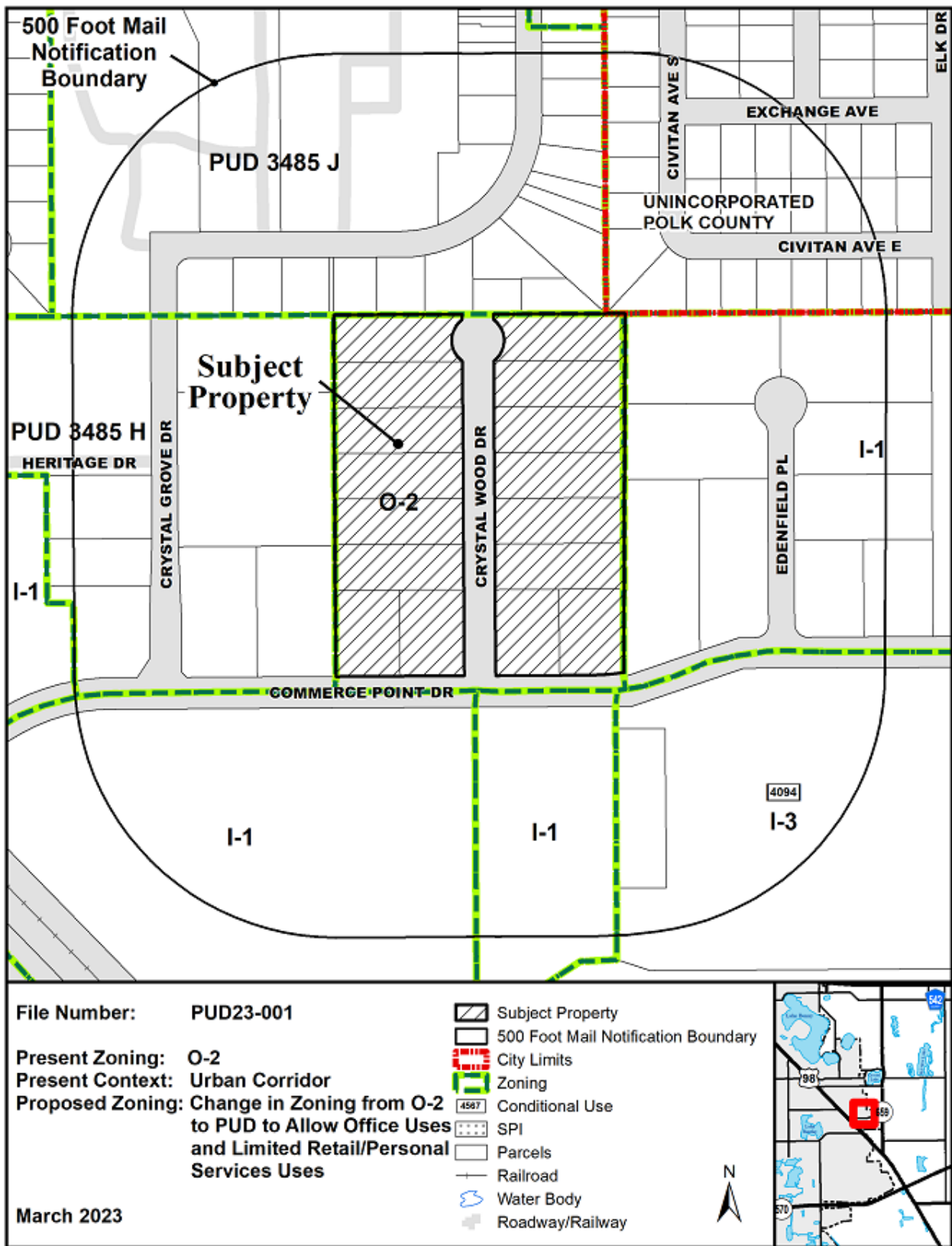
OR 7264, PG 1002-1004:

SPECIAL WARRANTY DEED

Buildings 1, 2, 4 and 5

Lots 9, 10, 13, 14, 15 and 16, CRYSTAL WOOD, according to the plat thereof, recorded in Plat Book 65, page 31, Public Records of Polk County, Florida, (See sheet one).

# ATTACHMENT "B"



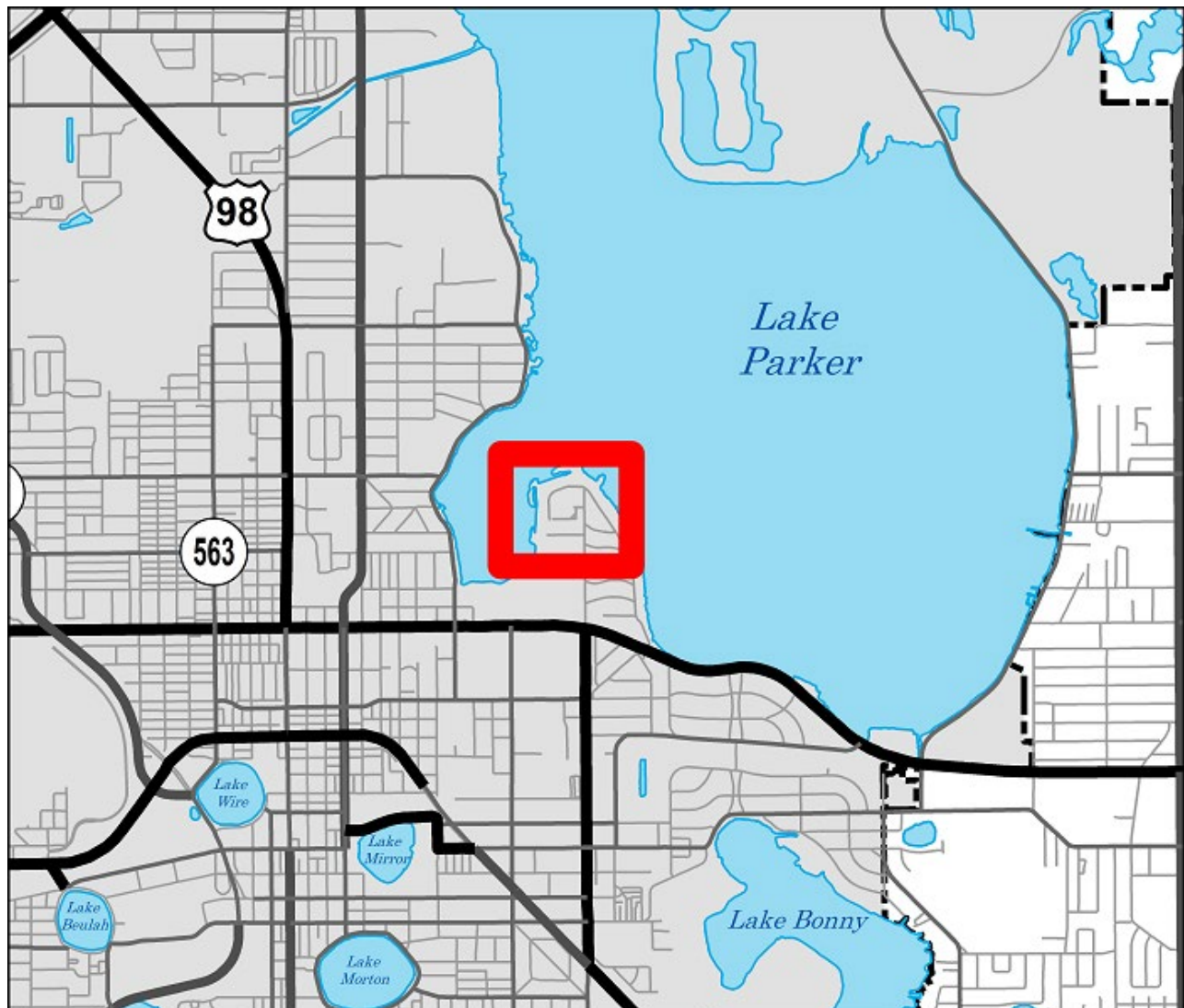
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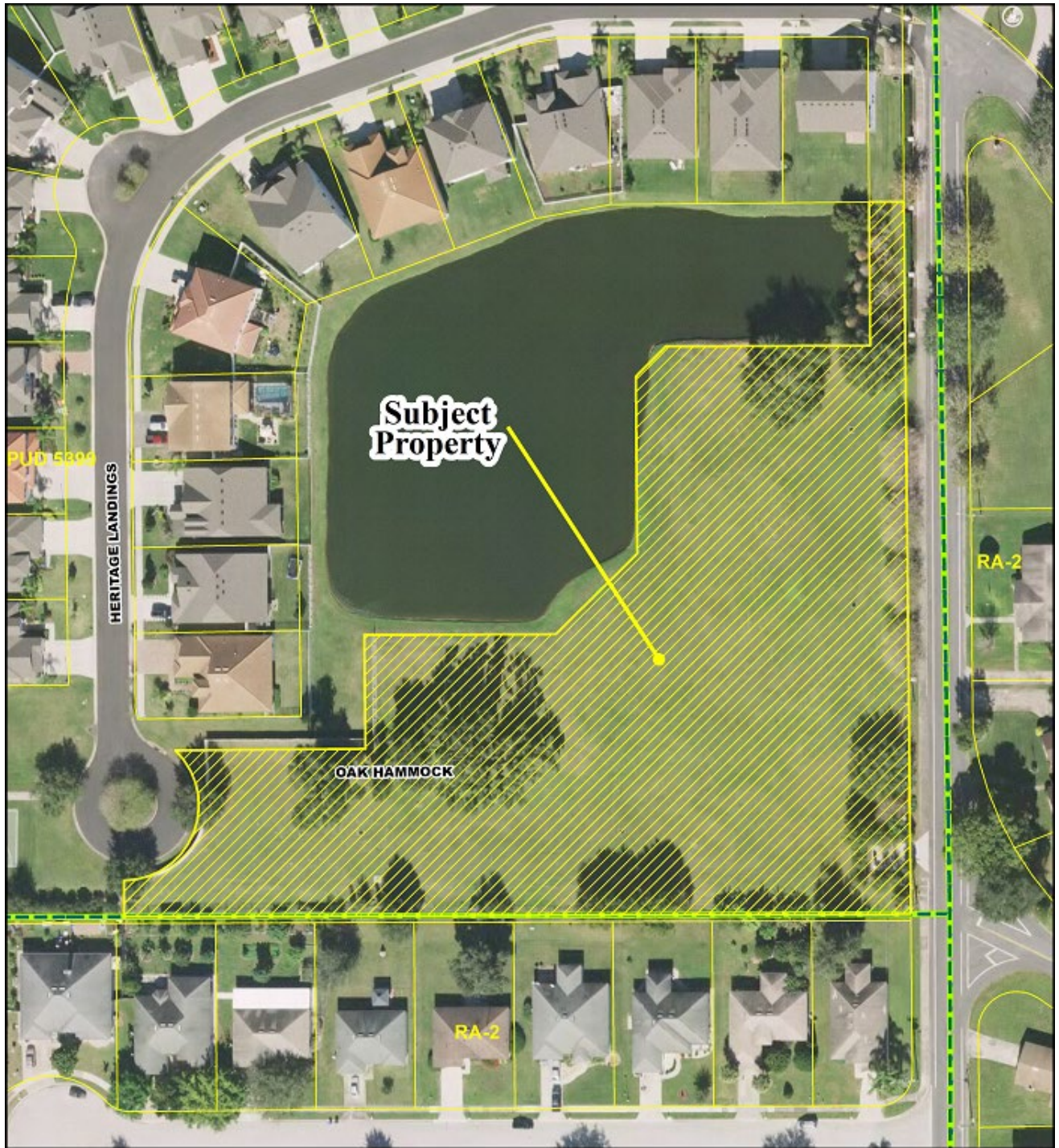


# Community & Economic Development Staff Recommendation

Date:	April 18, 2023	Reviewer:	Phillip Searce
Project No:	SUB17-004	Location:	1284 N. Lake Parker Avenue
Owner:	CMTG Real Estate Enterprises		
Applicant:	JSK Consulting		
Current Zoning:	PUD (Planned Unit Development) 5399	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	April 18, 2023	P&Z Final Decision:	April 18, 2023
Request:	Plat approval for the Oaks at Lake Parker on 3.54 acres generally located north of Lake Place Court, south of Heritage Landings Drive and west of N. Lake Parker Avenue.		

## 1.0 Location Maps





## **2.0 Background**

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### **2.1 Summary**

CMTG Real Estate Enterprises, has submitted a subdivision plat for the Oaks at Lake Parker. The proposed 3.54-acre plat consists of 37 single-family attached (townhome) lots. Plats are reviewed by the City's Subdivision Review Team for compliance with Article 9 (Subdivision Standards) of the Land Development Code.

### **2.2 Attachments**

Plat Sheets for the Oaks at Lake Parker

## **3.0 Recommendation**

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### **3.1 Community & Economic Development Staff**

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







# Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, April 18, 2023

## Meeting of April 3, 2023

### Ordinances (Second Reading)

**Proposed 23-014;** Amending Ordinance 3432, as Amended; Major Modification of PUD (Planned Unit Development) Zoning to Allow a Two-Story 94,000 Sq. Ft. Mini Warehouse/Self Storage Facility on Approximately 4.33 Acres Located at 2575 Harden Boulevard. (PUD22-023) **Approved 4—3, Ordinance 5980**

### Ordinances (First Reading)

**Proposed 23-015;** Approving a Conditional Use to Establish a New Child Daycare Facility on Property Located at 1350 E. Main Street. (CUP22-001)

**Proposed 23-016;** Approving a Conditional Use to Recognize an Existing Used Car Dealership and Allow for the Expansion of the Vehicle Parking/Storage Area on Property Located at 1200 W. Memorial Boulevard. (CUP22-002)

**Proposed 23-017;** Amending Ordinance 5456; Major Modification of a Conditional Use to Allow for the Expansion of an Existing Bar into Ground Floor Retail Space on Property Located at 201 E. Main Street. (CUP22-003)

**Proposed 23-018;** Providing for a Change in Zoning from C-1 (Pedestrian Commercial) to MF-22 (Multi-Family Residential on Approximately 0.82 Acres Located at 401 W. Peachtree Street. (ZON22-014)

## Meeting of March 20, 2023

### Ordinances (Second Reading)

**Proposed 23-004;** Changes to the Land Development Code (LDC); Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) to Allow for the Development of Affordable, Multi-Family Residential Projects within Certain Non-Residential Zoning Districts Subject to Location Criteria, Development Standards, and an Approval Process. (LDC22-001) **Approved 6—0, Ordinance 5976**

**Proposed 23-011;** Changes to the Land Development Code (LDC); Article 2 (Use Standards), Section 2.6 (Master Use List), to Add Public Safety and Security Facilities, Including Police, Fire Rescue and Ambulance Facilities, as a Permitted Use under the General Use Category Utility and Essential service Facilities, Level I. (LDC23-001) **Approved 6—0, Ordinance 5977**

**Proposed 23-012;** Small Scale Amendment #LUS22-009 to the Future Land Use Map to Change Future Land Use from Residential Medium (RM) to Residential High (RH) on Approximately 3.53 Acres Located at 1205 Neville Avenue. (LUS22-009) **Approved 6—0, Ordinance 5978**

**Proposed 23-013;** Change in Zoning from RA-3 (Single-Family Residential) to PUD (Planned Unit Development) to Allow an 88-Unit Multi-Family Residential Development on Approximately 3.53 Acres Located at 1205 Neville Avenue. (PUD22-024) **Approved 6—0, Ordinance 5979**