**ORDINANCE NO. ____**

**PROPOSED ORDINANCE NO. 20-045**

**AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR LARGE SCALE AMENDMENT #LUL20-002 TO THE FUTURE LAND USE MAP OF THE CITY OF LAKELAND COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 26.45 ACRES OF RESIDENTIAL MEDIUM (RM) TO PUBLIC BUILDINGS, GROUNDS AND INSTITUTIONAL USES (PI) ON PROPERTY LOCATED AT 2080 MEADOWLAND PARK BOULEVARD; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 16, 2010, the City Commission of the City of Lakeland, Florida, by Ordinance 5188, adopted the Lakeland Comprehensive Plan 2010-2020; and

**WHEREAS**, since that adoption, an item has come to the attention of the City's Community Development Department which requires a large scale amendment to the Future Land Use Map of the Comprehensive Plan; and

**WHEREAS**, the Planning and Zoning Board held a public hearing on October 20, 2020 to consider a large scale amendment to the Future Land Use Map of the Comprehensive Plan, which would change the land use designation from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI) on approximately 26.45 acres located at 2080 Meadowland Park Boulevard, more particularly described in Exhibit "A" and graphically depicted on Exhibits "B;" "C" and "D"; and

**WHEREAS,** the Planning and Zoning Board, at its regular meeting on November 17, 2020, approved and recommended to the City Commission that this

large scale amendment to the Future Land Use Map of the Comprehensive Plan be adopted;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA**:

**SECTION 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2**. The relevant portions of the Future Land Use Map, attached as an exhibit to the Lakeland Comprehensive Plan 2010-2020, are amended as set forth in Exhibits "A," "B," "C," and "D" attached hereto and made a part hereof.

**SECTION 3**. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5.** If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

**PASSED AND CERTIFIED AS TO PASSAGE** this 19th day of January, A.D. 2021.

_____
H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

ATTACHMENT “A”

**Legal Description:**

PARCEL 1: Parcel D

That part of Section 33, Township 28 South, Range 24 East, Polk County, Florida, being described as follows:

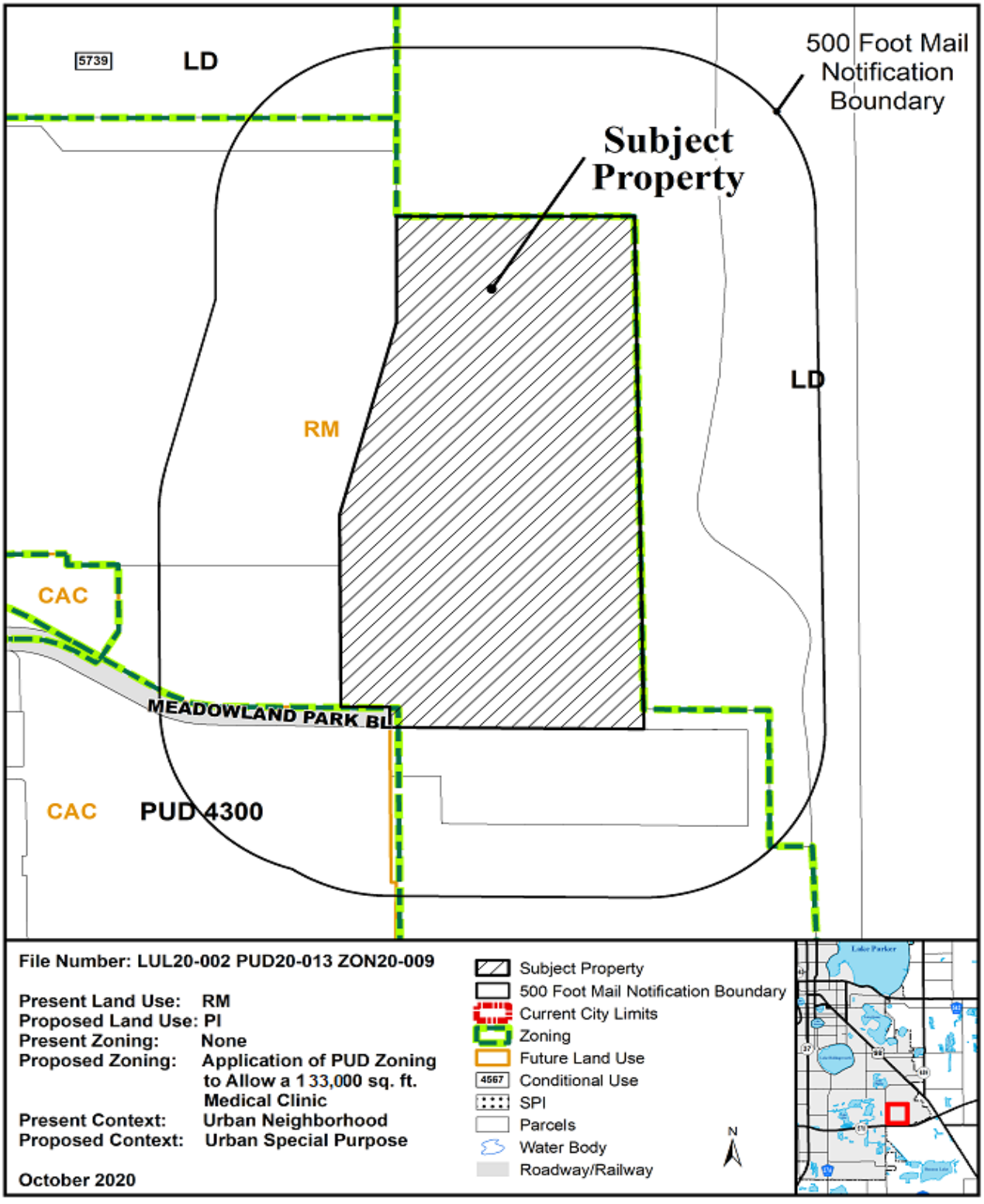
Commence at the Northwest corner of said Section 33, thence South 00°23'59" East, along the West line of the said Section 33, a distance of 2554.27 feet, thence North 90°00'00" East, a distance of 47.00 feet to the East Right of Way line of Lakeland Highlands Road and the Southwest corner of that certain parcel as described in Official Record Book 10674, Page 1404, of the Public Records of Polk County, Florida, thence continue North 90°00'00" East, along the South line of said parcel, a distance of 1,340.46 feet to the Southeast corner of said parcel, said point also being on the West line of that certain parcel as described in Official Record Book 9691, Page 1680, of the Public Records of Polk County, Florida, thence South 00°00'00" East, along the West line of said parcel, a distance of 293.00 feet, to the POINT OF BEGINNING, thence North 90°00'00" East, still along said West line, a distance of 657.00 feet, thence South 00°59'05" East, still along said West line and the Southerly projection thereof, a distance of 1,521.45 feet to the North line of Tract B of SAM'S CLUB - LAKELAND, as recorded in Plat Book 149, Page 50, of the Public Records of Polk County, Florida, thence North 89°31'18" West, along said West line, a distance of 701.31 feet to the Northwest corner of said Tract B, said point being the Southeast corner of Meadowland Park Drive as shown on the plat of SAM'S CLUB, as recorded in Plat Book 122, Page 12, of the Public Records of Polk County, Florida, thence North 00°21'47" West, along the East line of said Meadowland Park Drive, a distance of 59.81 feet to the Northeast corner of said Meadowland Park Drive, thence North 89°30'18" West, along the North line of said Meadowland Park Drive, a distance of 135.02 feet, thence North 00°22'16" West a distance of 570.62 feet, thence North 15°26'16" East a distance of 590.67 feet, thence North 00°00'00" East a distance of 314.44 feet to the POINT OF BEGINNING.

PARCEL 2 (EASEMENT PARCEL):

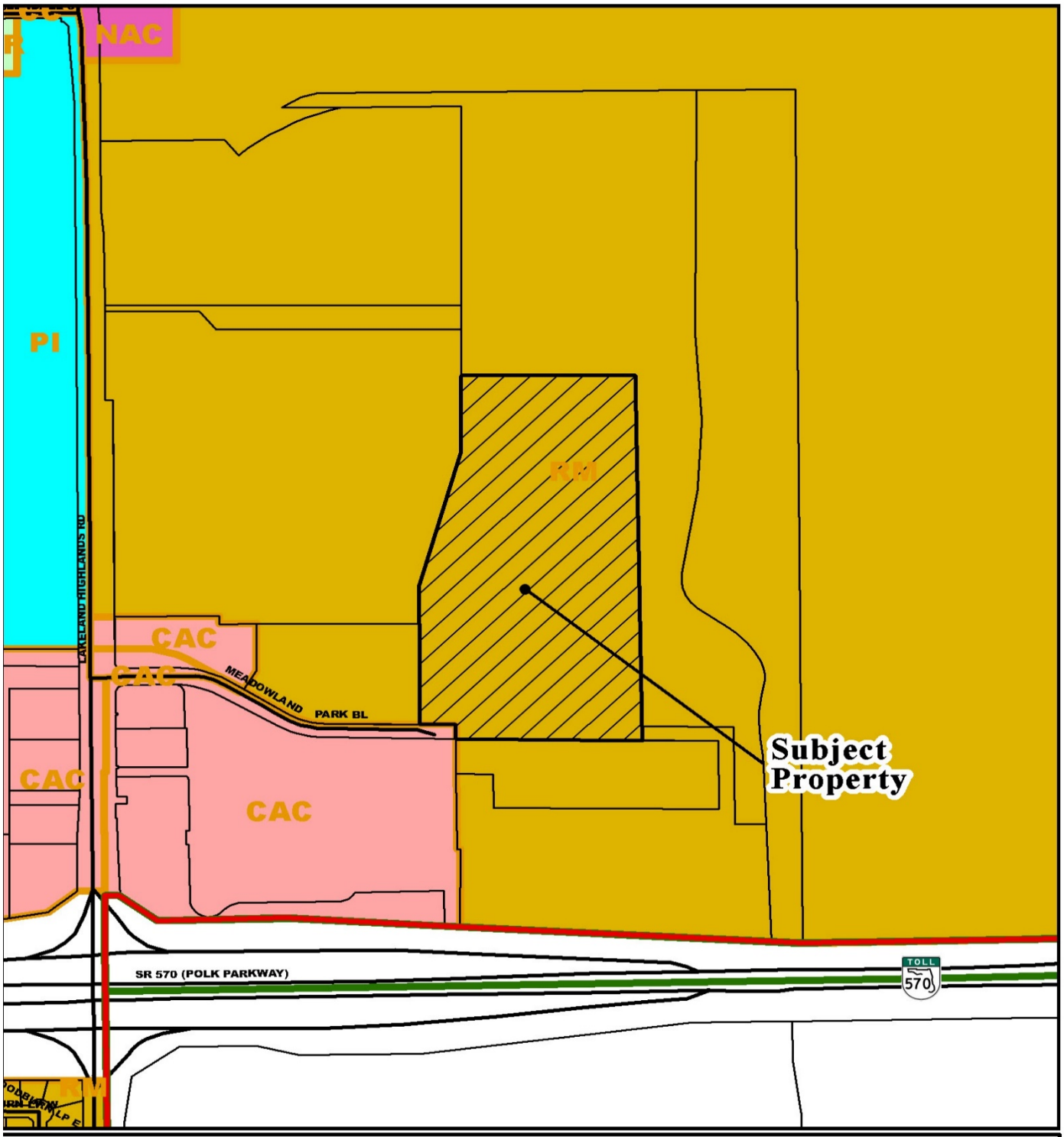
Together with non-exclusive easement for the benefit of Parcel 1, as set forth in that certain Drainage Easement Agreement by and between E. Edward Holloway, Jr. and Mary Ann Holloway, his wife; Emmett Edward Holloway, Jr., Trustee u/a dated August 11, 2004; Holloway Park Foundation, Inc., a Florida not for profit corporation; and Southeastern University, Inc., a Florida not for profit corporation, recorded March 25, 2020 in Official Records Book 11186, Page 1689, of the Public Records of Polk County, Florida.

Totaling 26.45-acres (mol)

ATTACHMENT “B”

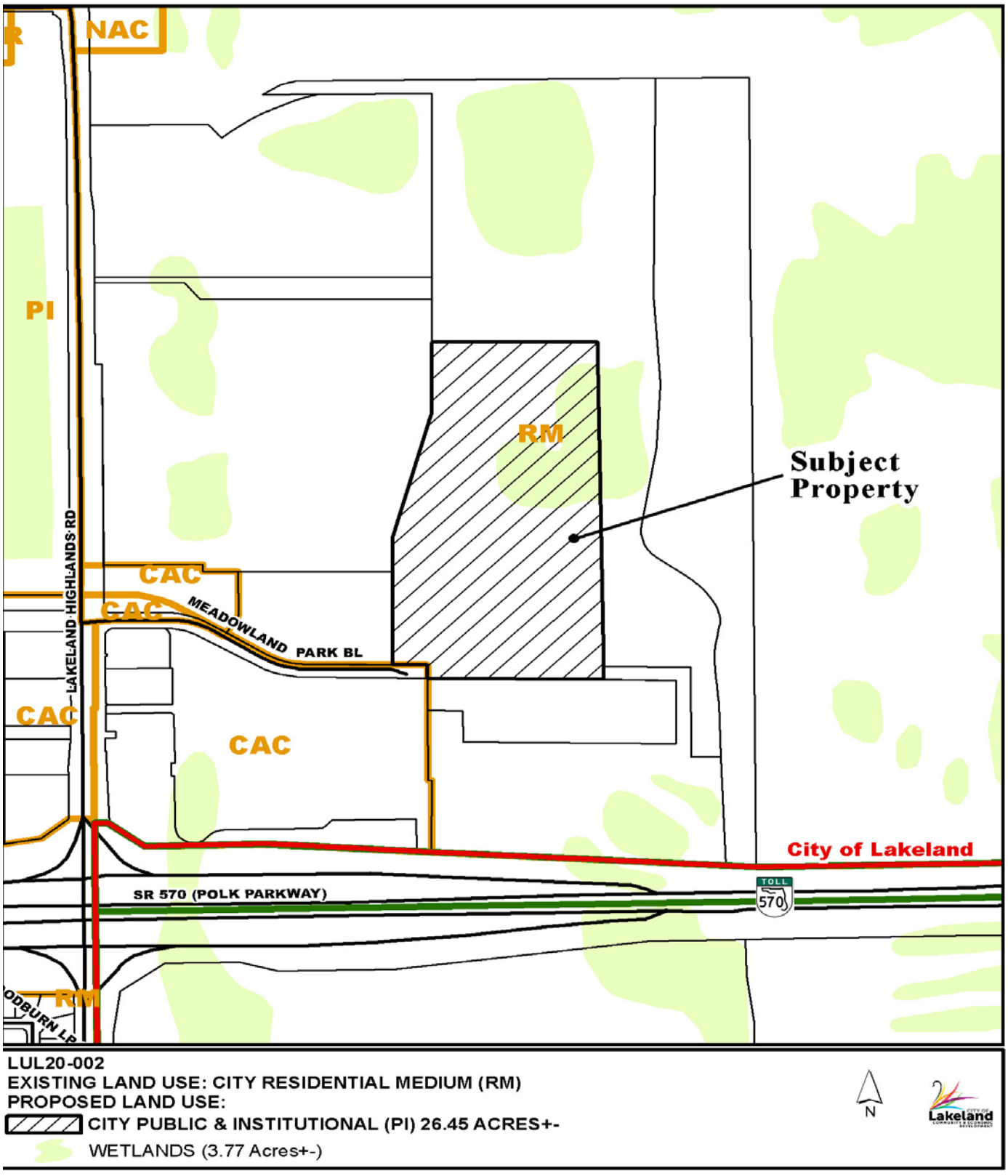


ATTACHMENT “C”




LUL20-002
EXISTING LAND USE: CITY RESIDENTIAL MEDIUM (RM)
PROPOSED LAND USE:
CITY PUBLIC & INSTITUTIONAL (PI) 26.45 ACRES+-

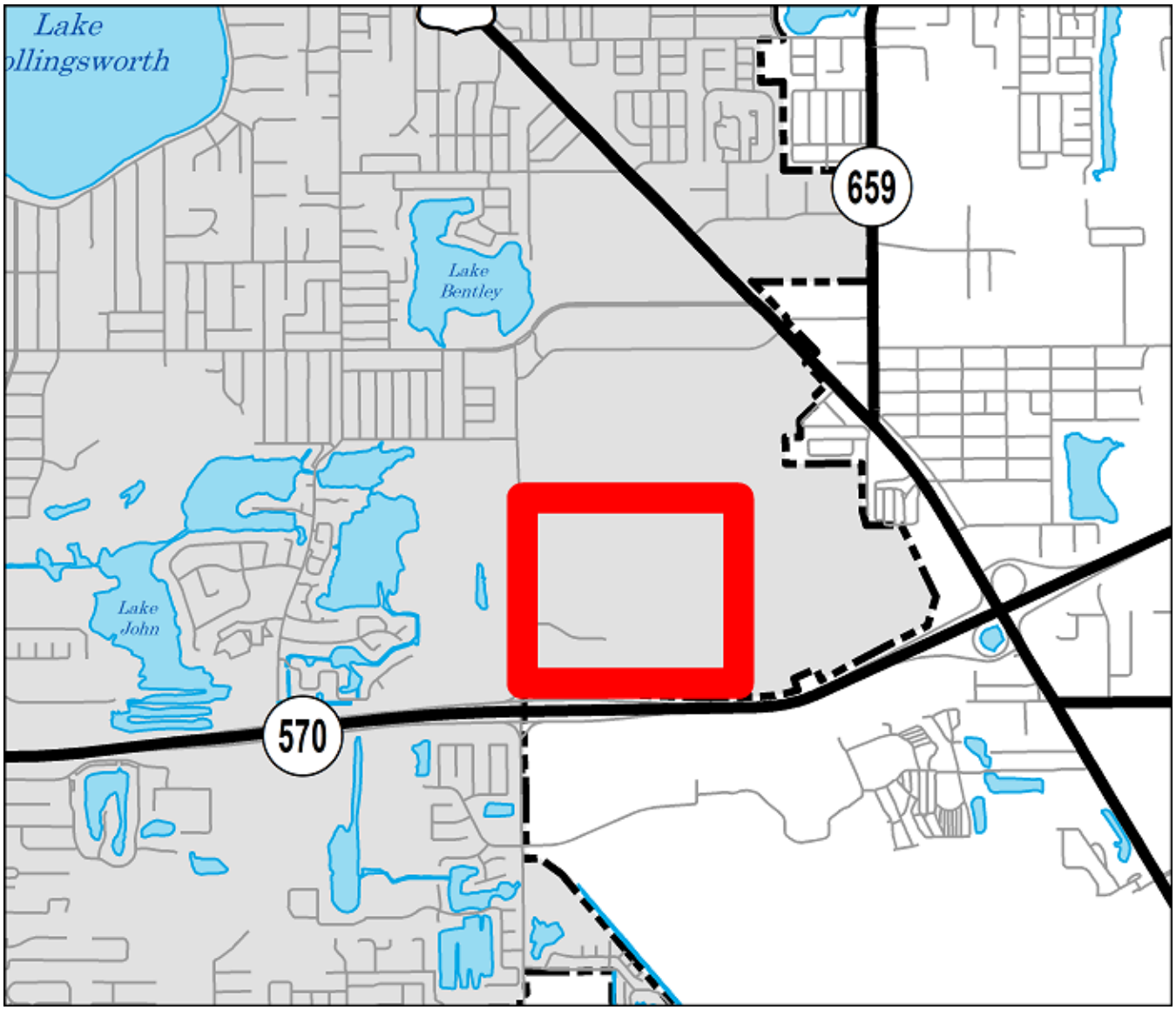
ATTACHMENT “D”

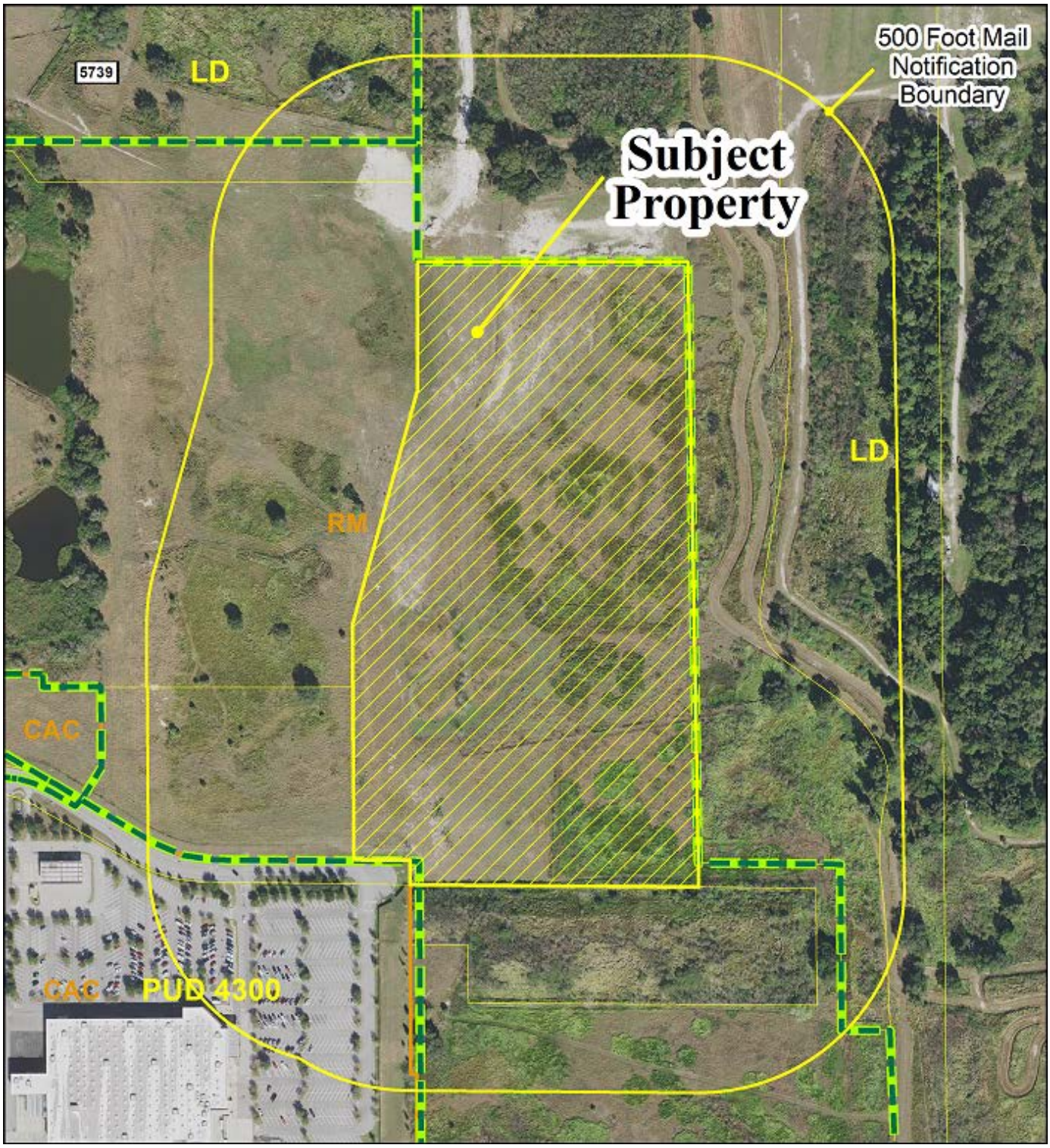


# Planning & Zoning Board Recommendation

| | | | |
|---|---|---|---|
| Date: | December 21, 2020 | Reviewer: | Phillip Scearce |
| Project No: | LUL20-002 | Location: | North of Meadowland Park Boulevard, east of Lakeland Highlands Road, |
| Owner: | Holloway Park Foundation, Inc. | | |
| Applicant: | Neale Stralow, Vanasse Hangen Brustlin, Inc. (VHB) | | |
| Current Zoning: | (PUD) Planned Unit Development 4300 | Future Land Use: | Residential Medium (RM) |
| Context District: | Urban Neighborhood (UNH) | | |
| P&Z Hearing: | October 20, 2020 | P&Z Final Decision: | November 17, 2020 |
| Request: | Change in land use from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI) on approximately 26.45 acres located at 2080 Meadowland Park Boulevard. | | |

## 1.0 Location Maps




5739
LD
500 Foot Mail Notification Boundary
Subject Property
LD
RM
CAC
CAC
PUD 4300

# 2.0 Background

## 2.1 Summary

Neale Stralow, Vanasse Hangen Brustlin, Inc. (VHB), requests a change in land use from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI) on approximately 26.45 acres located at 2080 Meadowland Park Boulevard. A legal description is included as Attachment "A" and a map depicting the area of the proposed land use change is included as Attachment "B."

## 2.2 Subject Property

The subject property is presently undeveloped and used as pasture for cattle grazing. The existing RM future land use designation was applied following annexation in 2001. The purpose of this request is to apply conforming land use which will allow for the development of a 133,000 sq. ft. Veterans Administration medical clinic. Concurrent with this request, the applicant is requesting the application of PUD (Planned Unit Development) zoning along with a City-initiated request to apply an Urban Special Purpose (USP) context sub-district designation to the property.

## 2.3 Existing Uses of Adjacent Properties

| Boundary | Existing Land Use | FLUM | Zoning | Context |
|---|---|---|---|---|
| North | Vacant Land (private park) | RM | LD | UNH |
| South | Retail Commercial (Sam's Club) | RM, CAC | PUD | UNH |
| East | Vacant Land | RM | LD | UNH |
| West | Vacant Land | RM, CAC | PUD | UCO |

## 2.4 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Future Land Use Map

Attachment D: Wetland Map

# 3.0 Planning Issues

## 3.1 Transportation and Concurrency

### a. Level of Service

The subject property is located within the Urban Development Area (UDA) as defined in the Lakeland Comprehensive Plan, with an adopted level-of-service (LOS) E standard for roadway segments and intersections. The subject property is also located immediately adjacent to the Central City Transit Supportive Area (CCTSA) within which an LOS E standard has been adopted and roadway segment levels-of-service can be averaged across multiple corridors with common traffic patterns.

According to the latest Roadway Network Database published by the Polk Transportation Planning Organization (dated March 16, 2020), the adjacent segment of CR 37B (Lakeland Highlands Road) between State Road 570 (Polk Parkway) and Edgewood Drive has an Annual

Average Daily Traffic Volume of 23,100 vehicles, with a two-hour average P.M. peak hour volume of 839 vehicles in the northbound direction and 806 vehicles in the southbound direction. The segment operates at an acceptable level-of-service, LOS B. The adjacent segment of Lakeland Highlands Road between Lake Miriam Drive and State Road 570 (Polk Parkway) has an Annual Average Daily Traffic Volume of 22,500 vehicles, a two-hour average of 786 northbound trips and 818 southbound trips during the P.M. Peak Period. This segment is also operating at an acceptable level-of-service, LOS B.

Vanasse Hangen Brustlin, Inc. (VHB) prepared and submitted the "Veterans Administration Clinic" Traffic Impact Analysis (TIA) in September 2020 for the full proposed development program. The proposed VA Clinic is estimated to generate an additional 4,762 Daily trips, 439 AM Peak and 380 PM Peak external trips. The existing conditions analysis show that all studies of roadways and intersections operate at an acceptable level of service. The future conditions analysis shows that all roadways segments operate at an acceptable LOS except the Edgewood Drive from SR 37 (S. Florida Avenue) to CR 37B (Lakeland Highland Road) which would operate at an LOS of "F" without appropriate improvements or travel demand management. The future conditions analysis shows that all study intersections are operating, overall, at an acceptable LOS under the Build and No Build conditions. All study intersections are expected to operate at or better than the intersection LOS E in the AM and PM peaks. Isolated (directional) intersection approach failures appear under the No Build and Build conditions. Overall the results of the analysis suggest that the proposed VA Clinic does not increase the need for off-site roadway or intersection mitigation improvements. However, the nature of the VA Clinic, being a large daily trip generator, increases the need for multi-modal concurrency mitigation measures.

## b. Access, Right-of-Way, and Internal Circulation

The subject property borders CR 37B (Lakeland Highlands Road) and Meadowlands Park Boulevard, operated by Polk County and the City of Lakeland, respectively. Significant investments in roadway infrastructure have been made in the vicinity of the property, beginning with the completion of the Polk Parkway in 1999, the four-laning of Lakeland Highlands Road north of the Polk Parkway in the early 2000s, and Polk County's four-laning of Lakeland Highlands Road between the Polk Parkway and County Road 540A within the past decade.

Driveway connections to Meadowlands Park Boulevard shall be permitted through Lakeland. Any proposed traffic signal modification (e.g. Signal timing) at the Lakeland Highlands Road/Meadowland Park Boulevard intersection shall be approved by Polk County.

As part of the proposed development program on the subject property, an interconnected network of streets, travel ways, and sidewalks will be required to meet the City's Comprehensive Plan and Land Development Code requirements.

## c. Pedestrian and Bicycle Concerns

Sidewalks currently exist on both sides of Lakeland Highlands Road south of the Winter Lake Road-Deerfield Drive intersection and north of the Lakeland Marketplace/Meadowland Park Boulevard intersection north of the Polk Parkway. A sidewalk only exists on the east side of Lakeland Highlands Road north of the Polk Parkway, which transitions to the west side of the road between the interchange and Winter Lake Road-Deerfield Drive. A sidewalk is also located on the south side of Meadowland Park Boulevard providing pedestrian access to the development site. The City has programmed funding within its Capital Improvement Program to eliminate the sidewalk gap on the west side of Lakeland Highlands Road, along the Lakeland Marketplace frontage north of the interchange.

Bicycle lanes exist on Lakeland Highlands Road south of the Winter Lake Road-Deerfield Drive intersection and north of the Lakeland Marketplace-Meadowland Park Boulevard intersection. It is possible that the existing bike lane gaps within the Polk Parkway interchange area can be addressed with future resurfacing projects implemented by the City and Polk County. A planned multi-use trail corridor south of the Polk Parkway is included in the Citywide Pathways Vision Plan as included in the Comprehensive Plan. In order to connect the City's Lake-to-Lake Bikeway Network with the Fort Fraser Trail, Polk County is working with the current property owner (Mr. Ed Holloway) to dedicate a 40-foot wide corridor south of the Parkway and adjacent to Sanlan Golf Course property to support a new alignment of the Fort Fraser Trail Extension between US 98 and Lakeland Highlands Road. The Polk Transportation Planning Organization is working with the Florida Department of Transportation to allocate funding that has been programmed in its Five-Year Work Program for the Fort Fraser Trail Extension to this new alignment. The City will utilize its Lakeland Highlands Road sidewalk funding for a further extension of the Fort Fraser Trail along and north of the Lakeland Marketplace shopping center.

### d. Mass Transit

The subject property is located within the boundaries of the Lakeland Area Mass Transit District (LAMTD), within which a half-mill property tax is levied for transit services in the Lakeland area. LAMTD (doing business as the "Citrus Connection") does not currently serve the subject property with fixed-route bus service. The closest bus routes are the Orange Line on Edgewood Drive and the Silver Express Route to Bartow on US 98, distances of 1 mile and 1.75 miles, respectively.

### e. Potable Water, Wastewater, & Solid Waste

The subject property is located within the service area of the City's Glendale Wastewater Treatment Plant. At the time of site plan review, a concurrency review will be required to verify capacity and address any improvements necessary to support the actual site development proposal.

### f. Parks and Recreation

Non-residential uses, such as the proposed Public Institutional land use designation, do not generate a significant demand for parks and other recreational areas.

### g. Stormwater Management (Drainage)

Soils in the uplands portion of the site consist primary of Neilhurst sand with a slope from one to five percent. This type of soil, found in broad uplands and low knolls, is classified as excessively drained with the high-water table typically located at a depth around 80 inches. Low lying areas, such as a wetland area to the west and the northeast corner of the site, consists of clayey haplaquents (colloidal clays) that were a by-product of phosphate mining when the nearby area was mined many decades ago. These types of soils are approximately 88 percent clay, 8 percent silt and 4 percent sand. They are classified as very poorly drained, with the high-water table typically located at a depth around 24 inches. Lastly, a small portion of the site located adjacent to the eastern boundary consists of Arent soils. A highly variable, mixed soil type resulting from earth-moving activities during phosphate mining, Arent soils range from two to 20 feet in thickness with the high water table located within 60 inches of the surface for two to six months most years.

Any drainage improvements associated with approved development within the City must be consistent with the Infrastructure Element and all applicable goals, objectives and policies of the adopted Comprehensive Plan. Specifically, stormwater systems must comply with objectives 4.2

and 4.3 of the Infrastructure Element and their associated policies regarding stormwater management level of service standards, standards for flood protection and issues of water quality. Permits from the Water Management District regarding the applicant's proposed stormwater management system will be required prior to commencement of any construction activities.

### h. Fire, Emergency Medical (EMS) & Law Enforcement

While these services are not subject to a concurrency determination, they are important considerations for any development. City police service is available, but there are no local sub-stations within proximity to the subject property. Five to eight-minute response times are ideal for fire and emergency medical services (EMS). The closest City fire station (Station No. 5) is located approximately one-half mile to the northwest at the southwest corner of Lakeland Highlands Road and Glendale Street, which is estimated to be approximately a two to three minute drive from the site. While Polk County provides EMS to municipal and county residents, City fire services offer Advanced Life Support capabilities from virtually all stations to provide first response to incidents. The closest EMS station (Polk County Station 35) is located about 1.5 miles to the east at 3205 Winter Lake Road and is estimated to be approximately a five-minute drive from the entrance of the site.

## 3.2 Comprehensive Plan Compliance

### a. Future Land Use Element of the Lakeland Comprehensive Plan

The proposed amendment is compatible with surrounding future land uses described in Table 2.3 above.

### b. Other Applicable Elements of the Lakeland Comprehensive Plan

The proposed amendment is consistent with the general description outlined in the Public Buildings, Grounds and Institutional Uses (PI) general characteristics description of the Comprehensive Plan. In addition, Table II-8 indicates PI as an allowable use within the Urban Development Area (UDA) portion of the City. The request is also consistent with the goals, objectives, and policies of applicable elements of the adopted Plan, including but not limited to the following objectives and policies of the Future Land Use Element: Objective 1A, Policies 1B2, 1G, 1H, 1J, 1K, and 1L; Objective 3, Policy 3A; Objective 4, Policy 4F and 4L; and Objective 6, Policy 6A**.**

### c. Consistency with Future Land Use Elements of the Other Jurisdictions

The proposed amendment is surrounded by properties located entirely within the City.

## 3.3 Other Planning Issues

## I. Environmental

### a. Wetlands and Floodplains:

The subject property consists of approximately 26.45 acres of reclaimed uplands (FLUCCS 1650). One 6.08-acre wetland mapped by US Fish and Wildlife Services (FWS) National Wetland Inventory (NWI) intersects the eastern side of the property. Approximately four acres of the wetlands are located on the subject property. An additional unmapped wetland was observed on aerials and field verified. This wetland located in the center of the property is likely to be considered jurisdictional by the Southwest Florida Water Management District (SWFWMD).

According to FEMA Flood Panel 12105C0320G dated December 22, 2016 portions of the project site fall within Zone A, indicating a one percent annual chance of flood. A Base (100-Year) Flood Elevation has not been established for this special flood hazard area (SFHA). Based on the surrounding watershed model data provided by the SWFWMD, the flood elevation is approximately 118.40 ft. (NAVD 1988). Topographic survey for the area indicates that the lowest grade on the project site is 129.00 ft. (NAVD 1988). It does not appear the SFHA currently shown for the project site matches the existing topography. Therefore, according to the applicant, it is reasonable to assume that the project area is outside the SHFA. Furthermore, as shown on the grading plan, the proposed finished floor elevation is 135.50 ft. (NAVD 1988).

Any development within the 100-year flood zone will be subject to permitting approval by FDEP, SWFWMD or other regulatory agencies. All approved development shall be consistent with the City of Lakeland Comprehensive Plan and the Lakeland Land Development Code, including Article 6, Natural Resource Protection Standards.

### b. Listed Species:

The applicant conducted a preliminary review of all readily available GIS information, along with a reconnaissance level field survey to determine the potential presence of wildlife. According to Florida Fish and Wildlife Conservation Commission (FWC) database, the nearest bald eagle (Haliaeetus leucocephalus) nest is located 0.1 mile (528 ft.) east of the subject property. The US Fish and Wildlife Service (USFWS) indicates that all projects less than 660 ft. from a bald eagle nest will need USFWS review.

The FWC database also indicated a known wading bird rookery, including a known wood stork (Mycteria Americana) colony, is located less than one mile west of the property. While the subject property falls outside the 2,500-foot buffer of the colony, it's included in the FWC wood stork core foraging area. Wood storks were not observed on site during the visit, but other non-listed wading birds were present which indicates shallow wetlands and the pond site provides foraging areas.

The upland areas were unofficially surveyed for gopher tortoise (Gopherus Polyphemus) burrows; however, none were identified. If gopher tortoises are found during future surveys, construction activities, including the installation of best management practices (e.g. silt fences) or equipment staging, cannot occur within 25 ft. of an active burrow, per FWC guidelines. No other evidence of protected species was observed during the time of site assessment.

## II. Development of Regional Impact Issues

The site is not located within a DRI and proposed development does not constitute a DRI pursuant to Section 380.06, Florida Statutes.

## III. Green Swamp Area of Critical State Concern Issues

The project site is not located within the Green Swamp Area of Critical State Concern.

# 4.0 Recommendation

## 4.1. Community and Economic Development Staff

The Community and Economic Development Staff reviewed this request and recommends approval of Future Land Use map amendment from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI).

## 4.2. The Planning & Zoning Board

This recommendation was approved by a 7-0 vote of the Board.

## 4.3. Comments from Other Agencies

There were no reported objections or concerns provided by other agencies

## 4.4. Conclusions & Recommendation

The proposed change in land use from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI) is compatible with surrounding land uses and consistent with the relevant policies of the Comprehensive Plan. The Community and Economic Development Department has reviewed the proposed Future Land Use Map amendment and consulted with City service providers to determine that appropriate capacity exists to support the proposed development, and therefore finds the request consistent with the Lakeland Comprehensive Plan: 2010 - 2020.

It is recommended that the future land use map amendment from Residential Medium (RM) to Public Buildings, Grounds and Institutional Uses (PI) as described above in Attachments “A,” “B,” “C,” and “D” be approved.

ATTACHMENT “A”

**Legal Description:**

PARCEL 1: Parcel D

That part of Section 33, Township 28 South, Range 24 East, Polk County, Florida, being described as follows:

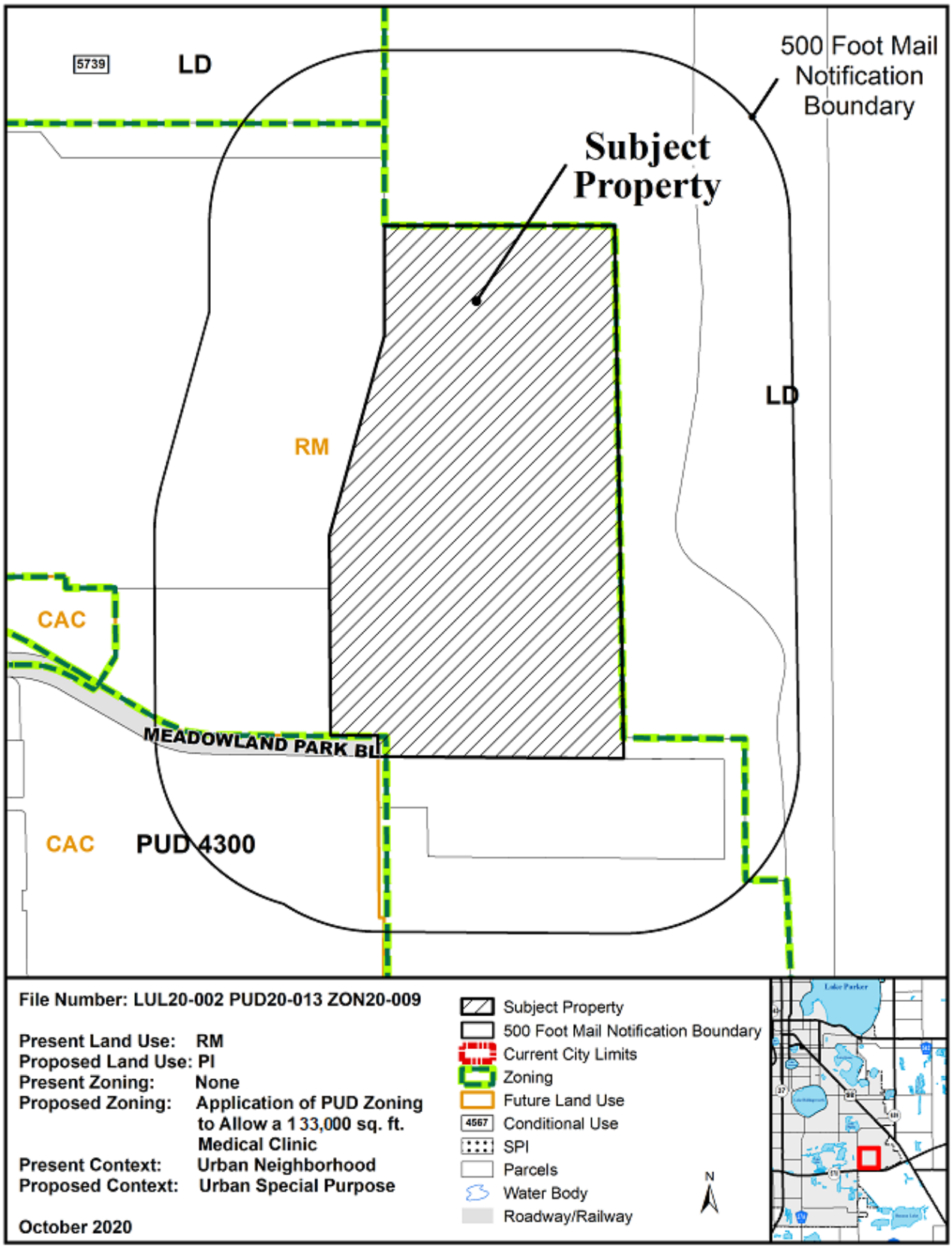
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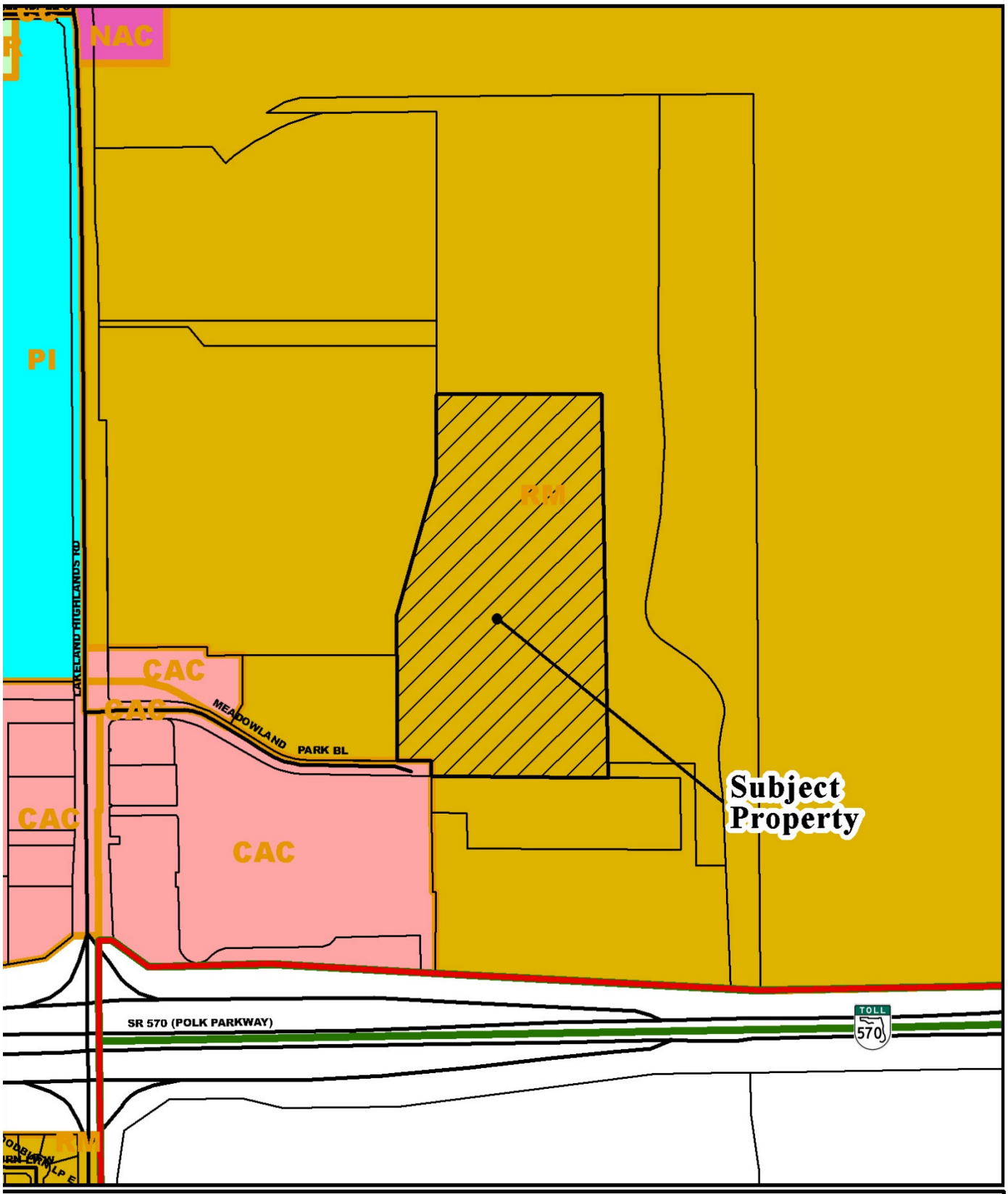
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Totaling 26.45-acres (mol)

ATTACHMENT “B”



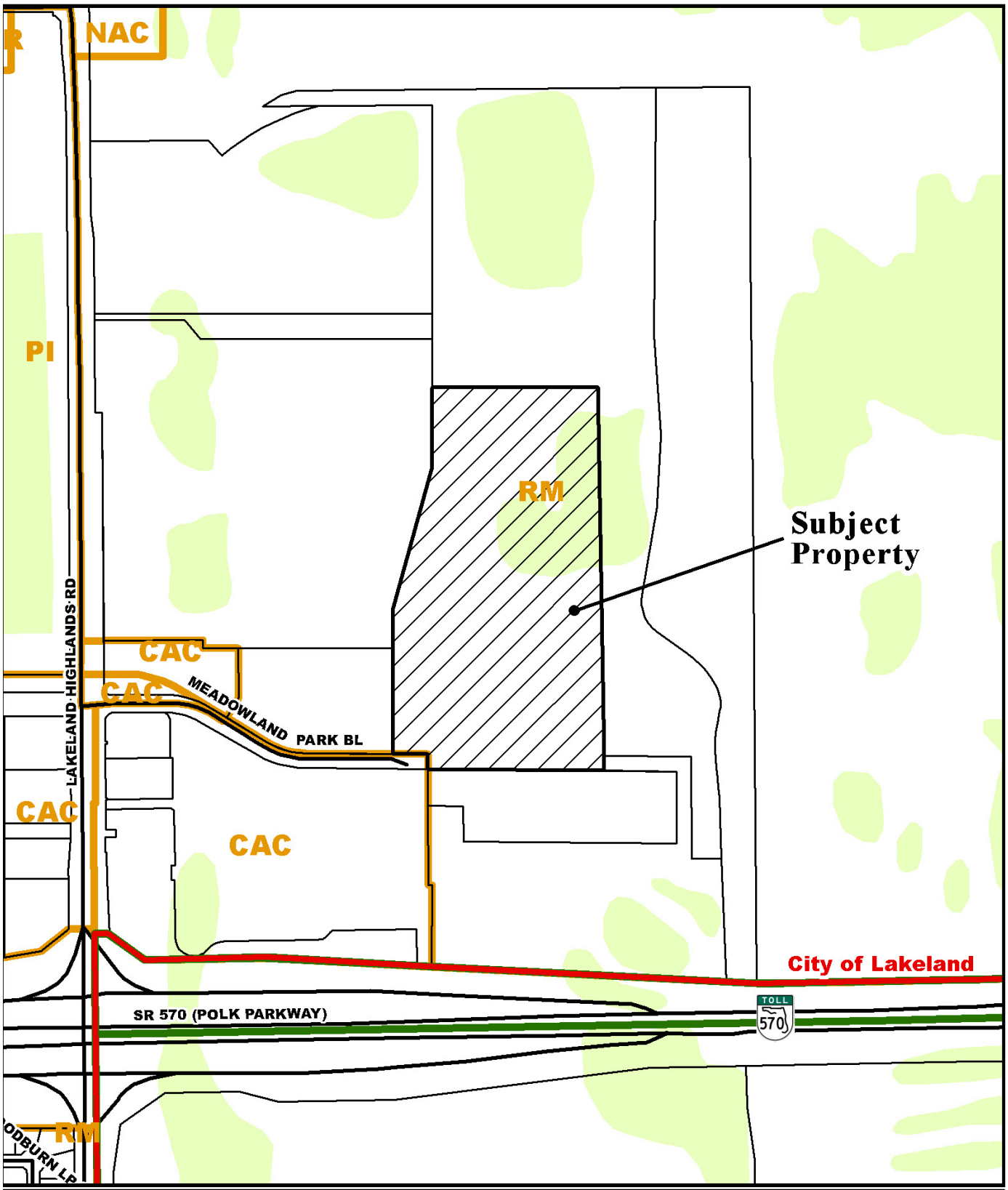
ATTACHMENT “C”




LUL20-002
EXISTING LAND USE: CITY RESIDENTIAL MEDIUM (RM)
PROPOSED LAND USE:
CITY PUBLIC & INSTITUTIONAL (PI) 26.45 ACRES+-

N

ATTACHMENT “D”




LUL20-002
EXISTING LAND USE: CITY RESIDENTIAL MEDIUM (RM)
PROPOSED LAND USE:
CITY PUBLIC & INSTITUTIONAL (PI) 26.45 ACRES+-
WETLANDS (3.77 Acres+-)

N