ORDINANCE NO.____

PROPOSED ORDINANCE NO. 21-011

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 4547, AS AMENDED, TO PROVIDE FOR A MODIFICATION TO PUD (PLANNED UNIT DEVELOPMENT) ZONING FOR TRACT E OF MORGAN CREEK PRESERVE ON APPROXIMATELY 35.08 ACRES LOCATED SOUTH OF MEDULLA ROAD, EAST OF HAMILTON ROAD AND NORTH OF W. PIPKIN ROAD, TO ALLOW FOR THE CONSTRUCTION OF 56 SINGLE-FAMILY DETACHED HOMES; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board held a public hearing on December 15, 2020 to consider the request of Wood & Associates Engineering, LLC, on behalf of English Creek, LLC, to modify PUD zoning for Tract E of Morgan Creek Preserve, located on approximately 35.08 acres south of Medulla Road, east of Hamilton Road and north of W. Pipkin Road, as more particularly described on Exhibit "A" and graphically depicted on Exhibit "B" (the "Property"), to allow for the construction of 56 single-family detached homes; and

WHEREAS, the Planning and Zoning Board approved the requested PUD zoning modifications on February 16, 2021 and recommended them to the City Commission; and

WHEREAS, the City Commission of the City of Lakeland, having held a duly-noticed public hearing where interested parties were given the opportunity to be heard, has determined that it is in furtherance of the public health, safety and welfare of the City of Lakeland to modify the PUD zoning for the Property to allow for the construction

of 56 single-family detached homes on the Property as recommended by the Planning and Zoning Board and as set forth herein;

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

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

SECTION 2. The Property is hereby classified or zoned PUD (Planned Unit Development) as set forth in Exhibits "B," "C," "C-1A," "C-1B," "C-1C," "C-2," "C-3," "D" and "E," subject to the following amended conditions:

A. Land Use Intensity: PUD-30

B. Permitted Uses:

Tracts A, B, C, E, and F: Single family detached dwellings plus a clubhouse and common recreation and park facilities. Permitted within the area under the Airport Overflight Zone in Tract A are a landscape maintenance building, swimming pool, tennis courts, mail pick up center and RV building/yard as illustrated in Attachment "C-2".

Tract D is a Conservation Area, use of which shall be limited to a recreational trail system and wildlife observation platforms.

C. Maximum Number of Dwelling Units:

Tracts A, B, C: 355 total

Tract F: Tract F shall be entitled to 58 total dwelling units as illustrated in Attachment "C-1A." Alternatively, this total may be increased to 74 units if the eastern portion of Tract F is developed as illustrated in new Attachment "C-1B" with a maximum of 74 units.

~~Tract E is reserved for future development. The maximum number of dwelling units in Tract E shall be subject to modification of this PUD.~~

Tract E: Tract E shall be entitled to 56 total dwelling units as illustrated in the site development plan, Attachment "C-1C."

D. Lot Mix:

A minimum of 46 percent of the combined total of lots in Tracts A, B, and C (165 lots) shall have a minimum lot area of 10,000 square feet. The remainder of the

lots in Tracts A, B, and C (maximum 190 lots) shall have a minimum lot area of 5,500 square feet, as illustrated in Attachment "C."

Lots in Tract F shall have a minimum lot area of 6,000 square feet.

Lots in Tract E shall have a minimum lot area of 10,000 square feet.

E. Development Regulations: Except as otherwise provided herein, development regulations shall be as follows. In accordance with RA-2/Suburban Neighborhood sub-district standards for 10,000 square foot lots except that the minimum lot width shall be 90 feet for corner lots and 75 feet for interior lots. In accordance with RA-4/Suburban Neighborhood sub-district standards for 5,500 square foot and 6,000 square foot lots except that within Tracts A, B and C the minimum lot width shall be 60 feet for corner lots and 55 feet for interior lots. However, for any lots that are radial to cul-de-sacs or radial to the outside of curved streets, the minimum lot widths may be less than stated above, provided that each such lot abuts a street for a distance of not less than forty feet.

F. Minimum Building Setbacks: Minimum building setbacks shall be as illustrated in Attachment "D."

G. Site Development Plan: The project shall be developed in general accordance with the conceptual site development plan included as Attachment "C," "C-1A," ~~and~~ "C-1B." and "C-1C." The lot arrangement shown is conceptual and subject to change.

~~I.~~H. Parks and Recreation Facilities: Civic open space shall be provided in accordance with Article 3 of the Land Development Code and shall include:

1. A clubhouse on a minimum 20,000 square foot lot, two tot lots on minimum 5,000 square foot lots, and an area for active outdoor recreation on a minimum 65,000 square foot lot as illustrated in Attachment "C-2 and "C-3.

2. A 25,400 square foot square as illustrated in Attachment "C-1B."

3. 9.97 acres of recreation open space and tot lots as shown on Attachment "C-1C."

~~J.~~I. Utilities:

It is anticipated that the project will require improvements to off-site water and sanitary sewer lines and/or lift stations to meet concurrency. Determination of the specific improvements required will be made at the time of subdivision plat review for each phase.

In response to the Southwest Florida Water Management District's Water Supply Plan and at the discretion of the Water Utilities Department, phases of the Morgan Creek Preserve development that have not undergone subdivision plat review as of August 1, 2006, shall install an independent reclaimed/reuse irrigation water distribution system to serve all lots and common areas within those phases.

This is intended to meet the water management district's goal of reusing water and off setting the use of ground water. As the reuse system is developed, and at the discretion of the Water Utilities Department, the Morgan Creek independent irrigation system may be connected to the potable water system at one point of supply. Later, when the alternative source is available, the system can be connected to that and disconnected from the potable supply.

~~K.~~J. Vehicle Access: The project shall be limited to two vehicle access points to W. Pipkin Road as illustrated in Attachment "C", ~~and~~ one access point on Medulla Road serving Tract F, and another access point on Medulla Road serving Tract E.

~~L.~~K. Internal Roads: The internal collector road connecting the two Pipkin Road project entrances shall be constructed to City of Lakeland collector road standards. All other roads shall be built to City of Lakeland local street standards. Access to the western portion of Tract F shall be provided through the eastern portion of Tract F either through a formal cross-access agreement that is recorded with the Polk County Clerk of Courts or right-of-way dedication if accepted by the City Public Works Department.

~~M.~~L. Pedestrian Circulation System: The project shall have a pedestrian circulation system of interconnected sidewalks and trails as illustrated in Attachment "E". The internal collector road shall have a combination sidewalk/bicycle path on at least one side having a minimum width of eight feet and which shall be separated from the roadway by a minimum five foot landscaped strip. Asphalt may be used to pave this facility. Trails may be surfaced with mulch or similar natural material where located within a wetland or where otherwise required by permitting authorities. Where located outside of such areas, as atop retention pond banks or berms, trails shall be surfaced with a hard, all-weather material. Within Tract F, a sidewalk system shall be developed as shown in Attachment C-1B to provide access to the required square. A sidewalk shall be constructed along the Medulla Road project frontage, as approved by Polk County through its driveway permitting process. Tract E shall be connected to the remainder of the PUD via a pedestrian crossing of Morgan Creek as depicted in Attachment C-1C or Attachment E, with the final alignment determined during the platting and construction review phase. The final alignment through the remainder of the PUD to West Pipkin Road shall be located within an easement that is subject of an agreement with the Morgan Creek Preserve developer or other parties as appropriate. This agreement shall be recorded by the Polk County Clerk of Courts prior to the recording of the Tract E plat.

~~N.~~M. Street Lights: Street lights shall be ornamental and shall be on the Lakeland Electric approved list.

~~O.~~N. Street Trees: The developer shall plant native tree species within the rights-of-way on both sides of project roadways on the ratio of one tree per fifty linear feet minimum.

~~P.~~O. Road Improvements:

1. Concurrent with the platting of the first phase, the following road improvements will be constructed:

a. Eastbound left turn lanes (approximately 340 feet each) and westbound right turn tapers at each project entrance on W. Pipkin Road.

b. The southbound approach to the intersection of S. Pipkin Road and W. Pipkin Road shall be expanded to include exclusive left and right-turn lanes, subject to final design.

2. Concurrent with the platting of the eastern portion of Tract F, turn lane and/or other access improvements shall be constructed at the Medulla Road project entrance, as permitted by Polk County.

3. Prior to the first building permit in Tract E, a new roadway shall be completed to Medulla Road that is constructed to Polk County standards. A Type II intersection shall be constructed on Medulla Road in compliance with the Polk County Land Development Code or as otherwise permitted by Polk County. The road system within Tract E shall be constructed to City of Lakeland local street standards.

~~Q.~~P. Inclusion of Project in Mass Transit District: Prior to the platting of the first phase, the applicant shall petition to have the entire project site, except for Tracts D and F, included within the boundaries of the Lakeland Area Mass Transit District (LAMTD). Prior to the platting of the eastern portion of Tract F, an annexation petition shall be submitted to LAMTD for consideration. Prior to platting of the western portion of Tract F, an annexation petition shall be submitted for the remainder of Tract F and all of Tract D.

~~R.~~Q. Avigation Agreement: The applicant shall sign an Avigation Agreement prepared by the City of Lakeland that is recorded with the Polk County Clerk of Courts prior to the platting of any phase.

~~S.~~R. Homeowners Association: The project shall have one or more homeowners associations which shall be responsible for the maintenance of common areas.

S. Binding Concurrency Determinations shall be made at the time of each plat approval.

T. Stormwater Management: The stormwater management system for Tract E shall be designed to retain the difference in pre- and post-development runoff volumes from a 100-year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 100-year/24-hour storm event.

U. Buffering: For Tract E, A natural vegetative buffer with a minimum width of twenty (20) feet shall be established adjacent to the north and west perimeter project boundaries. When located on individual lots, the natural buffer shall be retained through the recording of an easement agreement and maintained by the homeowners association.

SECTION 3. The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5188.

SECTION 4. 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.

SECTION 5. This Ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 15th day of March, A.D. 2021.

_____
H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

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

EXHIBIT “A”

Legal Description:

PARCEL 232908-000000-034010 AND 232907-000000-012010 THE SOUTHWEST ¼ OF THE NORTHEAST 1/4 AND THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 29 SOUTH, RANGE 23 EAST, AND THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA LESS AND EXCEPT THAT PORTION OF LAND RECORDED IN O.R. BOOK 6212, PAGE 320, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

EXHIBIT “B”

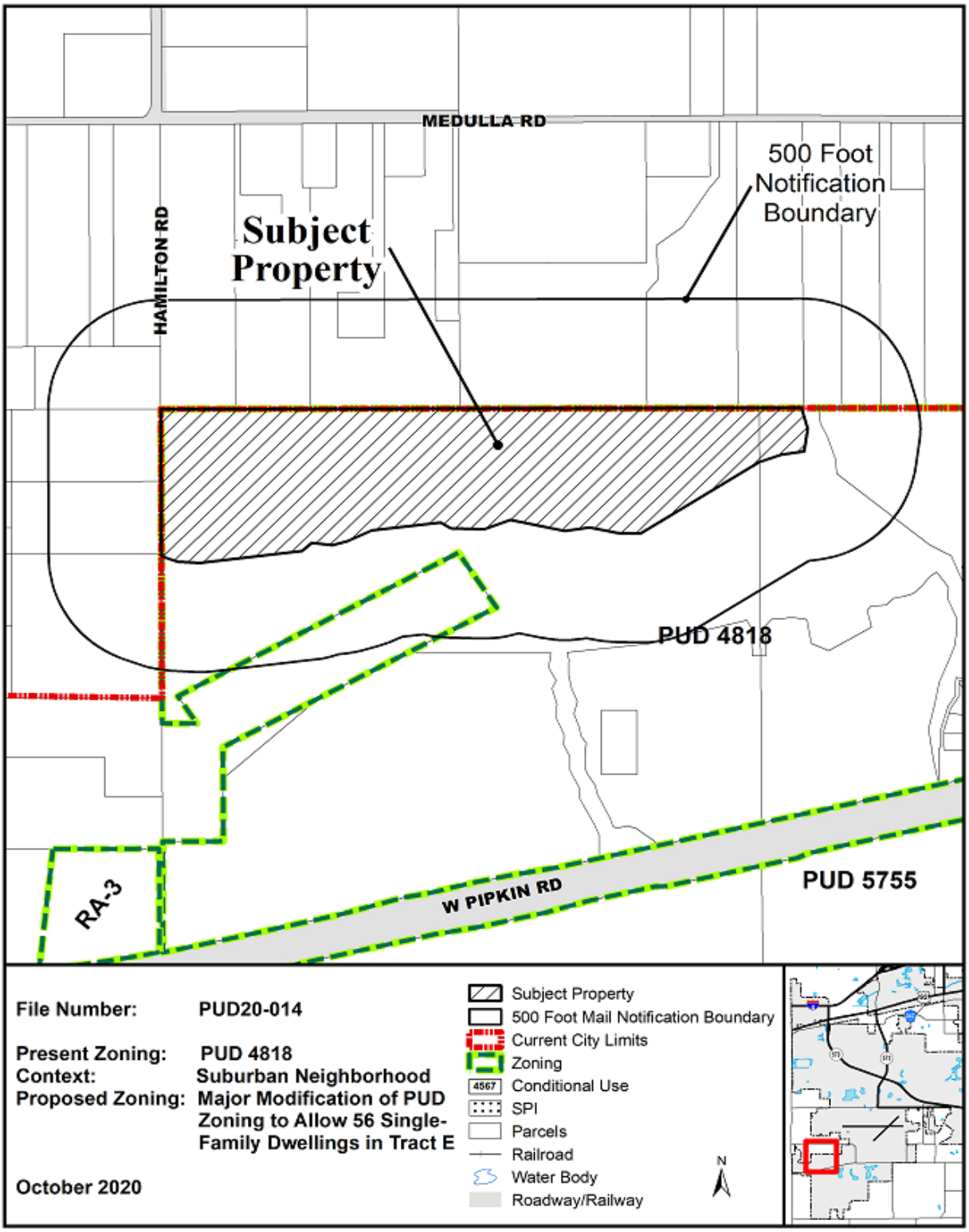
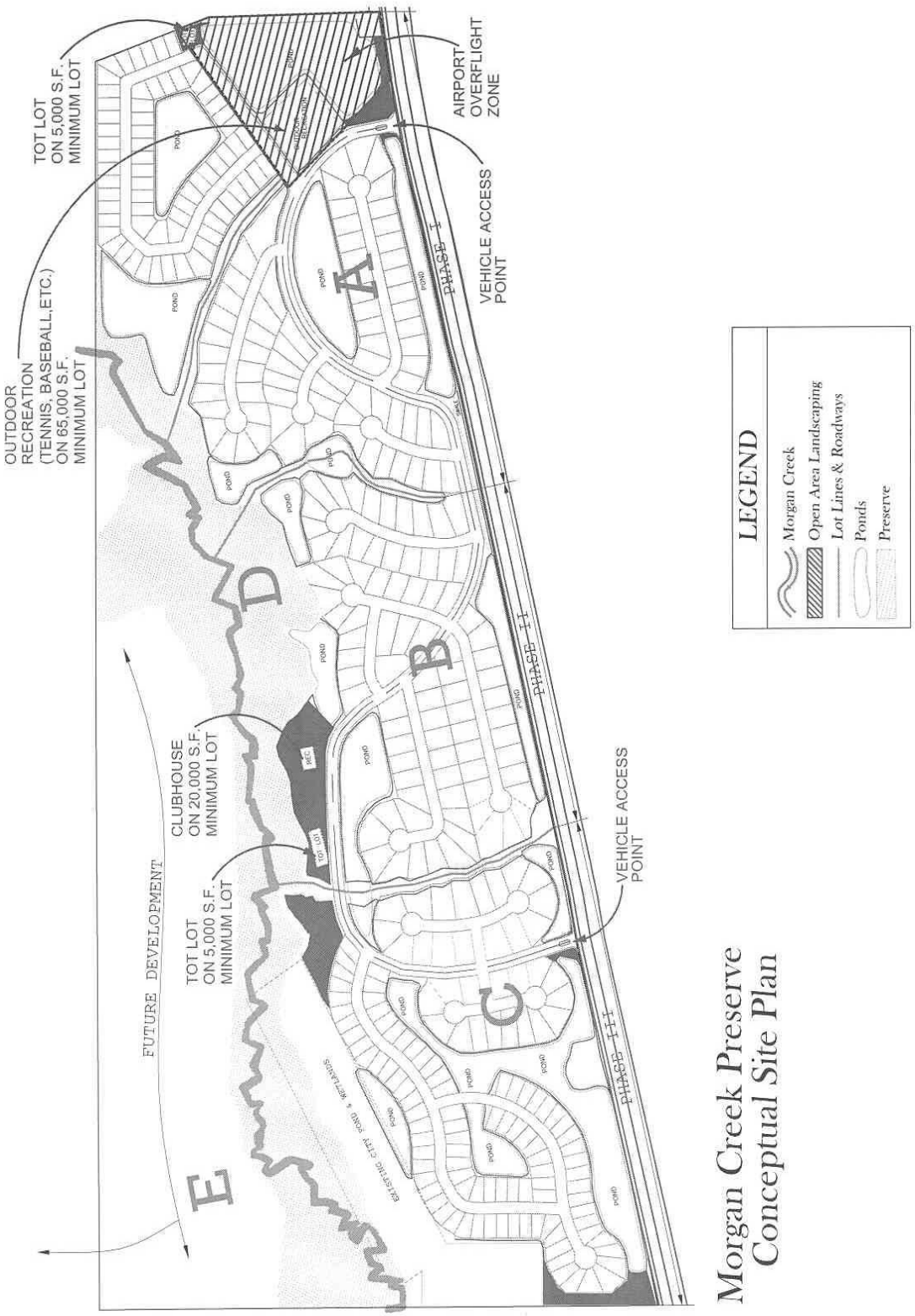

MEDULLA RD
HAMILTON RD
Subject Property
500 Foot Notification Boundary
PUD 4818
PUD 5755
RA-3
W PIPKIN RD
File Number: PUD20-014
Present Zoning: PUD 4818
Context: Suburban Neighborhood
Proposed Zoning: Major Modification of PUD Zoning to Allow 56 Single-Family Dwellings in Tract E
October 2020
Subject Property
500 Foot Mail Notification Boundary
Current City Limits
Zoning
4567 Conditional Use
SPI
Parcels
Railroad
Water Body
Roadway/Railway
N

EXHIBIT "C"



Morgan Creek Preserve
Conceptual Site Plan

EXHIBIT “C-1A”

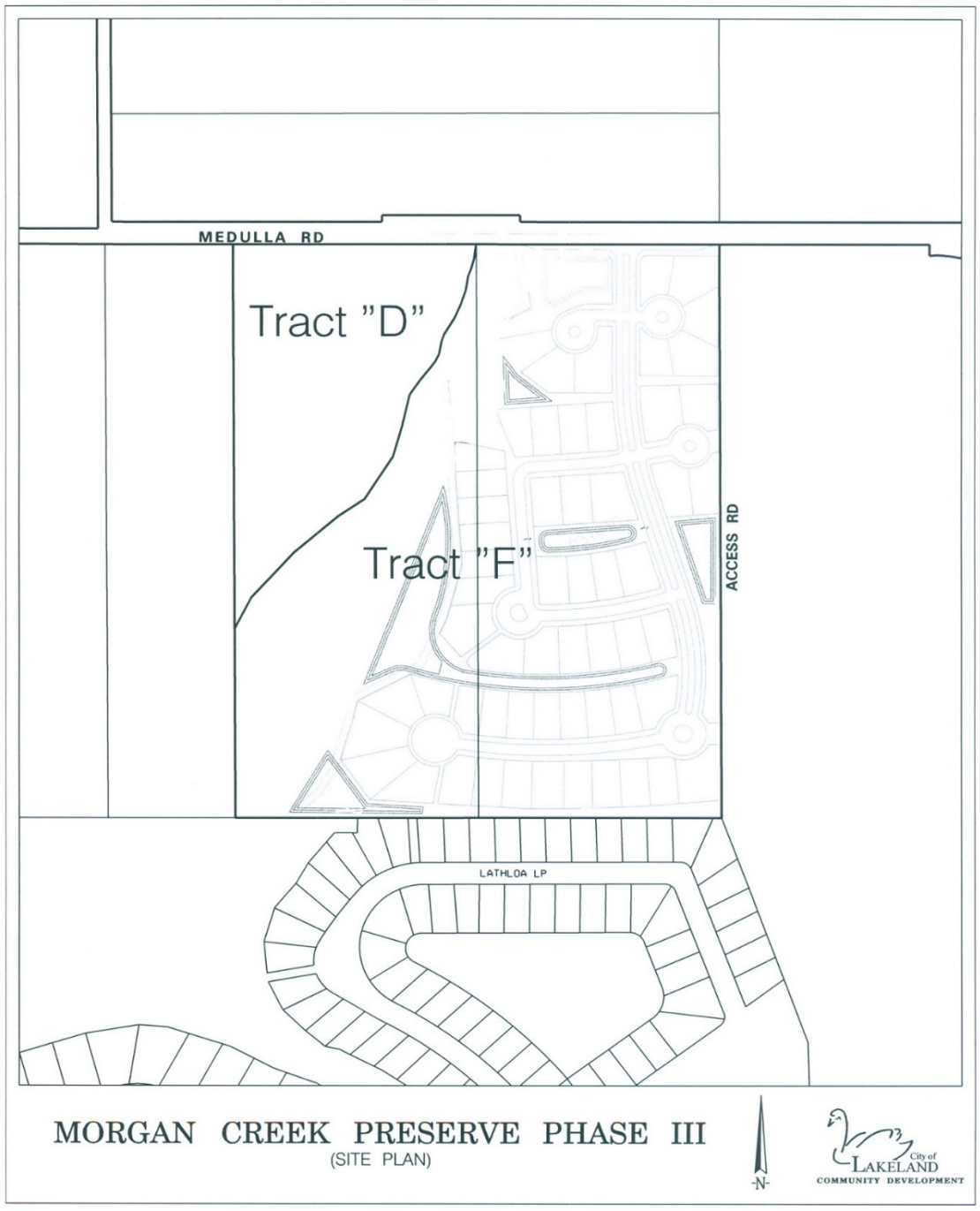

MEDULLA RD
Tract "D"
Tract "F"
ACCESS RD
LATHLOA LP
MORGAN CREEK PRESERVE PHASE III
(SITE PLAN)
-N-
City of
LAKELAND
COMMUNITY DEVELOPMENT

EXHIBIT “C-1B”

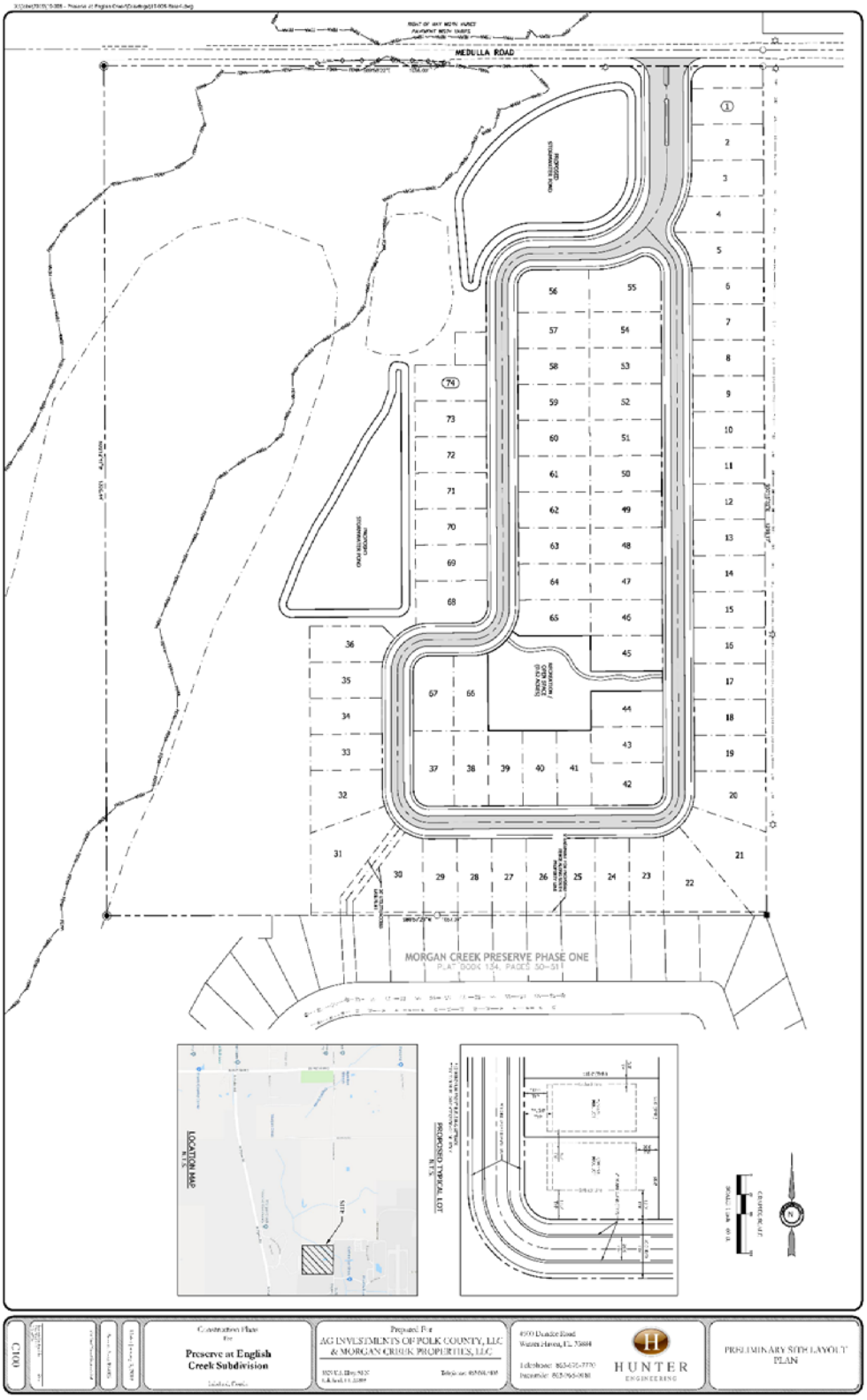

MEDULLA ROAD
MORGAN CREEK PRESERVE PHASE ONE
PLAT BOOK 134, PAGES 50-51
LOCATION MAP
Preserve at English Creek Subdivision
AG INVESTMENTS OF POLK COUNTY, LLC & MORGAN CREEK PROPERTIES, LLC
HUNTER ENGINEERING
PRELIMINARY SITE LAYOUT PLAN

EXHIBIT “C-1C”

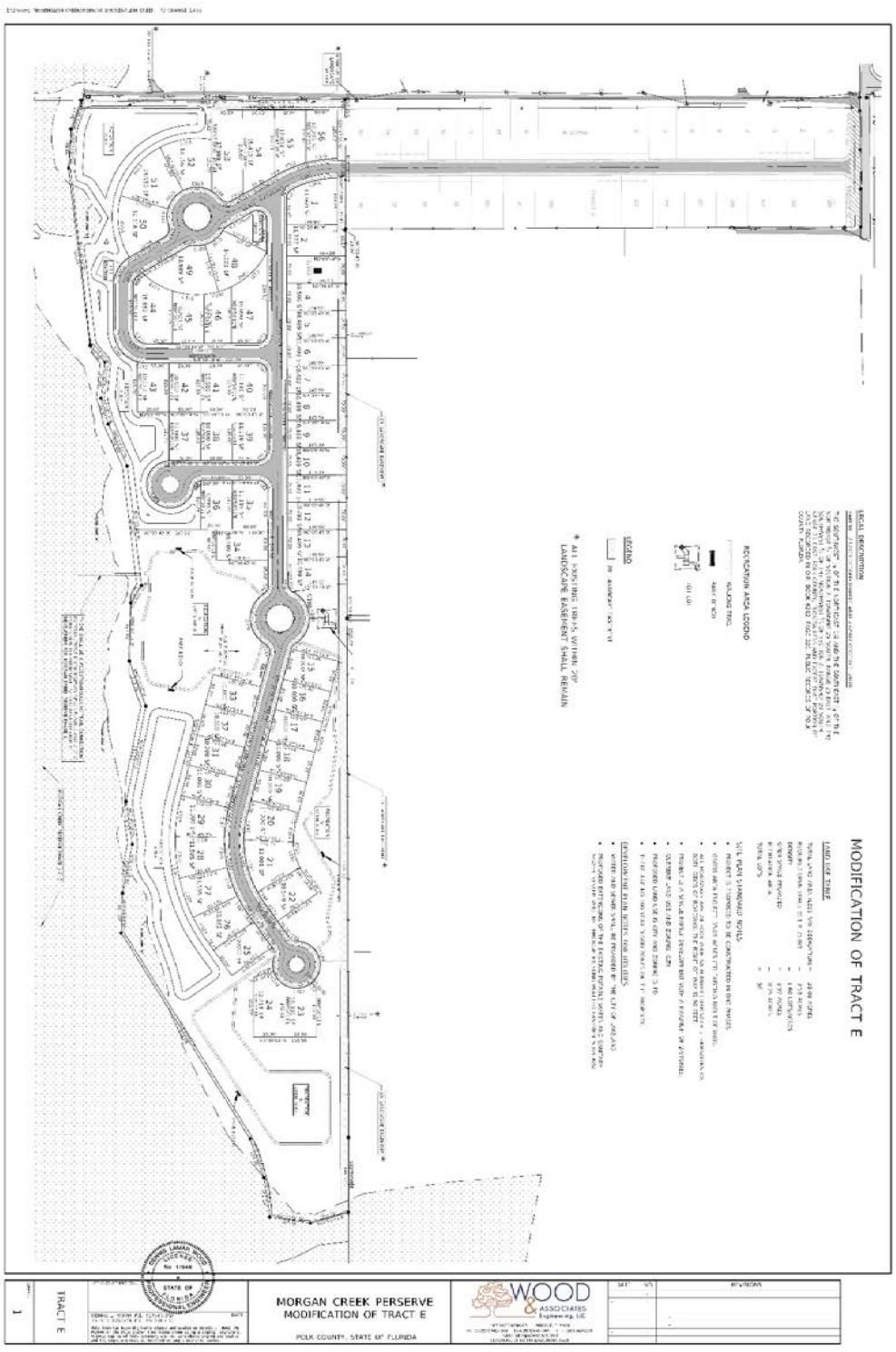
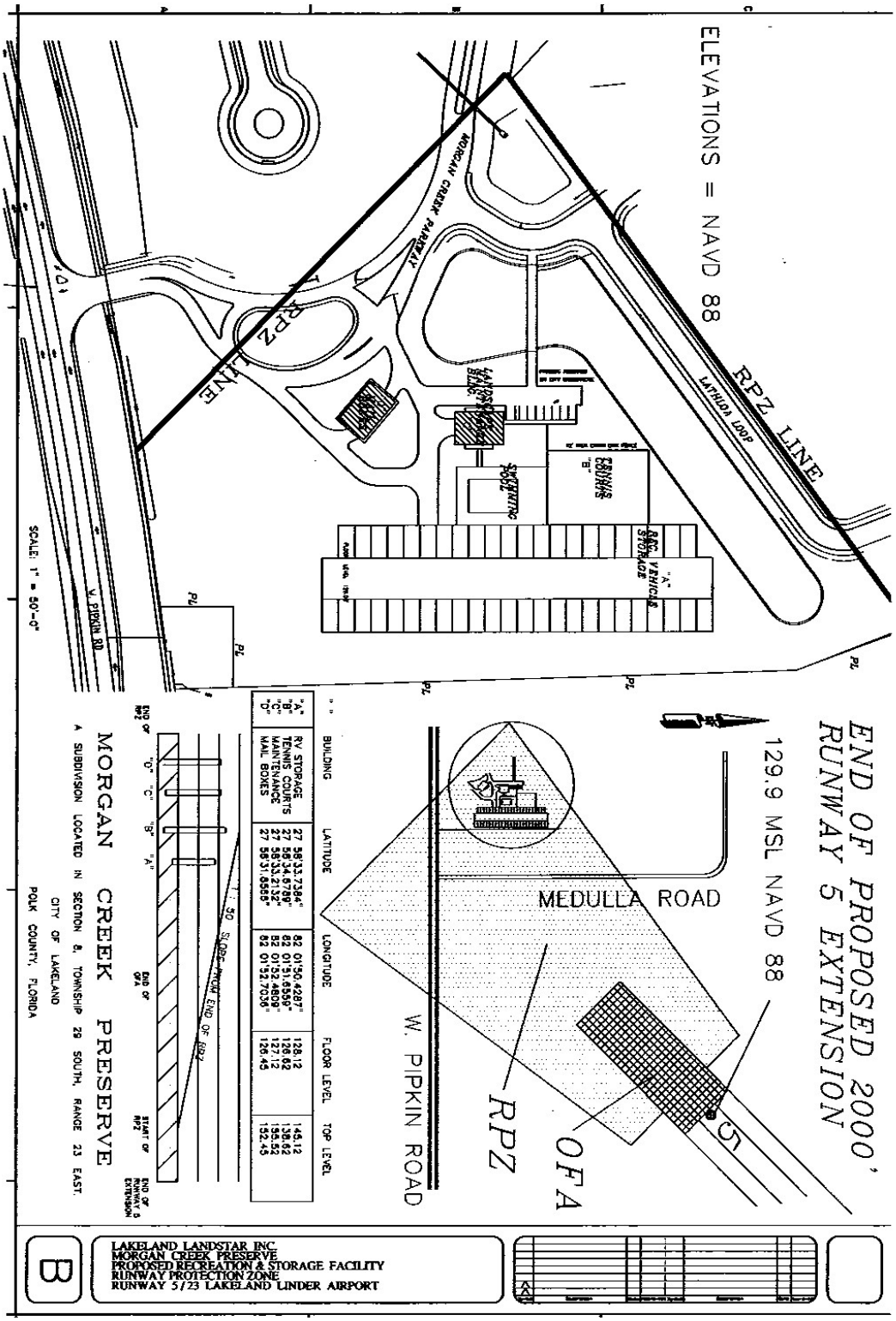

MODIFICATION OF TRACT E
MORGAN CREEK PERSERVE
MODIFICATION OF TRACT E
POLK COUNTY, STATE OF FLORIDA
WOOD & ASSOCIATES
TRACT E

EXHIBIT “C-2”



	BUILDING	LATITUDE	LONGITUDE	FLOOR LEVEL	TOP LEVEL
"A"	RV STORAGE	27 58'33.7384"	82 01'50.4287"	128.12	145.12
"B"	TENNIS COURTS	27 58'34.6788"	82 01'51.6550"	128.62	138.62
"C"	MAINTENANCE	27 58'33.2132"	82 01'52.4809"	127.12	155.52
"D"	MAIL BOXES	27 58'31.8558"	82 01'52.7038"	126.45	152.45

EXHIBIT "C-3"

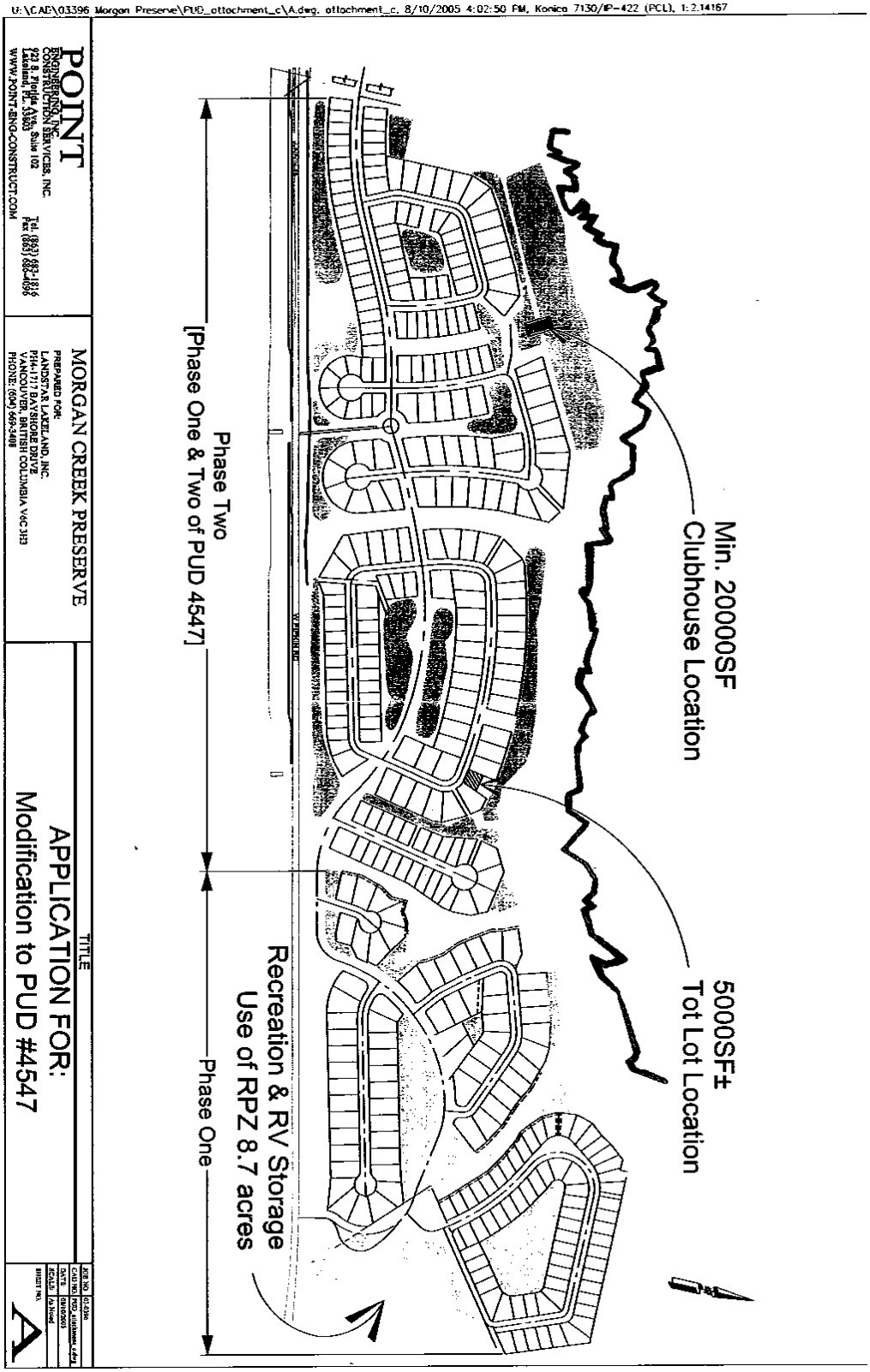
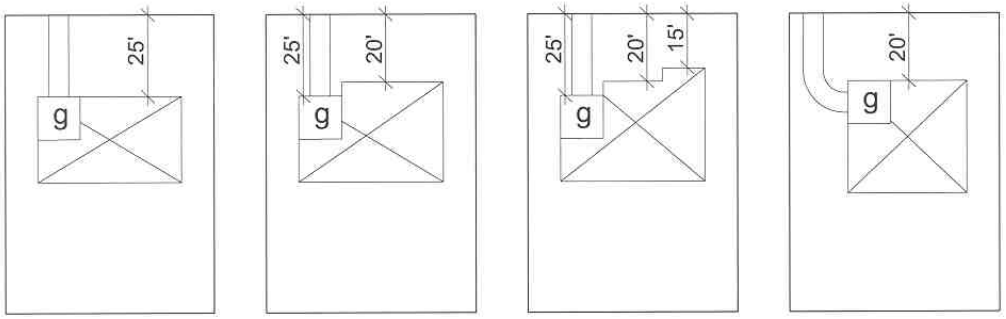

U:\CAD\03396 Morgan Preserve\PUD_attachment_c\A.dwg, attachment_c, 8/10/2005 4:02:50 PM, Konica 7130/IP-422 (PCL), 1:2.14167
POINT
ENGINEERING & SURVEYING, INC.
923 S. Florida Ave. Suite 102
Lakeland, FL 33803
Tel (863) 682-1866
Fax (863) 682-4066
WWW.POINT-ENG-CONSTRUCT.COM
MORGAN CREEK PRESERVE
PREPARED FOR:
LANDSTAR LAKELAND, INC.
PHASE ONE & TWO
VANCOUVER, BRITISH COLUMBIA V6C 3H3
PHONE: (604) 669-5488
TITLE
APPLICATION FOR:
Modification to PUD #4547
JOB NO. 03-0396
CAD NO. PUD_attachment_c.dwg
DATE 08/10/2005
SCALE 1"=200'
SHEET NO.
A
Min. 20000SF
Clubhouse Location
5000SF±
Tot Lot Location
Recreation & RV Storage
Use of RPZ 8.7 acres
Phase One
Phase Two
[Phase One & Two of PUD 4547]
W. MORGAN RD.

EXHIBIT “D”

MORGAN CREEK PRESERVE
MINIMUM BUILDING SETBACKS

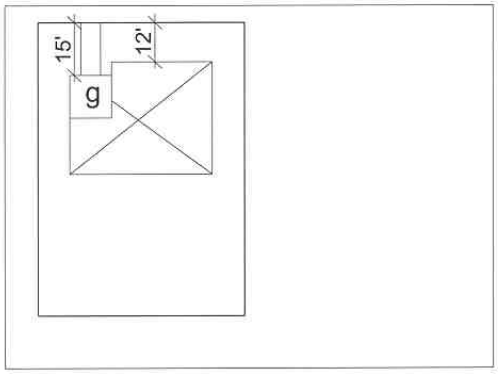
Front Yard Setbacks

For lots of 10,000 sq. ft. minimum, front yard setbacks shall conform to one of the following:



This permits the houses to be at varying minimum distances from the front property line, while maintaining a minimum of 25 ft. of driveway. Where the driveway enters from the side, the house may be sited 20 ft. back. Where the 15 ft. setback is selected, no more than 15% of the frontage may be so sited.

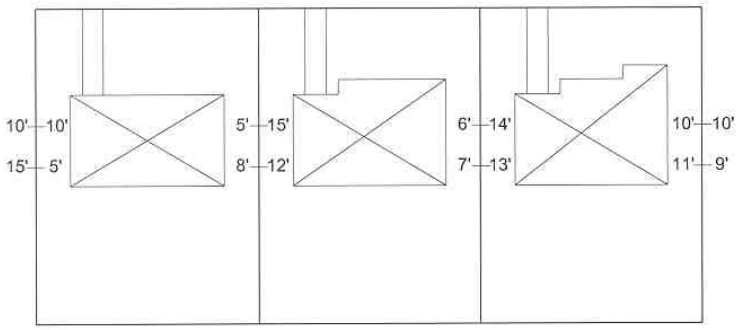
For lots of 5,500 sq. ft. minimum, the front yard setback shall be 12 ft. minimum from the front property line, with the driveway at a setback of 15 ft. minimum.



MORGAN CREEK PRESERVE
MINIMUM BUILDING SETBACKS continued

Side Yard Setbacks

For lots of 10,000 sq. ft. minimum, side yard setbacks shall conform to one of the following:



This permits the houses to be at varying minimum distances apart, but with not less than 20 ft. separation. The minimum distance from the property line shall be 5 ft.

For lots of 5,500 sq. ft. minimum, the side yard setback shall be a minimum of 5 ft.

For all corner lots, flanking side yard setbacks shall be equal to the front yard setback selected.

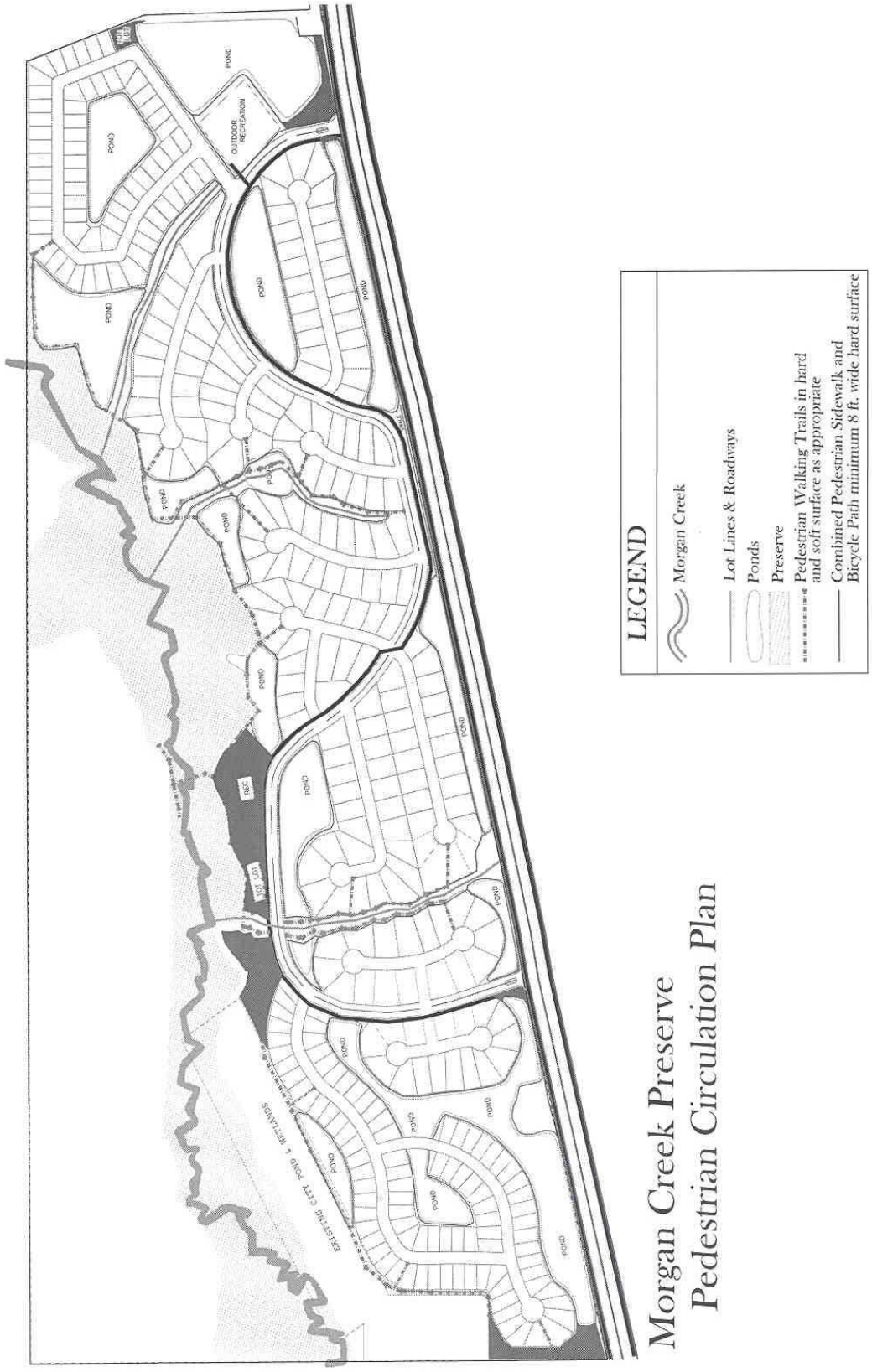
Back Yard Setbacks

For lots of 10,000 sq. ft. minimum, back yard setbacks shall conform to one of the following:

- Where the depth of the lot is 135 ft. or more, the minimum setback shall be 35 ft., with 50% of the rear of the house permitted to reduce to at 30 ft.
- Where the depth of the lot is 125 ft. to 135 ft., the minimum setback shall be 30 ft., with 50% of the rear of the house permitted to reduce to at 25 ft.
- Where the depth of the lot is 120 ft., the minimum setback shall be 25 ft., with 25% of the rear of the house permitted to reduce to at 20 ft.

For lots of 5,500 sq. ft. minimum, the minimum setback shall be 20 ft.

EXHIBIT “E”

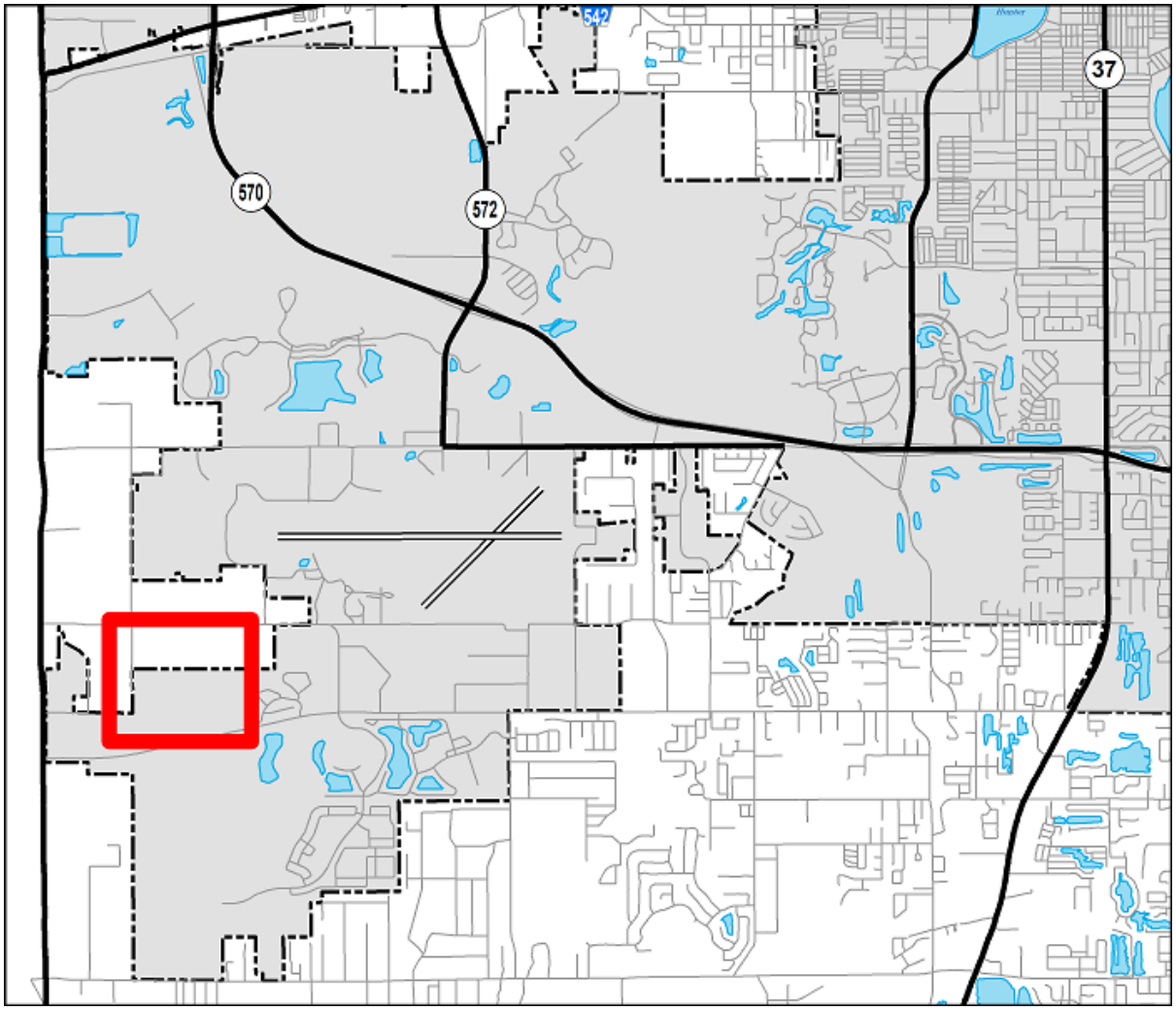


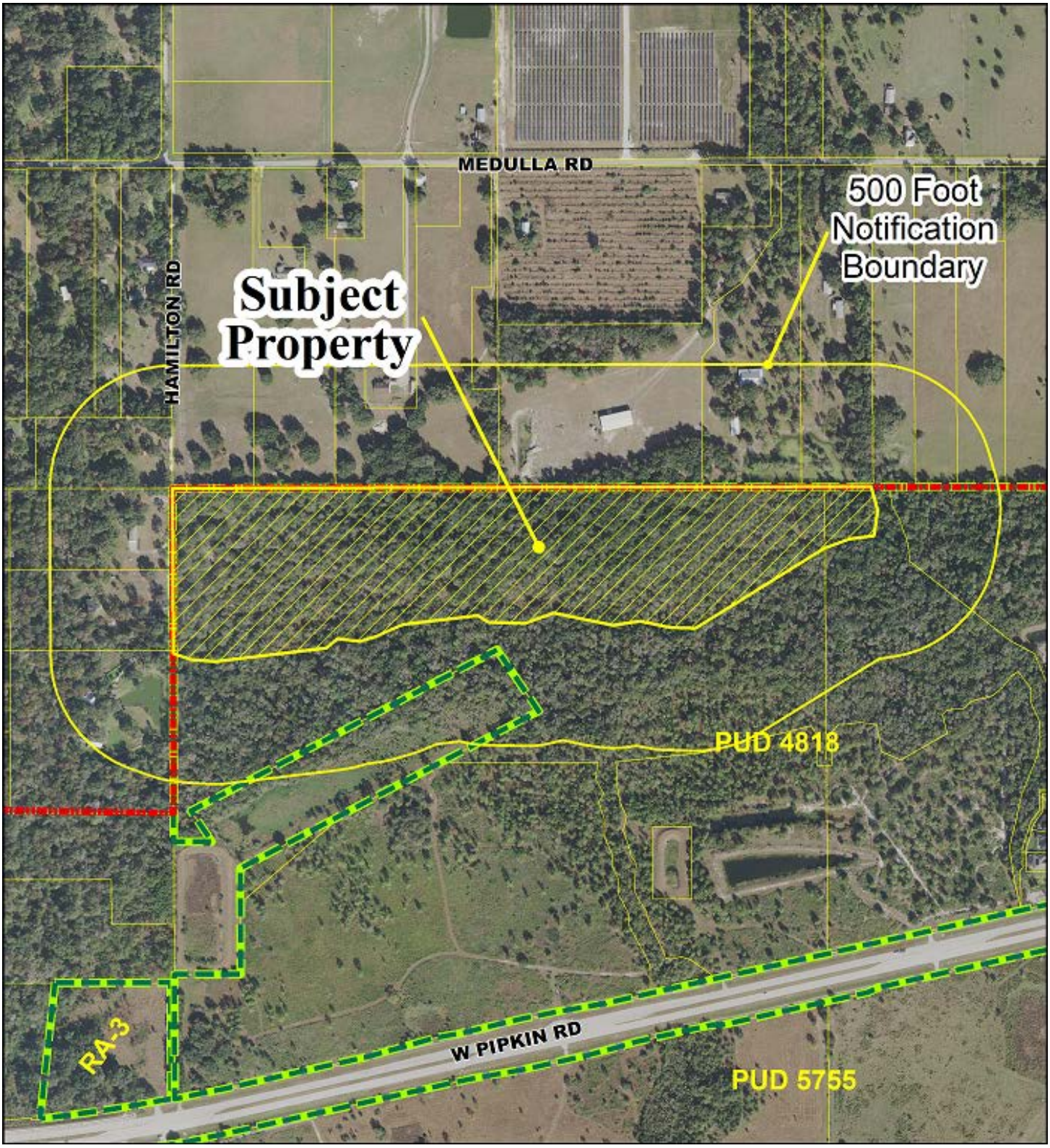
Morgan Creek Preserve
Pedestrian Circulation Plan

Planning & Zoning Board Recommendation

Date:	March 1, 2021	Reviewer:	Joshua Cheney
Project No:	PUD20-014	Location:	4806 Hamilton Road
Owner:	English Creek, LLC.		
Applicant:	Wood & Associates Engineering, LLC.		
Current Zoning:	(PUD) Planned Unit Development 4818	Future Land Use:	RL (Residential Low)/ Conservation (C)
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	December 15, 2020	P&Z Final Decision:	February 16, 2021
Request:	Major modification of PUD (Planned Unit Development) zoning for Tract E of Morgan Creek Preserve to allow for the construction of 56 single-family detached homes on approximately 35.08 acres generally located south of Medulla Road, east of Hamilton Road, and north of W. Pipkin Road (4806 Hamilton Road).		

1.0 Location Maps




MEDULLA RD
500 Foot
Notification
Boundary
HAMILTON RD
Subject
Property
PUD 4818
RA-3
W PIPKIN RD
PUD 5755

2.0 Background

2.1 Summary

Wood & Associates Engineering, LLC requests a major modification of PUD (Planned Unit Development) zoning for Tract E of Morgan Creek Preserve to allow for the construction of 56 single-family detached homes on approximately 35.08 acres generally located south of Medulla Road, east of Hamilton Road, and north of W. Pipkin Road. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, included as part of the original 2004 approval for Morgan Creek Preserve as Tract E, consists of an undeveloped, heavily wooded 35.08 parcel of land located on the north side of the English Creek drainage basin. Due to site access issues and the lack of detailed plan at the time the PUD was approved, no entitlements or development standards were applied to the subject property. The subject property, however, was identified for future residential development subject to resolution of the site access issues and the adoption of a detailed site development plan through the PUD modification process. The bulk of the subject property has a future land use designation of Residential Low (RL) with a small portion of environmentally sensitive lands located adjacent to English Creek being assigned a future land use designation of Conservation (C).

2.3 Project Background

The applicant requests a major modification of the PUD zoning to adopt a new site development plan which will allow for the construction of 56 single-family detached homes on the subject property. Access to the site will be obtained via Medulla Road through a 9.94-acre parcel located to the north in unincorporated Polk County. The 9.94-acre parcel, which is under the same ownership as the subject property, recently received approval from Polk County for a Suburban Planned Development (SPD). The SPD allows for the construction of a new single-family subdivision with a maximum of 29 homes. A site development plan which depicts the proposed lot layout, internal street system, buffering, drainage, and access to the north is included as Attachment "C-1C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Rural Residential	Polk County - Residential Suburban (RS) Residential Low- 1 (RL-1) and Business Park Center-1 (BPC-1)	N/A	N/A
South	Vacant Land	Residential Low (RL) and Conservation (C)	PUD	SNH PCR
East	Vacant Land	Residential Low (RL)	PUD	SNH
West	Rural Residential	Polk County - Residential Suburban (RS)	N/A	N/A

2.4 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Conceptual Master Site Development Plan

Attachment C-1A: Site Development Plan - Tract “D” and Tract “F”

Attachment C-1B: Site Development Plan - Tract “F”

Attachment C-1C: Site Development Plan - Tract “E”

Attachment C-2: Site Development Plan - Recreation & Storage Facility / Runway Protection Zone

Attachment C-3: Site Development Plan - Phase 2

Attachment D: Minimum Building Setbacks

Attachment E: Pedestrian Circulation Plan.

3.0 Discussion

The RL future land use designation allows for the development of residential uses at a maximum intensity of five dwelling units per acre. As submitted by the applicant, the proposed subdivision would allow for a maximum of 56 single-family detached dwellings on the 35.08-acre parcel which translates to a gross density of 1.65 dwelling units per acre which is well below the maximum allowed under the Comprehensive Plan. To accommodate this level of density, the minimum lot size will be 10,000 sq. ft., which is consistent with the largest lot size mandated within the other development tracts of Morgan Creek Preserve. No changes or modifications are proposed to either the current minimum building setbacks or other applicable development standards.

At the public hearing, adjacent property owners to the north and west, as well as east of the project site along Medulla Road, expressed concerns about the proposed changes. Most of the comments received were related to longstanding problems with flooding in the area and the concern that the proposed development would exacerbate the flooding issue. Secondary concerns were expressed related to impacts on wetlands, loss of wildlife habitat, airport conflicts and compatibility with rural residential uses to the north and west.

In response, the applicant stated that they were aware of the flooding issue and designed the site to ensure that any runoff produced by the development drains to a system of internal stormwater ponds located along the south and east sides of the development site. In addition, the applicant has agreed to a condition of approval which will require that the stormwater management system for this tract be designed to accommodate a 100-year/24-hour storm event. The specific design and engineering for the stormwater management system will be subject to approval by the City of Lakeland Public Works Department at the time of subdivision review and in accordance with an approved SWFWMD permit.

The bulk of the property has a future land use designation of Residential Low which allows for the development of the site for residential uses at the proposed density. The applicant has designed the site to avoid that portion of the subject property that falls within the flood zone and has Conservation (C) future land use. Development of the site will require compliance with tree preservation standards within the Land Development Code and environmental impacts will be addressed through the permitting process with applicable state agencies including but not limited to SWFWMD. To minimize visual impacts on adjacent residential uses to the north and west, the applicant has agreed as a

condition of approval to preserve a 20-foot wide natural vegetative buffer on the north and west sides of the property.

Although the subject property lies within the Horizontal Surface Limits of Lakeland Linder International Airport, this overlay does not prohibit the proposed use, however, it does make efforts to minimize obstructions to the airport airspace by limiting the height of structures (such as antennas) along with smoke, strong or unusual lights, and residential development near the ends of the runways which may be sensitive to television interference and aircraft noise. In addition, airport conflicts are addressed by an existing condition for an Avigation Agreement prior to the platting of the first phase.

3.1 Transportation and Concurrency

The subject property comprising Tract E is located north of the actual Morgan Creek floodway and is physically separated from the remainder of Morgan Creek Preserve. Tract E is proposed to be connected to Medulla Road via an adjacent 10-acre tract in unincorporated Polk County that is also owned by English Creek, LLC and is subject of a recent land use action by the County. Combined, the 85 single family units (56 in City and 29 in County) are proposed to be accessed via one local street that connects to Polk County's Medulla Road, approximately 175 feet east of the northern leg of Hamilton Road that is also operated by the County. Utilizing the single-family detached home trip generation rates published in the Institute of Transportation Engineers' Trip Generation Manual (10th Edition), the Major Traffic Study submitted by Wood & Associates Engineering in December 2020 estimates that the cumulative 85 homes are expected to generate 803 Daily trips and 84 P.M. Peak Hour Trips (Adjacent Street Traffic, 4-6 P.M.).

Medulla Road is a 21-foot wide urban collector roadway with a 2019 Annual Average Daily Traffic Volume of 1,200 vehicles as shown in the Polk Transportation Planning Organization's Roadway Network Database (RND), released on March 16, 2020. Per the RND, the eastbound and westbound volumes over the average of the two highest peak hours per day are 55 and 53, respectively. With a directional capacity of 792 peak hour vehicles, Medulla Road operates at Level of Service "B. " Nearby Hamilton Road is a roadway between Medulla Road and Drane Field Road that is operated by Polk County with a narrow pavement width of between 16 and 17 feet. Hamilton Road is a designated future Airport Access Route in the Lakeland Comprehensive Plan, with an unfunded improvement need identified to create a standard two- or three-lane cross-section to accommodate commercial traffic in the area. Improvements to Hamilton Road will be the subject of future funding requests through other agencies such as the Florida Department of Transportation due to its proximity to Lakeland Linder International Airport.

The applicant's traffic study included approved trips for the nearby Riverstone residential and Gresham Village retail developments as well as the signalization at the Medulla Road/West Pipkin Road intersection that is a required mitigation project through the Riverstone Development Agreement executed in 2018. Riverstone's developer will work with Polk County's contractor to install this signal during the construction phase of the West Pipkin Road four-lane improvement that is scheduled to begin in 2021 and be completed in approximately 2024.

The Medulla Road/County Line Road, Medulla Road/Hamilton Road and signalized Medulla Road/West Pipkin Road intersections are expected to operate at acceptable levels-of-service with the addition of project traffic by the 2025 buildout year. It should be noted the volumes collected by the applicant in December 2020 are lower than those collected in previous nearby studies, likely due to the reduced number of employees working on-site at the nearby GEICO regional headquarters during the on-going COVID crisis. Additional data and updated analysis may need to be collected prior to final plat approval to reflect the latest area traffic patterns during the COVID recovery and opening of the Publix supermarket at the new Gresham Farms shopping center in 2021.

At this time, transit service, sidewalks, and bicycle facilities are not available to the subject property via Medulla Road or Hamilton Road. The internal pedestrian routes throughout the PUD that are already

required in Ordinance 4818 shall be formalized through easements that are defined and executed with future plat approvals. These routes are critical to providing connectivity to the West Pipkin Road sidewalk and ultimately the Gresham Farms retail center at the West Pipkin Road/County Line Road intersection.

Even though a majority of Medulla Road is located outside of Lakeland's city limits, it has been assigned a "Suburban Canopy Road" roadway typology in the Lakeland Comprehensive Plan. This designation is intended to preserve the character of roadways located within suburban or rural areas that are subject to development pressure. This designation, as to be integrated into the Land Development Regulations if/when abutting properties are annexed into the City, will protect tree canopy within right-of-way and will prohibit widening beyond operational and safety improvements. Based on the estimated trip generation of the cumulative 85 single-family dwelling units within the City and County portion of the development, Polk County will require the construction of a "Type II" intersection at the project entrance on Medulla Road as defined in its Land Development Code. Right-of-way along the Medulla Road project frontage will have to be dedicated by the developer, with the County evaluating the actual eastbound right-turn lane length during the permitting process to best meet the County LDC standards given the limited distance between the project entrance and western property boundary.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan. All roadway levels of service are acceptable and other essential services are presently available to provide service the proposed use. Actual construction is subject to final concurrency determinations at the time of subdivision plat and construction plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of PUD zoning. Letters of notification were mailed to 21 property owners within 500 feet of the subject property. Seventeen e-mails, 2 letters, and 4 calls were received in objection. Concerns previously stated in this report related to drainage, compatibility, and transportation are either addressed in the conditions and site plan/exhibits. A correlation between the project and other concerns, such as a reduction in property values have not been proven.

4.2 The Planning & Zoning Board

The recommendation for PUD20-014 was approved by a 7—0 vote of the Board.

It is recommended that the request for PUD zoning, as described above and in Attachments "A," "B," "C," "C-1A," "C-1B," C-1C," "C-2," "C-3," and "D" be approved.

A. Land Use Intensity: PUD-30

B. Permitted Uses:

Tracts A, B, C, E, and F: Single family detached dwellings plus a clubhouse and common recreation and park facilities. Permitted within the area under the Airport Overflight Zone in Tract A are a landscape maintenance building, swimming pool, tennis courts, mail pick up center and RV building/yard as illustrated in Attachment "C-2".

Tract D is a Conservation Area, use of which shall be limited to a recreational trail system and wildlife observation platforms.

C. Maximum Number of Dwelling Units:

Tracts A, B, C: 355 total

Tract F: Tract F shall be entitled to 58 total dwelling units as illustrated in Attachment "C-1A." Alternatively, this total may be increased to 74 units if the eastern portion of Tract F is developed as illustrated in new Attachment "C-1B" with a maximum of 74 units.

~~Tract E is reserved for future development. The maximum number of dwelling units in Tract E shall be subject to modification of this PUD.~~

Tract E: Tract E shall be entitled to 56 total dwelling units as illustrated in the site development plan, Attachment "C-1C."

D. Lot Mix:

A minimum of 46 percent of the combined total of lots in Tracts A, B, and C (165 lots) shall have a minimum lot area of 10,000 square feet. The remainder of the lots in Tracts A, B, and C (maximum 190 lots) shall have a minimum lot area of 5,500 square feet, as illustrated in Attachment "C."

Lots in Tract F shall have a minimum lot area of 6,000 square feet.

Lots in Tract E shall have a minimum lot area of 10,000 square feet.

E. Development Regulations: Except as otherwise provided herein, development regulations shall be as follows. In accordance with RA-2/Suburban Neighborhood sub-district standards for 10,000 square foot lots except that the minimum lot width shall be 90 feet for corner lots and 75 feet for interior lots. In accordance with RA-4/Suburban Neighborhood sub-district standards for 5,500 square foot and 6,000 square foot lots except that within Tracts A, B and C the minimum lot width shall be 60 feet for corner lots and 55 feet for interior lots. However, for any lots that are radial to cul-de-sacs or radial to the outside of curved streets, the minimum lot widths may be less than stated above, provided that each such lot abuts a street for a distance of not less than forty feet.

F. Minimum Building Setbacks: Minimum building setbacks shall be as illustrated in Attachment "D."

G. Site Development Plan: The project shall be developed in general accordance with the conceptual site development plan included as Attachment "C," "C-1A," ~~and~~ "C-1B." and "C-1C." The lot arrangement shown is conceptual and subject to change.

~~I.~~H. Parks and Recreation Facilities: Civic open space shall be provided in accordance with Article 3 of the Land Development Code and shall include:

1. A clubhouse on a minimum 20,000 square foot lot, two tot lots on minimum 5,000 square foot lots, and an area for active outdoor recreation on a minimum 65,000 square foot lot as illustrated in Attachment "C-2 and "C-3.

2. A 25,400 square foot square as illustrated in Attachment "C-1B."

3. 9.97 acres of recreation open space and tot lots as shown on Attachment "C-1C."

~~J.~~I. Utilities:

It is anticipated that the project will require improvements to off-site water and sanitary sewer lines and/or lift stations to meet concurrency. Determination of the specific improvements required will be made at the time of subdivision plat review for each phase.

In response to the Southwest Florida Water Management District's Water Supply Plan and at the discretion of the Water Utilities Department, phases of the Morgan Creek Preserve development that have not undergone subdivision plat review as of August 1, 2006, shall install an independent reclaimed/reuse irrigation water distribution system to serve all lots and common areas within those phases.

This is intended to meet the water management district's goal of reusing water and off setting the use of ground water. As the reuse system is developed, and at the discretion of the Water Utilities Department, the Morgan Creek independent irrigation system may be connected to the potable water system at one point of supply. Later, when the alternative source is available, the system can be connected to that and disconnected from the potable supply.

~~K.~~J. Vehicle Access: The project shall be limited to two vehicle access points to W. Pipkin Road as illustrated in Attachment "C"~~, and~~ one access point on Medulla Road serving Tract F, and another access point on Medulla Road serving Tract E.

~~L.~~K. Internal Roads: The internal collector road connecting the two Pipkin Road project entrances shall be constructed to City of Lakeland collector road standards. All other roads shall be built to City of Lakeland local street standards. Access to the western portion of Tract F shall be provided through the eastern portion of Tract F either through a formal cross-access agreement that is recorded with the Polk County Clerk of Courts or right-of-way dedication if accepted by the City Public Works Department.

~~M.~~L. Pedestrian Circulation System: The project shall have a pedestrian circulation system of interconnected sidewalks and trails as illustrated in Attachment "E". The internal collector road shall have a combination sidewalk/bicycle path on at least one side having a minimum width of eight feet and which shall be separated from the roadway by a minimum five foot landscaped strip. Asphalt may be used to pave this facility. Trails may be surfaced with mulch or similar natural material where located within a wetland or where otherwise required by permitting authorities. Where located outside of such areas, as atop retention pond banks or berms, trails shall be surfaced with a hard, all-weather material. Within Tract F, a sidewalk system shall be developed as shown in Attachment C-1B to provide access to the required square. A sidewalk shall be constructed along the Medulla Road project frontage, as approved by Polk County through its driveway permitting process. Tract E shall be connected to the remainder of the PUD via a pedestrian crossing of Morgan Creek as depicted in Attachment C-1C or Attachment E, with the final alignment determined during the platting and construction review phase. The final alignment through the remainder of the PUD to West Pipkin Road shall be located within an easement that is subject of an agreement with the Morgan Creek Preserve developer or other parties as appropriate. This agreement shall be recorded by the Polk County Clerk of Courts prior to the recording of the Tract E plat.

~~N.~~M. Street Lights: Street lights shall be ornamental and shall be on the Lakeland Electric approved list.

~~O.~~N. Street Trees: The developer shall plant native tree species within the rights-of-way on both sides of project roadways on the ratio of one tree per fifty linear feet minimum.

~~P.~~O. Road Improvements:

1. Concurrent with the platting of the first phase, the following road improvements will be constructed:

a. Eastbound left turn lanes (approximately 340 feet each) and westbound right turn tapers at each project entrance on W. Pipkin Road.

b. The southbound approach to the intersection of S. Pipkin Road and W. Pipkin Road shall be expanded to include exclusive left and right-turn lanes, subject to final design.

2. Concurrent with the platting of the eastern portion of Tract F, turn lane and/or other access improvements shall be constructed at the Medulla Road project entrance, as permitted by Polk County.

3. Prior to the first building permit in Tract E, a new roadway shall be completed to Medulla Road that is constructed to Polk County standards. A Type II intersection shall be constructed on Medulla Road in compliance with the Polk County Land Development Code or as otherwise permitted by Polk County. The road system within Tract E shall be constructed to City of Lakeland local street standards.

~~Q.~~P. Inclusion of Project in Mass Transit District: Prior to the platting of the first phase, the applicant shall petition to have the entire project site, except for Tracts D and F, included within the boundaries of the Lakeland Area Mass Transit District (LAMTD). Prior to the platting of the eastern portion of Tract F, an annexation petition shall be submitted to LAMTD for consideration. Prior to platting of the western portion of Tract F, an annexation petition shall be submitted for the remainder of Tract F and all of Tract D.

~~R.~~Q. Avigation Agreement: The applicant shall sign an Avigation Agreement prepared by the City of Lakeland that is recorded with the Polk County Clerk of Courts prior to the platting of any phase.

~~S.~~R. Homeowners Association: The project shall have one or more homeowners associations which shall be responsible for the maintenance of common areas.

S. Binding Concurrency Determinations shall be made at the time of each plat approval.

T. Stormwater Management: The stormwater management system for Tract E shall be designed to retain the difference in pre- and post-development runoff volumes from a 100-year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 100-year/24-hour storm event.

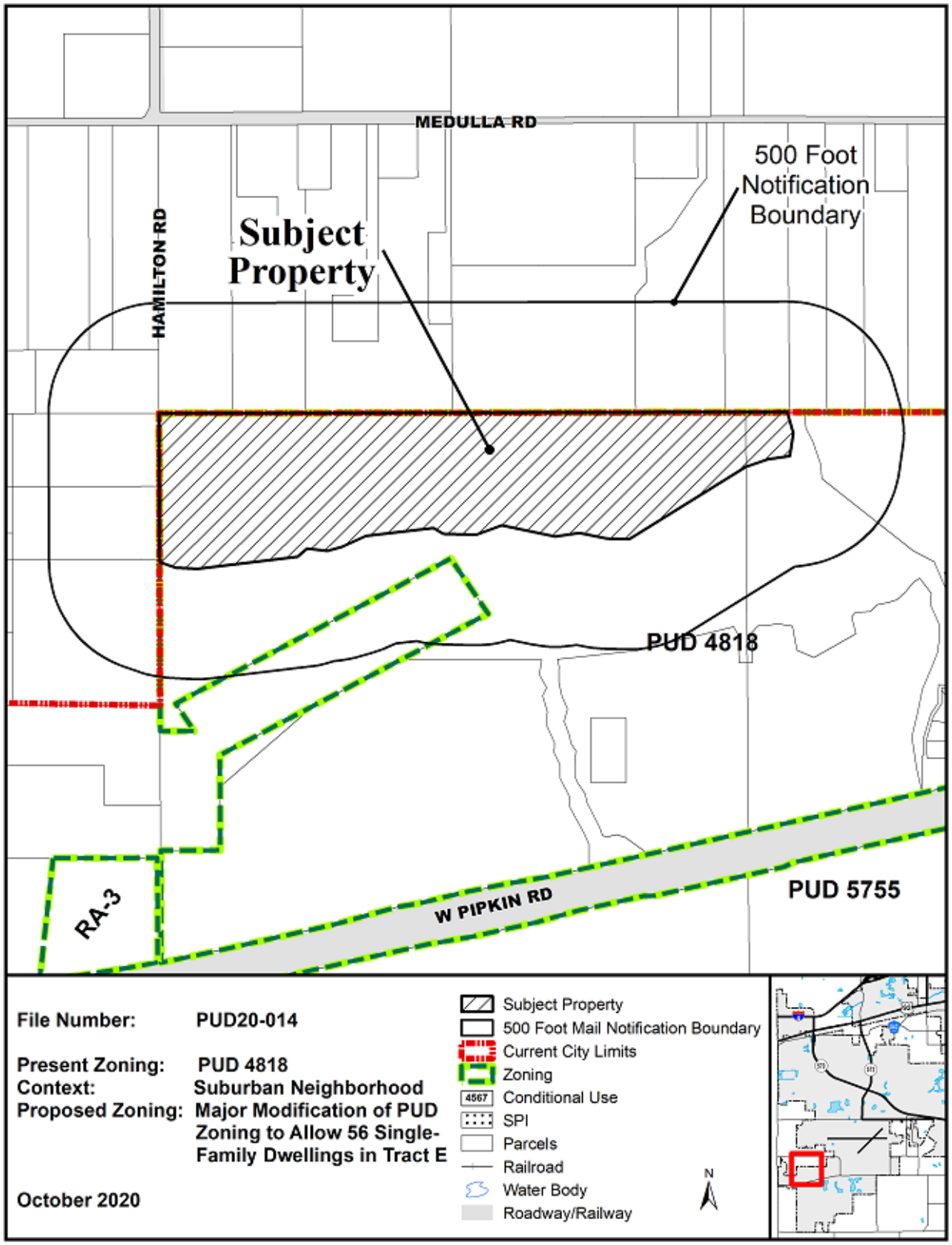
U. Buffering: For Tract E, A natural vegetative buffer with a minimum width of twenty (20) feet shall be established adjacent to the north and west perimeter project boundaries. When located on individual lots, the natural buffer shall be retained through the recording of an easement agreement and maintained by the homeowners association.

ATTACHMENT “A”

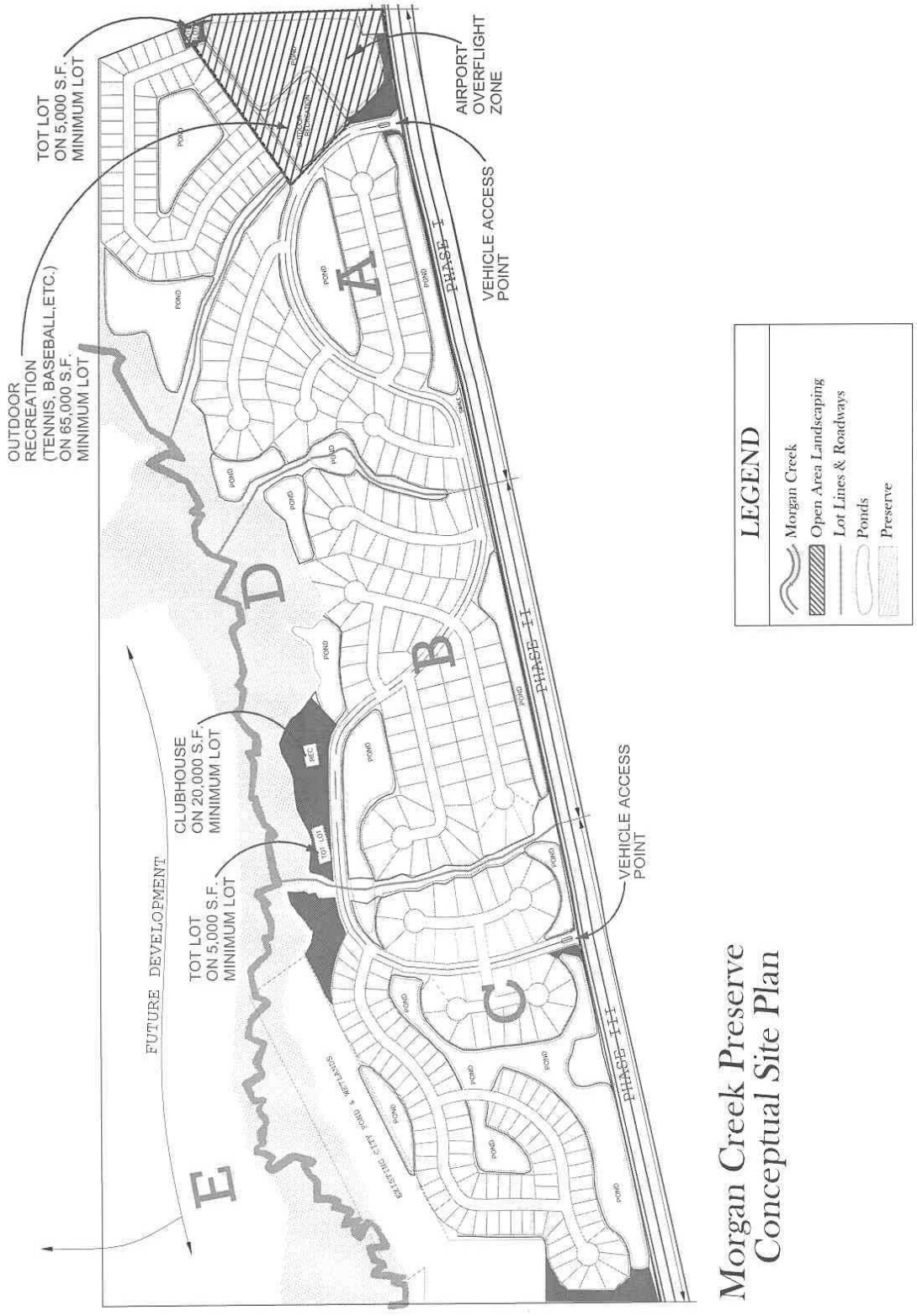
Legal Description:

PARCEL 232908-000000-034010 AND 232907-000000-012010 THE SOUTHWEST ¼ OF THE NORTHEAST 1/4 AND THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 7, TOWNSHIP 29 SOUTH, RANGE 23 EAST, AND THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA LESS AND EXCEPT THAT PORTION OF LAND RECORDED IN O.R. BOOK 6212, PAGE 320, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

ATTACHMENT “B”

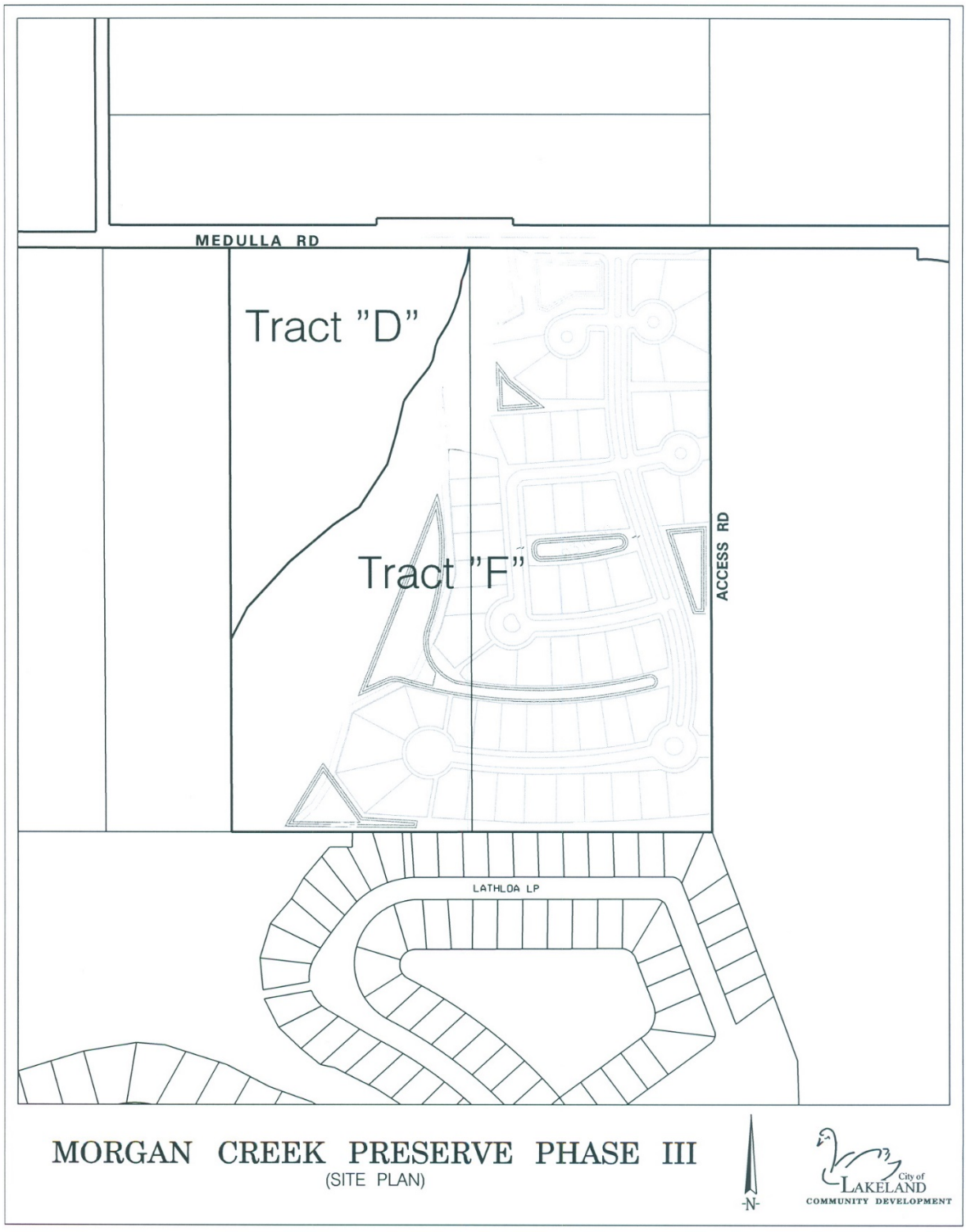


ATTACHMENT “C”

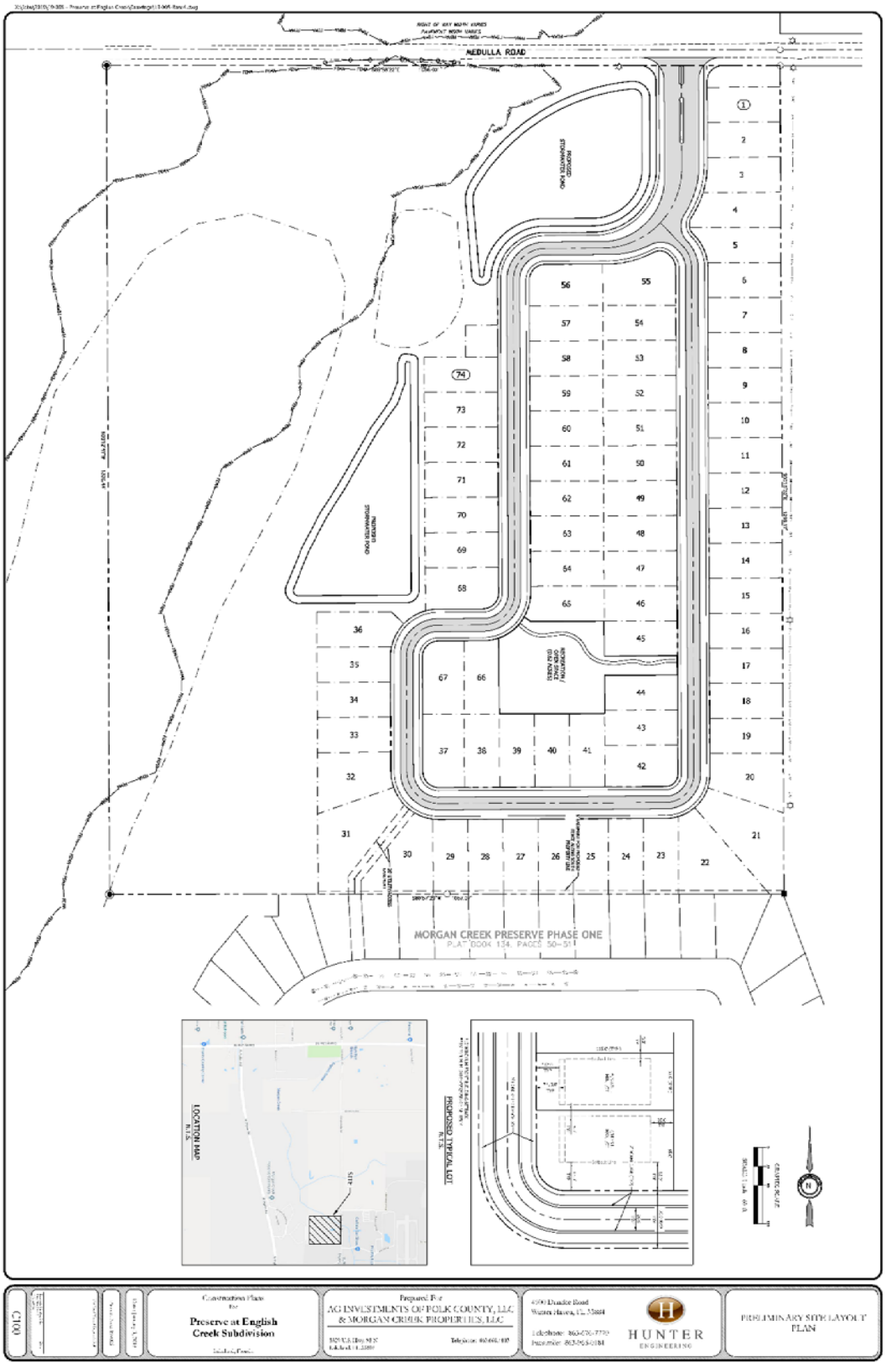


Morgan Creek Preserve
Conceptual Site Plan

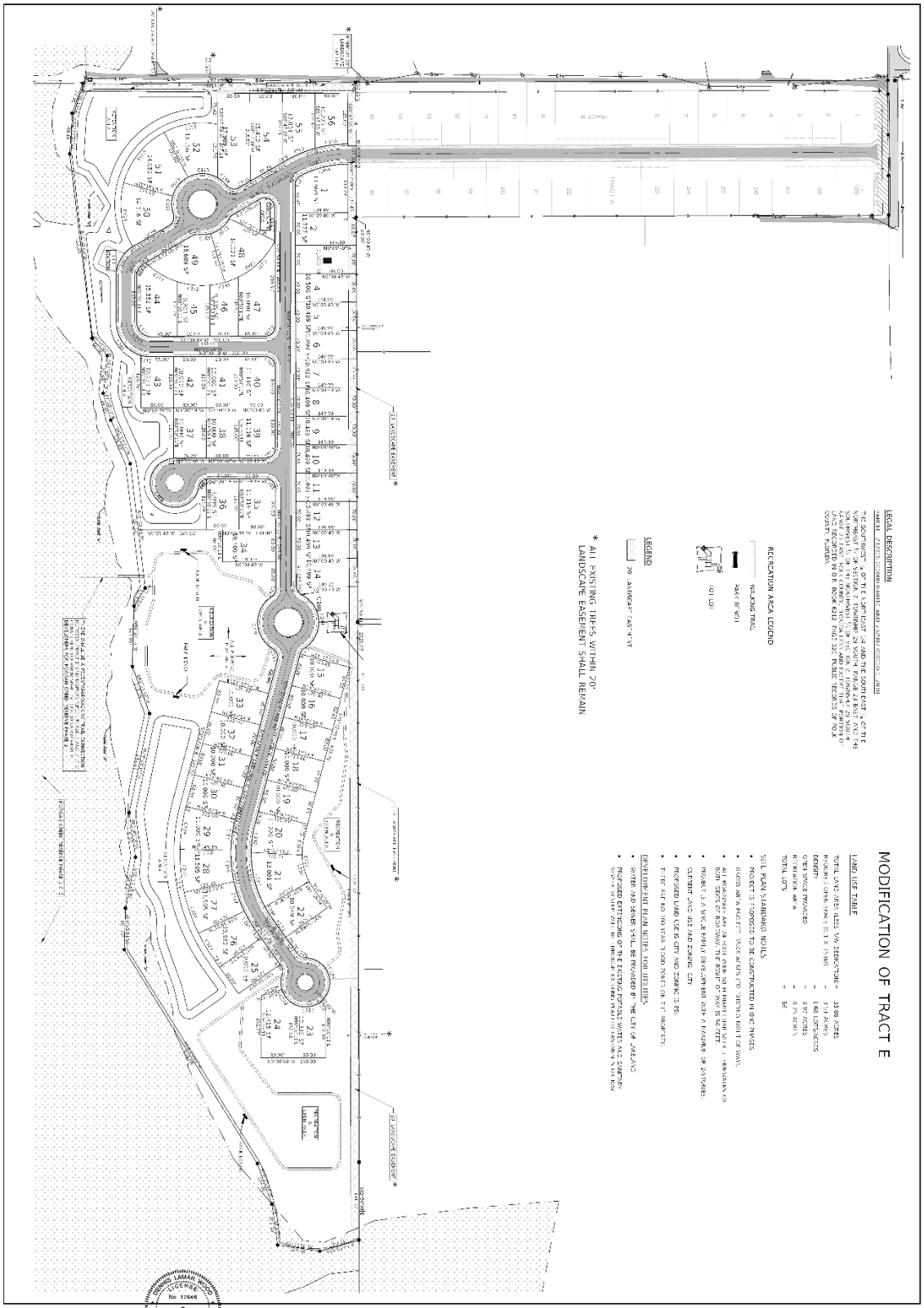
ATTACHMENT “C-1A”



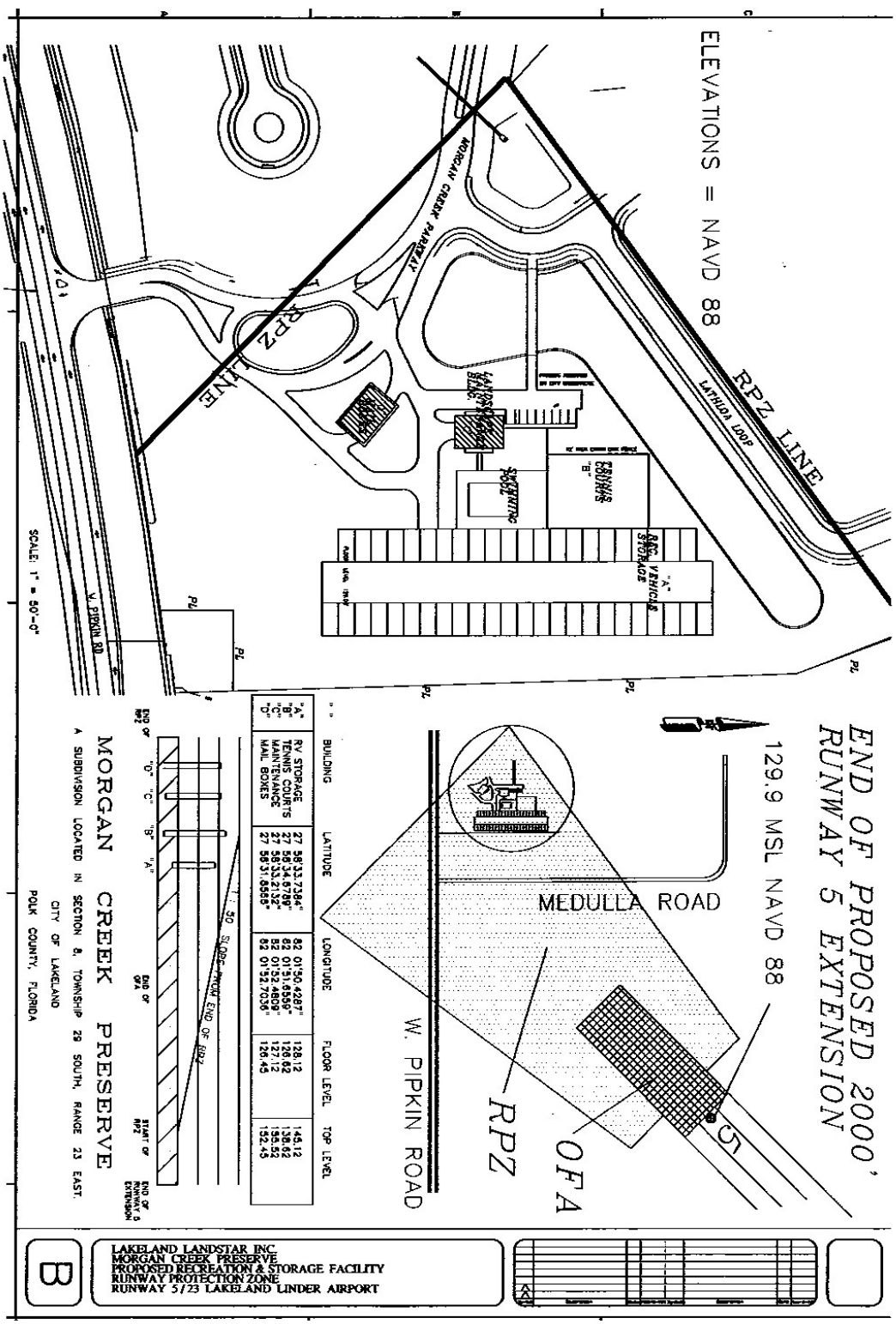
ATTACHMENT “C-1B”



ATTACHMENT “C-1C”

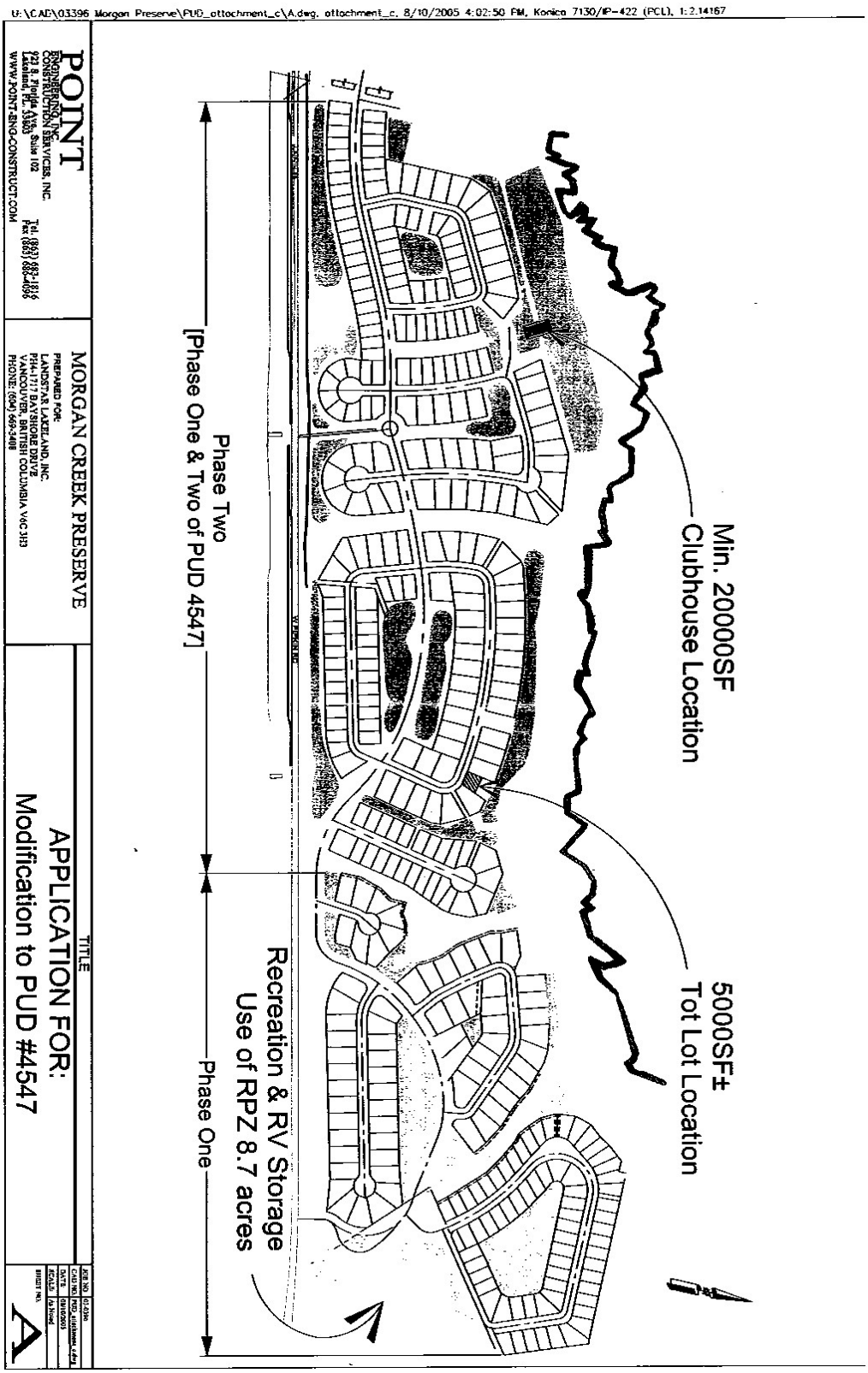


ATTACHMENT “C-2”



	BUILDING	LATITUDE	LONGITUDE	FLOOR LEVEL	TOP LEVEL
"A"	RV STORAGE	27 58'33.7584"	82 01'50.4287"	128.12	145.12
"B"	TENNIS COURTS	27 58'34.8789"	82 01'51.6559"	126.62	138.62
"C"	MAINTENANCE	27 58'33.2132"	82 01'52.4809"	127.12	155.62
"D"	MAIL BOXES	27 58'31.6585"	82 01'53.7036"	126.45	152.45

ATTACHMENT "C-3"

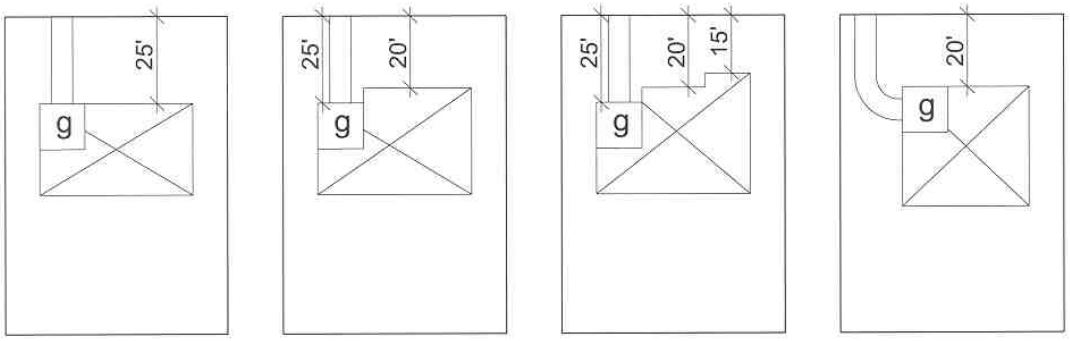


ATTACHMENT “D”

MORGAN CREEK PRESERVE
MINIMUM BUILDING SETBACKS

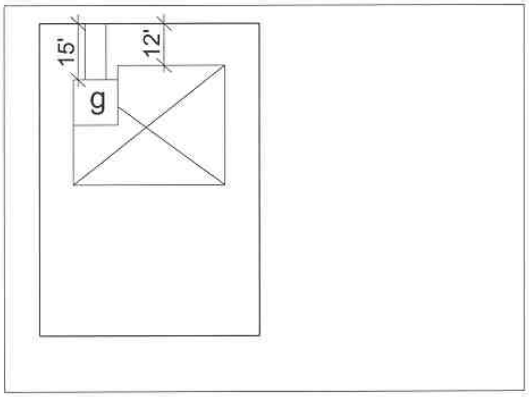
Front Yard Setbacks

For lots of 10,000 sq. ft. minimum, front yard setbacks shall conform to one of the following:



This permits the houses to be at varying minimum distances from the front property line, while maintaining a minimum of 25 ft. of driveway. Where the driveway enters from the side, the house may be sited 20 ft. back. Where the 15 ft. setback is selected, no more than 15% of the frontage may be so sited.

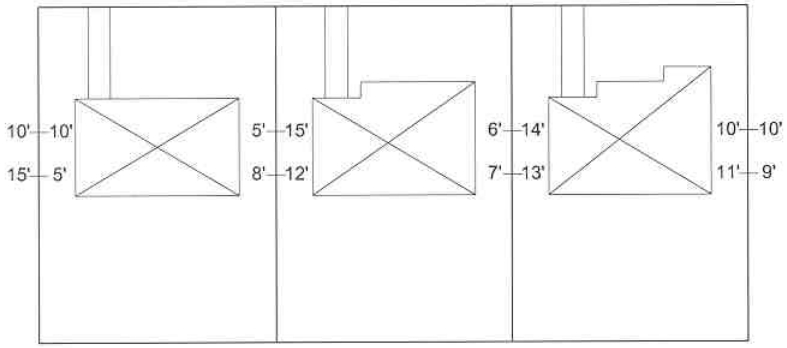
For lots of 5,500 sq. ft. minimum, the front yard setback shall be 12 ft. minimum from the front property line, with the driveway at a setback of 15 ft. minimum.



MORGAN CREEK PRESERVE
MINIMUM BUILDING SETBACKS continued

Side Yard Setbacks

For lots of 10,000 sq. ft. minimum, side yard setbacks shall conform to one of the following:



This permits the houses to be at varying minimum distances apart, but with not less than 20 ft. separation. The minimum distance from the property line shall be 5 ft.

For lots of 5,500 sq. ft. minimum, the side yard setback shall be a minimum of 5 ft.

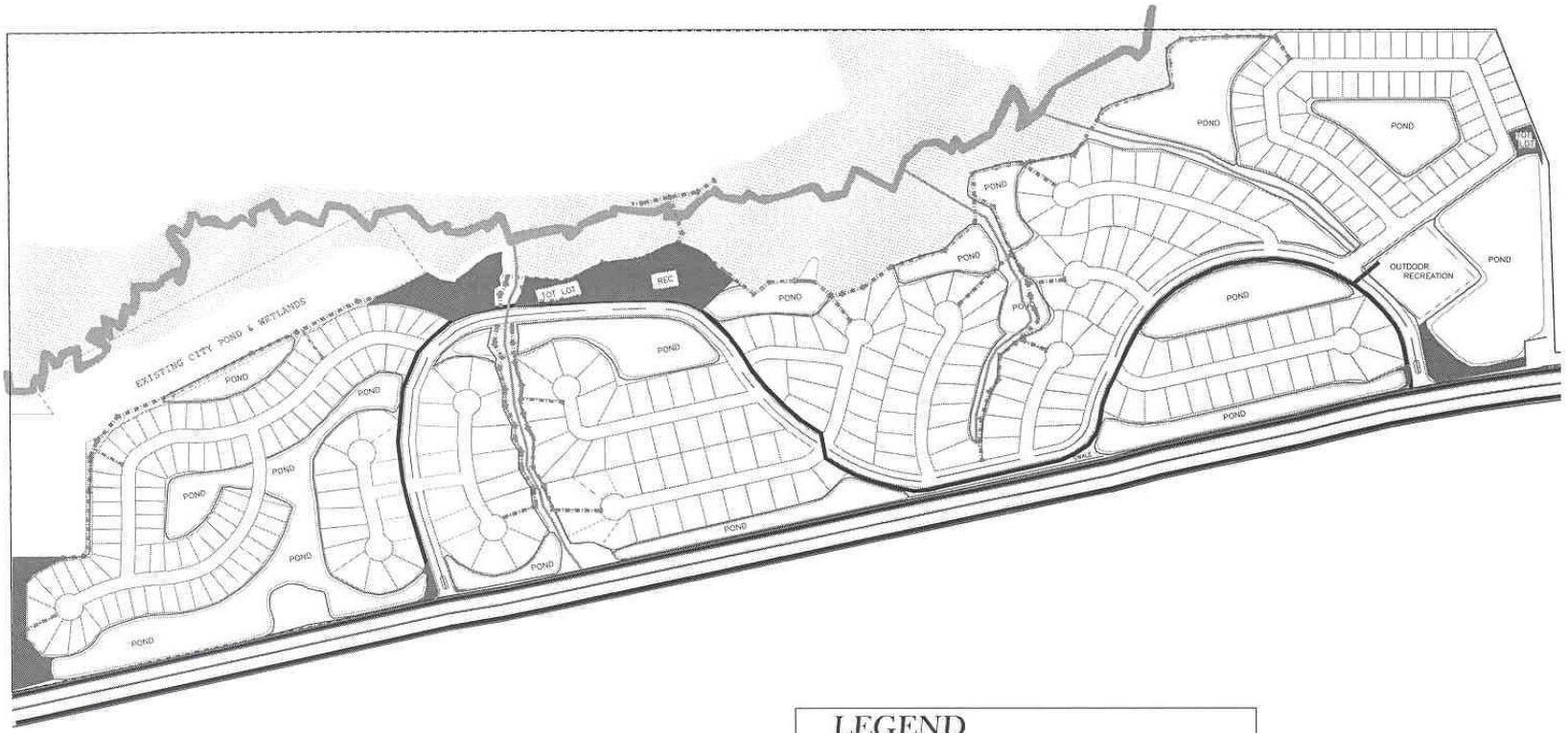
For all corner lots, flanking side yard setbacks shall be equal to the front yard setback selected.

Back Yard Setbacks

For lots of 10,000 sq. ft. minimum, back yard setbacks shall conform to one of the following:

- Where the depth of the lot is 135 ft. or more, the minimum setback shall be 35 ft., with 50% of the rear of the house permitted to reduce to at 30 ft.
- Where the depth of the lot is 125 ft. to 135 ft., the minimum setback shall be 30 ft., with 50% of the rear of the house permitted to reduce to at 25 ft.
- Where the depth of the lot is 120 ft., the minimum setback shall be 25 ft., with 25% of the rear of the house permitted to reduce to at 20 ft.

For lots of 5,500 sq. ft. minimum, the minimum setback shall be 20 ft.



Morgan Creek Preserve
Pedestrian Circulation Plan

LEGEND

- Morgan Creek
- Lot Lines & Roadways
- Ponds
- Preserve
- Pedestrian Walking Trails in hard and soft surface as appropriate
- Combined Pedestrian Sidewalk and Bicycle Path minimum 8 ft. wide hard surface

ATTACHMENT "E"