AGENDA
Planning & Zoning Board
City Commission Chambers
October 15, 2019 8:30 a.m.

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. 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.

PUBLIC HEARING

ITEM 1: a. Compatibility review to allow for the construction of an accessory dwelling unit on property located at 2233 Nottingham Road. Owner: Maria Mahoney. Applicant: Sarah Case. (ADU19-007)
   b. Consideration of final decision.

ITEM 2: a. Conditional use to allow a bar with accessory brewing on property located at 125 S. Kentucky Avenue. Owner: Kevin Stringer. Applicant: Marlon Lynn Architect PA. (CUP19-007)
   b. Consideration of final decision.

ITEM 3: a. Conditional use to allow a baseball training and rehabilitation facility on approximately 4.18 acres located at 537 Laura Road. Owner: Randy Sullivan. Applicant: Marlon Lynn Architect PA. (CUP19-008)
   b. Consideration of final decision.

   b. Consideration of final decision.

   b. Consideration of final decision.

ITEM 6: Major modification to PUD (Planned Unit Development) zoning to allow a Level II Institutional Residential Use (Residential Treatment Facility) with a maximum of 12 beds on property located at 220 Carleton Street. Owner: Alliance for Independence Inc. Applicant: Tri-County Human Services, Inc. (PUD19-022)
ITEM 7: Application of O-3 (Moderate Impact Office) zoning on 2.26 acres located at 3407 and 3409 Betz Place. Owner: Sanford K. Betz. Applicant: JSK Consulting. (ZON19-012)

GENERAL MEETING

ITEM 8: Review minutes of the September 17, 2019 meeting.

ITEM 9: Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet. The proposed uses include 1,447,800 square feet of warehouse uses and 76,200 square feet of office uses on 166 acres generally located north of Interstate-4, south and east of N. State Road 33, and south of Mount Olive Road. Owner: Ruthven I-4, LLC. Applicant: Robert Pergolizzi. (PUD19-014)

ITEM 10: Major modification to PUD (Planned Unit Development) zoning to eliminate a proposed golf course, identify as wetlands/conservation an upland portion of the property that was previously mined, redefine the property boundaries to reflect the current ownership, and relocate a neighborhood amenity center and existing single-family development nodes on property located at 4000 Pipkin Creek Road. Owner: Pipkin Creek Properties LLC. Applicant: Daniel Christopher Lewis. (PUD19-016)


ITEM 12: Planning Manager's Report.

ITEM 13: Audience.

ITEM 14: Adjourn.
## General Information:

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<tr>
<th>Project No:</th>
<th>ADU19-007</th>
<th>Application Date:</th>
<th>9/30/2019</th>
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<tbody>
<tr>
<td>Project Name:</td>
<td>2233 NOTTINGHAM RD</td>
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<tr>
<td>Subject Property Address:</td>
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<tr>
<td>Parcel ID:</td>
<td>242829249800006110</td>
<td>Total Acreage:</td>
<td>2.33</td>
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<tr>
<td>Applicant Name:</td>
<td>SARAH CASE</td>
<td></td>
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</tr>
<tr>
<td>Applicant Address:</td>
<td>3825 S FLORIDA AVENUE STE 4</td>
<td>LAKELAND</td>
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<tr>
<td>Owner Name:</td>
<td>MARIA MAHONEY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Address:</td>
<td>501 CARLETON ST</td>
<td>LAKELAND</td>
<td>FL</td>
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## Request:

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<tr>
<th>Application Type:</th>
<th>ACCESSORY DWELLING UNIT</th>
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<td>Proposed</td>
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<tr>
<td>Zoning:</td>
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<td>Land Use:</td>
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<tr>
<td>Context:</td>
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**Explanation of Request:**
The applicant is requesting an 800 sf Accessory Dwelling Unit to the existing 3,257 sf home site located at 2233 Nottingham Rd. The parcel is located in the City of Lakeland city limits, with RM future land use and RA-1 zoning.

**Justification:**
The site is +/-2.33 acres in size with nearly 50% of its property directly abutting Lake Bentley. The accessory dwelling unit is proposed on the north side of the property, closest to the driveway access. One on-site parking space will be designated to the ADU.

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## Estimate of Public Service Demand

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File Number: ADU19-007

Present Zoning: RA-1
Context: None
Proposed Zoning: Compatibility Review to Allow an Accessory Dwelling Unit

October 2019
File Number: ADU19-007
Present Zoning: RA-1
Context: None
Proposed Zoning: Compatibility Review to Allow an Accessory Dwelling Unit

October 2019
File Number: ADU19-007

Present Zoning: RA-1
Context: None
Proposed Zoning: Combatibility Review to Allow an Accessory Dwelling Unit

October 2019
MAHONY RESIDENCE
2233 Nottingham Rd, Lakeland, FL 33803

VICTOR PREBOR 3 ARCHITECTURE LLC
AA2603300 A95639 ID5865
October 1, 2019

RE: Accessory Dwelling Unit Compatibility Review on Property Located at 2233 Nottingham Road – Project No. ADU19-007

Dear Property Owner:

This is to advise you that Sarah Case requests a compatibility review to allow for the construction of an accessory dwelling unit on property located at 2233 Nottingham Road, legally described as:

SYLVESTER SHORES PB 44 PG 40 BLK F LOTS 11 & 12 & TRACTS 11-A & 12-A OF UNRE SURVEY DESC AS COMM AT NE COR LOT 11 OF BLK F OF SYLVESTER SHORES AS REC IN PB 44 PG 40 RUN N 86 DEG 27 MIN 30 SEC W ALONG N LINE LOT 11 123 FT TO POB CONT N 86 DEG 27 MIN 30 SEC W 145.22 FT S 534.16 FT N 38 DEG 40 MIN 05 SEC E 395.01 FT TO SE COR LOT 12 RUN NWLY ELY & NLY ALONG W LINE LOTS 11 & 12 TO POB (A complete legal description is available in the Community & Economic Development Department.)

Accessory dwelling units are permitted within the Central City Area (Urban Context) in zoning districts where single-family detached residential units are permitted as a principal use. Proposed accessory dwelling units must undergo a compatibility review by the Planning and Zoning Board.

A public hearing to consider this request will be held before the Planning and Zoning Board at 8:30 a.m., on Tuesday, October 15, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property abutting this request 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, 863-834-7526 or planning@lakelandgov.net, prior to the Tuesday, October 15th meeting. Please include your name and mailing address in your e-mail.

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

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
## General Information:

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<th>Application Date:</th>
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<td>DISSENT BREWERY</td>
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<td>Subject Property Address:</td>
<td>125 S KENTUCKY AV</td>
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<td>242818201000018143</td>
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<td>Applicant Name:</td>
<td>MARLON LYNN ARCHITECT PA</td>
<td></td>
<td></td>
</tr>
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<td>Applicant Address:</td>
<td>212 E PINE</td>
<td>LAKELAND FL</td>
<td>33801</td>
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<tr>
<td>Owner Name:</td>
<td>KEVIN STRINGER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Address:</td>
<td>2500 DRANE FIELD RD. STE. 202</td>
<td>LAKELAND FL</td>
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## Request:

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<th>CONDITIONAL USE</th>
<th>MINOR MODIFICATION</th>
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<td>Proposed Zoning:</td>
<td>C-6 (Downtown Commercial)</td>
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<td></td>
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<td>C-7 (Munn Park Historic)</td>
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<tr>
<td>Land Use:</td>
<td>Not Applicable</td>
<td>Land Use:</td>
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<td></td>
<td></td>
<td>Regional Activity Center (RAC)</td>
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<tr>
<td>Context:</td>
<td>Not Applicable</td>
<td>Context:</td>
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<td></td>
<td></td>
<td>Urban Center (UCT)</td>
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<tr>
<td>Explanation of Request:</td>
<td>Request to open taproom business serving beer and wine at 125 S KY Av.</td>
<td></td>
</tr>
<tr>
<td>Justification:</td>
<td>Applicant is current owner/operator of Dissent Brewing at 5518 Hanes Rd. N., St. Petersburg, FL; Owner has flawless record at that location with zero calls for police service; there are other related businesses in the downtown district; a Federal brewing license is required for operation</td>
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## Concurrency:

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<td>Year</td>
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## Estimate of Public Service Demand

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<td>Solid Waste</td>
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</tbody>
</table>
File Number: CUP19-007
Present Zoning: C-7
Context: Urban Center
Proposed Zoning: Conditional Use to Allow a Bar with Accessory Brewing

October 2019
File Number: CUP19-007
Present Zoning: C-7
Context: Urban Center
Proposed Zoning: Conditional Use to Allow a Bar with Accessory Brewing

October 2019
File Number: CUP19-007
Present Zoning: C-7
Context: Urban Center
Proposed Zoning: Conditional Use to Allow a Bar with Accessory Brewing

October 2019
September 27, 2019

RE: Conditional Use for Dissent Brewery - Project No. CUP19-007

Dear Property Owner:

This is to advise you that Marlon Lynn requests a conditional use to allow a bar with accessory brewing on property located at 125 S. Kentucky Avenue. The subject property is legally described as:

MUNNS SURVEY DB G PG 392 BLK 18 LOTS N S12PT4 FT & N 27.6 FT OF O OF THE 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 October 15, 2019 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 & Economic Development Department, (863) 834-7526 or planning@lakelandgov.net, prior to the Tuesday, October 15th meeting.

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Plan
ning & Zoning Board General Application

General Information:

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<th>Project No:</th>
<th>CUP19-008</th>
<th>Application Date:</th>
<th>8/28/2019</th>
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<tr>
<td>Project Name:</td>
<td>FLORIDA BASEBALL RANCH</td>
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<tr>
<td>Subject Property Address:</td>
<td>535 LAURA RD</td>
<td></td>
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<td>Parcel ID:</td>
<td>232816000000041070, 232816000000041020</td>
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<td>4.18</td>
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<tr>
<td>Applicant Name:</td>
<td>MARLON LYNN ARCHITECT PA</td>
<td></td>
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<tr>
<td>Applicant Address:</td>
<td>212 E PINE</td>
<td>LAKELAND FL</td>
<td>33801</td>
</tr>
<tr>
<td>Owner Name:</td>
<td>RANDY SULLIVAN</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Address:</td>
<td>1411 S. WIGGINS RD.</td>
<td>PLANT CITY FL</td>
<td>33566</td>
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Request:

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<th>Application Type:</th>
<th>CONDITIONAL USE</th>
<th>NEW</th>
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Proposed | Current
---|---
Zoning: Not Applicable | Zoning: LD (Limited Development)
Land Use: Not Applicable | Land Use: Business Park (BP)
Context: Not Applicable | Context: Suburban Neighborhood (SNH)

Explanation of Request:

The applicant is requesting a Conditional Use to relocate their existing business from Plant City to the identified parcel in Lakeland (3.76 acres plus adjacent 0.42 acre). Our proposed Master Plan for the site is provided, showing the improvements necessary for the operation of the business. Although the currently planned structures are shown on the Master Plan, only two buildings will be constructed in the first phase.

To minimize the scale and impact of the project we have restricted the size of each building to 6,000 square feet and separated the buildings by 60 feet. Keeping the "Ranch" feel is a priority, so our goal is to maintain the tree canopy where possible and create "Dirt"/stabilized roads for vehicular circulation on the site. In addition, the owner intends to maintain as much vegetation and trees as possible. Studies show the athletes that train at the facility train better in the outdoor and natural environment. The owner will maintain tree lines on the Property perimeter to maintain the ranch environment and, further, because of the nature of the clients, the owner will maintain as much buffer on the perimeter as possible for privacy. Many of the clients are MLB players and some may be celebrities, thus it is important to maintain privacy.

Florida Baseball Ranch is a baseball training business that assists athletes in recovering from injuries and trains athletes to prevent future injuries. This business is only one of two of its type in the nation and is very specialized in its operation and clientele. A normal day at the Ranch sees 4-5 employees and 10 guests.

The City of Lakeland does not have sewer available at this parcel but the with a limited fixture count a septic tank system is appropriate for all parties.
**Justification:**

The parcel proposed for the Conditional Use is being used as vacant residential by the seller as well the adjacent parcel to the north. To the south is a Publix office complex. Florida Baseball Ranch is a nationally known and respected facility that will be a low impact to the City of Lakeland.

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<tr>
<td><strong>Proposed Dwelling Units:</strong></td>
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<td><strong>Phase:</strong></td>
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<td><strong>Year:</strong></td>
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**Estimate of Public Service Demand**

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<tr>
<th>Roadways</th>
<th>Daily Trips</th>
<th>PM Peak Hour Trips</th>
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</table>
File Number: CUP19-008
Present Zoning: Limited Development
Context: Suburban Neighborhood
Proposed Zoning: Conditional Use to Allow a Baseball Training Facility

October 2019
File Number: CUP19-008

Present Zoning: Limited Development
Context: Suburban Neighborhood
Proposed Zoning: Conditional Use to Allow a Baseball Training Facility

October 2019
File Number: CUP19-008

Present Zoning: Limited Development
Context: Suburban Neighborhood
Proposed Zoning: Conditional Use to Allow a Baseball Training Facility

October 2019
Florida Baseball Ranch - Lakeland

16' Laura Rd - Existing Paved
Galloway Road

Workout Area
6,000 sf
Barn with Roof and Walls
Batting Cages
6,000 sf
Barn with Roof

Batting Cages
2,100 sf

Offices
5,000 sf
Conditioned

Storm water

16' Laura Rd - Existing Not Paved
New 16' Driveway - Not Paved

5 Parking Spaces

2 Paved

Paved Sidewalk

This item has been electronically signed and sealed by Marlon D Lynn, RA on the Date and/or Time Stamp shown using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.
September 27, 2019

RE: Conditional Use for Florida Baseball Ranch - Project No. CUP19-008

Dear Property Owner:

This is to advise you that Marlon Lynn requests a conditional use to allow a baseball training and rehabilitation facility on approximately 4.18 acres located at 537 Laura Road. The subject property is legally described as:

THAT PART OF FOLL DESC LYING E OF LAURA RD S1/2 OF N1/4 OF SW1/4

AND

THAT PART OF FOLL DESC LYING W OF LAURA RD S1/2 OF N1/4 OF NE1/4 OF SE1/4 LESS HWY R/W & LESS ADDL R/W FOR SR 400 AS DESC IN OR 3835 PG 86
   (A complete legal description is available in the Community & Economic Development Department.)

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Planning & Zoning Board General Application

General Information:

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<td>Project Name:</td>
<td>ALTA SCHOOLHOUSE</td>
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<td>Subject Property Address:</td>
<td>417 FRANK LLOYD WRIGHT WY</td>
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<td>Parcel ID:</td>
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<td>Applicant Name:</td>
<td>THOMAS BRAWNER</td>
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<tr>
<td>Applicant Address:</td>
<td>301 E PARK ST</td>
<td>LAKELAND</td>
<td>FL</td>
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<td>Owner Name:</td>
<td>THOMAS BRAWNER</td>
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<tr>
<td>Owner Address:</td>
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<td>LAKELAND</td>
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Request:

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<td>Context:</td>
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<td>Context:</td>
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Explanation of Request:

We are requesting permission to operate a preschool out of the existing property currently zoned MF-12. If accepted, we will be offering Montessori inspired educational teaching to a maximum of approx. 70 students ages 2-4 years old with a maximum of 7 teachers assuming full child capacity.

Justification:

MF-12 is a conditional use of daycares/preschools. There is a large need for more quality preschools in Lakeland but preschools are a difficult use to place. Although permitted for zones O2, O3, and C1-C4, many commercially zoned and O2-O3 lots are not well placed for preschools due to being on major roads or placed far away from homes. Quality preschools are desired near communities as they increase property values and allow families to live in a local community where they can walk or drive a very short distance for quality educational child care. There is also precedent set for allowing preschools to open and operate out of MF-12 zones. Finally, 417 Frank Lloyd wright has historically not operated as single family residents. Currently, it is a vacation rental/AirBnB. It has operated as many different uses over the years and it is time to have this landmark property operate for the community it resides in.

Concurrency:

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<th>Proposed Dwelling Units:</th>
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Estimate of Public Service Demand

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File Number: CUP19-009
Present Zoning: MF-12 with SPI
Context: Urban Neighborhood
Proposed Zoning: Conditional Use to Allow a Preschool with a maximum Enrollment of Approximately 70 Students and 7 Teachers

October 2019
File Number: CUP19-009

Present Zoning: MF-12 with SPI
Context: Urban Neighborhood
Proposed Zoning: Conditional Use to Allow a Preschool with a maximum Enrollment of Approximately 70 Students and 7 Teachers

October 2019
File Number: CUP19-009

Present Zoning: MF-12 with SPI
Context: Urban Neighborhood
Proposed Zoning: Conditional Use to Allow a Preschool with a maximum Enrollment of Approximately 70 Students and 7 Teachers

October 2019
September 27, 2019

RE: Conditional Use for Alta Schoolhouse - Project No. CUP19-009

Dear Property Owner:

This is to advise you that Thomas Brawner requests a conditional use to allow for a preschool with a maximum capacity of 70 students on property located at 417 Frank Lloyd Wright Way. The subject property is legally described as:

DIXIELAND PB 1 PG 67 BLK 4 LOTS 1 2 & 3 & N 140 FT OF CLOSED ALLEY BETWEEN LOTS 1 THRU 3 & 12 THRU 14 LESS BEG 10 FT N OF SE COR LOT 12 RUN N 15 FT S 33 DEG 41 MIN 00 SEC E 18.03 FT W 10 FT TO POB (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 October 15, 2019 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 & Economic Development Department, (863) 834-7526 or planning@lakelandgov.net, prior to the Tuesday, October 15th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
# Planning & Zoning Board General Application

## General Information:

<table>
<thead>
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<th>Project No:</th>
<th>CUP19-010</th>
<th>Application Date:</th>
<th>9/3/2019</th>
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<tbody>
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<td>Hubbell Parking</td>
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<tr>
<td>Applicant Name:</td>
<td>TIMOTHY F. CAMPBELL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant Address:</td>
<td>500 SOUTH FLORIDA AVENUE, SUITE 800</td>
<td>LAKELAND</td>
<td>FL</td>
</tr>
<tr>
<td>Owner Name:</td>
<td>GERARD H. HUBBELL, P.A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Address:</td>
<td>924 SOUTH FLORIDA AVENUE</td>
<td>LAKELAND</td>
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## Request:

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**Proposed**

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<td>Context:</td>
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**Current**

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<td>Land Use:</td>
<td>Residential Medium (RM)</td>
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<td>Context:</td>
<td>Urban Neighborhood (UNH)</td>
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**Explanation of Request:**

Please see attached cover letter.

**Justification:**

Please see attached cover letter.

## Concurrency:

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<table>
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<tr>
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<th>Year</th>
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## Estimate of Public Service Demand

<table>
<thead>
<tr>
<th>Roadways</th>
<th>Daily Trips:</th>
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<tbody>
<tr>
<td>Potable Water</td>
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</tr>
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</table>

<table>
<thead>
<tr>
<th>GPD</th>
<th>Solid Waste</th>
<th>PPD</th>
</tr>
</thead>
</table>

September 3, 2019

Nicole Travis, Director
Community & Economic Development Department
City of Lakeland
228 South Massachusetts Avenue
Lakeland, Florida 33801

Re: Gerard H. Hubbell, P.A. / Conditional Use Application

Dear Nicole:

Our firm is pleased to submit the attached conditional use permit application (the “Application”) on behalf of Dr. Gerard Hubbell, regarding the property identified as Polk County Property Appraiser Parcel Identification Number 242819-231500-002080 (the “Property”).

Background and Explanation of Request

This request is for a conditional use permit to allow the use of approximately the west thirty-two feet of the Property for parking similar to the parking spaces across East Charles Street and other similar uses of the alley running from Frank Lloyd Wright Way to East Patterson Street. The parking area will clearly delineate spaces, be durable, and be maintained by the owner.

Justification

This request will help relieve the need for additional parking from Dr. Hubbell’s optometry and eye care practices that are adjacent to the Property. The conditional use is proposed only for thirty-two feet rather than the entire back yard, allowing for a back yard associated with the home. The alley parking spaces on the south side of East Charles Street are even deeper than the depth proposed by Dr. Hubbell.

If this request is approved, and Dr. Hubbell’s employees can use the additional spaces and his patients and clients will have sufficient parking.
Conclusion

Dr. Hubbell is submitting the Conditional Use Permit Application Fee and respectfully requests staff support of the requested conditional use. Please let me know if you have any questions or require any additional information.

Thank you for your time and consideration.

Sincerely,  

Timothy F. Campbell

Attachments:  Conditional Use Permit Application Fee
              Site Plan

Copy:  Client (transmitted via email)
File Number:  CUP19-010

Present Zoning:  MF-12 with SPI

Context:  Urban Neighborhood

Proposed Zoning:  Conditional Use to Allow a Grass Parking Area

October 2019
File Number: CUP19-010
Present Zoning: MF-12 with SPI
Context: Urban Neighborhood
Proposed Zoning: Conditional Use to Allow a Grass Parking Area
October 2019
File Number: CUP19-010

Present Zoning: MF-12 with SPI

Context: Urban Neighborhood

Proposed Zoning: Conditional Use to Allow a Grass Parking Area

October 2019
September 27, 2019

RE: Conditional Use for Parking for Hubbell Eye Clinic - Project No. CUP19-010

Dear Property Owner:

This is to advise you that Timothy Campbell requests a conditional use to allow off-street parking on property located at 927 S. Tennessee Avenue. The subject property is legally described as:

SCOTTS LAKELAND HEIGHTS DB 75 PG 15 BLK 2 LOT 8

(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 October 15, 2019 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 & Economic Development Department, (863) 834-7526 or planning@lakelandgov.net, prior to the Tuesday, October 15th meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
## General Information:

<table>
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<tr>
<th>Project No:</th>
<th>PUD19-022</th>
<th>Application Date:</th>
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<tr>
<td>Project Name:</td>
<td>220 CARLETON ST</td>
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<td>Parcel ID:</td>
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<td>Total Acreage:</td>
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<tr>
<td>Applicant Name:</td>
<td>TRI-COUNTY HUMAN SERVICES, INC</td>
<td></td>
<td></td>
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<td>Applicant Address:</td>
<td>1815 CRYSTAL LAKE DR LAKELAND FL 33801</td>
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<tr>
<td>Owner Name:</td>
<td>ALLIANCE FOR INDEPENDENCE INC</td>
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<tr>
<td>Owner Address:</td>
<td>1038 SUNSHINE DR E LAKELAND FL 33801</td>
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## Request:

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<tr>
<th>Application Type:</th>
<th>PLANNED UNIT DEVELOPMENT</th>
<th>MAJOR MODIFICATION</th>
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<tr>
<td>Proposed Zoning:</td>
<td>Not Applicable</td>
<td>Zoning: PUD 5317 (Planned Unit Development)</td>
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<tr>
<td>Proposed Land Use:</td>
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<td>Land Use: Residential Medium (RM)</td>
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<td>Proposed Context:</td>
<td>Not Applicable</td>
<td>Context: Urban Neighborhood (UNH)</td>
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**Explanation of Request:** Tri-County is purchasing this property and the PUD requires a zoning review.

**Justification:** The PUD 5317 was designated for developmentally disabled individuals. Tri-County will engage with self-sustaining participants.

## Concurrency:

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### Estimate of Public Service Demand

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</table>
File Number: PUD19-022
Present Zoning: PUD 5317
Context: Urban Neighborhood
Proposed Zoning: Major Modification of PUD to Allow a Rehabilitation Facility

October 2019
File Number: PUD19-022

Present Zoning: PUD 5317
Context: Urban Neighborhood
Proposed Zoning: Major Modification of PUD to Allow a Rehabilitation Facility

October 2019
File Number: PUD19-022

Present Zoning: PUD 5317
Context: Urban Neighborhood
Proposed Zoning: Major Modification of PUD to Allow a Rehabilitation Facility

October 2019
September 27, 2019

RE: PUD Zoning for a Level II Institutional Residential Use - Project No. PUD19-022

Dear Property Owner:

This is to advise you that Tri-County Human Services, Inc. requests a major modification to PUD (Planned Unit Development) zoning to allow a Level II Institutional Residential Use (Residential Treatment Facility) with a maximum of 12 beds on property located at 220 Carleton Street. The property is legally described as:

MEADOWBROOK PARK SUB, PB 10, PG 11, BLK B, LOTS 11, 12, 13 & 14
(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, October 15, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views via email to the Community & Economic Development Department, planning@lakelandgov.net prior to the Tuesday, October 15th meeting.

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# Planning & Zoning Board General Application

## General Information:

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<td>Project Name:</td>
<td>FAIRFIELD INN LAKELAND</td>
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<tr>
<td>Applicant Name:</td>
<td>JSK CONSULTING</td>
<td></td>
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<tr>
<td>Applicant Address:</td>
<td>5904 HILLSIDE HEIGHTS DR, LAKELAND, FL 33812</td>
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<tr>
<td>Owner Name:</td>
<td>BETZ SANFORD K</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Address:</td>
<td>111 OAK SQ N, LAKELAND, FL 33813</td>
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## Request:

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<tr>
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<td>Zoning:</td>
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<td>Land Use:</td>
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<td>Regional Activity Center (RAC)</td>
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<td>Context:</td>
<td>Not Applicable</td>
<td>Suburban Corridor (SCO)</td>
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| Explanation of Request: | 110 room Hotel with parking and storm water management. |
| Justification: | Public demand due to tourism in the area. |

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## Estimate of Public Service Demand

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File Number: ZON19-012

Present Zoning: None

Context: Suburban Corridor

Proposed Zoning: Application of O-3 Zoning

October 2019
File Number: ZON19-012
Present Zoning: None
Context: Suburban Corridor
Proposed Zoning: Application of O-3 Zoning

October 2019
File Number: ZON19-012

Present Zoning: None
Context: Suburban Corridor
Proposed Zoning: Application of O-3 Zoning

October 2019
September 27, 2019

RE: Fairfield Inn Lakeland - Project No. ZON19-012

Dear Property Owner:

This is to advise you that Matthew Johnson, on behalf of JSK Consulting, requests the application of O-3 (Moderate Impact Office) zoning on 2.26 acres located at 3407 and 3409 Betz Place. The subject property is legally described as:

NORTH 126 FEET OF WEST 150 FEET OF NORTH 7.5 ACRES OF SOUTH OF SW OF SW OF SECTION 36, TOWNSHIP 27, RANGE 23, POLK COUNTY, FLORIDA.

AND

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH ½ OF THE NORTHT ¼ OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 27 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, THENCE RUN SOUTH 00°04'39" EAST ALONG THE WEST LINE OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 36, DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTHT 89°36'21" EAST PARALLEL TO THE NORTH LINE OF THE SOUTH ½ OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SAID SECTION 36, A DISTANCE OF 281.00 FEET; THENCE RUN SOUTH 00°04'39" EAST 145.08 FEET; THENCE RUN SOUTHT 89°36'21" WEST 281.00 FEET TO THE WEST LINE OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 36; THENCE RUN NORTHT 00°04'39" WEST 145.08 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THEREFROM RIGHT-OF-WAY FOR PROVIDENCE ROAD.

AND

BEGIN AT THE SOUTHWEST CORNER OF THE NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 27 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA; AND RUN THENCE EAST 431 FEET; THENCE NORTH 160 FEET; THENCE WEST 431 FEET; THENCE SOUTH 160 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT THEREFROM THE EAST 150 FEET; AND LESS AND EXCEPT THEREFROM RIGHT-OF-WAY FOR PROVIDENCE ROAD. (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, October 15, 2019 in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views to the Community & Economic Development Department, (863) 834-PLAN (7526) or planning@lakelandgov.net, prior to the Tuesday, October 15th meeting. Please include your name, mailing address and project number in your e-mail.

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MINUTES

Planning & Zoning Board
City Commission Chambers
Tuesday, September 17, 2019
8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session, Stephanie Franklin (Chair), Andrew Snyder (Vice-Chair), Glenn Higgins (Secretary), Leigh Ann Lunz, Lyle Philipson, and Ronald Roberts were present. Community & Economic Development Department staff Teresa Maio, Community Planning & Housing Manager; Matthew Lyons, Principal Planner; Chuck Barmby, Transportation Manager; Todd Vargo, Senior Planner; Joshua Cheney, Senior Planner; Phillip Scearce, Principal Planner; Tom Wodrich, Chief Planner; and Brandy Gillenwater, Planning Assistant were present. Assistant City Attorney Palmer Davis was also present.

PUBLIC HEARING

ITEM 1: Compatibility review to allow for the construction of six Cottage special building type dwelling units on property located at 448 S. Central Avenue. Owner: Envisage Homes LLC. Applicant: Azam Elsheikh. (SBT19-001)

Joshua Cheney stated the .34-acre parcel with RA-4 (Single-Family) zoning and Residential High (RH) future land use is located between Olive Street and Walnut Street. The applicant is requesting approval of six cottages identified as Special Building Type dwelling units in the Land Development Code. A compatibility review of the site development plan and architectural renderings is required. The site development plan review is of the lot configuration, building placement, and vehicle access as well as the elevations for the proposed structures. Staff has not received any communication from the public regarding the request.

Nestor Diaz, 5821 Copuyt Drive, Mt Dora, Florida, 32757, stated six cottages are proposed to be constructed on the subject property. The LDC allows for up to eight cottages on the lot. The largest cottage will be 1,400 square feet and each cottage will feature three bedrooms and two bathrooms. Residents will have two different elevations to choose from with three different floor plans, and an alley will be constructed behind the units for parking and waste management access.

Mr. Cheney distributed the recommended conditions to the Board.

Andrew Snyder made a motion for approval of staff’s recommendation. Glenn Higgins seconded the motion and it passed 6-0.

ITEM 2: Minor modification of PUD zoning to revert back to the previous site plan and entitlements that were in place prior on December 18, 2018. Owner: Drummond Company, Inc. Applicant: Timothy F. Campbell. (PUD19-018)

Todd Vargo stated the minor modification has been requested to revert to the entitlements and site plan that were adopted in December, 2018.
In response to Stephanie Franklin, Teresa Maio stated the previously approved units were accounted for so there will be no need for a traffic study at this time.

Tim Campbell, Clark, Campbell, Lancaster & Munson, 500 S. Florida Avenue, stated the site plan was vetted when approved and requested to reinstate the entitlements and site plan associated with Ordinance 5593.

Glenn Higgins made a motion for approval of staff’s recommendation. Andrew Snyder seconded the motion and it passed 6-0. Leigh Ann Lunz recused herself from the vote for this item.

**ITEM 3: Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet. The proposed uses include 1,447,800 square feet of warehouse uses and 76,200 square feet of office uses on 166 acres generally located north of Interstate-4, south and east of N. State Road 33, and south of Mount Olive Road. Owner: Ruthven I 4, LLC. Applicant: Robert Pergolizzi. (PUD19-014)**

Phillip Scearce stated the area is an industrial corridor area of Lakeland and Polk County. The Planned Unit Development allows for development on the subject property for a total of 1,000,084 square feet. The request is to add 440,000 square feet to the existing project. The planned addition is for a 1,447,800 square foot warehouse with 76,200 square feet for office uses. The subject property abuts the city limits of Polk City and the Fountain Park single-family subdivision on North State Road 33. Phase one of the warehouse will consist of one million square feet. The subject property borders Interstate-4 on the south and wetlands to the west, and is in the Green Swamp Area of Critical State Concern. Concurrency failures have been identified at State Road 33 and Interstate-4, State Road 33 and Old Polk City Road, and State Road 33 and Mount Olive Road. The applicant is coordinating with the City, Polk County, and the Florida Department of Transportation to address the issues. Full impact fees will be required by the applicant at phase one of construction.

Roger Pergolizzi, Gulf Coast Consulting, 13825 Icot Boulevard, Suite 605, Clearwater, Florida, stated the site is 166 acres and is largely comprised of wetlands. A site plan was approved in 2007 for 1,000,084 square feet. The proposed site plan and building placement will avoid the wetlands, and the northernmost building part of phase two is over 100 feet from northern property line. A major traffic analysis has been reviewed by Chuck Barmby prior to the application for the modification. The total project will generate 3,261 daily trips, 363 of which will occur during PM/Peak Hours. During the traffic study the State Road 33 corridor was analyzed from Interstate-4 to Polk City and it was determined that acceptable levels of service would remain on State Road 33. Intersection improvements are recommended at the interchange at State Road 33 and Interstate-4, State Road 33 and Old Polk City Road, and State Road 33 and Mount Olive Road. The project would generate 1.2 million dollars in transportation impact fees for the City of Lakeland and 1.2 million for Polk County. The impact fees for the City of Lakeland would be used specifically for improvements to State Road 33.

In response to Andrew Snyder, Mr. Pergolizzi stated a landscape buffer is planned for the north property line and building will be over 100 feet away from the north property line. Matthew Lyons stated a Type C buffer with landscape wall could be used and Teresa Maio stated staff and the applicant could consider other screen wall types.

In response to Stephanie Franklin, Mr. Pergolizzi stated right and left turn lanes would be constructed.
Phillip Scearce stated staff has received five emails from residents in opposition to the project. Concerns included traffic, wildlife, and the preference of the residents to maintain a country lifestyle. Options for buffering will be considered by staff.

Leigh Ann Lunz recused herself from this item.

ITEM 4: Major modification to PUD (Planned Unit Development) zoning to eliminate a proposed golf course, identify as wetlands/conservation an upland portion of the property that was previously mined, redefine the property boundaries to reflect the current ownership, and relocate a neighborhood amenity center and existing single-family development nodes. Owner: Pipkin Creek Properties LLC. Applicant: Daniel Christopher Lewis. (PUD19-016)

Joshua Cheney stated the subject property is located east of Pipkin Creek Rd, and south of Parkway Frontage Road. The request is to modify the existing Planned Unit Development zoning to eliminate a proposed golf course as previously planned on the north side of property. The neighborhood amenity center will be relocated to a more central location along Lakeside Preserve Boulevard. No new dwelling units are proposed in the request.

Dan Lewis, 600 Lake Jessie Drive, Winter Haven, stated the request is make changes to eliminate the plan for a golf course to be constructed on the property and to allow for less impact on the wetland areas of the subject property.

James Macek, Colonnades Property Owners Association, 4800 Colonnades Club Boulevard, stated the residents are concerned about the residential area of the subject property as 11 acres are zoned for conservation and the proposed residential area could isolate the conservation area.

David Pendry, 1560 Hollow Tree Court, stated he recently moved into neighborhood and is concerned that the existing infrastructure will not be sufficient to accommodate the expansion, the amenities have not been developed and parking within the community will be affected.

Dan Lewis, Pipkin Creek Properties, 600 Lake Jessie Drive, stated SWFMD is reviewing the development plans as wetlands and floodplains run beyond the subject property to north of Lake Hunter. An environmental scientist is reviewing threats to endangered species. No new units will be added to the previously approved development.

In response to Teresa Maio, Mr. Lewis stated a total of 17 lots will be constructed in neighborhood 3A at 50 feet.

In response to Andrew Snyder, Mr. Lewis stated the amenities should be constructed prior to the construction of phase two.

In response to Ronald Roberts, Mr. Lewis stated the addition of the use of the entry gate is in progress and the City of Lakeland will soon install lighting.

Steve Perkins, 4318 Poley Lane, stated drainage has not been affected from previous development but is concerned about drainage from new homes to be constructed.
In response to Guy Martineau, 1319 Bramblewood Drive, Mr. Lewis, stated the trail area will exist in the northeast area of the subject property, drainage is being reviewed to be added to the area on the south portion of the subject property. A powerline easement that is owned by FDOT on south of property will not be developed on.

In response to Guy Martineau, 1319 Bramblewood Drive, Mr. Lewis phase 3B could begin as early as 2024.

In response to Kathy McClain, 4425 Harden Boulevard, Mr. Lewis stated the southeast portion of the subject property will be developed with two home sites.

In response to John Spano, 1638 Birchwood Loop, Mr. Lewis stated a road will be reviewed for the southwest portion of the subject property that would access the main road on the subject property.

ITEM 5: Major modification of PUD (Planned Unit Development) zoning to incorporate the Development Order conditions from the Williams Development of Regional Impact (DRI) into the PUD conditions. The request to modify this PUD is accompanied by a request to rescind the Development Order (Ordinance 5218) for the Williams DRI, pursuant to Section 380.115, Florida Statutes (FS). The site is located at 4401 Polytechnic Circle. Owner: Brett Krieg. Applicant: Thomas Cloud, Gray-Robinson. DRI19-002/PUD19-010

Tom Wodrich stated the site is located in northeast Lakeland near the Polk Parkway and Interstate-4. The Land Use Master Plan has been updated to show a clearer picture but no changes to the entitlements have been proposed with the requested PUD (Planned Unit Development) modification. Over the last decade the Development of Regional Impact (DRI) statutes have slowly and continuously been modified allowing for a recission of the Development Order under certain conditions. The conditions and exhibits are being transferred into the PUD document from the DRI.

Teresa Maio stated staff requests the expedition of the proposal since no changes are being made.

Andrew Snyder made a motion for approval of staff’s recommendation. Ronald Roberts seconded the motion and it passed 6-0.

GENERAL MEETING

ITEM 6: Review minutes of the August meeting.

Ronald Roberts made a motion for approval of the minutes from the previous meeting. Lyle Philipson seconded the motion and it passed 6-0.

ITEM 7: Changes to Article 2 (Use Standards) to revise and consolidate the master use list and permitted uses table, add definitions and locational standards for certain high impact commercial uses, define micro-breweries, micro-wineries and micro-distilleries, allow for small scale, craft/artisan manufacturing within commercial zoning districts, office support and accessory retail uses within I-2 zoning districts and the indoor cultivation and production of non-food crops within I-1 and I-2 zoning districts. Applicant: City of Lakeland. (LDC19-001)
Matthew Lyons stated recommended conditions were presented to the Board at the August meeting. Updates to the master use list table including major changes to the consolidation of office and commercial uses. Commercial uses will be grouped into seven major categories. Consolidation of non-residential uses including community facilities, healthcare and infrastructure in subcategories. Entitlements for new uses are being written including accessory retail in I-2 (Medium Industrial) zoned areas, food courts and food trucks, micro-breweries, micro-wineries, and micro-distilleries and the establishment of separation of criteria for uses such as payday loans, check cashing, rent-to-own stores and pawn shops, and eliminating certain motor-oriented uses within areas zoned C-2 (Limited Impact Office), C-3 (Neighborhood Center Commercial), C-4 (Community Center Commercial), C-5 (Regional Center Commercial), and I-1 (Light-Industrial—Limited Commercial). Establishing two tiers for higher impact motor vehicle uses such as motor vehicle fuel sales and motor vehicle repairs, adding allowance for indoor crop production within I-1 and I-2 (Medium Industrial) zoned areas to allow for the cultivation of plants used for pharmaceutical and manufacturing purposes primarily for hemp and medical marijuana cultivation.

Andrew Snyder made a motion for approval of staff’s recommendation. Glenn Higgins seconded the motion and it passed 6-0.

ITEM 8: Changes to Article 4 (General Site Development Standards) to adopt parking standards for single-family and two-family residential development. Applicant: City of Lakeland. (LDC19-002)

Matthew Lyons stated the current Land Development Code does not have provisions for parking standards for single-family and two-family residential areas. Staff proposes minimum standards to ensure a more orderly pattern of development for these uses.

In response to Glenn Higgins, Mr. Lyons stated that crushed shell was not permitted as a driveway material as it can be swept out into the streets and enter into storm sewers.

Andrew Snyder made a motion for approval of staff’s recommendation. Glenn Higgins seconded the motion and it passed 6-0.

ITEM 9: Changes to Article 2 (Use Standards) and Article 5 (Standards for Specific Uses) to adopt standards for food trucks and food courts into the Land Development Code. Applicant: City of Lakeland. (LDC19-003)

Todd Vargo stated the technology and popularity of food trucks has changed. Previously food trucks served prepackaged foods and vendors did not typically prepare food inside the truck to serve to the public. Because foods were prepackaged most waste came from the packaging. Since food is prepared inside the truck there is a need for appliances typically found in commercial kitchens. Cooking oil, grease and grey water are products that created by the fresh preparation of food and need to be disposed of properly to avoid public health concerns.

Mr. Vargo distributed recommended conditions to the Board.

Andrew Snyder made a motion for approval of staff’s recommendation. Glenn Higgins seconded the motion and it passed 6-0.
ITEM 10: Changes to Article 4 (General Site Development Standards) to limit the use of barbed wire, razor wire, and electrical fences in commercial zoning districts. Applicant: City of Lakeland. (LDC19-004)

Joshua Cheney stated historically the City has allowed barbed wire, razor wire and electronic fencing without restrictions outside residential zoning districts. These fencing types are unattractive and in some cases may reinforce the perception that some areas within the City are unsafe or in decline. The proposed changes would affect the office, commercial, and I-1 (Light-Industrial—Limited Commercial) zoning districts.

Mr. Cheney distributed recommended conditions to the Board.

Andrew Snyder made a motion for approval of staff’s recommendation. Ronald Roberts seconded the motion and it passed 6-0.

ITEM 11: Changes to Article 3 (Urban Form Standards) to specify a minimum height of 24 feet for street facing building facades on properties located within the Urban Center (UCT) context sub-district. Applicant: City of Lakeland. (LDC19-005)

Phillip Scearce stated the amendment is to increase building heights primarily in downtown Lakeland areas where design alternatives are being considered to help create a more walkable environment and outdoor room.

Andrew Snyder made a motion for approval of staff’s recommendation. Ronald Roberts seconded the motion and it passed 6-0.

ITEM 12: Changes to Article 3 (Urban Form Standards) to provide additional options for compliance with civic open space requirements in areas zoned for dense urban development. Applicant: City of Lakeland. (LDC19-006)

Matthew Lyons stated the amendment is part of the update to the Land Development Code in 2013. Requirements for civic open space were adopted for new development per number of units or project size.

Leigh Ann Lunz made a motion for approval of staff’s recommendation. Lyle Philipson seconded the motion and it passed 5-0.

ITEM 13: Changes to Article 3 (Urban Form Standards) to adopt a new definition for frontage buildout, increase the maximum front setback range for principal structures in single-family zoning districts, and allow entrance features to be optional within the Suburban Neighborhood context sub-district. Applicant: City of Lakeland. (LDC19-007)

Todd Vargo stated the request is to amend development standards adopted in the 2013 update to the Land Development Code including standards for frontage buildout, setback ranges and entrance features within the Suburban Neighborhood context sub-district.

Andrew Snyder made a motion for approval of staff’s recommendation. Glenn Higgins seconded the motion and it passed 6-0.
ITEM 14: Changes to Article 6 (Natural Resource Protection Standards) to allow an administrative variance process for the construction of shoreline stabilization structures, such as seawalls and riprap, and from the 50-foot minimum setback requirement for property located on protected lakeshores when constructing principal or accessory structures. Applicant: City of Lakeland. (LDC19-008)

Phillip Scearce stated the request is to allow for an administrative variance process to replace the traditional variance process involving the Zoning Board of Adjustments and Appeals for development within 50 feet of protected lakeshores.

Glenn Higgins made a motion for approval of staff's recommendation. Leigh Ann Lunz seconded the motion and it passed 6-0.

ITEM 15: Changes to Section 1.6 (Definitions) to revise the definitions for multi-family and two-family dwellings. Applicant: City of Lakeland. (LDC19-009)

Matthew Lyons stated the request is to revise the definition of how multi-family uses have been developed in practice. The changes will allow for greater flexibility for multi-family uses. Secondarily the definition for two-family dwellings is being amended to reflect the frontage requirements that required as a result of the 2013 update to the Land Development Code.

Glenn Higgins made a motion for approval of staff’s recommendation. Andrew Snyder seconded the motion and it passed 6-0.

ITEM 16: Changes to Article 3 (Urban Form Standards) to redefine how transparency is measured for new development within office, commercial, and light industrial zoning districts, and allow for reduced transparency for development located outside of downtown. Applicant: City of Lakeland. (LDC19-010)

Joshua Cheney stated darkly tinted windows and other openings in downtown and other commercial areas are concern for the City as they do not encourage and are not favorable to pedestrian traffic, may be unappealing to motorists, and can inhibit community policing. Overall, this change reduce the overall amount of glazing required while focusing on visibility at the pedestrian level.

Andrew Snyder made a motion for approval of staff’s recommendation. Ronald Roberts seconded the motion and it passed 6-0.

ITEM 17: Changes to Article 9 (Subdivision Standards) to provide clarification regarding the arrangement of lots and lot lines when subdividing property. Applicant: City of Lakeland. (LDC19-011)

Todd Vargo stated the requested amendment is regarding flag lots and through lots being created within the City. Flag lots are in common in rural areas; these lots can be confusing to first responders and other city services. Through lots have frontage on two parallel streets and are favorable in new developments but not when created within older developments.
Glenn Higgins made a motion for approval of staff's recommendation. Ronald Roberts seconded the motion and it passed 6-0.

ITEM 18: Changes to Article 4 (General Site Development Standards) to adopt buffering and locational standards for aboveground equipment such as backflow preventers, utility meters, and sprinkler monitoring systems. Applicant: City of Lakeland. (LDC19-012)

Phillip Scearce stated the existing Land Development Code has existing buffering criteria for backflow preventers, utility meters, and sprinkler monitoring systems but does not specify where these items can be located. Some of these items have been placed adjacent to right-of-ways and other places that are undesirable. The amendment would specify appropriate locations for these items.

Ronald Roberts made a motion for approval of staff’s recommendation. Andrew Snyder seconded the motion and it passed 6-0.

ITEM 19: Changes to Article 2 (Use Standards) to adopt development standards for single-family residential uses within (LD) Limited Development zoning districts. Applicant: City of Lakeland. (LDC19-013)

Todd Vargo stated the Limited Development (LD) zoning districts are meant to act as placeholders in areas that are rural, agricultural or undeveloped lands in Preservation, Conservation, Recreation (PCR) context districts. These areas primarily exist in the Green Swamp or have limitations placed on them. The development standards were not adopted into the 2013 update to the Land Development Code, the proposed amendment would adopt those standards into the LDC.

Andrew Snyder made a motion for approval of staff’s recommendation. Lyle Philipson seconded the motion and it passed 6-0.

ITEM 20: Major modification of PUD (Planned Unit Development) zoning to increase the maximum floor area for retail commercial/office uses from 50,000 to 55,000 square feet, allow up to four fast casual restaurants and one quick service (fast food) restaurant with drive-through service, remove existing entitlements for a 150,000 square foot office building, a 130-room hotel, and a convenience store with motor vehicle fuel sales, and adopt a new site development plan on approximately 17.79 acres located north of Town Center Drive and west of Harden Boulevard. Owner: Drummond Company, Inc. Applicant: Timothy F. Campbell. (PUD19-009)

Matthew Lyons stated the request was initialized in May of 2019 and as several continuances have been requested by the applicant and information has not been received by the applicant when requested by staff, staff requests to withdraw the application until a later date when the applicant can proceed.

Tim Campbell, Clark, Campbell, Lancaster & Munson, 500 S Florida Avenue, stated Geyer Morris is under contract for the North Village property and is finding it difficult to translate the proposal for the current market. FDOT has determined that the open median cut on the north end of Harden Boulevard will be directionalized which impacts the market of buyer. The applicant intends to get the right mix of
uses. The applicant is not seeking to withdraw at this time and would have to go through initial hearing
again if withdrawn. The applicant requests the opportunity to continue.

Teresa Maio stated the intent by staff to withdraw the request is to put the application on hold and allow
for forward movement when the applicant is ready to proceed. Mr. Campbell stated the applicant agrees
to put the project on hold.

Andrew Snyder made a motion for approval of staff’s recommendation. Lyle Philipson seconded the
motion and it passed 5-0. Leigh Ann Lunz recused herself from the vote for this item.

ITEM 21: Revisions to the Special Public Interest (SPI) zoning overlay for South Lake Morton –
Ordinance 3050, as amended, to revise the maximum living area for detached, secondary,
residential structures and garage apartments to align with the standards for Accessory
Dwelling Units (ADUs) specified under Section 4.3.2 of the Land Development Code.
Applicant: City of Lakeland. (SPI19-001)

Todd Vargo stated the South Lake Morton historic district zoning overlay is different than rest of City as it
allows for Accessory Dwelling Units to be constructed at a total of 530 square feet which is smaller than
the allowance by the Land Development Code for construction of an ADU of up to 800 square feet. The
amendment would apply the same regulations to South Lake Morton.

Glenn Higgins made a motion for approval of staff’s recommendation. Leigh Ann Lunz seconded the
motion and it passed 6-0.

ITEM 22: Expansion of the Special Public Interest (SPI) zoning overlay for Florida Southern
College – Ordinance 5144, as amended, to allow a new 2-story school building, as part of
an expansion of the existing Roberts Academy school, on property located at 1131 Frank
(SPI19-002)

Joshua Cheney stated the subject property is located at the southwest corner of Frank Lloyd Wright Way
and Hollingsworth Road, south of the existing Roberts Academy campus located at 1140 Frank Lloyd
Wright Way and is adjacent to the eastern boundary of the Florida Southern College campus. The
property is approximately 1.17 acres with an existing 1,450 square foot single family home on the
property that was moved to the property by the college. The proposed modification to the SPI (Special
Public Interest) overlay will incorporate the subject property into Sub District E. This district allows for
uses such as a pre-school, an elementary school, secondary and post-secondary education classrooms
under the administration of the College. If the request is approved the existing home will likely be
demolished to prepare for development of the site.

Mr. Cheney distributed recommended conditions to the board.

In response to Stephanie Franklin, Teresa Maio stated there is room for an addition to the building in the future.
Glenn Higgins made a motion for approval of staff’s recommendation. Lyle Philipson seconded the motion and it passed 5-0. Leigh Ann Lunz recused herself from the vote for this item.

**ITEM 23: Report of City Commission action on Planning and Zoning Board recommendations.**

Teresa Maio reviewed the recent actions of the City Commission.

**ITEM 24: Community Housing & Planning Manager’s Report.**

Teresa Maio reviewed the new cases for the October hearing.

**ITEM 25: Audience.**

There were no comments from the audience.

**ITEM 26: Adjourn.**

There being no further discussion, the meeting was adjourned at 11:17 am.

Respectfully Submitted,

Stephanie Franklin, Chair  
Andrew Snyder, Vice-Chair
Community & Economic Development Staff Recommendation

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**Request:**

Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet. The proposed uses include 1,447,800 square feet of warehouse uses and 76,200 square feet of office uses on 166 acres generally located north of Interstate-4, south and east of N. State Road 33, and south of Mount Olive Road.

### 1.0 Location Maps

![Location Map](image-url)
2.0 Background

2.1 Summary

Robert Pergolizzi, on behalf of Ruthven I 4 LLC, requests a major modification to PUD 4903, to adopt a new site development plan and increase the maximum allowable floor area from 1,084,000 to 1,524,000 square feet. The proposed uses include 1,447,800 square feet of warehouse uses and 76,200 square feet of office uses on property located north of Interstate-4, south and east of N. State Road 33, and south of Mount Olive Road. A map of the subject property is included as Attachment “B”.

2.2 Subject Property

The subject property is approximately 166 acres in area and has a future land use designation of Business park (BP) and a zoning classification of PUD (Planned Unit Development), as specified by Ordinance 4903. The subject property is located within the Green Swamp Area of Critical State Concern (GSACSC). The Green Swamp is a 322,000-acre region within central Florida that was designated as a protected area by the legislature in 1974 for its statewide environmental resource significance. The green swamp basin functions as the headwaters of four the State’s major rivers (the Withlacoochee, the Ocklawaha, the Hillsborough and the Peace) and also trickles down through the soil to replenish the Floridan aquifer system, the primary source of drinking water for most Floridians.

As a result of these unique environmental features, any development or redevelopment projects within the Green Swamp are subject to special development standards. These standards are found in Section 6.3 of the Land Development Code and include limitations on density and intensity, prohibitions of certain uses, flood plain and wetland protection provisions, and the requirement to conduct a land survey of the property to identify endangered, threatened, and/or species of special concern.

2.3 Project Background

PUD 4903 was initially adopted by the City Commission in September 2007. Due to the economic downturn which began in 2008, the site has remained vacant and undeveloped. The purpose of the request is to adopt a new site and modify the existing entitlements to allow for an additional 440,000 sq. ft. of I-2 uses. The site plan that was adopted as part of the original PUD allow 1,084,000 sq. ft. of floor spread throughout 10 buildings. The proposed changes, if approved, will allow for a 1,000,000 sq. ft. cross-dock warehouse, a smaller 364,000 cross-dock warehouse and a 160,000 sq. ft. conventional warehouse building. A copy of the new site plan is shown as a replacement to the existing Attachment “C.”
2.4 Existing Uses of Adjacent Properties

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2.5 Attachments

Attachment A: Legal Description
Attachment B: Base Map of Subject Property
Attachment C: Original Site Development Plan
Attachment D: Proposed Site Development Plan

3.0 Discussion

Located at the southern edge of the Green Swamp Area of Critical State Concern, this subject property is bounded by Interstate 4 and State Road 33. And located approximately two miles east of the State Road 33/I-4 interchange. Subsequent to the adopted of the PUD in 2007, the property located immediately to the north was annexed into the corporate limits of Polk City Limits and has since been developed as a single-family subdivision. To minimize impacts on the adjacent subdivision to the north, the smaller 364,000 will be setback more than 100’ from the north property boundary. Adjacent to any residential properties, a Type C buffer will be required. The buffer, which will be a minimum of 12’ in width, consists of an 8’ high masonry wall (or equivalent material) with a landscaping buffer composed of a double row of “B” type trees on staggered centers and shrubbery. Truck loading bays will be oriented such that they face internally with individual buildings acting as a buffer between truck operations and the adjacent residential area. “Full cut-off” lighting fixtures will be required to minimize light impacts. Large areas of wetlands on the site will be set aside and preserved to minimize impacts in accordance with the Green Swamp development standards.

3.1 Transportation and Concurrency

The subject property is located on State Road 33, a designated Type I Roadway in the Comprehensive Plan and Land Development Code that is focused on the high-speed movement of people and goods northward from Lakeland’s Central City Area. Safety and traffic capacity are managed through strict access controls, including limits on driveway connections and requirements for cross-/joint-access where necessary. According to the Polk Transportation Planning Organization’s Roadway Network Database (latest version, November 2017), State Road 33 operates at an acceptable “C” level-of-service between Interstate 4 (Exit 38) and Old Polk City Road, carrying approximately 530 northbound and 552 southbound trips averaged across the two-highest hours during the PM Peak Period. The traffic study prepared by Mr.
Pergolizzi estimates that the full 1,524,000 square foot expanded development plan generates 3,261 Daily and 363 PM Peak Trips. The applicant’s traffic study concludes that the buildout development program does not create level-of-service failures on the mainline of State Road 33; however, with vested traffic from approved nearby development and project traffic, level-of-service failures are projected on the stop-controlled approaches at the Interstate 4 (Exit 38), Old Polk City Road and Mt. Olive Road intersections. The eastbound off-ramp at Exit 38 already experiences delays of several minutes and the City and FDOT are discussing a possible interim improvement that will signalize this ramp and potentially the westbound ramp, as well. The Florida Department of Transportation is designing a full interchange reconstruction project for which right-of-way and gas transmission line relocation funding is programmed in the Five-Year Work Program. Construction funding is not programmed within the next five years and remains a very high priority for the City to safely and efficiently move traffic into and out of the Saddle Creek Freight Logistics Cluster contained in the Polk-Hillsborough Freight Logistics Zone plan.

To mitigate the level-of-service and concurrency deficiencies at this location, the City and applicant have drafted a Memorandum of Understanding (MOU) through which the full City transportation impact fee calculation will be paid (waiving any potential Economic Development Impact Fee Mitigation reductions) and applied to State Road 33 at Interstate 4 (Exit 38). Following a coordination meeting with the Florida Department of Transportation, the Central Florida Regional Planning Council (representing the Town of Polk City) and Polk County, the MOU includes language stating that the deficiencies at the Mt. Olive Road and Old Polk City Road intersections will be addressed through separate agreements between the owner and County. Since the subject property is located within the Green Swamp Area of Critical State Concern, the owner shall submit an annexation petition to the Lakeland Area Mass Transit District in compliance with Section 6.3.7 of the Land Development Code. Other multi-modal mitigation requirements for this project include an Americans with Disabilities Act (ADA)-compliant transit bench and deployment pad on State Road 33 (in support of future transit service), bicycle parking, and an internal sidewalk network that connects each principal building to the required State Road 33 frontage sidewalk.

The sole access point will be on State Road 33 roughly following the alignment of the existing dirt road in order to avoid significant wetland impacts. At some point in the future a secondary access to State Road 33 may be feasible from the north end of the site and the final design shall include a stub-out to the property line to make this secondary connection possible. All driveway connections to State Road 33 shall be permitted through the Florida Department of Transportation.

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: 2010-2020 and it is our opinion that the request as conditioned is consistent with the Comprehensive Plan. All roadway levels of service are acceptable with the mitigation strategy discussed in Section 3.1 and other essential services are presently available to provide service the proposed use.
4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends the approval of PUD zoning. Letters of notification were mailed to 98 property owners within 500 feet of the subject property. Staff received six e-mails in opposition from the neighboring subdivision Fountain Park (Polk City).

4.2 The Planning & Zoning Board

It is recommended that the request for of PUD zoning for warehouse and office uses, as described above and in Attachments “A,” “B” and “D,” and be approved, subject to the following conditions:

A. Permitted Uses: Those uses permitted by right in the I-2 (Medium Industrial) zoning district classification except for those uses expressly prohibited within the Green Swamp ACSC as specified by Sub-Section 6.3.2.4.27, Section 27.03.04.00. Those uses permitted by conditional use in the I-2 zoning district classification, not otherwise prohibited under the aforementioned Article, may be permitted subject to the normal conditional use process.

B. Site Development Plan: The project shall be developed in substantial accordance with the conceptual site development plan included as Attachment “CD.”

C. Development Regulations: Except as otherwise provided herein, development regulations shall be in accordance with I-2 regulations.

D. Minimum Building Setbacks: In accordance with the I-2 Zoning and Suburban Special Purpose (SSP) Context district, except that buildings adjacent to the northern property boundary shall be setback a minimum of 100’ from any residential district.

1. Front and street side setback: 20 feet
2. From PUD perimeter boundary: 35 feet. (This setback shall also be used for any individual parcels or lots within the PUD that abut the perimeter boundary.)

E. Intensity of Use:

1. Maximum Building Height: 50 feet
2. Maximum Floor Area: 1,524,000 sq. ft.

F. Outdoor storage shall be permitted in accordance with I-2 regulations, however, all normal business operations and activities shall take place within enclosed structures.

G. It is the intent of this Ordinance that the project be designed and constructed such that the buildings nearest the adjoining residentially zoned land to the west and north shall not have truck loading bays on the side of the building facing the residential land, thus using the buildings as sound barriers from truck traffic.

H. All outdoor lighting shall be arranged so as to direct lights away from adjacent residential areas in accordance with Section 4.6.30.03.07.00. Outdoor lighting fixtures shall be of
the “fully shielded” type such that the light emitting, distributing, reflecting and refracting components of the light fixture (lamp, lens, reflective surface, etc.) shall not extend beyond the opaque housing of the fixture.

I. Landscaping and buffering shall be in accordance with the Land Development Regulations Code and shall utilize xeriscaping techniques as required for development within the Green Swamp ACSC as specified by Article 6.27, Section 6.3.4 27.05.00.00. Enhanced landscape buffers shall be provided as follows:

1. Along the northern boundary where the building and vehicle use area are located adjacent to residential uses, a 20 ft. wide Type “C” buffer shall be installed consisting of Medium “B” trees with a minimum 2-inch caliper at time of planting and shrubs from the plant palette below.

2. Along the southern boundary adjacent to I-4, a 30’-wide landscaped buffer with a minimum 3 ft. high landscaped berm shall be installed. The berm shall be planted with a combination of medium “B” trees, small “C” trees colorful shrubs, and colorful groundcovers. Medium “B” trees shall have a minimum 2-inch caliper at time of planting; and small “C” trees shall have a minimum 1½ inch caliper at time of planting. The landscape materials shall be placed so as to achieve 80% opacity after one (1) year of planting. A monument sign not exceeding 6 ft. high and 100 sq. ft.in area may be incorporated within the landscaped buffer.

3. Plant palette:

Trees

- Dahoon Holly
- Southern Red Cedar
- Japanese Blueberry
- Olive

Crape Myrtle
- Ligustrum
- Weeping Bottlebrush

Shrubs

- Wax Myrtle
- Walters Viburnum
- Simpsons Stopper

Note: Alternative tree and shrub species may be approved by the Director of Parks and Recreation, or his designee, at the time of site plan review.

J. Transportation Conditions:

1. A binding Concurrency determination will be made for the project at the time of site plan approval. The owner shall execute a Memorandum of Understanding with the City to address concurrency mitigation and impact fee collections and
expenditures in the State Road 33 corridor, including at the Interstate 4 interchange (Exit 38).

2. When traffic signal warrants are met on State Road 33 at the Interstate 4 interchange (Exit 38), the applicant shall provide a fair-share of signalization costs, including costs to modify adjacent turn lanes on State Road 33. This condition shall not obligate the applicant to fund the Interstate 4 ramp or mainline modifications since their scope are beyond the control of the City and Florida Department of Transportation District One.

23. Project access on State Road 33 shall be limited to the full movement driveway shown in Attachment “C” and one access point opposite Old Polk City Road if approved by the Florida Department of Transportation and agreed to by the intervening property owner to the west of the project site. The site development plan shall include a stub-out to the adjacent property boundary to support this future potential vehicular connection.

34. Prior to site plan approval, the applicant shall submit a petition to annex into the Lakeland Area Mass Transit District (LAMTD). An ADA-compliant transit deployment and bench pad shall be constructed along the site’s State Road 33 frontage.

45. A sidewalk shall be constructed on at least one side of the full-movement project access road and along the project’s State Road 33 frontage as permitted by the Florida Department of Transportation. An ADA-compliant sidewalk network shall be constructed to connect each building with the State Road 33 sidewalk via the full-movement access road.

5. Bicycle parking shall be installed at each principal building in compliance with the Land Development Code and Engineering Standards Manual requirements.
ATTACHMENT “A”

LEGAL DESCRIPTION

<table>
<thead>
<tr>
<th>Date:</th>
<th>October 15, 2019</th>
<th>Reviewer: Joshua Cheney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project No:</td>
<td>PUD19-016</td>
<td>Location: 4000 Pipkin Creek Road</td>
</tr>
<tr>
<td>Owner:</td>
<td>Pipkin Creek Properties, LLC.</td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Daniel Lewis, RPM-LS</td>
<td></td>
</tr>
<tr>
<td>Current Zoning:</td>
<td>LD (Limited Development)</td>
<td>Future Land Use: Residential Medium (RM)</td>
</tr>
<tr>
<td>Future Land Use:</td>
<td>PUD 4382 (Planned Unit Development)</td>
<td></td>
</tr>
<tr>
<td>Context District:</td>
<td>Suburban Neighborhood (SNH)</td>
<td></td>
</tr>
<tr>
<td>P&amp;Z Hearing:</td>
<td>September 17, 2019</td>
<td>P&amp;Z Final Decision: October 15, 2019</td>
</tr>
<tr>
<td>Request:</td>
<td>Major modification to PUD (Planned Unit Development) zoning to eliminate a proposed golf course, identify as wetlands/conservation an upland portion of the property that was previously mined, redefine the property boundaries to reflect the current ownership, and relocate a neighborhood amenity center and existing single-family development nodes.</td>
<td></td>
</tr>
</tbody>
</table>

### 1.0 Location Maps

![Location Map](image-url)
2.0 Background

2.1 Summary

Dan Lewis, on behalf of Pipkin Creek Properties, LLC, requests a Major modification to PUD (Planned Unit Development) zoning to eliminate a proposed golf course, identify as wetlands/conservation an upland portion of the property that was previously mined, redefine the property boundaries to reflect the current ownership, and relocate a neighborhood amenity center and existing single-family development nodes.

2.2 Subject Property

The subject property is approximately 449.94 acres in area and has a future land use designation of Residential Medium (RM). The current PUD zoning, as initially approved in 2002 when the project was known as Palm Springs, allowed for up to 461 single-family detached dwellings, 271 multi-family dwellings, and a 20,000 square foot neighborhood shopping center. In 2004, the PUD zoning was amended through a minor modification and the name of the project was changed to Hunterfield. The first single-family development phase, which was constructed and platted shortly before the housing market crashed in 2008, sat vacant until a few years ago when the housing market began to recover. In 2014, the PUD was amended again through a minor modification to relocate the clubhouse and related recreation facilities and reduce side yard setbacks for the single-family development areas. In 2018, a minor modification was approved by the Planning & Zoning Board to further revise the development standards within Phase I.

2.3 Project Background

The primary purpose of this request is to eliminate the proposed golf course that was approved as part of the original PUD. In exchange, the area will be preserved as a wetland/conservation area with a trail system amenity. Secondary changes include relocation of the neighborhood amenity center (community clubhouse) to a more central location along Lakeside Preserve Boulevard, adoption of a new Site Development Plan to clarify project boundaries, and relocation of several nodes (Neighborhoods 2A through 2E) in order to minimize potential wetland and floodplain impacts. A copy of the revised Site Development Plan which shows the proposed changes to the golf course and neighborhood nodes as well as the new location for the amenity center is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

<table>
<thead>
<tr>
<th>Boundary</th>
<th>Existing Land Use</th>
<th>FLUM</th>
<th>Zoning</th>
<th>Context</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>Vacant</td>
<td>NAC/RM</td>
<td>PUD 4382</td>
<td>SCO/UCO</td>
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<td>South</td>
<td>Unincorporated Area – Single-Family Residential and Vacant</td>
<td>County RS, RL-1, RL-3, and INST-2</td>
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<td>East</td>
<td>Single-family residential, Fraternal Order</td>
<td>RM</td>
<td>RA-1, LD and PUD 3440 L</td>
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<tr>
<td>West</td>
<td>Unincorporated Area – Church and Single-Family Residential</td>
<td>County RS</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
2.5 Attachments

Attachment A: Legal Description
Attachment B: Base Map of Subject Property
Attachment C: Site Development Plan

3.0 Discussion

The proposed changes eliminate the golf course that was approved as part of the original PUD and replace it with a wetland/upland conservation area that will reduce the overall wetland and floodplain impacts for the development while adding a nature trail system in the same area as an amenity. As part of these changes, a new site development plan will be adopted as a replacement for the current Attachment “C” to more clearly delineate the project boundaries for the residential development, relocate the neighborhood amenity center to a more central location along Lakeside Preserve Boulevard, and relocate or reposition the approved single-family residential development nodes (Neighborhoods 2A – 2E) to help minimize possible wetland and floodplain impacts on the property in the future.

At the public hearing, adjacent property owners to the south of the project site expressed concerns about the proposed changes. Most of the comments received were related to impacts on wetlands, flooding, and loss of wildlife habitat. Any wetland or wildlife impacts will have to be addressed by the applicant during the permitting process with the applicable state agencies which have jurisdiction over such matters. Drainage will be reviewed by Public Works at the time of subdivision review in accordance with an approved SWFWMD permit. As a secondary consideration, concerns were also expressed about the proposed entitlements for two single-family homes on former mine lands in the southeast corner of the project site. Because this would require access from S. Dossey Road through an adjacent County subdivision and had no relation to the PUD, the proposed entitlements for two single-family homes have been removed from this request and the site plan revised accordingly.

3.1 Transportation and Concurrency

This modification does not include a request for an increase in the number residential dwelling units approved for this development; therefore, staff does not anticipate any additional net new trips associated with this modification.

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 as conditioned 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.
4.0 Recommendation

4.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommends the approval of PUD zoning. Letters of notification were mailed to 270 property owners within 500 feet of the subject property. Five objections were received based on perceived impacts. The objections stated were either outside the purview of planning staff or addressed as stated in the staff report through changes to the site development plan.

4.2 The Planning & Zoning Board

It is recommended that the request for a major modification of PUD zoning, as described above and in Attachments “A”, “B,” “C,” be approved, subject to the following conditions.

Ordinance 4382, as amended:

A. Single Family Development:

1. Permitted Use: Single-family, detached dwellings conventionally constructed and site-built.

2. Land Use Intensity: PUD-30

3. Maximum Number of Lots: Four hundred sixty one (461).

4. Land Development Standards: In accordance with the RA-4 (single family)/Suburban Neighborhood context sub-district standards except for the following:

   a. All Phases

      Minimum lot width: 50 ft.

      Minimum lot size: 6,000 square feet

      Maximum Lot Coverage: 48%

      Minimum front setback: 15 ft.

      Maximum front setback: 40 ft.

      Minimum garage setback: 20 ft.

      Minimum interior side setback: 5 ft.

      Minimum rear setback: 20 ft.*

*The minimum rear setback may be reduced to 15 ft. where the full width of the lot abuts a tract dedicated on the plat as common area, open space, conservation easement or storm water retention area.
b. Phase 1

Maximum Lot Coverage: 48%

5. Principal Building Requirements:

a. All dwelling units shall have an attached garage in accordance with Section 3.4.7 of the Land Development Code (LDC). However, within Phase 1 only, garage door openings shall be placed no farther than 25 feet from the front façade of the principal structure and shall be limited to no more than 70% of the overall width of the front elevation.

b. All dwelling units shall have an entrance feature in accordance with Section 3.5.5 of the LDC. However, within Phase 1 only, entrances shall provide a clear, obvious, publicly accessible connection between the primary street and the principal dwelling unit, despite the angle or orientation of the front door.

B. Multi-Family Development:

1. Permitted Use: Multi-Family dwellings

2. Land Use Intensity: PUD-54

3. Maximum Number of Units: Two hundred seventy one (271)

4. Land Development Regulations: In accordance with MF-16 (multi-family) zoning district regulations.

C. Commercial Development:

1. Permitted Uses:

   a. A maximum 20,000 square-foot neighborhood shopping center with the following uses permitted:

      | Banks                     | Locksmiths                |
      | Barber shops             | Medical supply stores     |
      | Bars, lounges and related entertainment | Motor vehicle parts |
      | Beauty shops             | Office support retail     |
      | Book stores              | Parking lots              |
      | Candy, nut & confectionary stores | Pet grooming establishments |
      | Card shops               | Photographic studios      |
      | Catering establishments  | Restaurants, carry out, low, high & very high turnover |
      | Convenience sales        |                           |
      | Cosmetic stores          | Shoe and leather good repairs |
      | Fabric stores            | Small electronic equipment |
      | Flower shops             | Souvenir shops            |
      | Food stores              | Specialty comparison commercial |
      | Hotels & motels          | Tailor & dress making shops |
      | Laundry & cleaning establishments | Tax return preparation services |
      | Laundry, cleaning & garment pick up | Travel agencies stations |
      | Trophy shops             |                           |
      | Liquor stores            | Watch, clock & jewelry repair |
b. A maximum of 45,000 square-feet of additional space with the following uses permitted:

- Churches, synagogues & houses of worship
- Nursing homes
- Day care centers
- Office uses
- Funeral homes
- Veterinary Clinics
- Group homes
- Hotels & motels

c. Sections a. and b. above notwithstanding, up to 20 percent of the commercial area may be used for multi-family residential in accordance with MF-16 (multi-family) zoning district requirements.

2. Land Use Intensity:  PUD-43

3. Land Development Regulations: In accordance with the C-3 (neighborhood center commercial) zoning district classification requirements.

D. Clubhouse and Pro-Shop:

1. Permitted Uses: A golf course and community clubhouse with related meeting, recreation and fitness facilities including but not limited to hard courts, picnic areas, playgrounds and a swimming pool. A restaurant which also serves alcoholic beverages is permitted.

2. Land Use Intensity: PUD-30.

3. Maximum Building Height: Two (2) stories.

4. Development Standards: Off-street parking and landscaping shall be provided in accordance with the Land Development Regulations.

E. Golf Course:

1. Permitted Use: A golf course and associated facilities including a driving range and maintenance facilities.

2. Fairway Buffers: To provide protection for the residential units along golf course fairways, a row of trees shall be planted along the fairway boundaries adjacent to rear lot lines. A landscape plan depicting the type, size and location of such trees shall be submitted by the developer at the time of plat and/or site development plan approval.

F. Traffic Improvements:

1. Access: Access shall be limited to a main project entrance on S. Pipkin Road which shall align with Village Road and a driveway on S. Pipkin Road at the southernmost boundary of the commercial center. If traffic studies acceptable to the City and performed in accordance with City-approved methodology indicate that the latter driveway will create safety or traffic operations problems, the access may be limited to right-in right-out only.
2. Project Roads:
   
a. Collector Road: The main collector road shall be constructed as a minor collector having the following design parameters:

   Minimum ROW Width: 60 feet  
   Minimum Design Speed: 30 mph  
   Sidewalks: Two five-foot wide concrete sidewalks (3.5-foot parkway between sidewalk and back of curb)  
   Travel Lanes: Two twelve-foot lanes  
   Street Lighting: Street lighting shall be included, with designs being coordinated with and approved by Lakeland Electric.  
   Street Trees: If installed, street trees shall be located behind the sidewalk.  
   Access: Access to the collector road shall be limited to those access points illustrated on Attachment “C.” There shall be no direct access from the collector road to individual lots.

b. Local Streets: All other local streets shall be constructed with the following design parameters:

   Minimum ROW Width: 50 feet  
   Minimum Design Speed: 20 mph  
   Sidewalks: Two five-foot wide concrete sidewalks to be built when homes are constructed (preferably with a 3.5-foot parkway between sidewalk and back of curb)  
   Travel Lanes: Two twelve-foot lanes  
   Street Lighting: Street lighting shall be included, with designs being coordinated with and approved by Lakeland Electric.  
   Street Trees: If installed, street trees shall be located behind the sidewalk and may require additional right-of-way.

3. Off-Site Improvements:
   
a. It is likely that the project will require certain improvements to S. Pipkin Road and/or Drane Field Road. The determination of specific improvements that will be required at the time of development will be made on the basis of traffic studies acceptable to the City and performed in accordance with City-approved methodology. Required improvements may include but are not necessarily limited to:

   • A southbound left turn lane on S. Pipkin Road into the main project entrance.
   • A northbound right turn lane on S. Pipkin Road into the main project entrance.
   • A dedicated northbound right turn lane on S. Pipkin Road onto Drane Field Road.
• An eastbound right turn lane on Drane Field Road onto S. Pipkin Road.

b. Right-of-Way Dedication: Prior to the issuance of a first building permit for the project, additional right-of-way along the east side of S. Pipkin Road shall be dedicated to Polk County as follows: Fifty (50) feet wide from the commercial center driveway north to Drane Field Road. Thirty (30) feet wide along the remainder of the west project property boundary.

c. A sidewalk shall be constructed on S. Pipkin Road along the west project property boundary.

G. Buffers: Buffering shall be in accordance with the requirements of the Land Development Regulations.

H. Master Drainage Plan: Prior to the development of any portion of the property, the developer shall submit for review and approval by the City’s Public Works Department a master drainage plan for the entire development to ensure that the composite drainage requirements for the tract will be properly accommodated.

I. Site Development Plan: Attachment “C” illustrates the revised site development plan submitted with the application. Further adjustments to this plan may be made subject to review and approval of the Community Development Department and provided that the maximum density and intensity of uses established herein are not exceeded.

J. Legal Description: A boundary survey and legal description of each development tract shall be submitted with each plat or site plan.

K. Property Owners Association: A property owners association shall be required to assure maintenance of development infrastructure and common areas.

L. Avigation Agreement: Prior to the platting of the first phase, the applicant shall sign an Avigation Agreement prepared by the City of Lakeland.
ATTACHMENT “A”

YAGER PROPERTIES:
PARCEL 1 CONSISTS OF THE FOLLOWING DESCRIBED WETLANDS “A”, “B” AND “C” AND PARCEL A:

A PORTION OF SECTIONS 2 AND 3, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

WETLANDS “A”

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89°49’47” WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60’ R/W); THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY THE FOLLOWING; THENCE SOUTH 50°36’41” EAST A DISTANCE OF 2462.74 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 1116.28 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 46°10’11”, AN ARC LENGTH OF 899.52 FEET (CH = 875.37, CB = S 27°31’36” E); THENCE SOUTH 04°26’30” EAST A DISTANCE OF 2985.58 FEET TO AN INTERSECTION WITH THE SOUTH BOUNDARY OF THE SOUTHEAST QUARTER OF SAID SECTION 2 AND THE WESTERLY BOUNDARY OF SAID SEABOARD COASTLINE RAILROAD; THENCE SOUTH 89°53’50” WEST ALONG SAID SOUTH BOUNDARY OF THE SOUTHEAST QUARTER A DISTANCE OF 2114.68 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89°52’00” WEST ALONG THE SOUTH BOUNDARY OF SAID SOUTHWEST QUARTER A DISTANCE OF 1227.50 FEET TO THE POINT OF BEGINNING OF WETLAND “A”; THENCE NORTH 40°50’59” WEST A DISTANCE OF 115.00 FEET; THENCE NORTH 78°06’59” WEST A DISTANCE OF 160.99 FEET; THENCE NORTH 30°59’11” WEST A DISTANCE OF 196.74 FEET; THENCE NORTH 49°46’48” WEST A DISTANCE OF 176.63 FEET; THENCE NORTH 25°59’28” WEST A DISTANCE OF 83.11 FEET; THENCE NORTH 06°59’41” EAST A DISTANCE OF 108.81 FEET; THENCE NORTH 27°12’01” EAST A DISTANCE OF 194.22 FEET; THENCE NORTH 43°18’38” EAST A DISTANCE OF 392.08 FEET; THENCE NORTH 82°39’29” EAST A DISTANCE OF 177.11 FEET; THENCE SOUTH 73°51’37” EAST A DISTANCE OF 250.84 FEET; THENCE NORTH 84°55’51” EAST A DISTANCE OF 272.44 FEET; THENCE NORTH 69°10’53” EAST A DISTANCE OF 232.97 FEET; THENCE SOUTH 89°50’34” EAST A DISTANCE OF 210.68 FEET THENCE SOUTH 23°01’14” EAST A DISTANCE OF 228.82 FEET; THENCE NORTH 36°11’47” EAST A DISTANCE OF 126.06 FEET; THENCE NORTH 03°52’30” EAST A DISTANCE OF 197.15 FEET; THENCE NORTH 19°17’08” WEST A DISTANCE OF 131.87 FEET; THENCE NORTH 26°00’51” WEST A DISTANCE OF 190.22 FEET; THENCE NORTH 46°55’52” WEST A DISTANCE OF 179.02 FEET; THENCE NORTH 55°19’52” WEST A DISTANCE OF 207.41 FEET; THENCE NORTH 68°39’05” WEST A DISTANCE OF 268.81 FEET; THENCE NORTH 88°22’36” WEST A DISTANCE OF 272.73 FEET; THENCE SOUTH 73°14’15” WEST A DISTANCE OF 205.21 FEET; THENCE NORTH 54°19’29” WEST A DISTANCE OF 279.25 FEET TO THE EAST CORNER OF CREEKBEND PHASE II AS RECORDED IN PLAT BOOK.
THENCE SOUTH 10°04'04" WEST A DISTANCE OF 178.30 FEET; THENCE SOUTH
09°48'41" WEST A DISTANCE OF 52.63 FEET; THENCE SOUTH 60°44'23" WEST A
DISTANCE OF 41.45 FEET; THENCE SOUTH 20°13'44" WEST A DISTANCE OF 175.37
FEET; THENCE SOUTH 37°02'53" WEST A DISTANCE OF 173.57 FEET; THENCE SOUTH
16°40'57" WEST A DISTANCE OF 84.81 FEET; THENCE SOUTH 01°29'52" WEST A
DISTANCE OF 78.46 FEET; THENCE SOUTH 16°06'11" EAST A DISTANCE OF 198.76
FEET; THENCE SOUTH 24°30'03" WEST A DISTANCE OF 181.63 FEET; THENCE SOUTH
73°26'07" WEST A DISTANCE OF 250.66 FEET; THENCE SOUTH 70°35'34" WEST A
DISTANCE OF 220.91 FEET; THENCE SOUTH 65°11'59" WEST A DISTANCE OF 55.58
FEET; THENCE SOUTH 11°54'42" WEST A DISTANCE OF 65.32 FEET; THENCE SOUTH
21°56'34" WEST A DISTANCE OF 82.95 FEET; THENCE SOUTH 56°34'46" WEST A
DISTANCE OF 249.94 FEET; THENCE SOUTH 67°39'39" WEST A DISTANCE OF 163.23
FEET; THENCE SOUTH 61°06'27" WEST A DISTANCE OF 133.87 FEET; THENCE SOUTH
76°23'21" WEST A DISTANCE OF 209.68 FEET; THENCE SOUTH 47°04'07" WEST A
DISTANCE OF 204.04 FEET; THENCE SOUTH 30°07'04" WEST A DISTANCE OF 310.61
FEET TO A POINT ON THE SOUTH BOUNDARY OF THE SOUTHEAST QUARTER OF
SECTION 3; TOWNSHIP 29 SOUTH, RANGE 23 EAST; THENCE NORTH 89°54'36" EAST
ALONG THE SOUTH BOUNDARY OF SAID SOUTHEAST QUARTER A DISTANCE OF
671.76 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE
AFOREMENTIONED SECTION 2; THENCE NORTH 89°52'00" EAST ALONG THE SOUTH
BOUNDARY OF SAID SECTION 2 A DISTANCE OF 1421.63 FEET TO THE POINT OF
BEGINNING.

LESS AND EXCEPT:

LEGAL DESCRIPTION AS DESCRIBED IN O.R. BOOK 1721, PAGES 1299-1300, PUBLIC
RECORDS OF POLK COUNTY, FLORIDA.

ALSO LESS AND EXCEPT:

CREEKBEND PHASE 2, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 78,
PAGE 22, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

AND; WETLAND “B”

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID
SECTION 2; THENCE SOUTH 89°49'47" WEST ALONG THE NORTH LINE OF SAID
NORTHWEST QUARTER A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH
THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE
RAILROAD LINE (60' R/W); THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY
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SOUTHEAST QUARTER OF SAID SECTION 2 AND THE WESTERLY BOUNDARY OF
SAID SEABOARD COASTLINE RAILROAD; THENCE SOUTH 89°53'50" WEST ALONG
SAID SOUTH BOUNDARY OF THE SOUTHEAST QUARTER A DISTANCE OF 2114.68 FEET TO THE SOUTH CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89°52'00" WEST ALONG THE SOUTH BOUNDARY OF SAID SOUTHWEST QUARTER A DISTANCE OF 596.03 FEET TO THE POINT OF BEGINNING OF WETLAND "B"; THENCE CONTINUE SOUTH 89°52'00" WEST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 193.00 FEET; THENCE NORTH 05°40'57" EAST A DISTANCE OF 193.18 FEET; THENCE NORTH 17°20'40" EAST A DISTANCE OF 140.13 FEET; THENCE NORTH 33°33'14" EAST A DISTANCE OF 53.67 FEET; THENCE NORTH 77°57'26" EAST A DISTANCE OF 102.05 FEET; THENCE NORTH 69°52'27" EAST A DISTANCE OF 180.23 FEET; THENCE NORTH 68°37'02" EAST A DISTANCE OF 141.50 FEET; THENCE SOUTH 31°21'31" EAST A DISTANCE OF 58.11 FEET; THENCE SOUTH 01°38'39" WEST A DISTANCE OF 53.27 FEET; THENCE SOUTH 46°43'14" EAST A DISTANCE OF 24.60 FEET; THENCE NORTH 78°04'14" EAST A DISTANCE OF 106.36 FEET; THENCE NORTH 41°25'25" EAST A DISTANCE OF 66.41 FEET; THENCE NORTH 28°46'04" EAST A DISTANCE OF 85.53 FEET; THENCE SOUTH 50°28'39" EAST A DISTANCE OF 82.52 FEET; THENCE SOUTH 09°17'59" WEST A DISTANCE OF 30.13 FEET; THENCE SOUTH 70°46'15" WEST A DISTANCE OF 103.53 FEET; THENCE SOUTH 26°29'07" WEST A DISTANCE OF 15.11 FEET; THENCE SOUTH 56°52'49" EAST A DISTANCE OF 81.38 FEET; THENCE SOUTH 79°02'59" WEST A DISTANCE OF 106.64 FEET; THENCE NORTH 46°49'44" WEST A DISTANCE OF 106.36 FEET; THENCE NORTH 25°54'30" WEST A DISTANCE OF 121.05 FEET; THENCE SOUTH 61°51'53" WEST A DISTANCE OF 138.59 FEET; THENCE SOUTH 33°34'53" WEST A DISTANCE OF 79.01 FEET; THENCE SOUTH 44°30'49" WEST A DISTANCE OF 92.46 FEET; THENCE SOUTH 65°02'16" WEST A DISTANCE OF 63.87 FEET THENCE SOUTH 83°42'00" WEST A DISTANCE OF 28.01 FEET; THENCE SOUTH 26°58'33" WEST A DISTANCE OF 93.45 FEET TO THE POINT OF BEGINNING.

AND; WETLAND "C"

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89°49'47" WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60' R/W); THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY THE FOLLOWING; THENCE SOUTH 50°36'41" EAST A DISTANCE OF 2462.74 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 1116.28 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 46°10'11"; AN ARC LENGTH OF 899.52 FEET (CH = 875.37, CB = S 27°31'36" E); THENCE SOUTH 04°26'30" EAST A DISTANCE OF 1033.89 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 85°33'30" WEST A DISTANCE OF 961.04 FEET TO THE POINT OF BEGINNING OF WETLAND "C"; THENCE SOUTH 18°53'28" WEST A DISTANCE OF 64.53 FEET; THENCE SOUTH 16°55'12" EAST A DISTANCE OF 78.19 FEET; THENCE SOUTH 04°54'50" WEST A DISTANCE OF 50.47 FEET; THENCE SOUTH 50°16'06" WEST A DISTANCE OF 136.90 FEET; THENCE SOUTH 88°32′31" WEST A DISTANCE OF 54.12 FEET; THENCE SOUTH 59°15′35" WEST A DISTANCE OF 95.16 FEET; THENCE SOUTH 80°37′17" WEST A DISTANCE OF 151.72 FEET; THENCE SOUTH 47°06′50" WEST A DISTANCE OF 114.01 FEET; THENCE SOUTH 84°24′22" WEST A DISTANCE OF 320.19 FEET; THENCE NORTH 08′17′50" EAST A
DISTANCE OF 109.40 FEET; THENCE NORTH 14°29’58” WEST A DISTANCE OF 320.33 FEET; THENCE NORTH 28°14’23” EAST A DISTANCE OF 68.88 FEET; THENCE NORTH 87°36’09” EAST A DISTANCE OF 139.80 FEET; THENCE NORTH 02°17’21” WEST A DISTANCE OF 46.44 FEET; THENCE NORTH 28°31’47” EAST A DISTANCE OF 62.60 FEET; THENCE NORTH 38°49’59” WEST A DISTANCE OF 95.98 FEET; THENCE NORTH 04°27’27” WEST A DISTANCE OF 63.49 FEET; THENCE NORTH 13°42’12” EAST A DISTANCE OF 88.67 FEET; THENCE NORTH 44°51’54” EAST A DISTANCE OF 66.35 FEET; THENCE SOUTH 76°34’43” EAST A DISTANCE OF 42.83 FEET; THENCE SOUTH 02°46’13” EAST A DISTANCE OF 319.32 FEET; THENCE SOUTH 81°15’30” EAST A DISTANCE OF 88.25 FEET; THENCE NORTH 73°46’48” EAST A DISTANCE OF 32.80 FEET; THENCE NORTH 82°42’15” EAST A DISTANCE OF 81.43 FEET; THENCE SOUTH 79°38’14” EAST A DISTANCE OF 273.39 FEET; THENCE SOUTH 39°40’53” EAST A DISTANCE OF 18.38 FEET; THENCE SOUTH 26°42’09” WEST A DISTANCE OF 19.97 FEET; THENCE SOUTH 82°16’43” WEST A DISTANCE OF 261.57 FEET; THENCE NORTH 88°12’34” WEST A DISTANCE OF 74.63 FEET; THENCE SOUTH 62°43’39” WEST A DISTANCE OF 32.28 FEET; THENCE SOUTH 00°05’38” WEST A DISTANCE OF 26.65 FEET; THENCE SOUTH 35°04’04” EAST A DISTANCE OF 106.97 FEET; THENCE SOUTH 58°34’59” EAST A DISTANCE OF 99.28 FEET; THENCE NORTH 74°34’58” EAST A DISTANCE OF 226.68 FEET; THENCE NORTH 52°05’25” EAST A DISTANCE OF 99.62 FEET TO THE POINT OF BEGINNING.

AND, PARCEL A:

A PARCEL OF LAND IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT A 4” CAPPED IRON PIPE STAMPED “I.A.C. 1928” AT THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 2; THENCE SOUTH 89°49’47” WEST ALONG THE NORTH LINE OF THE SAID NORTHWEST ¼ OF SECTION 2, A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60.00 FEET NORTHWEST); THENCE SOUTH 50°36’41” EAST ALONG SAID RAILROAD RIGHT OF WAY A DISTANCE OF 78.51 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF DRANE FIELD ROAD (100.00 FEET NORTHWEST); THENCE CONTINUE SOUTH 30°36’41” EAST ALONG THE SAID RAILROAD RIGHT OF WAY LINE A DISTANCE OF 950.00 FEET; THENCE SOUTH 39°23’19” WEST A DISTANCE OF 247.45 FEET; THENCE SOUTH 64°36’33” WEST A DISTANCE OF 361.87 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°49’47” WEST A DISTANCE OF 497.45 FEET; THENCE NORTH 00°10’13” WEST A DISTANCE OF 720.00 FEET; THENCE SOUTH 34°48’40” EAST A DISTANCE OF 875.13 FEET TO THE POINT OF BEGINNING.

PARCEL 2 CONSISTS OF THE FOLLOWING DESCRIBED PARCEL B AND RESIDENTIAL TRACTS “A” AND “B”:

A PORTION OF SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89° 49’ 47” WEST ALONG THE NORTH LINE OF SAID
NORTHWEST QUARTER A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60.00’ R/W); THENCE SOUTH 50° 36’ 41” EAST ALONG SAID RAILROAD RIGHT OF WAY A DISTANCE OF 78.51 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF DRANE FIELD ROAD (100.00’ R/W) AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHWESTERLY RIGHT OF WAY THE FOLLOWING THREE CALLS; THENCE SOUTH 50° 36’ 41” EAST A DISTANCE OF 2384.23 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 1116.28 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 46° 10’ 11” , AN ARC LENGTH OF 899.52 FEET (CH = 875.37, CB = S 27° 31’ 36” E); THENCE SOUTH 04° 26’ 30” EAST A DISTANCE OF 883.33 FEET; THENCE DEPARTING SAID RIGHT OF WAY NORTH 74° 19’ 06” WEST A DISTANCE OF 363.81 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 202.84 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 75° 32’ 18” , AN ARC LENGTH OF 267.42 FEET (CH = 248.47, CB = N 44° 20’ 16” W); THENCE NORTH 82° 06’ 25” WEST A DISTANCE OF 97.28 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHERLY AND HAVING A RADIUS OF 195.85 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 28° 42’ 46”, AN ARC LENGTH OF 98.15 FEET (CH = 97.12, CB = S 83° 32’ 12” W); THENCE SOUTH 69° 10’ 50” WEST A DISTANCE OF 422.63 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 480.63 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 40° 03’ 31”, AN ARC LENGTH OF 336.03 FEET (CH = 329.23, CB = N 40° 50’ 56” W); THENCE NORTH 60° 30’ 04” WEST A DISTANCE OF 566.92 FEET; THENCE SOUTH 34° 44’ 20” WEST A DISTANCE OF 211.26 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 1351.94 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 05° 37’ 03”, AN ARC LENGTH OF 132.55 FEET (CH= 132.50, CB = S 58° 04’ 12” E); THENCE SOUTH 60° 52’ 44” EAST A DISTANCE OF 45.84 FEET; THENCE SOUTH 62° 49’ 11” EAST A DISTANCE OF 454.96 FEET; THENCE SOUTH 41° 54’ 23” WEST A DISTANCE OF 446.18
FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 498.68 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16° 57' 21", AN ARC LENGTH OF 147.58 FEET (CH = 147.04, CB = N 32° 44' 41" W); THENCE NORTH 41° 13' 21" WEST A DISTANCE OF 157.59 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVED WESTERLY AND HAVING A RADIUS OF 270.52 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 24° 48' 23", AN ARC LENGTH OF 117.12 FEET (CH = 116.21, CB = N 13° 45' 52" E) TO A NON-TANGENT INTERSECTION THENCE NORTH 69° 02' 48" EAST A DISTANCE OF 98.53 FEET TO THE BEGINNING OF CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 374.11 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12° 08' 37", AN ARC LENGTH OF 79.29 FEET (CH = 75.14, CB = N 62° 58' 30" E) TO A NON-TANGENT INTERSECTION; THENCE NORTH 31° 50' 51" WEST A DISTANCE OF 100.03 FEET; THENCE NORTH 35° 56' 36" WEST A DISTANCE OF 103.04 FEET; THENCE NORTH 29° 26' 49" WEST A DISTANCE OF 113.06 FEET; THENCE NORTH 03° 52' 30" EAST A DISTANCE OF 197.15 FEET; THENCE NORTH 19° 17' 08" WEST A DISTANCE OF 131.87 FEET; THENCE NORTH 26° 00' 51" WEST A DISTANCE OF 190.22 FEET; THENCE NORTH 46° 55' 55" WEST A DISTANCE OF 179.02 FEET; THENCE NORTH 55° 19' 52" WEST A DISTANCE OF 207.41 FEET; THENCE NORTH 68° 39' 05" WEST A DISTANCE OF 268.81 FEET; THENCE NORTH 88° 22' 36" WEST A DISTANCE OF 272.73 FEET; THENCE SOUTH 73° 14' 15" WEST A DISTANCE OF 205.21 FEET; THENCE NORTH 54° 19' 29" WEST A DISTANCE OF 206.53 FEET; THENCE NORTH 64° 36' 01" EAST A DISTANCE OF 481.76 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 258.72 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 94° 09' 16", AN ARC LENGTH OF 425.16 FEET (CH = 378.91, CB = N 17° 31' 23" E); THENCE NORTH 29° 33' 14" WEST A DISTANCE OF 716.40 FEET; THENCE NORTH 08° 55' 50" EAST A DISTANCE OF 120.52 FEET; THENCE NORTH 41° 07' 30" WEST A DISTANCE OF 855.16 FEET; THENCE NORTH 23° 37' 13" WEST A DISTANCE OF 97.53 FEET TO THE SOUTH BOUNDARY OF A DEED RECORDED IN O.R. BOOK 2339, PAGE 278, PUBLIC RECORDS OF POLK COUNTY; THENCE NORTH 89° 49' 47" EAST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 154.84 FEET TO THE SOUTHWESTERLY BOUNDARY OF A 100.00 FOOT WIDE POWERLINE EASEMENT CONVEYED TO FLORIDA POWER CORPORATION RECORDED IN DEED BOOK 912, PAGE 303, PUBLIC RECORDS OF POLK COUNTY; THENCE SOUTH 29° 33' 14" EAST ALONG THE SOUTHWESTERLY BOUNDARY OF SAID POWERLINE EASEMENT A DISTANCE OF 51.25 FEET; THENCE NORTH 89° 49' 47" EAST A DISTANCE OF 315.60 FEET; THENCE SOUTH 29° 33' 14" EAST A DISTANCE OF 2119.61 FEET; THENCE NORTH 66° 33' 03" EAST A DISTANCE OF 107.06 FEET; THENCE NORTH 10° 26' 46" EAST A DISTANCE OF 157.98 FEET; THENCE NORTH 29° 33' 14" WEST A DISTANCE OF 921.55 FEET; THENCE NORTH 25° 35' 01" EAST A DISTANCE OF 110.45 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 761.77 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 09° 05' 25", AN ARC LENGTH OF 120.86 FEET (CH = 120.73, CB = S 83° 09' 59" E) TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 31.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A
CENTRAL ANGLE OF 81° 39’ 37”, AN ARC LENGTH OF 44.18 FEET (CH = 40.54, CB = N 60° 32’ 55” E); THENCE NORTH 19° 43’ 07” EAST A DISTANCE OF 145.62 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 208.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 12° 31’ 14”, AN ARC LENGTH OF 45.45 FEET (CH = 45.36, CB = N 13° 27’ 30” E) TO A NON-TANGENT INTERSECTION; THENCE SOUTH 82° 48’ 08” EAST A DISTANCE OF 91.10 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVED WESTERLY AND HAVING A RADIUS OF 473.33 FEET; THENCE NORTHERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 28° 48’ 23”, AN ARC LENGTH OF 237.97 FEET (CH = 235.48, CB = N 05° 18’ 55” E); THENCE NORTH 09° 05’ 16” WEST A DISTANCE OF 96.41 FEET; THENCE NORTH 71° 45’ 51” EAST A DISTANCE OF 90.24 FEET; THENCE NORTH 30° 43’ 06” EAST A DISTANCE OF 129.27 FEET; THENCE NORTH 00° 19’ 04” WEST A DISTANCE OF 105.29 FEET; THENCE NORTH 34° 48’ 40” WEST A DISTANCE OF 875.13 FEET; THENCE NORTH 00° 10’ 13” WEST A DISTANCE OF 250.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE AFOREMENTIONED DRANE FIELD ROAD; THENCE NORTH 89° 49’ 47” EAST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THAT PORTION TAKEN BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN O.R. BOOK 6341, PAGE 2006, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

RESIDENTIAL TRACT “A”

A PORTION OF SECTION 2 AND 3, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2 THENCE SOUTH 89° 49’ 47” WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60.00' R/W); THENCE SOUTH 50° 36’ 41” EAST ALONG SAID RAILROAD RIGHT OF WAY A DISTANCE OF 78.51 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF DRANE FIELD ROAD (100.00' R/W); THENCE SOUTH 89° 49’ 47” WEST ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 250.00 FEET; THENCE SOUTH 00° 10’ 13” EAST A DISTANCE OF 950.00 FEET; THENCE SOUTH 89° 49’ 47” WEST A DISTANCE OF 1047.07 FEET TO THE SOUTHWESTERLY BOUNDARY OF A 100.00 FOOT WIDE POWERLINE EASEMENT CONVEYED TO FLORIDA POWER CORPORATION RECORDED IN DEED BOOK 912, PAGE 303, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 29° 33’ 14” WEST ALONG SAID SOUTHWESTERLY BOUNDARY A DISTANCE OF 51.25 FEET TO THE SOUTHEAST CORNER OF A TRACT RECORDED IN O.R. BOOK 2329, PAGE 278, PUBLIC RECORDS OF POLK COUNTY; THENCE SOUTH 89° 49’ 47” WEST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 154.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 23° 37’ 13” EAST A DISTANCE OF 97.53 FEET; THENCE SOUTH 29° 33’ 14” EAST A DISTANCE OF 855.16 FEET; THENCE SOUTH 41° 07’ 30” EAST A DISTANCE OF 224.35 FEET; THENCE SOUTH 08° 55’ 50” WEST A DISTANCE OF 120.52 FEET; THENCE SOUTH 29° 33’ 14” EAST A DISTANCE OF 716.40 FEET TO THE BEGINNING OF A CURVE CONCAVED WESTERLY AND HAVING A RADIUS OF 258.72 FEET; THENCE SOUTHERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 94° 09’ 16”, AN ARC
LENGTH OF 425.16 FEET (CH = 378.91, CB = S 17° 31’ 23” W); THENCE SOUTH 54° 36’ 01” WEST A DISTANCE OF 481.76 FEET; THENCE NORTH 54° 19’ 29” WEST A DISTANCE OF 72.72 FEET TO THE NORTHEAST CORNER OF CREEKBEND PHASE TWO AS RECORDED IN PLAT BOOK 78, PAGE 22, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE CONTINUE NORTH 54° 19’ 29” WEST ALONG THE NORTHERLY LINE OF SAID CREEKBEND PHASE II AND A NORTHWESTERLY PROJECTION THEREOF A DISTANCE OF 1692.49 FEET TO A POINT ON A LINE 30.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SURVEY OF THE MAINTAINED RIGHT OF WAY OF PIPKIN ROAD AS RECORDED IN MAP BOOK 2, PAGES 168-170, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 27° 20’ 20” EAST ALONG SAID PARALLEL LINE A DISTANCE OF 1177.92 FEET; THENCE SOUTH 62° 39’ 40” EAST A DISTANCE OF 323.26 FEET; THENCE NORTH 30° 04’ 07” EAST A DISTANCE OF 45.15 FEET; THENCE NORTH 60° 26’ 46”, EAST A DISTANCE OF 177.36 FEET; THENCE NORTH 29° 33’ 14” WEST A DISTANCE OF 10.76 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGEL OF 87° 42’ 27”, AN ARC LENGTH OF 38.27 FEET (CH = 34.64, CB = N 73° 24’ 28” W) TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 50.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 118° 35’ 39”, AN ARC LENGTH OF 103.55 FEET (CH = 86.01, CB = N 57° 55’ 52” W); THENCE NORTH 01° 23’ 57” EAST A DISTANCE OF 53.23 FEET; THENCE NORTH 00° 10’ 13” WEST A DISTANCE OF 450.00 FEET TO THE SOUTH LINE OF THE AFOREMENTIONED TRACT RECORDED IN O.R. BOOK 2329, PAGE 278, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 89° 49’ 47” EAST ALONG SAID SOUTH LINE A DISTANCE OF 145.62 FEET TO THE POINT OF BEGINNING.

AND: RESIDENTIAL TRACT “B”

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89° 49’ 47” WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 375.84 FEET TO AN INTERSECTION WITH THE SOUTHWesterly RIGHT OF WAY OF THE SEABOARD COASTLINE RAILROAD LINE (60.00’ R/W); THENCE SOUTH 50° 36’ 41” EAST ALONG SAID RAILROAD RIGHT OF WAY A DISTANCE OF 78.51 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF DRANE FIELD ROAD (100.00’ R/W); THENCE SOUTH 89° 49’ 47” WEST ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 250.00 FEET; THENCE SOUTH 00° 10’ 13” EAST A DISTANCE OF 950.00 FEET; THENCE SOUTH 89° 49’ 47” WEST A DISTANCE OF 15.34 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28° 58’ 22” EAST A DISTANCE OF 492.91 FEET TO THE BEGINNING OF A CURVE CONCAVED WEStherly AND HAVING A RADIUS OF 208.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 49° 16’ 21”, AN ARC LENGTH OF 178.87 FEET (CH = 173.41, CB = S 04° 55’ 04” E); THENCE SOUTH 19° 43’ 07” WEST A DISTANCE OF 145.62 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHwesterly AND HAVING A RADIUS OF 31.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 81° 39’ 37”, AN ARC LENGTH OF 44.18 FEET (CH = 40.54, CB = S 60° 32’ 55” W) TO THE POINT OF REVERSE CURVATURE WITH A CURVE CONCAVED SOUTHERLY AND HAVING A RADIUS OF 761.77 FEET; THENCE WEStherly ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 09° 05’ 25”, AN ARC
LENGTH OF 120.86 FEET (CH = 120.73, CB = N 83° 09’ 59” W); THENCE SOUTH 25° 35’ 01”
WEST A DISTANCE OF 110.45 FEET; THENCE SOUTH 29° 33’ 14” EAST A DISTANCE OF
921.65 FEET; THENCE SOUTH 10° 26’ 46” WEST A DISTANCE OF 157.98 FEET; THENCE
SOUTH 66° 33’ 03” WEST A DISTANCE OF 107.06 FEET; THENCE NORTH 29° 33’ 14”
WEST A DISTANCE OF 2119.61 FEET; THENCE NORTH 89° 49’ 47” EAST A DISTANCE
OF 716.13 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT CERTAIN REAL PROPERTY LYING EASTERLY OF THE EASTERN MAINTAINED
ROAD RIGHT-OF-WAY LINE OF PIPKIN DAIRY ROAD (NOW PIPKIN CREEK ROAD) AS
PORTRAYED IN MAINTAINED ROAD RIGHT-OF-WAY MAP BOOK 2, PAGES 168-170,
PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND WESTERLY OF THE WEST
BOUNDARY OF THE ABOVE DESCRIBED PARCEL 2.

THE INTENT OF THIS DESCRIPTION IS TO CONVEY THOSE LANDS LYING BETWEEN
THE MAINTAINED ROAD RIGHT-OF-WAY LINE AND THE WESTERN BOUNDARY OF
SAID PARCEL 2, SAID WESTERN BOUNDARY BEING MORE SPECIFICALLY
DESCRIBED AS "BEING 30.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE
CENTERLINE OF SURVEY OF PIPKIN ROAD."

PARCEL 4:

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST,
POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF SECTION 34,
TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA; THENCE S 00° 11’
27” E ALONG THE EAST BOUNDARY OF SAID SECTION 34 A DISTANCE OF 2307.29
FEET TO A POINT LYING ON THE SURVEY BASELINE OF STATE ROAD 570 (STATE
PROJECT NO. 97160-2307); THENCE ALONG SAID SURVEY BASELINE S 81° 22’ 14” E
1224.24 FEET; THENCE LEAVING SAID SURVEY BASELINE S 08° 37’ 46” W 199.89 FEET
TO A POINT LYING ON THE SOUTHERLY MAINTAINED RIGHT OF WAY BOUNDARY
OF DRANE FIELD ROAD; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING
THREE COURSES: S 89°15’27” W 81.54 FEET; THENCE S 89° 32’ 39” W 100.00 FEET;
THENCE N 82° 29’ 33” W 29.83 FEET TO A POINT LYING ON THE EASTERLY RIGHT
OF WAY BOUNDARY OF PIPKIN ROAD; THENCE S 27°20’47” W ALONG SAID EASTERLY
RIGHT OF WAY A DISTANCE OF 105.87 FEET TO THE POINT OF BEGINNING. FROM
SAID POINT OF BEGINNING AND LEAVING SAID EASTERLY RIGHT OF WAY S 41° 29’
00” E 32.94 FEET; THENCE S 86°28’55” E 55.08 FEET TO A POINT OF CURVE TO THE
LEFT; THENCE ALONG SAID CURVE WITH A RADIUS OF 923.13 FEET, THROUGH A
CENTRAL ANGLE OF 14° 08’ 00”, FOR AN ARC DISTANCE OF 227.71 FEET (THE CHORD
OF SAID ARC BEARING N 86° 27’ 17” E 227.13 FEET); THENCE N 79° 23’ 18” E 71.98 FEET
TO A POINT OF CURVE TO THE RIGHT; THENCE ALONG SAID CURVE WITH A RADIUS
OF 1787.79 FEET, THROUGH A CENTRAL ANGLE OF 22° 49’ 01”, FOR AN ARC
DISTANCE OF 711.95 FEET (THE CHORD OF SAID ARC BEARING S 89° 12’ 11” E 707.26
FEET); THENCE S 77° 47’ 41” E 400.17 FEET TO A POINT OF CURVE TO THE LEFT;
THENCE ALONG SAID CURVE WITH A RADIUS OF 975.00 FEET, THROUGH A
CENTRAL ANGLE OF 11° 24’ 42”, FOR AN ARC DISTANCE OF 194.19 FEET (THE CHORD
OF SAID ARC BEARING S 83° 30’ 02” E A DISTANCE OF 193.87 FEET) TO A POINT
LYING ON THE WESTERLY RIGHT OF WAY BOUNDARY OF CSX RAILROAD; THENCE S 50° 33’ 12” E ALONG SAID RIGHT OF WAY A DISTANCE OF 173.19 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF STATE ROAD 570 (STATE PROJECT NO. 97160-2307); THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT OF WAY BOUNDARY OF STATE ROAD 570 THE FOLLOWING SEVEN CALLS: N 77°47’41” W 730.81 FEET TO A POINT OF CURVE TO THE LEFT; THENCE WESTERLY ALONG SAID CURVE WITH A RADIUS OF 1879.86 FEET, THROUGH A CENTRAL ANGLE OF 08°28’32”, FOR AN ARC DISTANCE OF 278.08 FEET (THE CHORD OF SAID ARC BEARING N 82°01’57” W 277.83 FEET); THENCE N 86° 16’ 13” W 97.54 FEET TO A POINT OF CURVE TO THE LEFT; THENCE WESTERLY ALONG SAID CURVE WITH A RADIUS OF 924.93 FEET, THROUGH A CENTRAL ANGLE OF 14°20’30”, FOR AN ARC DISTANCE OF 231.52 FEET ( THE CHORD OF SAID ARC BEARING S 86°33’35” W 230.91 FEET); THENCE S 79°23’18” W 170.02 FEET TO A POINT OF CURVE TO THE RIGHT; THENCE WESTERLY ALONG SAID CURVE WITH A RADIUS OF 983.13 FEET, THROUGH A CENTRAL ANGLE OF 14°07’59”, FOR AN ARC DISTANCE OF 242.51 FEET (THE CHORD OF SAID ARC BEARING S 86°27’11” W 241.89 FEET); THENCE N 86°28’44” W 115.16 FEET TO A POINT LYING ON THE AFOREMENTIONED EASTERN RIGHT OF WAY OF PIPKIN ROAD; THENCE N 27°20’47” E ALONG SAID EASTERN RIGHT OF WAY A DISTANCE OF 91.05 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA; THENCE S 00° 11’ 27” E ALONG THE EAST BOUNDARY OF SAID SECTION 34 A DISTANCE OF 2307.29 FEET TO A POINT LYING ON THE SURVEY BASELINE OF STATE ROAD 570 (STATE PROJECT NO. 97160-2307); THENCE ALONG SAID SURVEY BASELINE S 81° 22’ 14” E A DISTANCE OF 1224.24 FEET; THENCE LEAVING SAID SURVEY BASELINE S 08°37’46” W 199.89 FEET TO A POINT LYING ON THE SOUTHERLY MAINTAINED RIGHT OF WAY BOUNDARY OF DRANE FIELD ROAD; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING THREE COURSES: S 89°15’27” W A DISTANCE OF 81.54 FEET; THENCE S 89°32’39” W A DISTANCE OF 100.00 FEET; THENCE N 82°29’33” W A DISTANCE 29.83 FEET TO A POINT LYING ON THE EASTERN RIGHT OF WAY BOUNDARY OF PIPKIN ROAD; THENCE S 27°20’47” W ALONG SAID EASTERN RIGHT OF WAY A DISTANCE OF 105.87 FEET TO THE POINT OF BEGINNING. THENCE LEAVING SAID EASTERN RIGHT OF WAY S 41°29’00” E A DISTANCE 32.94 FEET; THENCE S 86° 28’ 55” E A DISTANCE 55.08 FEET TO A POINT OF CURVE TO THE LEFT; THENCE ALONG SAID CURVE WITH A RADIUS OF 923.13 FEET, THROUGH A CENTRAL ANGLE OF 14°08’00”, FOR AN ARC DISTANCE OF 227.71 FEET (THE CHORD OF SAID ARC BEARING N 86° 27’ 17” E 227.13 FEET); THENCE N 79°23’18” E A DISTANCE OF 71.98 FEET TO A POINT OF CURVE TO THE RIGHT; THENCE ALONG SAID CURVE WITH A RADIUS OF 1787.79 FEET, THROUGH A CENTRAL ANGLE OF 14°16’21”, FOR AN ARC DISTANCE OF 445.35 FEET (THE CHORD OF SAID ARC BEARING N 86°31’ 29” E 444.19 FEET); THENCE N 00°00’00” E A DISTANCE OF 26.49 FEET; THENCE N 86°28’45” W A DISTANCE OF 756.59 FEET; THENCE S 69° 46’ 32” W A DISTANCE OF 14.73 FEET; S 27°20’47” W A DISTANCE OF 105.87 FEET TO THE POINT OF BEGINNING.
LES AND EXCEPT ANY PORTION OF THE BEFORE DESCRIBED PARCELS 1 THROUGH 5 LYING WITHIN, OR ANY PORTION OF PARCELS 4 AND 5 LYING WEST OF, THE FOLLOWING DESCRIBED PARCEL:

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; RUN THENCE SOUTH 89°49'47" WEST, ALONG THE NORTH BOUNDARY OF SAID NORTHWEST 1/4, 375.99 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD (60.00 FOOT RIGHT-OF-WAY); THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE, SOUTH 50°36'43" EAST, 392.76 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570 (PROJECT NO. 97160-2307); THENCE ALONG SAID RIGHT-OF-WAY LINE FOR STATE ROAD 570 THE FOLLOWING THREE (3) COURSES: (1) 193.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 975.00 FEET AN INCLUDED ANGLE OF 11°23'43", AND A CHORD OF 193.59 FEET WHICH BEARS NORTH 83°29'35" WEST, TO A POINT OF TANGENCY; (2) THENCE NORTH 77°47'44" WEST, 401.01 FEET TO A POINT OF CURVATURE; (3) THENCE 85.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1787.79 FEET, AN INCLUDED ANGLE OF 02°44'39", AND A CHORD OF 85.62 FEET, WHICH BEARS NORTH 79°10'04" WEST TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570, SOUTH 193.86 FEET; THENCE SOUTH 24°29'27" EAST, 295.96 FEET; THENCE SOUTH 29°16'38" EAST, 323.51 FEET; THENCE SOUTH 54°50'03" WEST, 146.10 FEET; THENCE SOUTH 89°49'47" WEST, 1055.00 FEET; THENCE NORTH 29°33'14" WEST, 426.98 FEET; THENCE NORTH 89°49'47" EAST, 548.46 FEET; THENCE NORTH 00°10'13" WEST, 529.99 FEET TO A POINT OF INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH 86°28'48" EAST, 378.25 FEET; (2) THENCE SOUTH 00°00'03" EAST 26.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; (3) AND THENCE 180.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1787.79 FEET, AN INCLUDED ANGLE OF 05°48'00", AND A CHORD OF 180.90 FEET WHICH BEARS SOUTH 83°26'24" EAST TO THE POINT OF BEGINNING.

P & H PROPERTIES

PARCEL 6 BEING THE FOLLOWING DESCRIBED PARCELS C, D AND E:

PARCEL C:

A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 2; THENCE N 89°49'47" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 2 (BASIS OF BEARINGS), A DISTANCE OF 985.71 FEET; THENCE S 27°20'20" W, A DISTANCE OF 38.75 FEET TO A POINT ON THE MAINTAINED RIGHT-OF-WAY LINE OF DRANE FIELD ROAD, AS RECORDED IN POLK COUNTY MAP BOOK 1, PAGES 60-65, AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL;
THENCE S 82°28’55” E, ALONG SAID MAINTAINED RIGHT-OF-WAY LINE A DISTANCE OF 27.16 FEET; THENCE N 89°32’36” E, ALONG SAID MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET; THENCE N 89°15’24” E, ALONG SAID MAINTAINED RIGHT-OF-WAY LINE, A DISTANCE OF 85.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE PROPOSED POLK COUNTY PARKWAY, THENCE S 86°28’45” E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 559.72 FEET; THENCE S 81°22’14” E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 346.85 FEET TO A POINT OF CURVATURE WITH A CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 11609.16 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 0°03’23” AND AN ARC DISTANCE OF 11.45 FEET (CB = S 81°23’56” E, CD = 11.45); THENCE S 0°10’13” E, A DISTANCE OF 872.51 FEET; THENCE S 89°49’47” W, A DISTANCE OF 1047.07 FEET; THENCE N 29°33’14” W, TO THE EASTERN RIGHT-OF-WAY LINE OF SOUTH PIPKIN ROAD; THENCE N 27°20’20” E, ALONG SAID EASTERN RIGHT-OF-WAY LINE, A DISTANCE OF 484.73 FEET TO THE SAID POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

LESS AND EXCEPT

THAT PART OF A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST; THENCE S 00°11’27” E, A DISTANCE OF 2307.29 FEET, TO A POINT ON THE SURVEY BASELINE OF POLK COUNTY PARKWAY (PROJECT 97160-2307); THENCE S 81°22’14” E, ALONG THE SURVEY BASELINE, A DISTANCE OF 1224.24 FEET; THENCE S 08°37’46” W, A DISTANCE OF 199.89 FEET TO A POINT ON THE MAINTAINED R/W FOR DRANE FIELD ROAD, TO THE POINT OF BEGINNING; THENCE S 86°28’45” E, A DISTANCE OF 108.94 FEET; THENCE N 00°10’10” E, A DISTANCE OF 148.10 FEET; THENCE S 79°23’18” W, A DISTANCE OF 55.31 FEET, TO A POINT OF INTERSECTION WITH A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 983.13 FEET AND A CENTRAL ANGLE OF 14°07’59”; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 242.51 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 86°27’11” W, A DISTANCE OF 241.89 FEET TO THE CURVE’S END: THENCE N 86°28’44” W, A DISTANCE OF 115.16 FEET; THENCE N 27°20’47” E, A DISTANCE OF 196.91 FEET; THENCE S 82°29’33” E, A DISTANCE OF 29.82 FEET; THENCE N 89°32’39” W, A DISTANCE OF 100.00 FEET; THENCE N 89°15’27” E, A DISTANCE OF 81.54 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 23 SOUTH, RANGE 23 EAST; THENCE S 00°11’27” E, A DISTANCE OF 2307.29 FEET, TO A POINT ON THE SURVEY BASELINE OF POLK COUNTY PARKWAY (PROJECT 97160-2307); THENCE S 81°22’14” E ALONG THE SURVEY BASELINE, A DISTANCE OF 1224.24 FEET; THENCE S 08°37’46” W, A DISTANCE OF 199.89 FEET TO A POINT ON THE MAINTAINED R/W FOR DRANE FIELD ROAD; THENCE CONTINUE S 86°23’45” E, A DISTANCE OF 169.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 86°28’45” E, A DISTANCE OF 391.28 FEET; THENCE S 82°22’14” E,
DISTANCE OF 120.53 FEET; THENCE S 00°10'10" E, A DISTANCE OF 86.53 FEET TO A POINT OF INTERSECTION WITH A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1879.86 FEET, AND A CENTRAL ANGLE OF 03°56'56"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 129.56 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 84°17'50" W, A DISTANCE OF 129.54 FEET TO THE CURVE'S END; THENCE N 86°16'13" W, A DISTANCE OF 97.54 FEET, TO A POINT OF INTERSECTION WITH A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 924.93 FEET, AND A CENTRAL ANGLE OF 14°20'30"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 231.52 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 86°33'35" W, A DISTANCE OF 230.91 FEET TO THE CURVE'S END; THENCE S 79°23'18" W, A DISTANCE OF 53.76 FEET; THENCE N 00°10'10" W, A DISTANCE OF 133.19 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST; THENCE S 00°11'27''E, A DISTANCE OF 2307.29 FEET, TO A POINT ON THE SURVEY BASELINE OF POLK COUNTY PARKWAY (PROJECT 97160-2307); THENCE S 81°22'14" E, ALONG THE SURVEY BASELINE, A DISTANCE OF 1224.24 FEET; THENCE S 08°37'46" W, A DISTANCE OF 199.89 FEET TO A POINT ON THE MAINTAINED R/W FOR DRANE FIELD ROAD; THENCE S 86°28'45" E, A DISTANCE OF 560.29 FEET; THENCE S 81°22'14" E, A DISTANCE OF 181.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 81°22'14" E, A DISTANCE OF 165.62 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY HAVING A RADIUS OF 11609.16 FEET, AND A CENTRAL ANGLE OF 00°03'24"; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 11.48 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS S 81°23'56" E, A DISTANCE OF 11.48 FEET TO THE POINT OF INTERSECTION WITH A NON-TANGENT LINE; THENCE S 00°10'10" E, A DISTANCE OF 95.72 FEET; THENCE N 77°47'41" W, A DISTANCE OF 90.94 FEET, TO A POINT OF INTERSECTION WITH A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1879.86 FEET, AND A CENTRAL ANGLE OF 02°40'34"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 87.81 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS N 79°08'03" W, A DISTANCE OF 87.80 FEET; THENCE N 00°10'10" W, A DISTANCE OF 86.50 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT

THAT PART OF A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA.

BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST; THENCE S 00°11'27''E, A DISTANCE OF 2307.29 FEET, TO A POINT ON THE SURVEY BASELINE OF POLK COUNTY PARKWAY (PROJECT 97160-2307); THENCE S 81°22'14" E ALONG THE SURVEY BASELINE, A DISTANCE OF 1224.24 FEET; THENCE S 08°37'45" W, A DISTANCE OF 199.89 FEET TO A POINT ON THE MAINTAINED R/W FOR DRANE FIELD ROAD; THENCE S 86°28'45" E, A DISTANCE OF 108.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S
86°28'45" E, A DISTANCE OF 60.07 FEET; THENCE S 00°10'10" E, A DISTANCE OF 133.19 FEET; THENCE S 79°23'18" W, A DISTANCE OF 60.95 FEET; THENCE N 00°10'10" W, DISTANCE OF 148.10 FEET THE POINT OF BEGINNING.

AND LESS AND EXCEPT

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST; THENCE S 00°11'27" E, A DISTANCE OF 2307.29 FEET, TO A POINT ON THE SURVEY BASELINE OF POLK COUNTY PARKWAY (PROJECT 97160-2307); THENCE S 81°22'14"E ALONG THE SURVEY BASELINE, A DISTANCE OF 1224.24 FEET; THENCE S 08°37'46" W, A DISTANCE OF 199.89 FEET TO A POINT ON THE MAINTAINED R/W FOR DRANE FIELD ROAD; THENCE S 86°28'45" E, A DISTANCE OF 550.29 FEET; THENCE S 81°22'14" E, A DISTANCE OF 120.53 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 81°22'14" E, A DISTANCE OF 60.71 FEET; THENCE S 00°10'10" E, A DISTANCE OF 86.50 FEET TO A POINT ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1879.86 FEET, A CHORD BEARING OF N 81°23'51" W AND CHORD DISTANCE OF 60.71 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°51'02", A DISTANCE OF 60.71 FEET; THENCE N 00°10'10" W, A DISTANCE OF 86.53 FEET TO THE POINT OF BEGINNING.

PARCEL D:

THAT PART OF SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 2; THENCE NORTH 89°49'47" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER THEREOF A DISTANCE OF 951.89 FEET TO THE CENTERLINE OF SURVEY OF PIPKIN DAIRY ROAD (NOW PIPKIN CREEK ROAD) ACCORDING TO MAINTAINED ROAD RIGHT-OF-WAY MAP BOOK 2, PAGES 168-170, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.; THENCE SOUTH 27°20'20" WEST ALONG SAID CENTERLINE OF SURVEY A DISTANCE OF 487.94 FEET TO THE INTERSECTION WITH THE WESTERLY LINE OF A 100.0 FEET WIDE FLORIDA POWER CORPORATION EASEMENT AS RECORDED IN DEED BOOK 912, PAGE 303, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 29°33'14" EAST ALONG SAID WESTERLY LINE A DISTANCE OF 21.37 FEET TO THE EAST MAINTAINED ROAD RIGHT-OF-WAY LINE OF AFORESAID PIPKIN DAIRY ROAD (NOW PIPKIN CREEK ROAD) ACCORDING TO MAINTAINED ROAD RIGHT-OF-WAY MAP BOOK 2, PAGES 168-170, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 29°33'14" EAST ALONG SAID WESTERLY LINE OF THE FLORIDA POWER CORPORATION EASEMENT A DISTANCE OF 14.44 FEET TO A POINT ON A LINE PARALLEL WITH AND 30.00 FEET EASTERLY OF (MEASURED PERPENDICULAR) THE AFORESAID CENTERLINE OF SURVEY, THENCE SOUTH 27°20'20" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 553.49 FEET TO THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORD BOOK 4835, PAGE 1928 PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 89°49'47" WEST ALONG SAID NORTH LINE AND ITS WESTERLY PROJECTION A DISTANCE OF 17.33 FEET TO THE AFORESAID EAST MAINTAINED ROAD RIGHT-OF-WAY LINE OF PIPKIN DAIRY ROAD (NOW PIPKIN CREEK ROAD) ACCORDING TO MAINTAINED ROAD RIGHT-OF-WAY MAP BOOK 2,
PAGES 168-170; THENCE ALONG SAID EAST MAINTAINED ROAD RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: 1) NORTH 27°30'46" EAST A DISTANCE OF 88.88 FEET; 2) THENCE NORTH 27°47'50" EAST A DISTANCE OF 100.00 FEET; 3) THENCE NORTH 27°37'31" EAST A DISTANCE OF 100.00 FEET; 4) THENCE NORTH 27°37'31" EAST A DISTANCE OF 100.00 FEET; 5) THENCE NORTH 27°47'50" EAST A DISTANCE OF 100.00 FEET; 6) THENCE NORTH 27°37'31" EAST A DISTANCE OF 80.51 FEET TO THE POINT OF BEGINNING.

PARCEL E:

THAT CERTAIN REAL PROPERTY LYING EASTERLY OF THE EASTERN MAINTAINED ROAD RIGHT-OF-WAY LINE OF PIPKIN DAIRY ROAD (NOW PIPKIN CREEK ROAD) AS PORTRAYED IN MAINTAINED ROAD RIGHT-OF-WAY MAP BOOK 2, PAGES 168-170, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND WESTERLY OF THE WEST BOUNDARY OF THE ABOVE DESCRIBED PARCEL C.

THE INTENT OF THIS DESCRIPTION IS TO CONVEY THOSE LANDS LYING BETWEEN THE MAINTAINED ROAD RIGHT-OF-WAY LINE AND THE WESTERN BOUNDARY OF SAID PARCEL C, SAID WESTERN BOUNDARY BEING MORE SPECIFICALLY DESCRIBED AS "BEING 30.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SURVEY OF PIPKIN ROAD."

LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PARCEL 6 LYING WITHIN THE FOLLOWING:

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; RUN THENCE SOUTH 89°49'47" WEST, ALONG THE NORTH BOUNDARY OF SAID NORTHWEST 1/4, 375.99 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD (60.00 FOOT RIGHT-OF-WAY); THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE, SOUTH 50°36'43" EAST, 392.76 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570 (PROJECT NO. 97160-2307); THENCE ALONG SAID RIGHT-OF-WAY LINE FOR STATE ROAD 570 THE FOLLOWING THREE (3) COURSES: (1) 193.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 975.00 FEET AN INCLUDED ANGLE OF 11°23'43", AND A CHORD OF 193.59 FEET WHICH BEARS NORTH 83°29'35" WEST, TO A POINT OF TANGENCY; (2) THENCE NORTH 77°47'44" WEST, 401.01 FEET TO A POINT OF CURVATURE; (3) THENCE 85.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1787.79 FEET, AN INCLUDED ANGLE OF 02°44'39", AND A CHORD OF 85.62 FEET, WHICH BEARS NORTH 79°10'04" WEST TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570, SOUTH 193.86 FEET; THENCE SOUTH 24°29'27" EAST, 295.96 FEET; THENCE SOUTH 29°16'38" EAST, 323.51 FEET; THENCE SOUTH 54°50'03" WEST, 146.10 FEET; THENCE SOUTH 89°49'47" WEST, 1055.00 FEET; THENCE NORTH 29°33'14" WEST, 426.98 FEET; THENCE NORTH 89°49'47" EAST, 548.46 FEET; THENCE NORTH 00°10'13" WEST, 529.99 FEET TO A POINT OF INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY
LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH 86°28'48" EAST, 378.25 FEET; (2) THENCE SOUTH 00°00'03" EAST 26.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; (3) AND THENCE 180.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1787.79 FEET, AN INCLUDED ANGLE OF 05°48'00", AND A CHORD OF 180.90 FEET WHICH BEARS SOUTH 83°26'24" EAST TO THE POINT OF BEGINNING.

PARCEL 7:

A PARCEL OF LAND IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 2; THENCE N 89°49'47" E ALONG THE NORTH LINE OF SAID SECTION 2 (BASIS OF BEARINGS), A DISTANCE OF 985.71 FEET; THENCE S 27°20'20" W, A DISTANCE OF 323.26 FEET; THENCE N 30°04'07" E, A DISTANCE OF 45.15 FEET; THENCE N 60°26'46" E, A DISTANCE OF 177.36 FEET; THENCE N 29°33'14" W, A DISTANCE OF 10.76 FEET TO A POINT OF CURVATURE WITH A CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 87°42'27" AN ARC LENGTH OF 38.27 FEET (CB= N 73°24'28" W, CH = 34.64 FEET) TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 118°39'39" AN ARC LENGTH OF 103.55 FEET [CB= N 57°55'52" W, CH = 86.01 FEET]; THENCE N 01°23'57" E, A DISTANCE OF 53.23 FEET; THENCE N 00°10"13" W, A DISTANCE OF 140.00 FEET TO A POINT ON THE SAID SOUTH LINE; THENCE S 89°49'47" W, ALONG SAID SOUTH LINE, A DISTANCE OF 231.78 FEET TO THE SAID POINT OF BEGINNING.

PARCEL 8:

A TRACT OF LAND BEING A PORTION OF SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTH 89°49'47" WEST (BASIS OF BEARINGS), ALONG THE NORTH BOUNDARY OF SAID NORTHWEST 1/4, 375.99 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60.00 FOOT RIGHT-OF-WAY); THENCE SOUTH 50°36'43" EAST, ALONG SAID RAILROAD RIGHT-OF-WAY, 566.77 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF POLK COUNTY PARKWAY (SR 570); THENCE CONTINUE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 50°36'43" EAST, 1897.02 FEET TO A POINT OF
CURVATURE; THENCE SOUTHEASTERLY, 900.03 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1116.28 FEET, AN INCLUDED ANGLE OF 46°11'47", AND A CHORD OF 875.85 FEET WHICH BEARS SOUTH 27°30'50" EAST; THENCE SOUTH 04°24'56" EAST, 882.37 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RAILROAD RIGHT-OF-WAY, SOUTH 04°24'56" EAST, 1681.61 FEET; THENCE DEPARTING SAID RAILROAD RIGHT-OF-WAY NORTH 79°52'44" WEST , 231.00 FEET; THENCE SOUTH 20°56'48" WEST 60.95 FEET; THENCE SOUTH 00°06'12" EAST 379.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DOSSEY ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 89°53'48" WEST 532.28 FEET; THENCE SOUTH 00°30'34" EAST 25.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST; THENCE ALONG SAID SOUTH BOUNDARY SOUTH 89°53'48" WEST, 1300.78 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTH 89°53'18" WEST ALONG THE SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SAID SECTION 2, 595.55 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, NORTH 26°58'23" EAST, 93.61 FEET; THENCE NORTH 83°42'00" EAST, 28.01 FEET; THENCE NORTH 65°02'16" EAST, 63.87 FEET THENCE NORTH 44°30'49" EAST, 92.46 FEET; THENCE NORTH 33°34'53" EAST, 79.01 FEET; THENCE NORTH 61°51'53" EAST, 138.59 FEET; THENCE SOUTH 25°54'30" EAST, 121.05 FEET; THENCE SOUTH 46°49'44" EAST, 106.36 FEET; THENCE NORTH 79°02'59" EAST, 106.64 FEET; THENCE NORTH 10°11'28" WEST, 212.14 FEET; THENCE NORTH 56°52'49" WEST, 81.38 FEET; THENCE NORTH 26°29'07" EAST, 15.11 FEET; THENCE NORTH 70°46'15" EAST, 103.63 FEET; THENCE NORTH 09°17'59" EAST, 30.13 FEET; THENCE NORTH 50°28'39" WEST, 82.52 FEET; THENCE SOUTH 28°46'04" WEST, 85.53 FEET; THENCE SOUTH 41°25'25" WEST, 66.41 FEET; THENCE SOUTH 78°04'14" WEST, 106.36 FEET; THENCE NORTH 46°43'14" WEST, 24.60 FEET; THENCE NORTH 01°38'39" EAST, 53.27 FEET; THENCE NORTH 31°21'31" WEST, 58.11 FEET; THENCE SOUTH 68°37'02" WEST, 141.50 FEET; THENCE SOUTH 69°52'27" WEST, 180.23 FEET; THENCE SOUTH 77°57'26" WEST, 102.05 FEET; THENCE SOUTH 33°33'14" WEST, 53.67 FEET; THENCE SOUTH 17°20'40" WEST, 140.13 FEET, THENCE SOUTH 05°40 '57" WEST,193.25 FEET TO A POINT OF INTERSECTION WITH THE AFOREMENTIONED SOUTH BOUNDARY OF THE SOUTHWEST 1/4 OF SECTION 2; THENCE ALONG SAID SOUTH BOUNDARY, SOUTH 89°53'18" WEST, 438.54 FEET; THENCE DEPARTING SAID SOUTH BOUNDARY, NORTH 40°50'59" WEST, 114.87 FEET; THENCE NORTH 78°06'59" WEST, 160.99 FEET; THENCE NORTH 30°59'11" WEST, 196.74 FEET; THENCE NORTH 21°04'10" WEST, 168.45 FEET; THENCE NORTH 49°46'48" WEST, 176.63 FEET; THENCE NORTH 25°59'28" WEST, 83.11 FEET; THENCE NORTH 06°59'41" EAST, 108.81 FEET; THENCE NORTH 27°12'01" EAST, 194.22 FEET; THENCE NORTH 43°18'38" EAST 392.08 FEET; THENCE NORTH 82°39'29" EAST, 177.11 FEET; THENCE SOUTH 73°51'37" EAST, 250.84 FEET; THENCE NORTH 84°55'51" EAST, 272.44 FEET; THENCE NORTH 69°10'53" EAST 232.97 FEET; THENCE SOUTH 89°50'34" EAST, 210.68 FEET; THENCE SOUTH 23°01'14" EAST, 228.82 FEET; THENCE NORTH 36°12'19" EAST, 126.06 FEET; THENCE SOUTH 29° 26' 49" EAST, 113.06 FEET; THENCE SOUTH 35°56'36" EAST, 103.04 FEET; THENCE SOUTH 31°50'51" EAST, 100.03 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE SOUTHWESTERLY, 79.29 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 374.11 FEET, INCLUDED ANGLE OF 12° 08' 35" AND A CHORD OF 79.14 FEET WHICH BEARS SOUTH 62°58'30" WEST TO A POINT OF TANGENCY; THENCE SOUTH 69°02'48" WEST, 98.53 FEET TO
THE BEGINNING OF A NON-TANGENT CURVE; THENCE SOUTHWESTERLY, 117.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 270.52 FEET, AN INCLUDED ANGLE OF 24°48'23", AND A CHORD OF 116.31 FEET WHICH BEARS SOUTH 13°45'52" WEST TO THE END OF SAID CURVE AND THE BEGINNING OF A NON-TANGENT LINE; THENCE SOUTH 41°13'21" EAST 157.59 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 147.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 498.68 FEET, AN INCLUDING ANGLE OF 16°57'21", AND A CHORD OF 147.04 FEET WHICH BEARS SOUTH 32°44'41" EAST TO THE END OF SAID CURVE AND THE BEGINNING OF A NON-TANGENT LINE; THENCE NORTH 41°54'23" EAST, 446.18 FEET; THENCE NORTH 14°32'27" EAST 454.96 FEET; THENCE NORTH 62°49'22" WEST, 176.33 FEET; THENCE NORTH 44°46'53" WEST, 100.98 FEET; THENCE NORTH 08°27'50" EAST, 36.63 FEET; THENCE NORTH 84°24'22" EAST, 320.17 FEET; THENCE NORTH 47°06'50" EAST, 114.21 FEET; THENCE NORTH 80°37'17" EAST, 151.72 FEET; THENCE NORTH 59°15'35" EAST 55.36 FEET; THENCE NORTH 89°32'31" EAST, 54.12 FEET; THENCE NORTH 50°26'06" EAST, 136.50 FEET; THENCE NORTH 04°54'50" EAST, 52.47 FEET; NORTH 16°55'12" WEST, 78.19 FEET; THENCE NORTH 28°53'25" EAST, 64.53 FEET; THENCE SOUTH 52°25'23" WEST 99.62 FEET; THENCE SOUTH 74°34'55" WEST, 226.68 FEET; THENCE NORTH 58°34'59" WEST, 55.25 FEET; THENCE NORTH 35°04'04" WEST, 105.97 FEET; THENCE NORTH 00°05'38" EAST, 26.65 FEET; THENCE NORTH 62°43'39" EAST, 32.28 FEET; THENCE SOUTH 88°12'34" EAST, 74.63 FEET; THENCE NORTH 82°16'43" EAST, 261.57 FEET; NORTH 26°42'09" EAST, 19.97 FEET; THENCE NORTH 39°40'53" WEST, 18.38 FEET; THENCE SOUTH 79°38'14" WEST, 273.39 FEET; THENCE NORTH 86°48'46" WEST, 47.95 FEET; THENCE SOUTH 82°42'15" WEST, 81.43 FEET; THENCE SOUTH 73°46'48" WEST, 32.80 FEET; THENCE NORTH 81°15'30" WEST, 88.25 FEET; THENCE NORTH 02°46'13" WEST 319.32 FEET; THENCE NORTH 76°34'43" WEST, 42.83 FEET; THENCE SOUTH 44°51'54" WEST, 66.35 FEET; THENCE SOUTH 13°42'12" WEST 88.67 FEET; THENCE SOUTH 04°27'27" EAST, 63.49 FEET; THENCE NORTH 38°49'54" EAST, 95.99 FEET; THENCE SOUTH 28°31'47" WEST, 62.60 FEET; THENCE SOUTH 02°17'21" EAST 46.44 FEET; THENCE SOUTH 87°36'09" WEST, 139.80 FEET; THENCE SOUTH 28°14'23" WEST, 68.88 FEET; THENCE NORTH 14°29'58" WEST 260.36 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE NORTHERLY, 120.33 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 217.63 FEET, AN INCLUDED ANGLE OF 31°40'43", AND A CHORD OF 118.80 FEET WHICH BEARS NORTH 05°54'44" EAST TO A POINT OF TANGENCY; THENCE NORTH 21°45'07" EAST 330.40 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, 229.22 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 552.93 FEET, AN INCLUDED ANGLE OF 23°45'07" AND A CHORD OF 227.58 FEET WHICH BEARS NORTH 09°52'34" EAST TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY 183.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 337.11 FEET, AN INCLUDED ANGLE OF 31°07'20" AND A CHORD OF 180.87 FEET WHICH BEARS NORTH 13°33'38" EAST TO A POINT OF TANGENCY; THENCE NORTH 29°07'16" EAST, 115.32 FEET; THENCE NORTH 60°52'44" WEST, 45.84 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY 132.55 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1351.94 FEET, AN INCLUDED ANGLE OF 05°37'04", AND A CHORD OF 182.52 FEET WHICH BEARS NORTH 58°04'12" WEST TO THE END OF SAID CURVE AND THE BEGINNING OF A NON-TANGENT LINE; THENCE NORTH 34°44'20" EAST 211.26 FEET; THENCE SOUTH 60°30'04" EAST. 566.92 FEET TO THE BEGINNING OF A NON-
TANGENT CURVE; THENCE SOUTHEASTERLY 336.03 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 480.63 FEET, AN INCLUDED ANGLE OF 40°03'30'', AND A CHORD OF 329.23 FEET WHICH BEARS SOUTH 40°50'56'' EAST TO A POINT OF TANGENCY; THENCE SOUTH 20°49'10'' EAST, 422.63 FEET; THENCE NORTH 69°16'50'' EAST, 59.61 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY 98.14 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 195.85 FEET AND INCLUDED ANGLE OF 28°42'43'' AND A CHORD OF 97.22 FEET WHICH BEARS NORTH 89°32'12'' EAST TO A POINT OF TANGENCY; THENCE SOUTH 82°06'25'' EAST, 97.28 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY, 267.42 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 202.84 FEET, AN INCLUDED ANGLE OF 75°32'16'' AND A CHORD OF 248.47 FEET WHICH BEARS SOUTH 44°20'16'' EAST TO THE END OF SAID CURVE AND THE BEGINNING OF A NON-TANGENT LINE; AND THENCE SOUTH 74°19'06'' EAST, 363.25 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THAT PORTION TAKEN BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN O.R. BOOK 6341, PAGE 2006, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

PARCEL 9:

A PORTION OF SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 89°49'47'' WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 375.99 FEET TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD LINE (60.00' RIGHT-OF-WAY); THENCE SOUTH 50°36'43'' EAST ALONG SAID RAILROAD RIGHT-OF-WAY A DISTANCE OF 566.77 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF POLK COUNTY PARKWAY (SR 570); THENCE SOUTH 11°09'12'' WEST, 652.12 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°09'37'' EAST, 103.87 FEET; THENCE SOUTH 30°43'06'' WEST, 129.27 FEET; THENCE SOUTH 71°45'51'' WEST, 90.24 FEET; THENCE SOUTH 09°05'16'' EAST, 96.41 FEET TO A POINT OF CURVE; THENCE 237.98 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 473.33 FEET THROUGH A CENTRAL ANGLE OF 28°48'25'' (CH. =235.48 FEET, CB=SOUTH 05°18'55'' WEST); THENCE NORTH 82°48'08'' WEST, 91.13 FEET TO A POINT ON A CURVE; THENCE 133.54 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 208.00 FEET THROUGH A CENTRAL ANGLE OF 36°47'01'' (CH=131.25 FEET, CB=NORTH 11°14'10'' WEST); THENCE NORTH 28°58'22'' WEST 492.91 FEET; AND THENCE NORTH 89°49'47'' EAST, 512.79 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE BEFORE DESCRIBED PARCELS 7-9 LYING WITHIN THE FOLLOWING:

A TRACT OF LAND LYING IN SECTION 2, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; RUN THENCE SOUTH 89°49'47'' WEST, ALONG THE NORTH BOUNDARY OF SAID NORTHWEST 1/4, 375.99 FEET TO A POINT OF INTERSECTION WITH THE
SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SEABOARD COASTLINE RAILROAD (60.00 FOOT RIGHT-OF-WAY); THENCE ALONG SAID RAILROAD RIGHT-OF-WAY LINE, SOUTH 50°36’43” EAST, 392.76 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570 (PROJECT NO. 97160-2307); THENCE ALONG SAID RIGHT-OF-WAY LINE FOR STATE ROAD 570 THE FOLLOWING THREE (3) COURSES: (1) 193.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 975.00 FEET AN INCLUDED ANGLE OF 11°23’43”, AND A CHORD OF 193.59 FEET WHICH BEARS NORTH 83°29’35” WEST, TO A POINT OF TANGENCY; (2) THENCE NORTH 77°47’44” WEST, 401.01 FEET TO A POINT OF CURVATURE; (3) THENCE 85.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1787.79 FEET, AN INCLUDED ANGLE OF 02°44’39”, AND A CHORD OF 85.62 FEET, WHICH BEARS NORTH 79°10’04” WEST TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570, SOUTH 193.86 FEET; THENCE SOUTH 24°29’27” EAST, 295.96 FEET; THENCE SOUTH 29°16’38” EAST, 323.51 FEET; THENCE SOUTH 54°50’03” WEST, 146.10 FEET; THENCE SOUTH 89°49’47” WEST, 1055.00 FEET; THENCE NORTH 29°33’14” WEST, 426.98 FEET; THENCE NORTH 89°49’47” EAST, 548.46 FEET; THENCE NORTH 00°10’13” WEST, 529.99 FEET TO A POINT OF INTERSECTION WITH THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 570; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) SOUTH 86°28’48” EAST, 378.25 FEET; (2) THENCE SOUTH 00°00’03” EAST 26.49 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; (3) AND THENCE 180.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1787.79 FEET, AN INCLUDED ANGLE OF 05°48’00”, AND A CHORD OF 180.90 FEET WHICH BEARS SOUTH 83°26’24” EAST TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PARCELS LYING WITHIN THE FOLLOWING DESCRIBED PARCEL IDENTIFIED AS TAX PARCEL NUMBER 23-29-02-000000-033460:

COMMENCE AT THE NE CORNER OF SE 1/4 OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST, RUN SOUTH 2307.29 FT TO A POINT ON SURVEY BASELINE OF STATE ROAD 570; RUN S 81°22’14” E, 1224.24 FEET; RUN S 08°37’46” W, 199.89 FEET TO A POINT LYING ON SOUTHERLY MAINTAINED RIGHT OF WAY BOUNDARY OF DRANE FIELD ROAD; RUN S 89°15’27” W, 81.54 FEET; RUN S 89°32’39” W, 100 FEET; RUN N 82°29’33” W, 29.83 FEET TO A POINT LYING ON THE EASTERLY RIGHT OF WAY OF PIPKIN ROAD; RUN S 27°20’47” W, 105.87 FEET TO POINT OF BEGINNING. RUN S 41°29’00” E, 32.94 FEET; RUN S 86°28’55” E, 55.08 FEET TO POINT OF CURVATURE; RUN EASTERLY ALONG SAID CURVE 227.71 FEET; RUN N 79°23’18” E, 71.98 FEET TO A POINT OF CURVATURE; RUN EASTERLY ALONG SAID CURVE 711.95 FEET; RUN S 77°47’41” E, 400.17 FEET TO A POINT OF CURVATURE; RUN EASTERLY ALONG SAID CURVE, 194.19 FT TO A POINT ON WESTERLY RIGHT OF WAY OF CSX RAILROAD; RUN S 50°33’12” E ALONG SAID RAILROAD RIGHT OF WAY, 173.19 FEET; RUN N 77°47’41” W, 730.81 FEET TO A POINT ON A CURVE; RUN WESTERLY ALONG SAID CURVE 278.08 FEET; RUN N 86°16’13” W, 97.54 FEET TO A POINT OF CURVATURE; RUN WESTERLY ALONG SAID CURVE 231.52 FEET; RUN S 79°23’18” W, 170.02 FEET TO A POINT OF CURVATURE; RUN WESTERLY ALONG SAID CURVE 242.51 FEET; RUN N 86°28’44” W, 115.16 FEET TO A POINT ON EASTERLY RIGHT OF WAY OF PIPKIN ROAD; RUN N 27°20’47” E, 91.05 FEET TO POINT OF BEGINNING. AND COMMENCE AT NE
CORNER OF SE 1/4 OF SECTION 34, TOWNSHIP 28 SOUTH, RANGE 23 EAST, RUN SOUTH 2307.29 FEET TO A POINT ON SURVEY BASELINE OF STATE ROAD 570; RUN S 81°22'14" E, 1224.24 FEET; RUN S 08°37'46" W, 199.89 FEET TO A POINT ON SOUTHERLY MAINTAINED RIGHT OF WAY OF DRAKE FIELD ROAD; RUN S 89°15'27" W, 81.54 FEET; RUN S 89°32'39" W, 100 FEET; RUN N 82°29'33" W, 29.83 FEET TO A POINT LYING ON EASTERLY RIGHT OF WAY BOUNDARY OF PIPKIN ROAD; RUN S 27°20'47" W, 105.87 FEET TO POINT OF BEGINNING; RUN S 41°29'00" E, 32.94 FEET; RUN S 86°28'55" E, 55.08 FEET TO A POINT OF CURVATURE; RUN EASTERLY ALONG SAID CURVE 227.71 FEET; RUN N 79°23'18" E, 71.98 FEET TO A POINT OF CURVATURE; RUN EASTERLY ALONG SAID CURVE 445.35 FEET; RUN NORTH 26.49 FEET; RUN N 86°28'45" E, 756.59 FEET; RUN S 69°46'32" W, 14.73 FEET; RUN S 27°20'47" W, 105.87 FEET TO POINT OF BEGINNING. LESS THAT PORTION LYING EASTERLY OF WESTERLY BOUNDARY OF THAT PARCEL DESCRIBED IN O.R. BOOK 6074, PAGE 497 & LESS ADDITIONAL RIGHT OF WAY FOR PIPKIN CREEK ROAD AS PER O.R. BOOK 7720, PAGE 370.

LESS AND EXCEPT ANY PORTION OF THE ABOVE DESCRIBED PARCELS LYING WITHIN THE FOLLOWING DESCRIBED PARCEL IDENTIFIED AS TAX PARCEL NUMBER 23-29-02-000000-031020:

COMMENCE AT NW CORNER OF SECTION 2; RUN EAST 985.71 FEET; RUN S 27°20'20"W, 38.75 FEET TO A POINT ON MAINTAINED RIGHT OF WAY LINE OF DRAKE FIELD ROAD AS RECORDED IN MAP BOOK 1, PAGES 60-65 FOR POINT OF BEGINNING. RUN S 82°28'55"E, 27.16 FEET; RUN S 89°32'36" E, 100 FEET; RUN N 89°15'24" E, 85.29 FEET TO A POINT ON SOUTHERLY RIGHT OF WAY LINE OF PROPOSED POLK COUNTY PARKWAY; RUN S 86°28'45" E, 559.72 FEET; RUN S 81°22'14" E, 346.85 FEET TO A POINT OF CURVATURE TO LEFT; RUN EASTERLY ALONG SAID CURVE 11.45 FEET; RUN S 00°10'13" E, 872.51 FEET; RUN S 89°49'47" W, 1047.47 FEET; RUN N 29°33'14" W, 614.81 FEET TO EASTERLY RIGHT OF WAY LINE OF SOUTH PIPKIN ROAD; RUN N 27°20'20" E ALONG SAID EASTERLY RIGHT OF WAY LINE 484.73 FEET TO POINT OF BEGINNING; LESS RIGHT OF WAY FOR STATE ROAD 470 (POLK COUNTY PARKWAY) AS DESCRIBED IN O.R. BOOK 3566, PAGE 1653 & LESS THAT PARCEL DESCRIBED IN O.R. BOOK 5046, PAGE 1 & LESS THAT PORTION LYING EAST OF WESTERLY BOUNDARY OF THAT PARCEL DESCRIBED IN O.R. BOOK 6074, PAGE 497 & LESS THAT PORTION LYING SOUTH OF THAT PARCEL DESCRIBED IN O.R. BOOK 6074, PAGE 497 & LESS ADDITIONAL RIGHT OF WAY FOR PIPKIN CREEK ROAD AS DESCRIBED IN O.R. BOOK 7720, PAGE 370.
File Number: PUD19-016
Present Zoning: PUD 4382
Context: Suburban Neighborhood and Suburban Corridor
Proposed Zoning: Major Modification of PUD zoning to eliminate golf course, identify wetlands/conservation area, redefine property boundaries and relocate amenity center and single-family nodes

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

September 2019
Meeting of September 16, 2019

Ordinances (Second Reading)

Proposed 19-020; Large Scale Amendment #LUL19-001 to the Future Land Use Map to change approximately 9.56 acres of County Business Park Center (BPC-1X) to City Business Park (BP) on land located north of State Road 33, south of Old Polk City Road and west of Epicenter Road (LUL19-001) (1st Rdg. 07-15-19) Approved 7-0 Ord. 5783

Proposed 19-021; Application of I-2 (Medium Industrial) zoning and Suburban Special Purpose (SSP) context district on approximately 9.56 acres located north of State Road 33, south of Old Polk City Road and west of Epicenter Road (ZON19-005/ZON19-007) (1st Rdg. 07-15-19) Approved 7-0 Ord. 5784