AGENDA
Planning & Zoning Board
June 16, 2020 8:30 a.m.

The entire meeting will be conducted online. Members of the public and interested parties who wish to comment will be able to do so by calling in during the meeting. Phone number (872) 270-3311 and access code 504-717-301 will be posted during the live broadcast on Spectrum Channel 643 or Fios Channel 43 or the webcast on www.lakelandgov.net. Comments may also be submitted by e-mail to planning@lakelandgov.net.

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.

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

PUBLIC HEARING

ITEM 1: Conditional use to allow for the construction of a 12,200 sq. ft. child daycare facility with a maximum enrollment of 200 children on property located at the northwest corner of Lakeland Highlands Road and Deerfield Drive (2150 Deerfield Drive). Owner: LFT Development Company, LLC. Applicant: Ryan Renardo. (CUP20-004)

ITEM 2: Change in zoning from RA-4 (Single-Family Residential) to MF-22 (Multi-Family Residential) on approximately 0.95 acres located south of E. Parker Street, west of N. Stella Avenue, and north of E. Myrtle Street. Owner: David L. Edwards. Applicant: Tom Wodrich, TDW Land Planning. (ZON20-006)

GENERAL MEETING

ITEM 3: Review minutes of the May meeting.

ITEM 4: Change in zoning from C-2 (Highway Commercial) and LD (Limited Development) to PUD (Planned Unit Development) to allow a convenience store with motor vehicle fuels sales on property located at the southeast corner New Tampa Highway and Airport Road. Owner: 4250 New Tampa Highway Land Trust. Applicant: Kendra McBee (PUD20-004) Note: The applicant requests a delay.

ITEM 5: Change in zoning from O-1 (Low Impact Office District) and I-1 (Light Industrial-Limited Commercial District) to PUD (Planned Unit Development) to allow limited light industrial and commercial uses, in addition to the existing O-1 and I-1 entitlements, on property located at 2050 S. Edgewood Drive. Owner/Applicant: Eric Wibert. (PUD20-005)


ITEM 7: Community Housing & Planning Manager's Report.

ITEM 8: Audience.

ITEM 9: Adjourn.
### General Information:

<table>
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<tr>
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<th>CUP20-004</th>
<th>Application Date:</th>
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<tbody>
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<td>Project Name:</td>
<td>AMAZING EXPLORERS ACADEMY AT THE MEADOWS</td>
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<tr>
<td>Subject Property Address:</td>
<td>2150 DEERFIELD DR</td>
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<td>Parcel ID:</td>
<td>242905274690001721</td>
<td>Total Acreage:</td>
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<tr>
<td>Applicant Name:</td>
<td>RYAN RENARDO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant Address:</td>
<td>10150 HIGHLAND MANOR DR., STE. 210 TAMPA FL 33610</td>
<td></td>
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<tr>
<td>Owner Name:</td>
<td>LFT DEVELOPMENT COMPANY, LLC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owner Address:</td>
<td>213 S. DILLARD STREET, STE. 220B WINTER GARDEN FL 34787</td>
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### Request:

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<tr>
<th>Application Type:</th>
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<td>Proposed Zoning:</td>
<td>Not Applicable MF-12 (Multi-Family)</td>
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<td>Land Use:</td>
<td>Not Applicable Residential Medium (RM)</td>
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<tr>
<td>Context:</td>
<td>Not Applicable Suburban Neighborhood (SNH)</td>
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**Explanation of Request:**
Allow daycare use within MF-12 zoning district.

**Justification:**
This project is compatible with other commercial developments along the Lakeland-Highlands Road corridor. The adjacent site to the southeast is zoned RA-3, however, there is a conditional use approved for that site from 1993 which allows for the development of a neighborhood convenience center.

### Concurrency:

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<td><strong>Type of Use:</strong> Day Care</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>
<th>Wastewater GPD</th>
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<tr>
<td>Potable Water</td>
<td>GPD</td>
<td>Solid Waste PPD</td>
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<tr>
<td>Wastewater GPD</td>
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<td></td>
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File Number: CUP20-004
Present Zoning: MF-12
Context: Suburban Neighborhood
Proposed Zoning: Conditional Use to Allow a Child Daycare Facility

June 2020
File Number: CUP20-004

Present Zoning: MF-12
Context: Suburban Neighborhood
Proposed Zoning: Conditional Use to Allow a Child Daycare Facility

June 2020
File Number: CUP20-004

Present Zoning: MF-12
Context: Suburban Neighborhood
Proposed Zoning: Conditional Use to Allow a Child Daycare Facility

June 2020
May 29, 2020

RE: Conditional Use for Amazing Explorers Academy at The Meadows - Project No. CUP20-004

Dear Property Owner:

This letter is to advise you that Ryan Renardo requests a conditional use to allow for the construction of a 12,200 sq. ft. child daycare facility with a maximum enrollment of 200 children on property located at the northwest corner of Lakeland Highlands Road and Deerfield Drive (2150 Deerfield Drive). The subject property is legally described as:

Parcel 242905-274690-001721, in an area of land in the northeast ¼ of the southeast ¼ of the northeast ¼ in Section 5 Township 29 south Range 24 east, Polk County Florida. (A complete legal description is available in the Community & Economic Development Department.)

A public hearing to consider this request will be held by the Lakeland Planning and Zoning Board beginning at 8:30 a.m., on Tuesday, June 16, 2020.

In order to comply with the Safer-at-Home Order issued by Governor DeSantis, City Hall is closed to the public and the entire meeting will be conducted online. Those wishing to view the meeting are encouraged to do so remotely by watching live on Spectrum Channel 643 or Fios Channel 43 or viewing the webcast on www.lakelandgov.net.

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

### General Information:

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<th>ZON20-006</th>
<th>Application Date:</th>
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<tr>
<td>Project Name:</td>
<td>708 N. STELLA APTS</td>
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<tr>
<td>Subject Property Address:</td>
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<td>Parcel ID:</td>
<td>MULTIPLE</td>
<td>Total Acreage:</td>
<td>1.05</td>
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<tr>
<td>Applicant Name:</td>
<td>TOM WODRICH, TDW LAND PLANNING</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant Address:</td>
<td>218 E. PINE STREET LAKELAND FL 33801</td>
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<td></td>
</tr>
<tr>
<td>Owner Name:</td>
<td>EDWARDS DAVID L</td>
<td></td>
<td></td>
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<tr>
<td>Owner Address:</td>
<td>2509 NEVADA RD LAKELAND FL 33803</td>
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### Request:

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

The property owners request a change in zoning on 1.05 acres from Single-family (RA-4) to Multi-family (MF-22) to allow a multi-family development consisting of approximately 36 units. The site area proposed to be included in this application consists of the following Polk County Property Appraiser parcel ID numbers: 242818-200000-051020 (0.34 ac); 242818-200000-051011 (0.13 ac); 242818-200000-051080 (0.09 ac); 242818-200000-051012 (0.17 ac); 242818-200000-051090 (0.32 ac).

**Justification:**

This area of the City has experienced tremendous change over the past 15-20 years. Significant investments include the installation of the In-Town Bypass, the remodeling of the Tax Collector’s Office, Haus 820 and Parker Street Ministries, and the new construction of Yard on Mass to the west, Mirrorton to the south and the Midtown Loft apartment complex under construction to the east of the subject site across Stella Avenue. This strong and consistent increase in development demand has confirmed to creditors and property owners that this is the location where City leaders desire new development and redevelopment, and at greater densities and intensities. These new developments have followed the City’s growth plan and efforts of the Community Redevelopment Area (CRA), as well as investments in infrastructure improvements, and continue to emerge as the loss of older single-family homes on this block and the surrounding neighborhoods continue. The City’s Housing Study highlighted the need for a greater range of affordable housing options and decreased affordability has put greater pressure on the rental market. The proposed multi-family zoning is consistent with the Comprehensive Plan and efforts of the CRA, the level of infrastructure and redevelopment investment in the area, the existing surrounding uses, and it will allow for multi-family homes where they are needed most - in close proximity to transportation, services, and employment.

### Concurrency:

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<th>Proposed Dwelling Units:</th>
<th>0</th>
<th>Project Floor Area:</th>
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### Estimate of Public Service Demand

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<td>Potable Water</td>
<td>GPD</td>
<td>Wastewater</td>
<td>GPD</td>
<td>Solid Waste</td>
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Stella Concept Site Plan Exhibit
File Number: ZON20-006
Present Zoning: RA-4 with SPI
Context: Urban Neighborhood
Proposed Zoning: Change in Zoning from RA-4 to MF-22
June 2020
File Number: ZON20-006

Present Zoning: RA-4 with SPI
Context: Urban Neighborhood
Proposed Zoning: Change in Zoning from RA-4 to MF-22

June 2020
File Number: ZON20-006

Present Zoning: RA-4 with SPI
Context: Urban Neighborhood
Proposed Zoning: Change in Zoning from RA-4 to MF-22

June 2020
May 29, 2020

RE: 708 N. Stella Apts - Project No. ZON20-006

Dear Property Owner:

This letter is to advise you that Tom Wodrich requests a change in zoning from RA-4 (Single-Family Residential) to MF-22 (Multi-Family Residential) on approximately 0.95 acres located south of E. Parker Street, west of N. Stella Avenue, and north of E. Myrtle Street. The subject property is legally described as:

- BAKERS SUB PB 1 PG 53 BLK 51 LOT 8 W 48 FT & S 30 FT OF 3; AND; BAKERS SUB PB 1 PG 53 BLK 51 LOT 1 S 30 FT & S 30 FT OF 2 & LOT 8 LESS W 48 FT; AND;
- BAKERS SUB PB 1 PG 53 BLK 51 LOTS 1 N 115 FT & W 1 FT OF 2 LESS S 30 FT & LESS RD R/W; AND; BAKERS SUB PB 1 PG 53 BLK 51 LOTS 2 N 115 FT LESS E 1 FT & N 115 FT OF 3 & E 48 FT OF 4 & E 48 FT OF 5 & LESS RD R/W; AND; BAKERS SUB PB 1 PG 53 BLK 51 LOTS 9 & 12, POLK COUNTY, FLORIDA. (A complete legal description is available in the Community & Economic Development Department.)

A public hearing to consider this request will be held by the Lakeland Planning and Zoning Board beginning at 8:30 a.m., on Tuesday, June 16, 2020.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW
MINUTES
Planning & Zoning Board
City Commission Chambers
Tuesday, May 19, 2020
8:30 a.m.

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

PUBLIC HEARING

ITEM 1: Conditional use to allow a preschool, with a maximum enrollment of 104 students, on property located at 220 Carleton Street. Owner: Alliance for Independence Inc. Applicant: Thomas Brawner. (CUP20-002)

Joshua Cheney stated the subject property is approximately 0.69 acres in area and located at the northwest corner of the intersection of Carleton Street and Hilltop Avenue with a Residential Medium (RM) future land use designation. The subject property is currently improved with a 5,537 sq. ft single family home that was built in 1960. The subject property was rezoned in 2012 from RA-3 (Single-Family Residential) to PUD (Planned Unit Development) to allow for an eight-bed group home for disabled adults licensed by the Agency for Persons with Disabilities (APD). The applicant requests a conditional use to allow for the conversion of the existing group home to a preschool. If the request is approved the existing PUD zoning will be repealed and the subject property will revert to the previous RA-3 zoning classification.

Joshua Cheney presented recommended conditions to the Board.

In response to Silvana Knight, Thomas Brawner, 2002 Camphor Drive, stated, the parking assignment will be flexible. Staff parking will be located in the area farthest away from the building to allow parents to park as closely as possible.

In response to Leigh Ann Lunz, Joshua Cheney stated parking location will be determined during the site plan review of the project.

In response to Ms. Lunz, Mr. Brawner stated, each parking spot accommodates six students.

In response to Stephanie Franklin, Mr. Cheney stated the student count request has been reduced to 98 students. Discussion ensued.

In response to Silvana Knight, Mr. Brawner stated the preschool will have eight staff members.

In response to Ms. Franklin, Mr. Brawner stated parents will provide food for students, hot food will not be provided to students at the facility.

In response to Ronald Roberts, Mr. Brawner stated safety protocols in regard to COVID-19 have not been addressed but will be considered in the future as the project progresses.

In response to Silvana Knight, Mr. Brawner stated he did not receive a response from the neighboring property owner when he visited the home but has not sent a letter to the property owner.

In response to Ms. Franklin, Chuck Barmby stated the improvements to be made in 2020 to Carleton Street have been funded by the Florida Department of Transportation (FDOT).
In response to Ms. Franklin, Mr. Brawner stated the site plan may qualify for parking offsets if a bike rack is installed and trees are preserved.

Discussion ensued.

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

**ITEM 2:** Minor Modification to PUD 5499, Lakeland Gateway Commercial Park, to allow "Motor Vehicle Fuel Sales, Major" in conjunction with a proposed convenience store on property located south of Bridgewater Center Lane, east of Bridgewater Center Drive and west of N. State Road 33 (Gateway Lakeland Commercial Park, Phase 1, Lots 1 - 3). Owner: I 433 Venture LLC. Applicant: Ryan McCaffrey. (PUD20-007)

Phillip Scearce stated the subject property is located at the southwest corner of the I-4 interchange on State Road 33. The existing Planned Unit Development zoning is primarily intended for warehouse uses, but a portion of the property adjacent to State Road 33 allows for C-2 (Highway Commercial) uses. The requested modification will allow for the construction of a convenience store with up to 23 fuel pumps on lots 1, 2, and 3. Access for the development will be limited to driveways off Bridgewater Center Drive and Firstpark Boulevard.

Phillip Scearce presented recommended conditions to the Board.

Ryan McCaffrey 3409 W. Lemon Street, Tampa, stated some conditions were amended to accommodate delivery trucks.

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

**ITEM 3:** Minor Modification to PUD 4998, Lakeland Central Park, to adopt a new site plan which realigns several stormwater drainage ponds consistent with the approved Environmental Resource Permit, on property located at 4210 Old Tampa Highway. Owner: LCP Owner LLC. Applicant: Timothy F. Campbell. (PUD20-008)

Phillip Scearce stated the Lakeland Central Park DRI (Development of Regional Impact) was rescinded in 2019. The subject property consists of 724 acres bound on the north by Old Tampa Highway, on the east by Airport Road, and on the south by the Polk Parkway.

Mr. Scearce presented recommended conditions to the Board.

Timothy Campbell, Clark, Campbell, Lancaster & Munson, P.A., 500 S. Florida Avenue, Ste 800, stated the site plan will change for Phase 1 and the trail will be relocated.

Glenn Higgins made a motion for approval of staff’s recommendation. Ronald Roberts seconded the motion and it passed 5-0.

**ITEM 4:** Change in zoning from O-1 (Low Impact Office District) and I-1 (Light Industrial-Limited Commercial District) to PUD (Planned Unit Development) to allow limited light industrial and commercial uses, in addition to the existing O-1 and I-1 entitlements, on property located at 2050 S. Edgewood Drive. Owner: Wibert Eric. Applicant: Eric Wibert. (PUD20-005)

Todd Vargo stated the subject property is approximately 3.4 acres and is located on the north side of Edgewood Drive South. A prior hearing was held for this applicant regarding a request to zone the subject property to I-1 (Light Industrial-Limited Commercial). After the public hearing staff met with the applicant and discussed a change in the request to PUD (Planned Unit Development) zoning on the property.
Mr. Vargo presented a list of uses that would be available on the subject property with PUD zoning and presented recommended conditions to the Board. Staff received emails in support of the request from two neighboring property owners.

Teresa Maio stated noise complaints are typically handled by the Lakeland Police Department unless they are specified within the conditions of the PUD.

Eric Wibert, 2050 S. Edgewood Drive, stated he would like to have more flexibility in the use of his property.

In response to Silvana Knight, Mr. Wibert stated he does not anticipate any changes to the traffic on the access road next to his property.

In response to Stephanie Franklin, Mr. Wibert stated he expects future tenants to obey the conditions of the PUD.

GENERAL MEETING

ITEM 5: Review minutes of the April meeting.

Glenn Higgins made a motion for approval of the minutes from the previous meeting. Leigh Ann Lunz seconded the motion and it passed 5-0.

ITEM 6: Change in zoning from MF-12 (Multi-Family) to PUD (Planned Unit Development) to allow up to 24 multi-family dwelling units on approximately 1.3 acres located at 108 Lake Hunter Drive. Owner: Anthony Gjolaj. Applicant: JSK Consulting. (PUD20-003)

Joshua Cheney stated the subject property consists of 1.3 acres of uplands, south of Lake Hunter Drive, and 0.62 acres of a submerged lands, north of Lake Hunter Drive. The submerged lands are considered unbuildable and were excluded from the site area and density calculations. In 2016, a single-family detached home on the site was demolished.

Joshua Cheney distributed recommended conditions to the Board.

In response to Stephanie Franklin, Mr. Cheney stated that a playground area is not shown on the site plan for the development, as it was not required.

In response to Ms. Franklin, Matthew Johnson, JSK Consulting, 5904 Hillside Heights Drive, stated the site slopes down from north to south with a stormwater pond with a water feature designed to accommodate the drainage on the southwest portion of the site. A common area is planned on the site for park features for residents to gather.

In response to Silvana Knight, Mr. Johnson stated a shaded transit shelter will be constructed on the east side of the driveway to the development.

In response to Ms. Knight, Mr. Johnson stated a fence is not proposed to be constructed on the site.

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

ITEM 7: Change in zoning from C-2 (Highway Commercial) and LD (Limited Development) to PUD (Planned Unit Development) to allow a convenience store with motor vehicle fuels sales on property located at the southeast corner New Tampa Highway and Airport Road. Owner: 4250 New Tampa Highway Land Trust. Applicant: Kendra McBee. (PUD20-004) Note: Staff requests a delay.

Glenn Higgins made a motion for a one-month delay. Leigh Ann Lunz seconded the motion and it passed 5-0.
ITEM 8:  Report of City Commission action on Planning and Zoning Board recommendations.
Teresa Maio reviewed the recent actions of the City Commission.

ITEM 9:   Community Housing & Planning Manager’s Report.
Teresa Maio reviewed the new cases for the May hearing.

ITEM 10:  Audience.
There were no comments from the audience.

ITEM 11:  Adjourn.
There being no further discussion, the meeting was adjourned at 10:20 am.

Respectfully Submitted,

__________________________   __________________________
Stephanie Franklin, Chair    Andrew Snyder, Vice-Chair
Community & Economic Development
Staff Request for Delay

Date: June 16, 2020  Reviewer: Phillip Scearce
Project No: PUD20-004  Location: 4250 New Tampa Highway
Owner: 4250 New Tampa Highway Land Trust
Applicant: Kendra McBee, Sloan Engineering, Inc.

Current Zoning: (LD) Limited Development, (C-2) Highway Commercial
Future Land Use: Business Park (BP)

Context District: Suburban Special Purpose (SSP)

P&Z Hearing: April 21, 2020  P&Z Final Decision: July 21, 2020

Request: A change in zoning from C-2 (Highway Commercial) and LD (Limited Development) to PUD (Planned Unit Development) to allow a convenience store with motor vehicle fuels sales on property located at the southeast corner New Tampa Highway and Airport Road.

Staff requests that the item be continued for one month to provide the applicant, City staff, and the Florida Department of Transportation (FDOT) additional time to determine the optimal location and design of an access point onto Airport Road. Once the location and design issues are resolved, staff will incorporate and present as part of the staff report to the Board at the July 21st meeting.
# Community & Economic Development Staff Recommendation

<table>
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<tr>
<th>Date:</th>
<th>June 16, 2020</th>
<th>Reviewer:</th>
<th>Todd Vargo</th>
</tr>
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<tbody>
<tr>
<td>Project No:</td>
<td>PUD20-005</td>
<td>Location:</td>
<td>2050 Edgewood Drive S</td>
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<tr>
<td>Owner:</td>
<td>Eric Wibert</td>
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<td>Applicant:</td>
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<td>Current Zoning:</td>
<td>O-1 (Low Impact Office)</td>
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<td>Future Land Use:</td>
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<tr>
<td>Request:</td>
<td>Change in zoning from O-1 (Low Impact Office District) and I-1 (Light Industrial-Limited Commercial District) to PUD (Planned Unit Development) to allow limited light industrial and commercial uses, in addition to the existing O-1 and I-1 entitlements, on property located at 2050 Edgewood Drive South.</td>
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</tbody>
</table>

## 1.0 Location Maps
Community & Economic Development Staff Recommendation for PUD20-005
2.0 Background

2.1 Summary

Eric Wibert requests a change in zoning from O-1 (Low Impact Office District) and I-1 (Light Industrial – Limited Commercial District) to PUD (Planned Unit Development) on property located at 2050 Edgewood Drive South. A map of the subject property is included as Attachment “C.”

2.2 Subject Property

The subject property is approximately 3.4 acres in area with split zoning and land use. The western 0.83 acres (Tract A) is zoned O-1 with a future land use designation of Residential High (RH); the eastern 2.57 acres (Tract B) is zoned I-1 with a future land use designation of Business Park (BP). Improvements on the subject property consist of an 8,400 sq. ft. office building located in the area with O-1 zoning. The remainder of the property, aside from an off-street parking area and driveway connection to Edgewood Drive South, is vacant and undeveloped. Prior to 1994, Tract A was zoned C-1 (Pedestrian Commercial) and Tract B was zoned C-3 (Neighborhood Center Commercial).

2.3 Project Background

The applicant requests a change in zoning from O-1 and I-1 to PUD to allow for more flexibility in leasing and developing the property. The applicant initially requested a land use and zoning change which would have rezoned Tract A from O-1 to I-1, but subsequently withdrew and revised the application following the public hearing in January due to concerns and objections from the adjacent property owner to the north. No new development is proposed at this time. A copy of a boundary survey which depicts the existing site improvements 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>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>General Office</td>
<td>Residential High (RH)</td>
<td>O-1</td>
<td>UCO</td>
</tr>
<tr>
<td>South</td>
<td>Vacant</td>
<td>Business Park (BP)</td>
<td>Unassigned</td>
<td>N/A</td>
</tr>
<tr>
<td>East</td>
<td>Vacant</td>
<td>Business Park (BP)</td>
<td>I-1</td>
<td>USP</td>
</tr>
<tr>
<td>West</td>
<td>Veterinarian Office</td>
<td>Residential High (RH)</td>
<td>PUD3485-I</td>
<td>UCO</td>
</tr>
</tbody>
</table>

2.3 Attachments

Attachment A: Legal Description
Attachment B: Base Map of Subject Property
Attachment C: Property Survey Depicting Existing Site Improvements
Attachment D: Development Tracts A and B
3.0 Discussion

The applicant’s justification for the request is related to the lack of demand for O-1 uses along Edgewood Drive South. According to the applicant, the existing office building is difficult to lease due to the limited range of uses allowed by the O-1 zoning. The requested PUD zoning would provide for more flexibility when leasing by allowing for light-industrial type services uses and limited retail and personal services uses in addition to the existing O-1 entitlements.

Edgewood Drive South is classified as a local street and essentially functions as a backage road to E. Edgewood Drive by providing a secondary route between U.S. 98 South to Lakeland Highlands Road. Traffic volumes along the corridor are generally low and unable to support the types of office and commercial uses that rely upon passing vehicle traffic. Established land uses along the corridor consist of a mixture of light industrial-type manufacturing and services uses and appointment-only type office uses such as a veterinary clinic and a dentist office.

The proposed PUD zoning would retain the existing O-1 and I-1 entitlements while providing an allowance for limited I-1 industrial-type services uses, and moderate impact retail and personal services uses in Tract A. To address impacts on adjacent properties, staff is recommending performance standards pertaining to outdoor noise and storage. The standards, which would be applicable to the entire property, would limit or prohibit most outdoor activities and prohibit any outdoor storage of goods, materials, equipment or vehicles on Tract “A.”

These conditions are being recommended in response to concerns expressed by Mr. John Crowson, the owner of the adjacent office building to the north at 2031 E. Edgewood Drive. At the public hearing for the initial land use and zoning application on January 22nd, Mr. Crowson opposed uniformly rezoning the property to I-1 due to the potential noise impacts and other nuisances associated with the uses permitted within I-1 zoning districts. Mr. Crowson also expressed concerns about the applicant’s ability to maintain the property and ensure that it is used in compliance with the zoning. Following the public hearing, staff recommended to the applicant that he instead consider rezoning the property to PUD in order to limit the range of permitted uses and allow for the adoption of performance standards to minimize any impacts on adjacent properties.

Should the change in zoning become problematic, staff is recommending language which will provide the City with the option to repeal the PUD zoning and return the property to the current O-1 and I-1 zoning classification should the property be cited three or more code enforcement violations or Lakeland Police Department noise complaints, or any combination thereof, within a 12-month time period.

3.1 Transportation and Concurrency

The subject property is presently developed with an 8,400 square foot office building. Concurrency for the office building would have been determined when it was constructed in 2008. The change in zoning to a PUD should not impact the transportation network. Any additional development of the site will be subject to a transportation and concurrency determination at the time of site plan review.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan.
4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of a change in zoning from O-1 and I-1 to PUD. Letters of notification were mailed to 24 property owners within 500 feet of the subject property. Two e-mails in support were received. Two e-mails and seven letters in opposition were also received. These seven letters were the same letters that were entered into the record at the January 22, 2020 public hearing.

4.2 The Planning & Zoning Board

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

A. Permitted Uses:
   1. The following uses shall be permitted within Tract “A”:
      Those uses permitted by right within the O-1 zoning district and the following I-1 uses:
      Commercial Uses
         a. Motor Vehicle Uses
            Motor Vehicle Parts and Accessory Stores
         b. Personal Service Uses
            Laundry & Cleaning Establishments, Retail
            Pet Grooming & Pet Day Care
            Repair-Oriented Services
            Tax Preparation Services, Retail
            Tattoo Parlors & Body Art Establishments
            All other Personal Service Uses, Not Specified, Indoors
         c. Retail Sales Uses
            Antique Shops & Consignment Boutiques
            Artisan-Oriented Retail
            Micro-Breweries, Micro-Wineries & Micro-Distilleries
            Medical Marijuana Dispensing Facilities
            Office Support Retail & Service Uses
            All Other Retail Sales Uses, Not Specified, Indoors
      d. Restaurant Uses
         Carry Out/ Delivery
         Restaurants, Low Turn-Over
      Industrial Uses
         a. Industrial-Type Service Establishments, Level I (Offices only – any associated storage of equipment or vehicles must occur on Tract B)
         b. Pest Control Services
      Healthcare & Social Service Uses
         a. Blood Banks & Plasma Collection Facilities
2. The following uses shall be permitted Tract “B”:
   b. Those uses permitted by right within I-1 zoning districts.

B. Development Standards:
   1. Tract “A”: In accordance with the O-1/Urban Special Purpose context sub-district.
   2. Tract “B”: In accordance with the I-1/Urban Special Purpose context sub-district.

C. Performance Standards:
   1. Noise: The subject property shall be operated so as to not create a noise disturbance affecting adjacent uses. The term “noise disturbance” is any sound which is:
      a. Unreasonably loud and disturbing;
      b. Of such character, quantity, or duration as to be injurious to human or animal life or property;
      c. Of such character, quantity, or duration as to unreasonably interfere with the comfortable enjoyment of life or property; and
      d. Of such character, quantity, or duration as to unreasonably interfere with the normal conduct of business.

      Additional Noise Regulations:
      a. There shall be no outdoor business operations except for those activities incidental to another permitted principal use.
      b. There shall be no outdoor public address system, bell ringers or loudspeakers.
      c. There shall be no loading or unloading of trucks, trailers or other vehicles between the hours of 10 p.m. and 6 a.m.

   2. Outdoor storage: There shall be no outdoor storage of goods, materials, equipment or vehicles on Tract “A.” Outdoor storage shall be permitted on Tract “B” in accordance with the City of Lakeland Land Development Code.

D. Repeal of PUD in the Event of Non-Compliance with Performance Standards: The occurrence of more than three (3) violations of the provisions of this Ordinance or more than three (3) City of Lakeland Code violations, Lakeland Police Department registered incident reports for noise complaints, or any combination thereof within a time period of twelve (12) consecutive months, shall be grounds for the City, at its discretion, to initiate a rezoning of the subject property. In such event, the Planning & Zoning Board may recommend to the City Commission that the PUD zoning be repealed, and the subject property returned to its previous zoning classification.
ATTACHMENT “A”

Legal Description:

TRACT A: The East 145.52 feet of West 900.52 feet of the North 250 feet of the South 300 feet of SW1/4 of SW1/4 of Section 28 Township 28 North Range 24 East Polk County Florida;

TRACT B: Commence at a point 300 feet north of the south line and 900 feet east of the west line of Section 28 for point of beginning; thence run N 00 Deg 14’20"W for 29.93 feet; thence run N 66 Deg 19’13”E 103.12 feet; thence S 75 Deg 30’47”E 325.76 feet; thence S 00 Deg 14’20"W 45.68 feet; thence N 89 Deg 45’40”W 20 feet; thence S 00 Deg 14’20"W 194.97 feet to a point 50 feet north of south line of Section 28; thence run N 89 Deg 44’51”W 389.97 feet to a point on a line being 900.52 feet east of the west line of Section 28; thence run N 00 Deg 13’09”E 250 feet to point of beginning.
File Number: PUD20-005
Present Zoning: O-1 and I-1
Proposed Zoning: PUD Zoning to Allow Limited Light Industrial and Commercial Uses
Context: Urban Corridor and Urban Special Purpose
April 2020
Meeting of May 18, 2020

Ordinances (First Reading)

Proposed 20-023; Voluntary annexation of approximately 79.6 acres located south of State Road 570 (Polk Parkway), east of Lakeland Highlands Road and north of Winter Lake Extension Road (ANX20-001)

Proposed 20-022; Large scale amendment #LUL20-001 to the Future Land Use Map assigning land use on approximately 79.6 acres located south of State Road 570 (Polk Parkway), east of Lakeland Highlands Road and north of Winter Lake Extension Road (LUL20-001)

Proposed 20-024; Application of PUD (Planned Unit Development) zoning to allow a free-standing emergency room, ambulatory surgical center, medical office uses, retail uses, 150 room hotel, hospital with up to 360 beds and Suburban Special Purpose (SSP) context district on approximately 79.6 acres located south of State Road 570 (Polk Parkway), east of Lakeland Highlands Road and north of Winter Lake Extension Road (PUD19-039)(ZON20-001)

Meeting of June 1, 2020

Ordinances (First Reading)

Proposed 20-025; Approving a Conditional Use to allow a preschool, with a maximum enrollment of 104 students, on property located at 220 Carleton Street; repealing Ordinance 5317 (CUP20-002)

Proposed 20-026; Change in zoning from MF-12 (Multi-Family) to PUD (Planned Unit Development) to allow up to 24 multi-family dwelling units on approximately 1.3 acres located at 108 Lake Hunter Drive (PUD20-003)

Miscellaneous

Development Agreement with LCP Owner, LLC related to transportation impacts of Lakeland Central Park Mixed-Use Development