AGENDA

Planning & Zoning Board
Virtual Meeting August 18, 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) 240-3311 and access code 938-863-133 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 Dear) 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:
a. Conditional use to allow a public charter school, with a maximum enrollment of 180 students in grades pre-K – 6th, on property located at 815 S. Central Avenue. Owner: Evangelic Deliverance Outreach. Applicant: Tammi Crotteau. (CUP20-005) **Note: Continued from previous meeting.**
b. Consideration of final decision.

ITEM 2: Change in the Future Land Use designation from Residential Medium (RM) to Community Activity Center (CAC) and a change in zoning from O-1 (Low Impact Office) to C-4 (Community Center Commercial) on 3.17 acres located at 1723 and 1727 U.S. Hwy 98 South; and a change in zoning from RA-3 (Single Family) to O-1 (Low Impact Office) on 1.83 acres generally located west of U.S. Hwy 98 South, east of Fredericksburg Avenue and north of Fredericksburg Place. Owner: 1723 US Hwy 98 S LLC. Applicant: Shelton Rice. (LUS20-001/ZON20-007)

GENERAL MEETING

ITEM 3: Review minutes of the July meeting.

ITEM 4: Major modification of PUD (Planned Unit Development Zoning) to allow C-1, C-3 and C-4 commercial uses on Lot 1, in lieu of the current O-1 and O-2 office entitlements, on property located north of Knights Stations Road, west of Kathleen Road, and south of Prine Road. Owner: The Ruthven Group. Applicant: Matthew Baker. (PUD20-009)

ITEM 5: Major modification of PUD (Planned Unit Development) zoning to allow an 83,000 sq. ft. orthopedic hospital/surgical care facility, in lieu of the current office entitlements, on approximately 8.63 acres located at 1201 Oakbridge Parkway. Owner: Oakbridge Venture LC. Applicant: Timothy F. Campbell. (PUD20-010)

ITEM 6: Change in zoning from C-2 (Highway Commercial) to I-1 (Light Industrial - Limited Commercial) on property located at 1705 George Jenkins Blvd. Owner: The Robert & Carol Deibel Family Trust. Applicant: Deibel Laboratories of Florida, Inc. (ZON20-005)

ITEM 7: Report of City Commission action on Planning and Zoning Board recommendations.

ITEM 8: Community Housing & Planning Manager's Report.

ITEM 9: Audience.

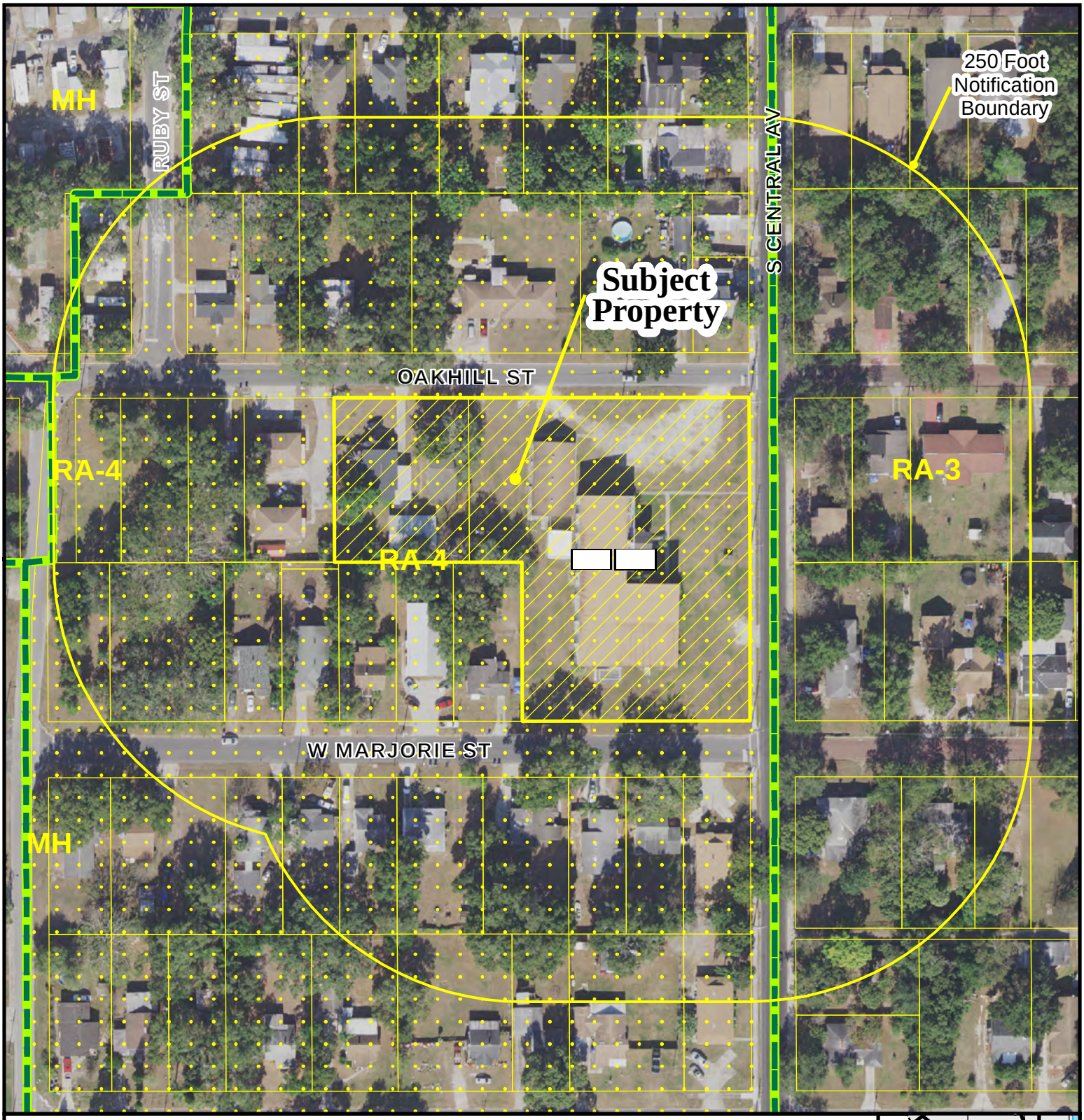
ITEM 10: Adjourn.

Planning & Zoning Board General Application

General Information:				
Project No:	CUP20-005	**Application Date:**	5/20/2020	
Project Name:	815 CENTRAL			
Subject Property Address:	815 S CENTRAL AV			
Parcel ID:	232823101500000010	**Total Acreage:**	2	
Applicant Name:	TAMMI CROTTEAU			
Applicant Address:	1540 NEW JERSEY ROAD	LAKELAND	FL	33803
Owner Name:	EVANGELIC DELIVERENCE OUTREACH			
Owner Address:	421 HOWARD AVE	LAKELAND	FL	338153402

Request:		
Application Type:	**CONDITIONAL USE**	**NEW**
Proposed		**Current**
Zoning:	Not Applicable	(RA-4) Single Family
Land Use:	Not Applicable	Residential Medium (RM)
Context:	Not Applicable	Urban Neighborhood (UNH)
Explanation of Request:	Magnolia Montessori Academy would like to relocate our public charter school to 815 Central Avenue. We will have 180 maximum Pre K 3 to 6th grade students initially and another possible 40 7th and 8th grade students in a later Phase, several years later.	
Justification:	Magnolia is a public school, so provides free education to students K-8. Montessori is a sought after education model.	

Concurrency:								
Proposed Dwelling Units:		0	**Project Floor Area:**		**24000**		Square feet	
Type of Use:	Other				Phase	1	Year	2021
Estimate of Public Service Demand								
Roadways	**Daily Trips:**	0		**PM Peak Hour Trips:**			0	
Potable Water		GPD	**Wastewater**		GPD	**Solid Waste**		PPD



File Number: CUP20-005

Present Zoning: RA-4 with SPI and Conditional Use

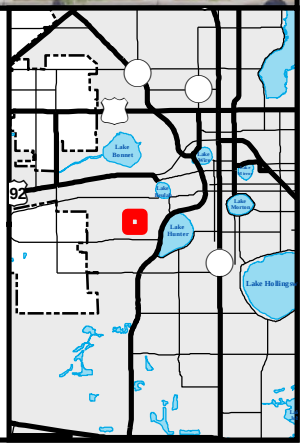
Context: Urban Neighborhood

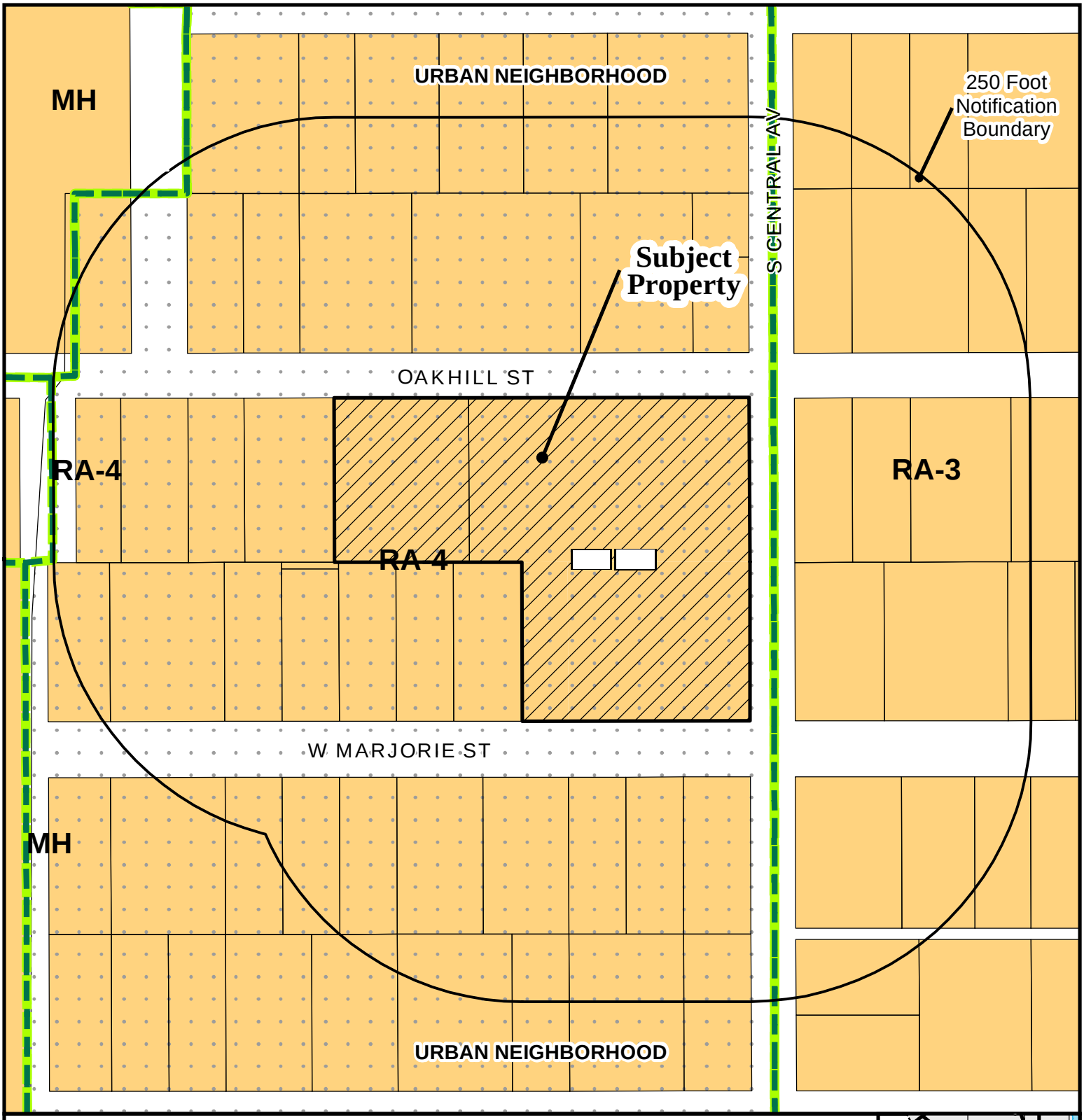
Proposed Zoning: Conditional Use to Allow a School with up to 220 Students

July 2020

- Subject Property
- 250 Foot Notification Boundary
- Current City Limits
- 4567 Zoning
- Conditional Use
- SPI
- Parcels
- Railroad
- Water Body

N





File Number: CUP20-005

Present Zoning: RA-4 with SPI and Conditional Use

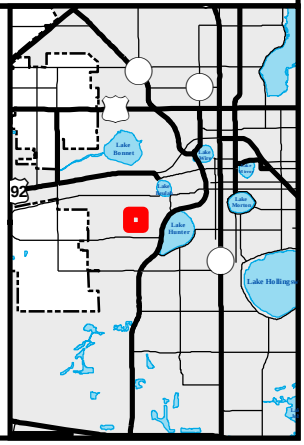
Context: Urban Neighborhood

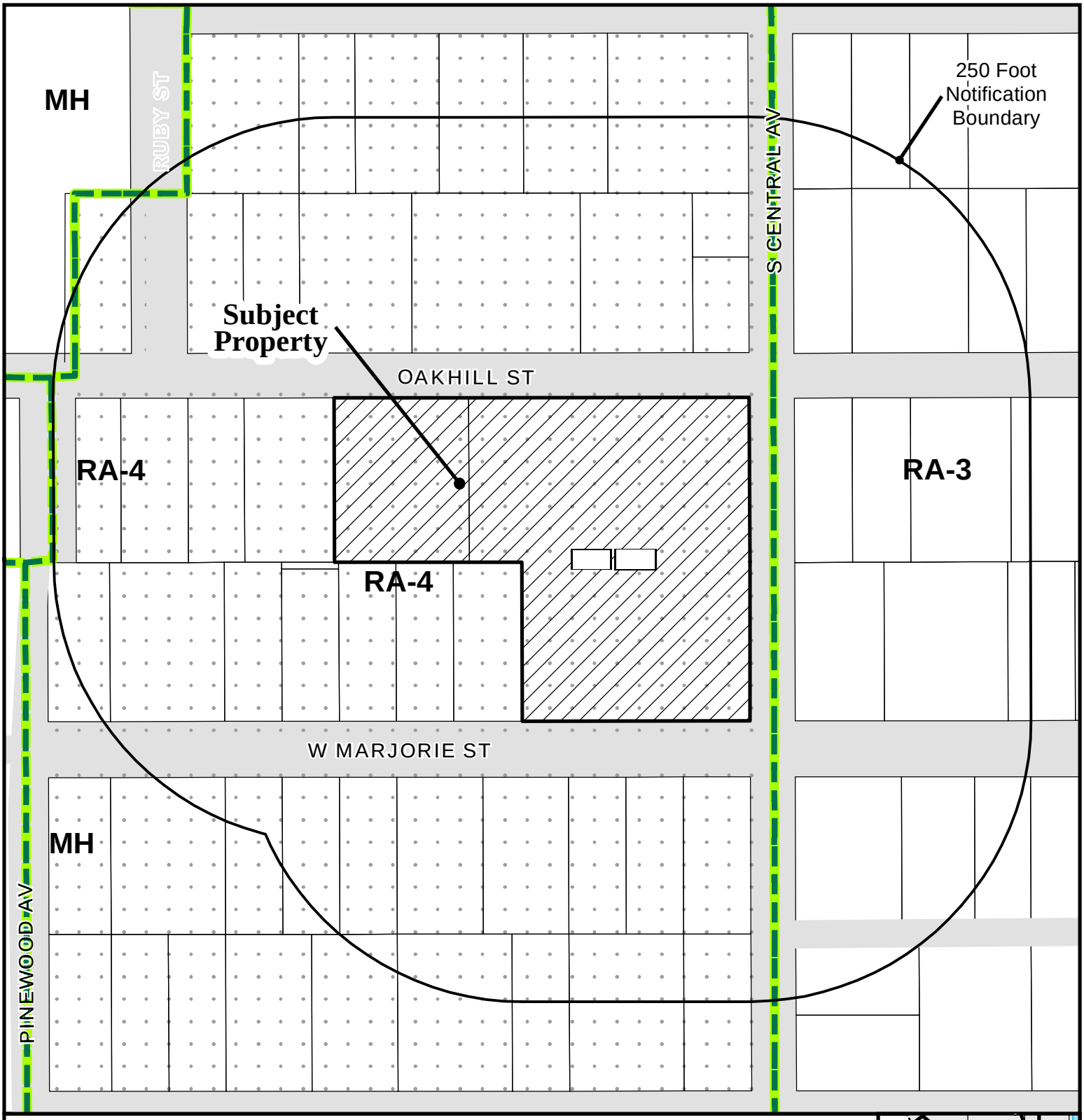
Proposed Zoning: Conditional Use to Allow a School with up to 220 Students

July 2020

- Subject Property
- 250 Foot Notification Boundary
- Current City Limits
- 4567 Zoning
- Conditional Use
- SPI
- Parcels
- Railroad
- Water Body

N





File Number: CUP20-005

Present Zoning: RA-4 with SPI and Conditional Use

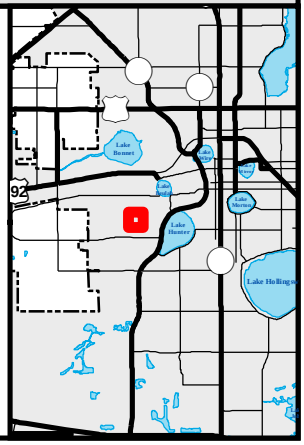
Context: Urban Neighborhood

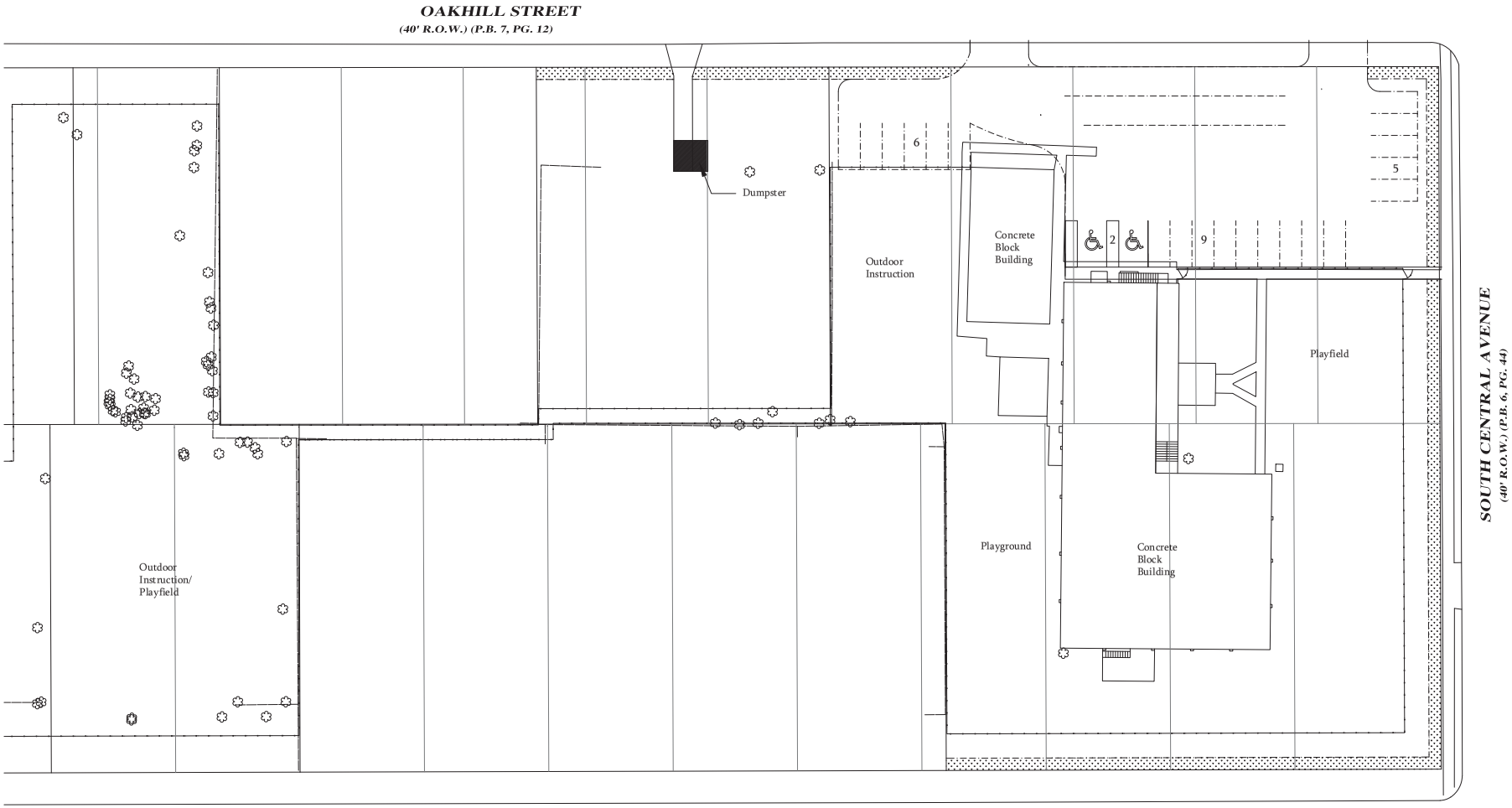
Proposed Zoning: Conditional Use to Allow a School with up to 220 Students

July 2020

- Subject Property
- 250 Foot Notification Boundary
- Current City Limits
- Zoning
- 4567 Conditional Use
- SPI
- Parcels
- Railroad
- Water Body
- Roadway/Railway

N





Site Layout
Scale: 1" = 20'

Magnolia
Montessori Academy
815 S Central Ave
Lakeland, FL

Marlon Lynn
ARCHITECT PA
AA26001477

212 E. Pine St.
Lakeland, FL 33801
P: 863.802.5966
marlon@marlonlynn.com
https://marlonlynn.com/

© Copyright 2020. This drawing, the design and concepts shown are the property of Marlon Lynn Architecture, P.A. and shall not be reproduced, copied, published, revised or used in whole or part without written consent. All rights reserved

Project number 20.008
Date June 29, 2020

No.	Description	Date

Schematic Site Layout

S2

CITY OF Lakeland
COMMUNITY & ECONOMIC DEVELOPMENT

228 S Massachusetts Avenue
Lakeland FL 33801
planning@lakelandgov.net

July 3, 2020

RE: Magnolia Montessori Academy - Project No. CUP20-005

Dear Property Owner:

This letter is to advise you that Tammi Crotteau requests a conditional use to allow a public charter school, with a maximum enrollment of 180 students in grades pre-K – 6th, on property located at 815 S. Central Avenue. The subject property is legally described as:

> MOODYS W E FIRST ADD PB 6 PG 14 LOTS 1 TO 5 & HARDINS FIRST ADD PB 6 PG 44 BLK B LOTS 1 THRU 3 & E 41 FT OF LOT 4 & MOODYS W E FIRST ADD PB 6 PG 14 LOTS 6 7 & 8 LESS W 30 FT. (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, July 21, 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.

Members of the public and interested parties who wish to comment will be able to do so by calling in during the meeting. A toll-free number and access code will be posted online prior to the meeting and during the live broadcast. Comments may also be submitted by e-mail to planning@lakelandgov.net. Please include the agenda item in the subject line of the e-mail and submit the e-mail **prior to the Tuesday, July 21st meeting**. E-mails will either be displayed or read into the record during the appropriate portion of the meeting.

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

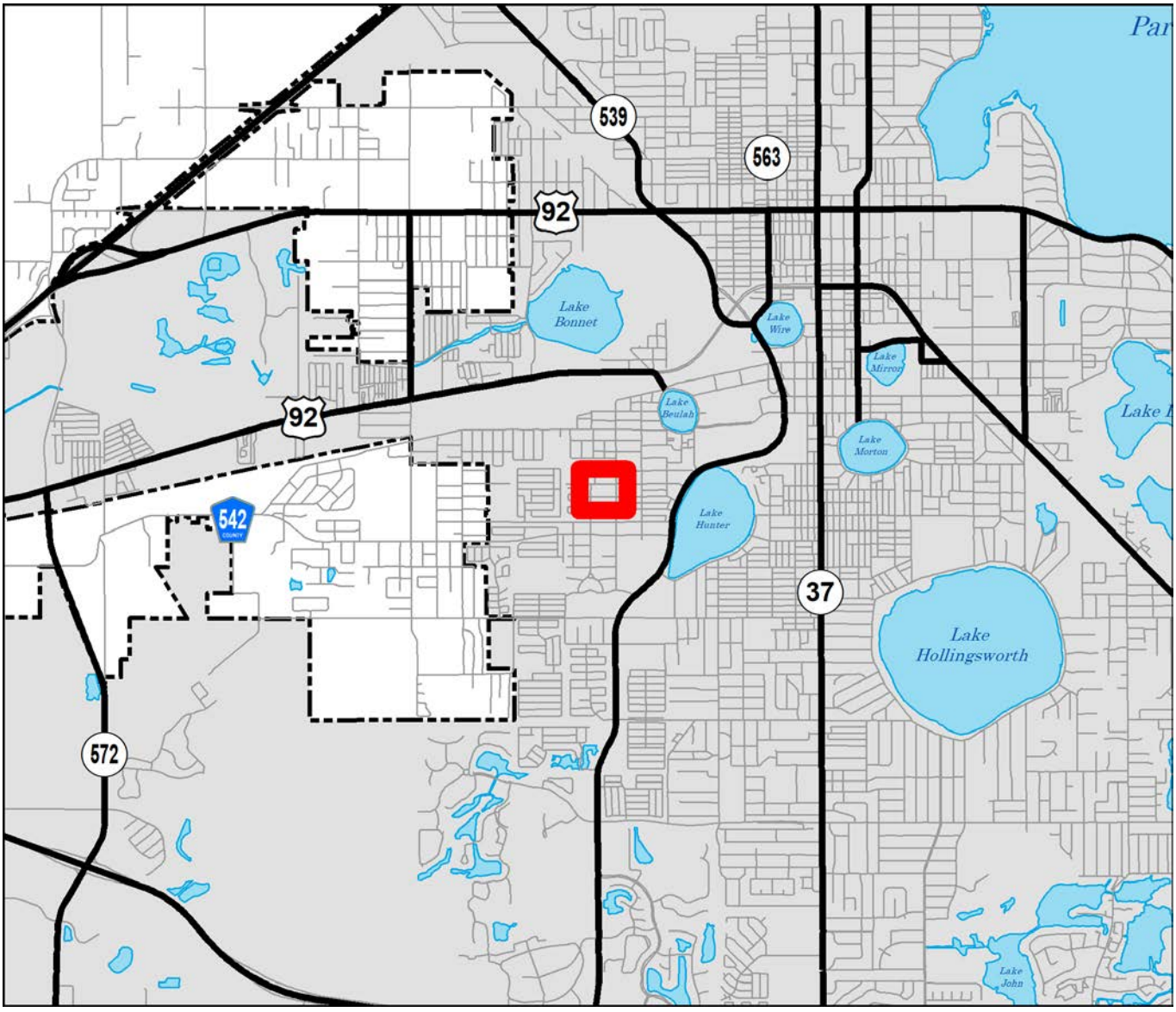
In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Jenny Sykes,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

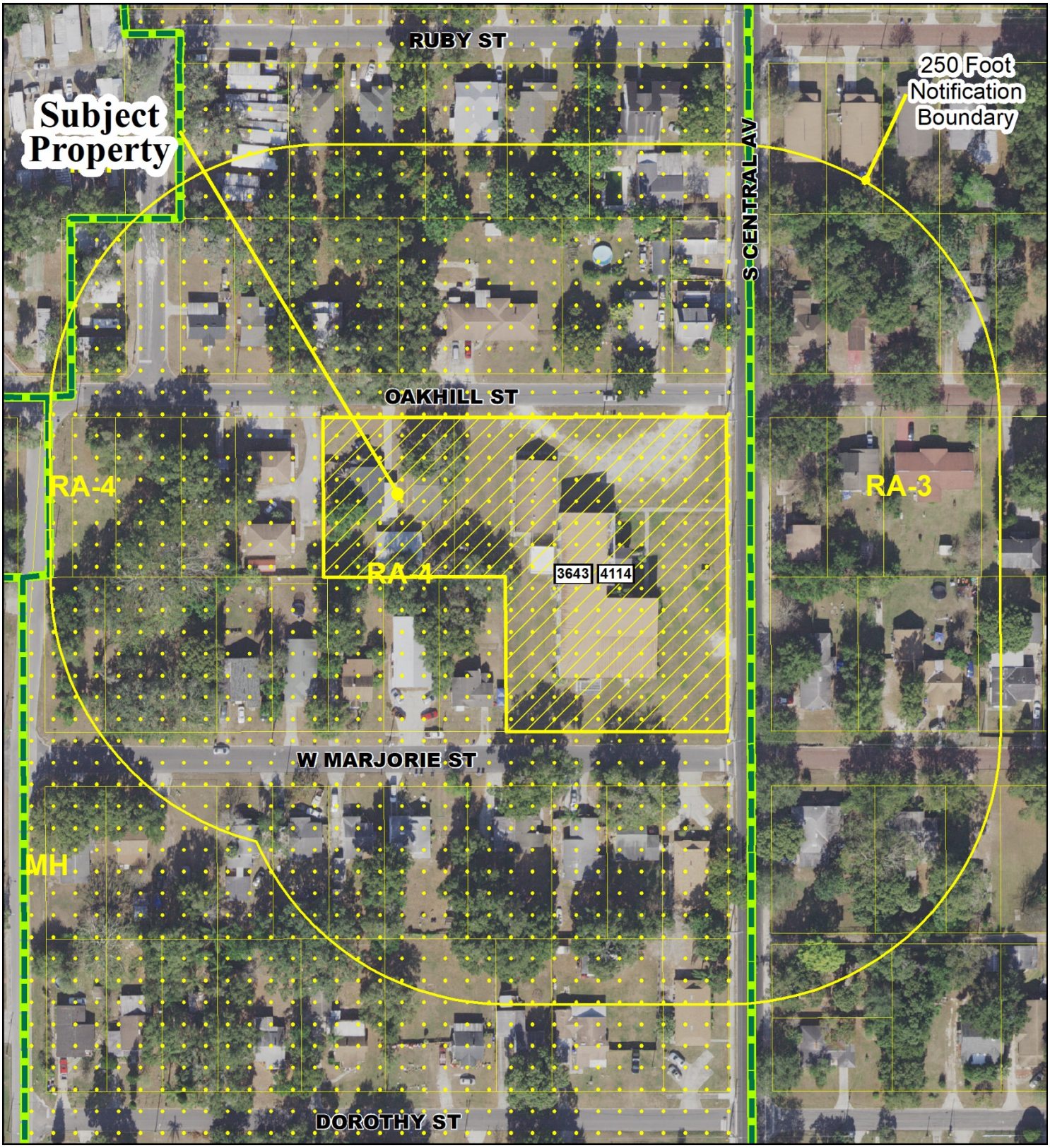
THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

Community & Economic Development
Staff Recommendation

Date:	August 18, 2020	Reviewer:	Joshua Cheney
Project No:	CUP20-005	Location:	815 S. Central Avenue
Owner:	Evangelic Deliverance Outreach Ministries Inc.		
Applicant:	Tammi Crotteau		
Current Zoning:	RA-4 (Single-Family)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	July 21, 2020	P&Z Final Decision:	August 18, 2020
Request:	Conditional use to allow a public charter school, with a maximum enrollment of 180 students in grades pre-K – 6th, on property located at 815 S. Central Avenue.		

1.0 Location Maps




RUBY ST
Subject Property
250 Foot Notification Boundary
S CENTRAL AV
OAKHILL ST
RA-4
RA-3
RA-4
3643
4114
W MARJORIE ST
MH
DOROTHY ST

2.0 Background

2.1 Summary

Tammi Crotteau requests a conditional use to allow a public charter school, with a maximum enrollment of 180 students in grades pre-K – 6th, on property located at 815 S. Central Avenue. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property is approximately 1.9 acres in area and located west of S. Central Avenue, north of W. Marjorie Street and south of Oakhill Street. The subject property has a future land use designation of Residential Medium (RM) and RA-4 (Single-Family Residential) zoning and was originally developed in the 1970s as a church, according to the Polk County Property Appraiser. The bulk of the property, approximately 1.5 acres, consists of the former campus for the Central Avenue Church and is currently improved with an 11,350 sq. ft. sanctuary and a 2,275 sq. ft. auxiliary building. The remainder of the property consists of three single-family homes located at 1224, 1226 and 1228 Oakhill Street which date to the 1930s. If this request is approved, the existing single-family homes, which are currently occupied, will be demolished.

2.3 Project Background

The applicant requests approval for a conditional use to allow for the conversion of the existing church campus for a public charter school with a maximum enrollment of 180 students in grades pre-K – 6th. A site development plan for the proposed public charter school which shows the location of required parking, pedestrian access, ADA facilities, and outdoor play areas is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-family residential	RM	RA-4	UNH
South	Single-family residential	RM	RA-4	UNH
East	Single-family residential	RM	RA-3	UNH
West	Single-family residential	RM	RA-4	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

Public charter schools are classified as Public & Quasi-Public Non-Commercial Principal Uses, Level II and may be permitted within residential zoning districts by approval of a conditional use. The applicant is proposing to relocate an existing public charter school located at 1540 New Jersey Road (Magnolia Montessori Academy) to the subject property.

The existing school on New Jersey Road is presently approved for a maximum enrollment of 185 students in grades pre-K through 8. For the new location, the applicant is proposing a maximum of 180 students in grades pre-K through 6 in the initial phase of development. As noted in the application, as part of a future expansion, the applicant intends to return at some later date to amend the conditional use to allow for an additional 40 students in grades seven and eight.

The primary impacts of a school that must be managed are vehicular traffic and the queuing of vehicles during peak drop-off and pickup times. As shown on the site plan, Attachment "C," the parking is located on the northeast corner of the site, in proximity to the existing buildings with a total of 21 parking spaces that will be provided to serve staff and visitors to the school campus. Congruently, the school will utilize the two existing driveways located on the north side of the property with traffic entering the site from the western driveway on Oakhill Street, then proceeding along the north side of the campus to drop off or pick up students at the main educational building and then exiting onto Oakhill Street using the existing eastern driveway. The internal drive is approximately 175 feet long, so queuing of vehicles will be limited to the vehicle use area.

In accordance with Table 4.5-2 of the Land Development Code, a Type A buffer will also be required along the property lines of the school site which are adjacent to single-family residential structures that are currently located on both Oakhill Street and W. Marjorie Street. This buffer will consist of a minimum six-foot high view blockage fence or wall and a 7.5' wide landscape buffer containing a continuous shrub with 4 B (Medium-size) trees per 100 linear feet or fraction thereof.

3.1 Transportation and Concurrency

Per the Institute of Transportation Engineers' *Trip Generation Manual, 10th Edition*, a Charter Elementary School (Code 537) with 180 students (pre-K through 6th grade) is expected to generate 176 Peak Hour trips during the A.M. and 25 trips during the P.M. Peak Hour for Adjacent Street Traffic (7 to 9 A.M. and 4 to 6 P.M., respectively). An additional 40 students are planned in the future when the school is expanded to include 7th and 8th grades. These two grades are expected to generate an additional 24 A.M. and 7 P.M. Peak Hour (of Adjacent Street Traffic) Trips, respectively. Parents dropping off or picking up students will enter the site from the west on Oakhill Street, exiting onto Oakhill Street just west of the Central Avenue intersection. The drop-off and pick-up periods will be staggered to reduce impacts on the adjacent streets. The drop-off period for the pre-K to 6th grades will run from 7:00 a.m. to 8:30 a.m. with pick-up occurring 2:45 p.m. to 3:05 p.m. Drop-off for the future 7th and 8th grades will run from 8:30 a.m. to 9:00 a.m. with pick-up occurring between 3:30 p.m. and 4:00 p.m. The school will operate aftercare until 5:00 p.m. for all grades.

In addition to the staggered drop-off and pick-up times, at least one bus will be utilized to take students to off-site after-school activities. The applicant will also make a concerted effort to recruit students from the adjacent neighborhood, who can bike and walk to school. An analysis provided by Kimley-Horn and Associates estimates that these operational characteristics will result in a reduction of 30 students who will need to be dropped off or picked up during the standard periods discussed above. This analysis also estimates that the remaining 150 students in the subject pre-K to 6th grade phase will result in eight vehicles stacking on-site during the afternoon, with an additional seven vehicles queuing

on Oakhill Street. The school will use attendants to assist children out of and into their parents' vehicles to expedite the drop-off and pick-up processes.

The proposed development program is not expected to create any transportation concurrency failures on the nearby street system.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan. All roadway levels of service are acceptable. Other essential services are presently available to provide concurrency for the proposed use.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommend approval of the conditional use. Letters of notification were mailed to 52 property owners within 250 feet of the subject property, but no objections were received.

4.2 The Planning & Zoning Board

It is recommended that the request for a conditional use, as described above and in Attachments "A", "B," and "C" be approved with the following conditions:

A. Permitted Uses: A charter school, providing instruction to students in grades Pre-K through 6, and those accessory uses typically associated with a school of this grade level.

B. Maximum Enrollment: 180 students.

C. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "C." At the discretion of the Director of Community & Economic Development, minor changes may be made at the time of site plan review without requiring a modification to the conditional use.

D. Parking: Off-street parking required shall be in accordance with the site development plan, Attachment "C"

E. Buffering and Landscaping: In accordance with the Land Development Code, and as follows.

1. Adjacent to Oakhill Street, S. Central Avenue, and Josephine Street: A frontage buffer with a minimum width of five (5) feet shall be constructed in accordance with Table 4.5-1 of the Land Development Code.

2. Adjacent to Any Residential Property Boundaries: A Type A buffer shall be constructed in accordance with Figure 4.5-9 of the Land Development Code.

F. Transportation:

1. A Binding Concurrency Determination will be made at the time of site plan submittal.

2. A sidewalk shall be constructed along the site's Oakhill Street frontage. The applicant may pay into the City's Sidewalk Fund for those portions of the frontages where sidewalks are not feasible.

3. Bicycle parking shall be provided in compliance with Section 4.11.6 of the City Land Development Code and Index 900 of the City Engineering Standards Manual.

4. Driveway Improvements: In accordance with the city's engineering standards, a new driveway apron shall be constructed for the proposed three driveways located on Oakhill Street.

5. Pick-Up/Drop-Off Areas: Vehicle pick-up/drop-off locations shall be in accordance with the site development plan, Attachment "C." Vehicle queuing shall not impair the flow of through traffic on the internal drive. A time window with a minimum duration of 30 minutes shall be provided for drop-offs during the morning peak travel period.

6. Driveway Surfacing: A gravel drive may be used for internal traffic circulation provided that it is maintained as a durable, dust free surface and stabilized in accordance with the city's engineering standards. Any paving or resurfacing of the driveway shall require Public Works Department approval and shall meet SWFWMD review/mitigation requirements.

7. Traffic Circulation: Parent drop-off and pick-up traffic shall enter the site from the west via Oakhill Street and shall exit the site onto Oakhill Street toward Central Avenue. A School Resource Officer and/or school staff shall ensure that drop-off and pick-up activities minimize the traffic impacts on Oakhill Street.

8. In the event that traffic associated with the school creates a traffic safety hazard or an operational problem on any of the surrounding local streets, as determined by the City Traffic Operations Division, the traffic pattern shall be reviewed by City staff to determine if student pick-up/drop-off activities must be relocated or modified. If so, the applicant shall relocate or modify the drop-off/pick-up activities subject to approval by the City Traffic Operations Division.

G. Outdoor Noise: The use of outdoor public-address systems shall be prohibited.

H. Solid Waste Collection Bin: The dumpster location shall be determined at the time of site plan review and designed in accordance with Section 4.10 of the Land Development Code.

I. Queuing: All queuing for the pick-up and drop-off of students shall occur on site. In no case shall vehicles be allowed to queue on any public right-of-way or property not owned by the school.

ATTACHMENT “A”

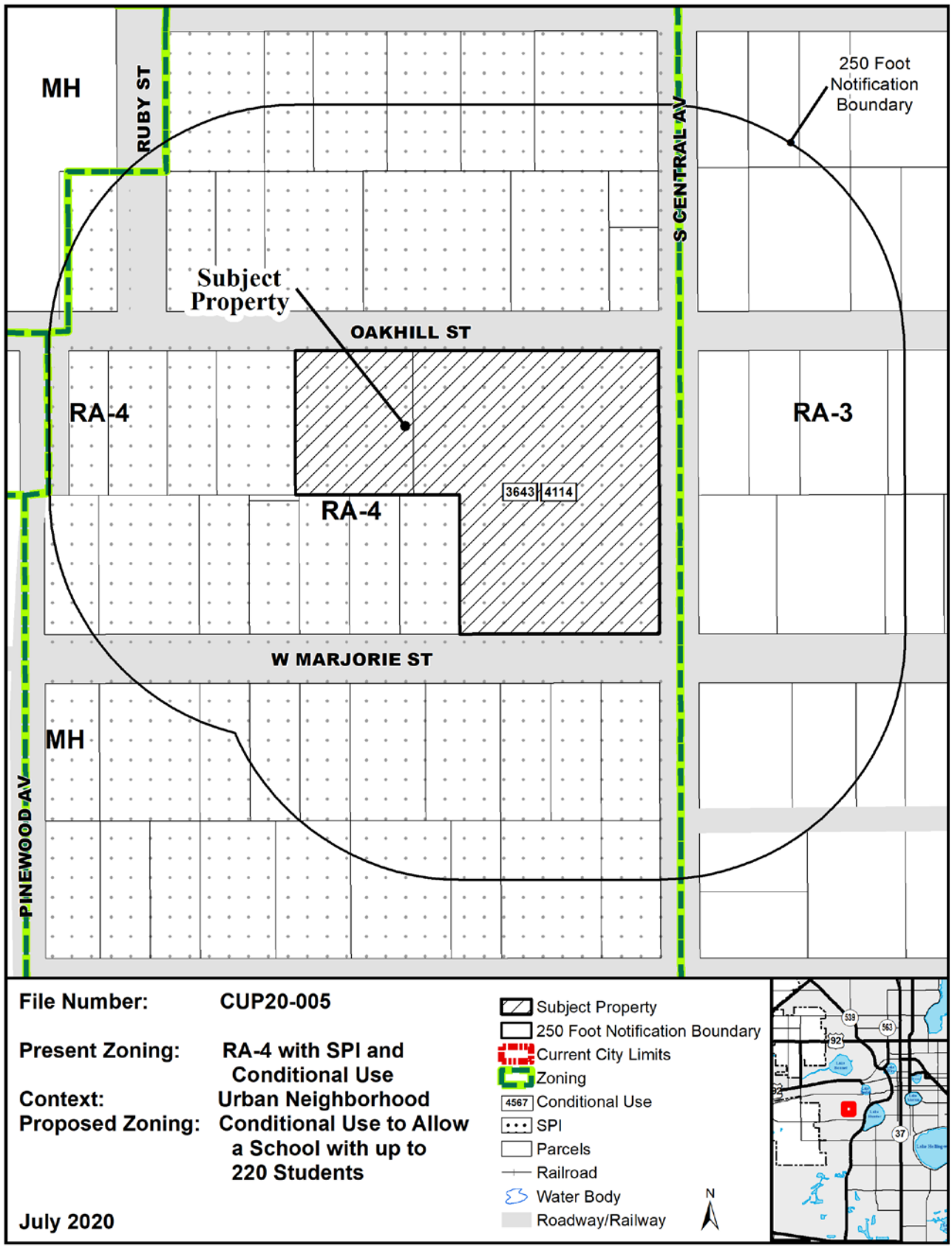
Legal Description:

MOODYS W E FIRST ADD PB 6 PG 14 LOTS 1 TO 5 & HARDINS FIRST

ADD PB 6 PG 44 BLK B LOTS 1 THRU 3 & E 41 FT OF LOT 4

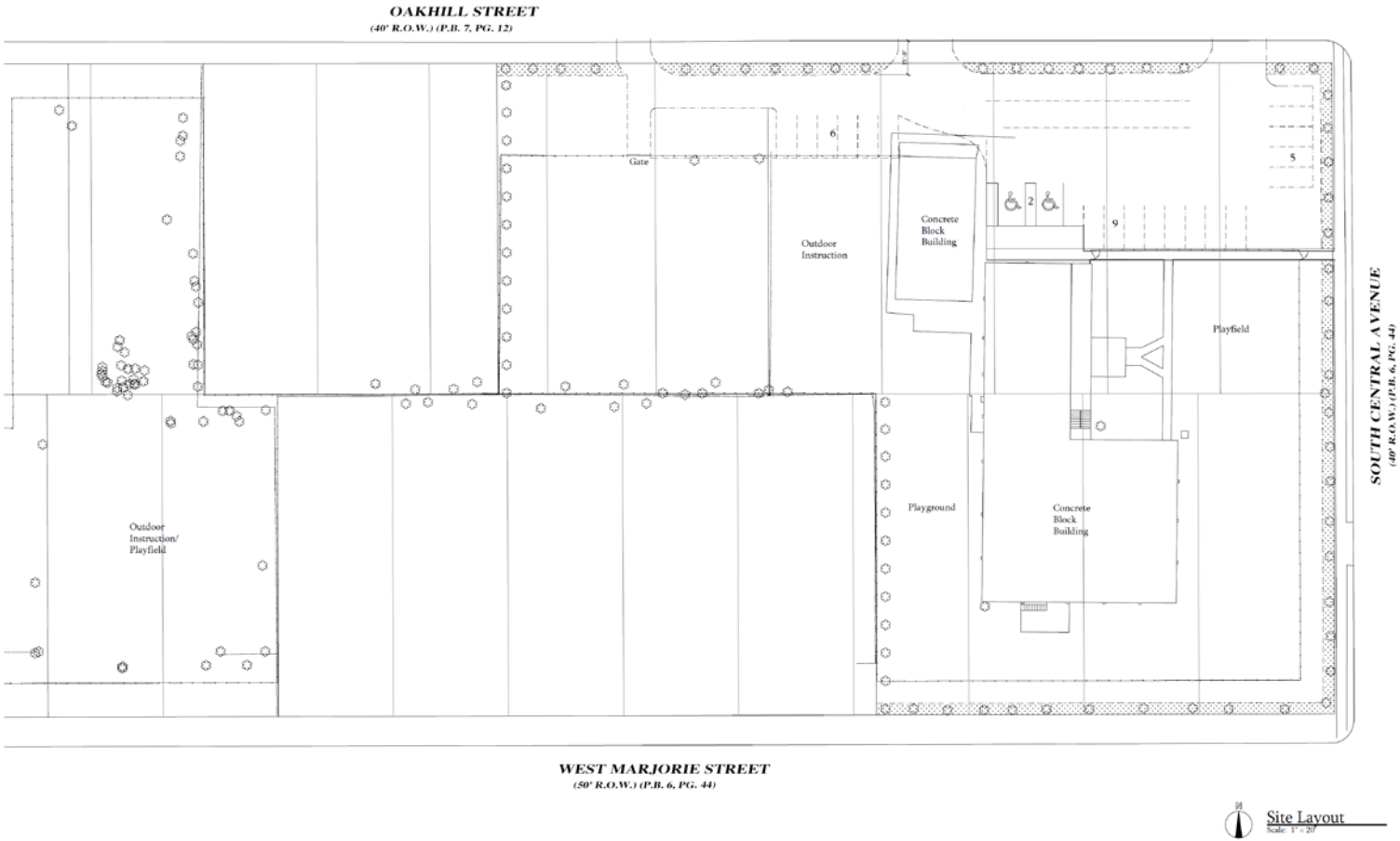
MOODYS W E FIRST ADD PB 6 PG 14 LOTS 6 7 & 8 LESS W 30 FT

ATTACHMENT “B”



ATTACHMENT "C"

The dumpster location is To Be Determined (TBD) and it shall be screened and sited on a pad in accordance with Section 4.10 of the LDC.



Site Layout
Scale: 1" = 20'

Magnolia Montessori Academy
815 S Central Ave
Lakeland, FL

Marlon Lynn
ARCHITECT PA
212 E. Pine St.
Lakeland, FL 33801
P: 863.802.5066
marlon@marlonlynn.com
https://marlonlynn.com/

Copyright 2020. This drawing, the design and concepts shown are the property of Marlon Lynn Architect, PA, and shall not be reproduced, copied, published, revised or used in whole or part without written consent. All rights reserved.

Project number 20.008
Date August 05, 2020

No.	Description	Date

Schematic Site Layout

S1

Planning & Zoning Board General Application

General Information:				
Project No:	LUS20-001/ZON20-007	**Application Date:**	4/30/2020	
Project Name:	1723 US HWY 98-ZONING			
Subject Property Address:	1723 S RD 98			
Parcel ID:	242828244500000017	**Total Acreage:**	5	
Applicant Name:	SHELTON RICE			
Applicant Address:	225 EAST LEMON STREET, SUITE 300	LAKELAND	FL	33801
Owner Name:	1723 US HWY 98 S LLC			
Owner Address:	114 N. TENNESSEE AVE., 3RD FLOOR	LAKELAND	FL	33801

Request:		
Application Type:	**ZONING**	**STANDARD**
Proposed		**Current**
Zoning:	C-3 (Neighborhood Center Comm)	(O-1) Low Impact Office
Land Use:	Community Activity Center (CAC)	Residential Medium (RM)
Context:	Not Applicable	Urban Corridor (UCO)
Explanation of Request:	See attached explanation	
Justification:	see attached justification	

Concurrency:								
Proposed Dwelling Units:		0	**Project Floor Area:**		**0**		Square feet	
Type of Use:	Other				Phase	1	Year	2020
Estimate of Public Service Demand								
Roadways	**Daily Trips:**	0		**PM Peak Hour Trips:**			0	
Potable Water		GPD	**Wastewater**		GPD	**Solid Waste**		PPD

Explanation of Request

The Applicant has submitted a request to change the zoning designation for three contiguous parcels located on Bartow Road in Lakeland, Florida (Parcel ID's: 242828-244500-000011; 242828-244500-00012; 242828-244500-000017; collectively, the "Property"). As shown on the included Future Land Use Map, the Property has an RM future land use designation. A portion of the Property has an O-1 zoning designation (Bartow Road Frontage) with the remainder of the Property in RA-3 (behind the O-1 area). The request is to convert the current O-1 portion of the Property into C-3, and to change the RA-3 portion of the Property into O-1. (See the attached, Requested Zoning Map).

File Number: LUS20-001 ZON20-007

Present Zoning: O-1 and RA-3 with Conditional Use

Present Land Use: RM (+\- 5.00 AC)

Context: Urban Corridor and Urban Neighborhood

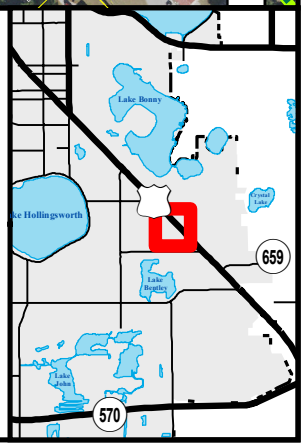
Proposed Zoning: C-4 and O-1

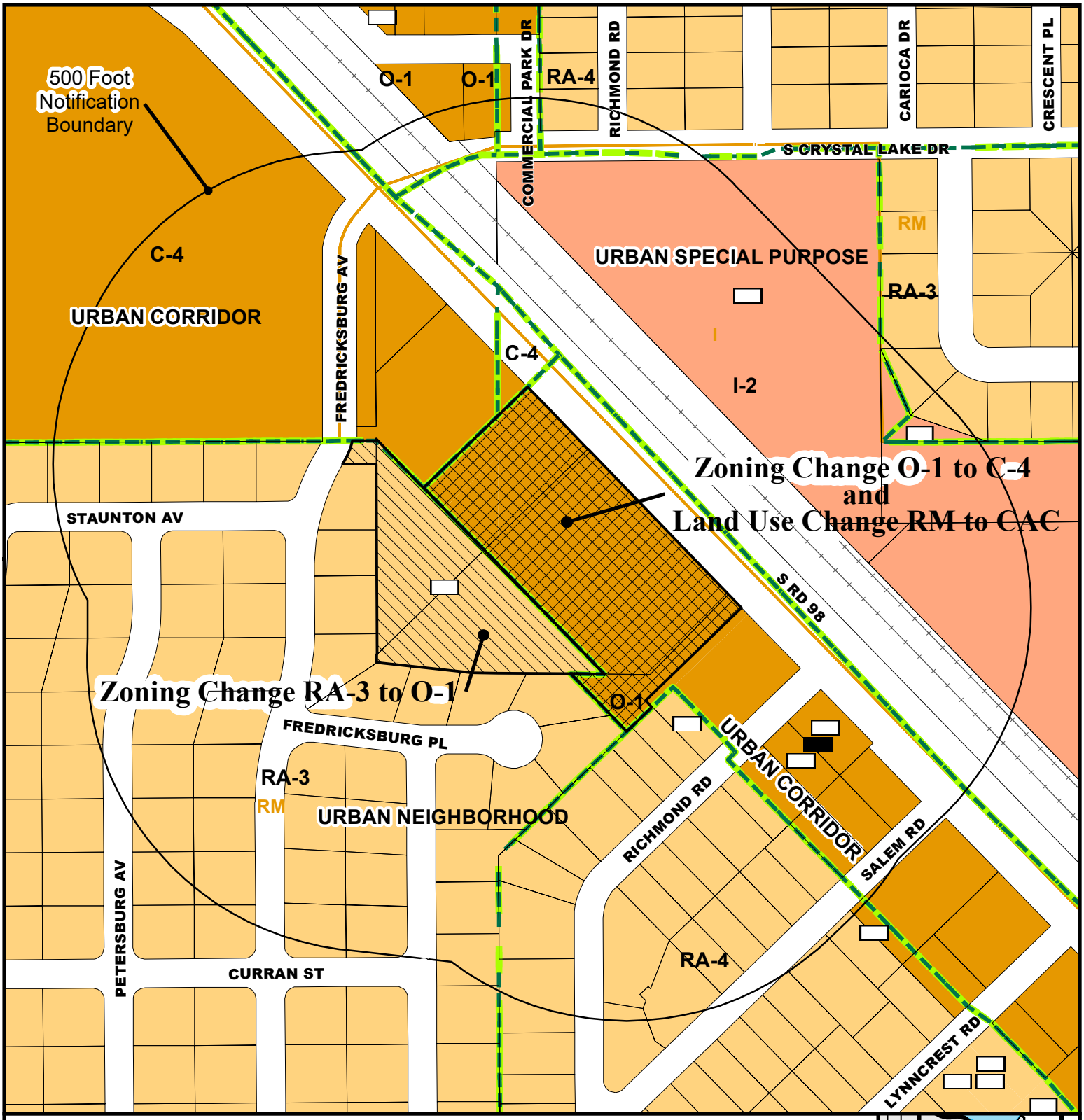
Proposed Land Use: CAC (+\- 3.17 AC); RM (+\- 1.83 AC)

August 2020

- Zoning Change O-1 to C-4 and Land Use Change RM to CAC
- Zoning Change RA-3 to O-1
- 500 Foot Notification Boundary
- Current City Limits
- Zoning
- Future Land Use
- 4567 Conditional Use
- Parcels
- Railroad
- Water Body

N





File Number: LUS20-001 ZON20-007

Present Zoning: O-1 and RA-3 with Conditional Use

Present Land Use: RM (+\- 5.00 AC)

Context: Urban Corridor and Urban Neighborhood

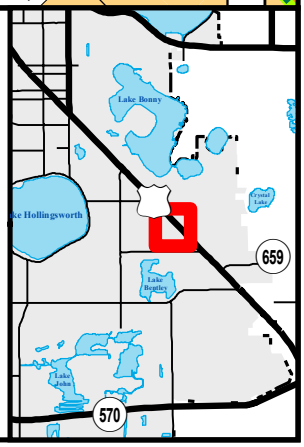
Proposed Zoning: C-4 and O-1

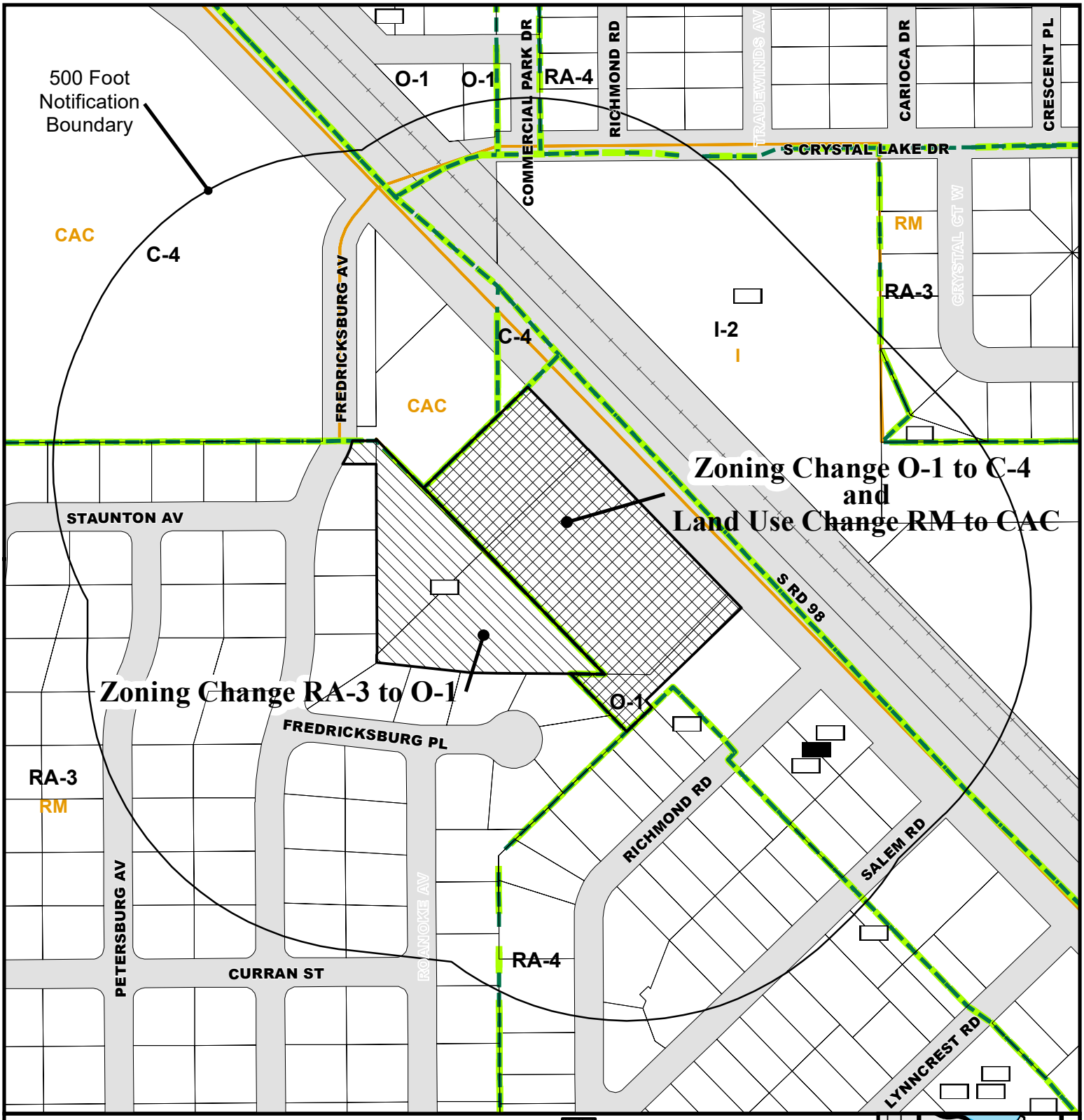
Proposed Land Use: CAC (+\- 3.17 AC); RM (+\- 1.83 AC)

August 2020

- Zoning Change O-1 to C-4 and Land Use Change RM to CAC
- Zoning Change RA-3 to O-1
- 500 Foot Notification Boundary
- Current City Limits
- Zoning
- Future Land Use
- 4567 Conditional Use
- Parcels
- Railroad
- Water Body

N





File Number: LUS20-001 ZON20-007

Present Zoning: O-1 and RA-3 with Conditional Use

Present Land Use: RM (+\- 5.00 AC)

Context: Urban Corridor and Urban Neighborhood

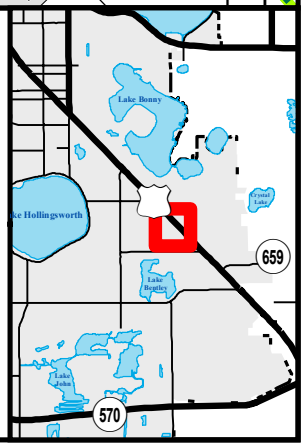
Proposed Zoning: C-4 and O-1

Proposed Land Use: CAC (+\- 3.17 AC); RM (+\- 1.83 AC)

August 2020

- Zoning Change O-1 to C-4 and Land Use Change RM to CAC
- Zoning Change RA-3 to O-1
- 500 Foot Notification Boundary
- Current City Limits
- Zoning
- Future Land Use
- 4567 Conditional Use
- Parcels
- Railroad
- Water Body
- Roadway/Railway

N



CITY OF Lakeland
COMMUNITY & ECONOMIC DEVELOPMENT

228 S Massachusetts Avenue
Lakeland FL 33801
planning@lakelandgov.net

August 4, 2020

RE: 1723 US HWY 98 - Project No. LUS20-001/ZON20-007

Dear Property Owner:

This letter is to advise you that Shelton Rice requests:

1. A change in the Future Land Use designation from Residential Medium (RM) to Community Activity Center (CAC) and a change in zoning from O-1 (Low Impact Office) to C-4 (Community Center Commercial) on 3.17 acres located at 1723 and 1727 U.S. Hwy 98 South.
2. A change in zoning from RA-3 (Single Family) to O-1 (Low Impact Office) on 1.83 acres generally located west of U.S. Hwy 98 South, east of Fredericksburg Avenue and north of Fredericksburg Place. The subject property is legally described as:

A part of land in Section 29 Township 28 S Range 24 E bound by subdivision College Heights Unit 3 to the west, Lynncrest Subdivision to the southeast, Bartow Road/Highway 98 to the northeast, McDonalds restaurant to the north; and College Heights Unit 3 Block E north 40 feet of lot 1, 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, August 18, 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.

Members of the public and interested parties who wish to comment will be able to do so by calling in during the meeting. A toll-free number and access code will be posted online prior to the meeting and during the live broadcast. Comments may also be submitted by e-mail to planning@lakelandgov.net. Please include the agenda item in the subject line of the e-mail and submit the e-mail **prior to the Tuesday, August 18th meeting**. E-mails will either be displayed or read into the record during the appropriate portion of the meeting.

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

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

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

MINUTES

Planning & Zoning Board

Virtual Meeting

Tuesday, July 21, 2020

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in a Virtual Session. Board Members 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 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. Assistant City Attorney Jerrod Simpson was also present.

PUBLIC HEARING

ITEM 1: Compatibility review to allow for the construction of an accessory dwelling unit on property located at 302 Miramar Road Owner/Applicant: Benjamin Hall. (ADU20-005)

Todd Vargo stated the request is to construct an accessory dwelling unit property located at 302 Miramar Road.

Benjamin Hall, 302 Miramar Road, stated he would like to construct an 800 square foot mother-in-law suite on his property.

Todd 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 7-0.

ITEM 2: 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) Note: Continued from previous meeting.

Phillip Scearce stated the request was presented during the previous Planning & Zoning Board meeting. The subject property is located at the intersection of Deerfield Drive and Lakeland Highlands Road with MF-12 (Multi-family) zoning and a Residential Medium (RM) future land use designation. The daycare building will be oriented towards Lakeland Highlands Road with a play area located on the eastern side.

Ryan Renardo 10150 Highland Manor Drive, Suite 210, Tampa, stated the building is to be constructed as far away as possible from nearby homes to mitigate noise and activity. The site will be accessed using Deerfield Drive and a cross-access easement will be provided for the vacant parcel located to the east of the subject property. Adding a signal to the intersection at Lakeland Highlands Road and Deerfield Drive was the primary concern discussed during a meeting with the neighborhood. The residents were more supportive of the proposed use than other possible uses for the site.

Chuck Barmby stated future development of the Orlando Health project proposed for the east side of Lakeland Highlands Road has brought about the need for temporary signalization at the intersection of Lakeland Highlands Road and Deerfield Drive to be in place for approximately five years.

Phillip Scearce presented recommended conditions to the Board.

Andrew Snyder made a motion for approval of staff's recommendation. Glenn Higgins seconded the motion and it passed 7-0.

ITEM 3: Conditional use to allow a public charter school, with a maximum enrollment of 180 students in grades pre-K – 6th, on property located at 815 S. Central Avenue. Owner: Evangelic Deliverance Outreach. Applicant: Tammi Crotteau. (CUP20-005)

Joshua Cheney stated the Magnolia Montessori Academy would like to relocate their existing public charter school from 1540 New Jersey Road to the subject property at 815 S. Central Avenue. The subject property was most recently used as a church and is comprised of two parcels. The first phase of the project will allow up to 180 students with additional students to follow in a possible future phase. A previous conditional use approved for the subject property was for the church use.

Tammi Crotteau, 1540 New Jersey Road, stated the school has outgrown its current location and the subject property is in a higher-need area. Within the existing 24,000 sq. ft. church footprint, the school be able to accommodate more children than the New Jersey Road location. Admission preference will be provided to students who reside near the school's location.

In response to Sylvana Knight, Ms. Crotteau stated public charter schools like Magnolia Montessori are free as they are funded by the State of Florida and the intent is to have more students from the surrounding neighborhoods attend the school.

In response to Lyle Philipson, Ms. Crotteau stated she is unsure of the status for the half-cent sales tax for the school.

In response to Mr. Philipson, Ms. Crotteau stated the intent is to rehabilitate the main sanctuary building into three classrooms.

In response to Ronald Roberts, Ms. Crotteau stated the current site is not large enough to accommodate the expected student count. Parents apply online for admission to the school.

In response to Ms. Knight, Ms. Crotteau stated parents without regular internet access are assisted in the application process by the school.

In response to Ms. Knight, Ms. Crotteau stated school operating hours are 8:00 am to 4:00 pm with an additional hour for students from 7:00 am to 8:00 am. The current operating hours are limited by the use of the church at the current location of the school. Additional after-hours care can be provided by the YMCA and the Boys & Girls Club.

In response to Ms. Knight, Ms. Crotteau stated the school recruits applicants that are drawn through a random lottery.

In response to Mr. Philipson, Ms. Crotteau stated the school intends to have renovations the building on the subject property by April of 2021 with the expectation of opening at that location at the beginning of the 2021 school year.

In response to Mr. Philipson, Ms. Crotteau stated several accommodations are being made for students due to the pandemic including hand washing stations, restricting children's movement for social distancing, filtering in the air condition systems and instruction outside the facility.

Glenn Higgins made a motion for approval a one-month delay to continue the public hearing. Ronald Roberts seconded the motion and it passed 7-0.

ITEM 4: Minor modification of a conditional use to demolish and reconstruct an existing child daycare facility on property located at 1703 Skinner Street. Owner: Karice Inc. Applicant: Gadd & Associates, LLC. (CUP20-007)

Joshua Cheney stated the request is to demolish the existing day care facility and to construct a new 2,250 square foot building on the subject property. The proposed facility will also serve as a daycare for up to 60 children on approximately .39 acres.

Rodney Gadd, Gadd & Associates, 1925 US HWY 98 South, stated the request is to demolish the existing home on the property that was previously converted into a daycare. The student count will remain the same. The parking layout, however, will change to back-in, angled parking to improve the flow of traffic.

In response to Ronald Roberts, Mr. Cheney stated staff has received concerns from the public regarding the signage that will be added to the subject property.

Joshua Cheney presented recommended conditions to the Board.

Andrew Snyder made a motion for approval of staff's recommendation. Glenn Higgins seconded the motion and it passed 7-0.

ITEM 5: Minor Modification of PUD (Planned Unit Development) zoning for Centerstate Logistics Park Phase 2 to allow a maximum building height of 52 feet, in lieu of the current maximum height limit of 40 feet, on property located east of Tomkow Road at 8054 N. State Road 33. Owner: GB Lakeland Phase 2 Owner, LLC. Applicant: Sean Cashen, Gulf Coast Consulting, Inc. (PUD20-011)

Phillip Scearce stated the subject property is located within the Green Swamp Area of Critical State Concern and the proposed project is Phase 2 of the Centerstate Logistics Park. The primary access to the subject property is on N. State Road 33. The request is to change the allowable height of the building to 52 feet from 40 feet as originally approved. Typical heights for buildings in I-2 (Medium Industrial) zoned areas range from 50 to 90 feet high.

Sean Cashen, 13825 Icot Boulevard, Clearwater, stated the site was previously approved with PUD (Planned Unit Development) zoning with a maximum building height of 40 feet in 2018. The building on the subject property was constructed in 2018, it was discovered in June of 2020 that the building height was more than what was allowed. Treatments on the building have resulted in the request for the building to be built at 52.5 feet high.

In response to Teresa Maio, Mr. Cashen stated the building height was measured from grade up to the parapet.

Lyle Philipson made a motion for approval of staff's recommendation. Andrew Snyder seconded the motion and it passed 7-0.

ITEM 6: Major modification of PUD (Planned Unit Development Zoning) to allow C-1, C-3 and C-4 commercial uses on Lot 1, in lieu of the current O-1 and O-2 office entitlements, on property located north of Knights Stations Road, west of Kathleen Road, and south of Prine Road. Owner: The Ruthven Group. Applicant: Matthew Baker. (PUD20-009)

Phillip Scearce stated modification affects the northeast corner of the subject property.

Anderson Baker, 41 Lake Morton Drive, stated Lot 1 is the only remaining vacant lot in the area.

Leigh Ann Lunz recused herself from the item.

In response to Stephanie Franklin, Chuck Barmby stated the traffic study provided by the applicant shows an increase in traffic in the area of the subject property. Concurrency determination and a permit review by Polk County will be completed at the time of site plan approval. Some improvements are currently being made along Kathleen Road to help mitigate traffic issues.

In response to Jeff Peterson, 3250 Kathleen Road, Teresa Maio stated staff would discuss any request by the owner for rezoning his property. Discussion ensued.

ITEM 7: Major modification of PUD (Planned Unit Development) zoning to allow an 83,000 sq. ft. orthopedic hospital/surgical care facility, in lieu of the current office entitlements, on

approximately 8.63 acres located at 1201 Oakbridge Parkway. Owner: Oakbridge Venture LC. Applicant: Timothy F. Campbell. (PUD20-010)

Todd Vargo stated the subject property has PUD (Planned Unit Development) zoning and is within the Oakbridge DRI (Development of Regional Impact) and is within the Urban Corridor (UCO) context district.

Timothy Campbell, Clark, Campbell, Lancaster, & Munson, P.A., 500 S. Florida Ave, stated the proposed facility will offer inpatient rehabilitation for neurological, stroke, and orthopedic issues. Ambulatory activity will be limited at the subject property. The facility is expected to employ 95 to 155 workers. Encompass Htealth is expected to be developed in two phases. Phase one will consist of approximately 62,000 square feet with up to 50 patient beds with the second phase growing to 83,000 square feet with up to 90 patient beds. A neighborhood meeting was held with the neighboring communities in July, concerns raised at the meeting and submitted to staff include hours of operation, waste removal from the facility, noise from waste removal, odors from the kitchen, light pollution, landscape buffering, impacts of construction on the pond on the subject property, and a possible increase in traffic as compared to the existing uses in the area.

In response to Silvana Knight, Mr. Campbell stated the subject property is at the northeast corner of the intersection of Harden Boulevard and Oakbridge Parkway.

In response to Teresa Maio, Lawrence Whatley, 9001 Liberty Parkway, Birmingham, AL, stated the dining room is on the ground floor on the east end of the building with several windows on the façade with administration operations on the second floor of the building with a similar façade.

In response to Ms. Knight, Mr. Campbell stated patients will not be received at the facility by ambulance. Mr. Whatley stated patients could be transported by medical van instead of ambulances.

In response to Ms. Knight, Mr. Whatley stated medical transport would exit the location in the front.

In response to Lyle Philipson, Mr. Campbell stated there will not be any hotels constructed on the subject property.

ITEM 8: Change in zoning from C-2 (Highway Commercial) to I-1 (Light Industrial - Limited Commercial) on property located at 1705 George Jenkins Blvd. Owner: The Robert & Carol Deibel Family Trust. Applicant: Deibel Laboratories of Florida, Inc. (ZON20-005)

Joshua Cheney stated the subject property is approximately .46 acres with Mixed Commercial Corridor (MCC) future land use.

In response to Stephanie Franklin, Charles Deibel, 1705 George Jenkins Boulevard, stated the lab tests food for safe consumption and will be testing cannabis products at the subject property.

In response to Ronald Roberts, Mr. Deibel stated chemists and microbiologists will be working at the facility to test cannabis.

In response to Ms. Franklin, Mr. Deibel stated ten associates currently work at the facility with an additional five associates being considered for the site.

ITEM 9: 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) Note: Application was withdrawn by applicant.

GENERAL MEETING

ITEM 10: Review minutes of the June meeting.

Andrew Snyder made a motion for approval of the minutes from the previous meeting. Leigh Ann Lunz seconded the motion and it passed 7-0.

ITEM 11: Change in zoning from C-2 (Highway Commercial) to PUD (Planned Unit Development) zoning, concurrent with a City-initiated request to change the context district designation from Suburban Corridor (SCO) to Suburban Neighborhood (SNH), to allow for 264 multi-family units on approximately 19.89 acres generally located north of Interstate 4, west of Kathleen Road. Owner: Continental Properties. Applicant: Timothy F. Campbell. (PUD20-002) Note: Applicant requests delay to October.

Glenn Higgins made a motion for approval of a delay to the October meeting. Andrew Snyder seconded the motion and it passed 7-0.

ITEM 12: 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: Continued from previous meeting.

Phillip Scearce stated the applicant has been working with the City and the Florida Department of Transportation (FDOT) to adjust the traffic flow for the subject property and the surrounding area.

Phillip presented recommended conditions to the Board.

Chuck Barmby stated the final access plan has been discussed and amended by the applicant, the City, and the FDOT for Airport Road/SR 572. The Airport Road access will be located to the southern end of the subject property near the railroad tracks to allow for a right-in right-out, left-in access point. A right turn lane installed at the intersection of Airport Road and US HWY 92 will reduce queueing on Airport Road approaching US HWY 92, this right turn lane will also provide the room needed for the southbound left turn lane at this location.

Glenn Higgins made a motion for approval of staff's recommendation. Silvana Knight seconded the motion and it passed 7-0

ITEM 13: Plat approval for Riverstone Subdivision Phases 3 and 4 on 71.06 acres generally located south of West Pipkin Road, west of Yates Road, and north of Ewell Road. Owner: Ewell Investment LLC. Applicant: Heather Wertz, Absolute Engineering, Inc. (SUB18-015)

Joshua Cheney stated a plat for Riverstone Phases 3 and 4 has been submitted by Absolute Engineering, Inc. The plat consists of 186 lots on 71.06 acres generally located south of West Pipkin road, west of Yates Road, and north of Ewell Road. The plat has been reviewed by all departments and is conforming with the City's subdivision regulations within the Land Development Code. Staff recommended approval of the plat.

In response to Silvana Knight, Mr. Cheney stated the lots are 5,000 square feet and there are 186 lots in 71.06 acres.

In response to Ms. Knight, Heather Wertz stated 71 acres is the area of the plat with the areas of stormwater and greenspace included in the total acreage.

In response to Ms. Knight, Ms. Wertz stated no buffering is required between the lots in the Riverstone subdivision that abut the similarly sized lots in the Abbey Oaks subdivision.

Andrew Snyder made a motion for approval of a one-month delay. Glenn Higgins seconded the motion and it passed 7-0

ITEM 14: Master subdivision plat approval for Lakes at Laurel Highlands on 404.131 acres generally located east of Airport Road and north of SR 570 (Polk Parkway). Owner: D.R. Horton, Inc. Applicant: American Surveying and Mapping Inc. (SUB19-002)

Joshua Cheney stated a master subdivision plat for Lakes at Laurel Highlands has been submitted by American Surveying and Mapping Inc. The plat addresses 404.13 acres generally located east of Airport Road and north of SR 570 (Polk Parkway). The plat has been reviewed by all departments and is conforming with the City's subdivision regulations within the Land Development Code. Staff recommended approval of the plat.

Glenn Higgins made a motion for approval of a one-month delay. Lyle Philipson seconded the motion and it passed 7-0

ITEM 15: Plat approval for University Park at Bridgewater on 183.69 acres generally located south of First Park Boulevard, and west of N. State Road 33. Owner: CH Realty VIII Ridge Development Company. Applicant: Transwestern Development Company. (SUB20-001)

Joshua Cheney stated a plat for University Park at Bridgewater has been submitted by the Transwestern Development Company. The plat consists of 2 lots on 183.69 acres generally located south First Park Boulevard, and west of N. State Road 33. The plat has been reviewed by all departments and is conforming with the City's subdivision regulations within the Land Development Code. Staff recommended approval of the plat.

Ronald Roberts made a motion for approval of staff's recommendation. Glenn Higgins seconded the motion and it passed 7-0.

ITEM 16: Overview of Administrative Adjustments approved from January to June.

Teresa Maio stated every six months the staff summarizes administrative approvals to apprise the Board of the exceptions to the LDC that are approved administratively.

ITEM 17: Election of new officers.

Election of new officers.

Current officers:	**Stephanie Franklin, Chair**
	Andrew Snyder, Vice-Chair
	Glenn Higgins, Secretary

Teresa Maio chaired the meeting for this item.

New officers:	**Glenn Higgins, Chair Andrew Snyder, Vice-Chair**
	Leigh Ann Lunz, Secretary

Andrew Snyder declined a nomination to assume the Chairperson position as nominated by Glenn Higgins and Lyle Philipson.

Glenn Higgins accepted the nomination to assume the Chairperson position as nominated by Andrew Snyder and Lyle Philipson. The nomination was approved with a 7-0 vote.

Andrew Snyder accepted the nomination to remain Vice Chairperson as nominated by Lyle Philipson and Glenn Higgins. The nomination was approved with a 7-0 vote.

Leigh Ann Lunz accepted the nomination to assume the Secretary position as nominated by Glenn Higgins and Andrew Snyder. The nomination was approved with a 7-0 vote.

ITEM 18: Report of City Commission action on Planning and Zoning Board recommendations.

Teresa Maio reviewed the recent actions of the City Commission.

ITEM 19: Community Housing & Planning Manager's Report.

Teresa Maio reviewed the new cases for the August hearing.

ITEM 20: Audience.

There were no comments from the audience.

ITEM 21: Adjourn.

There being no further discussion, the meeting was adjourned at 11:37 am.

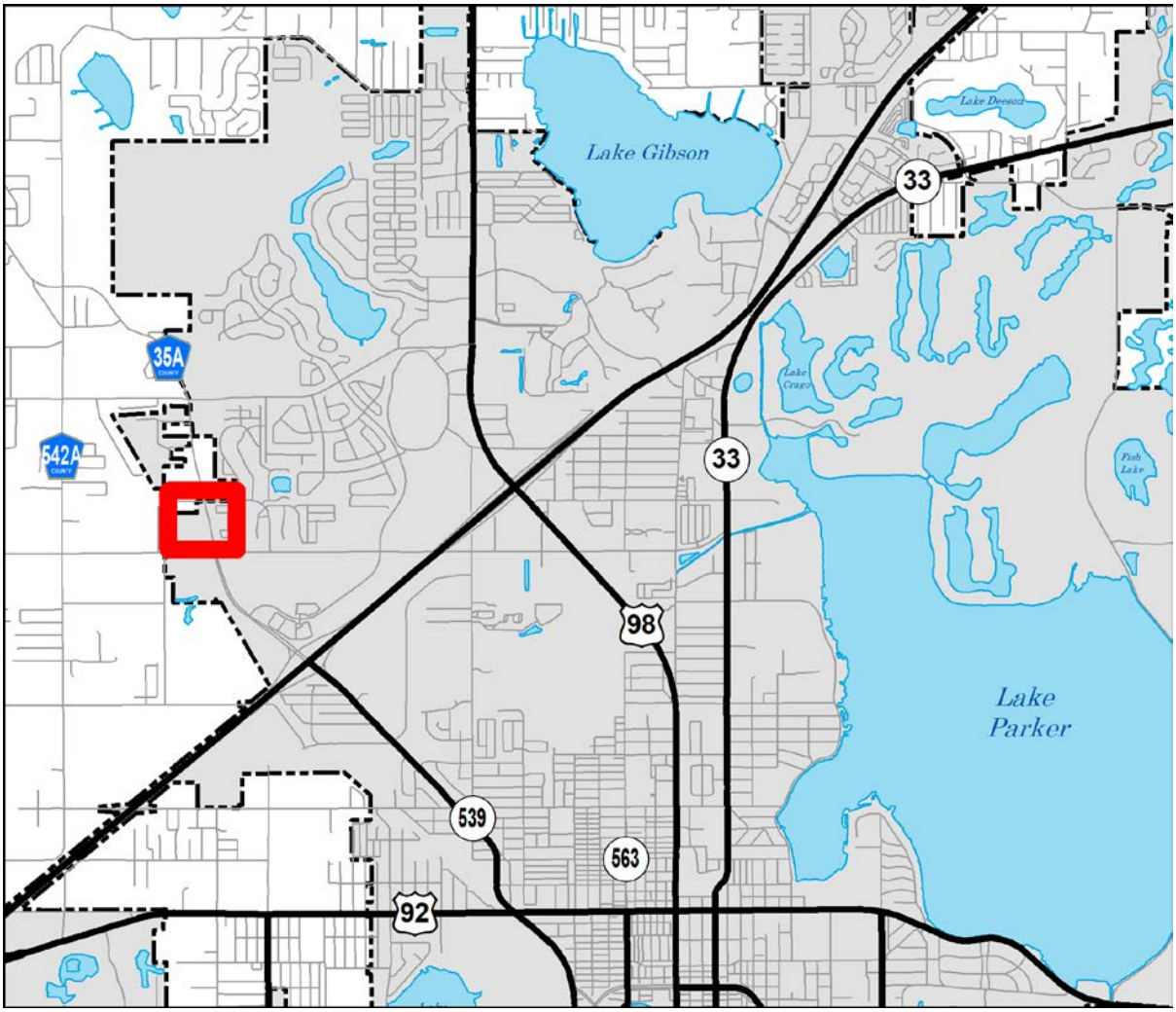
Respectfully Submitted,

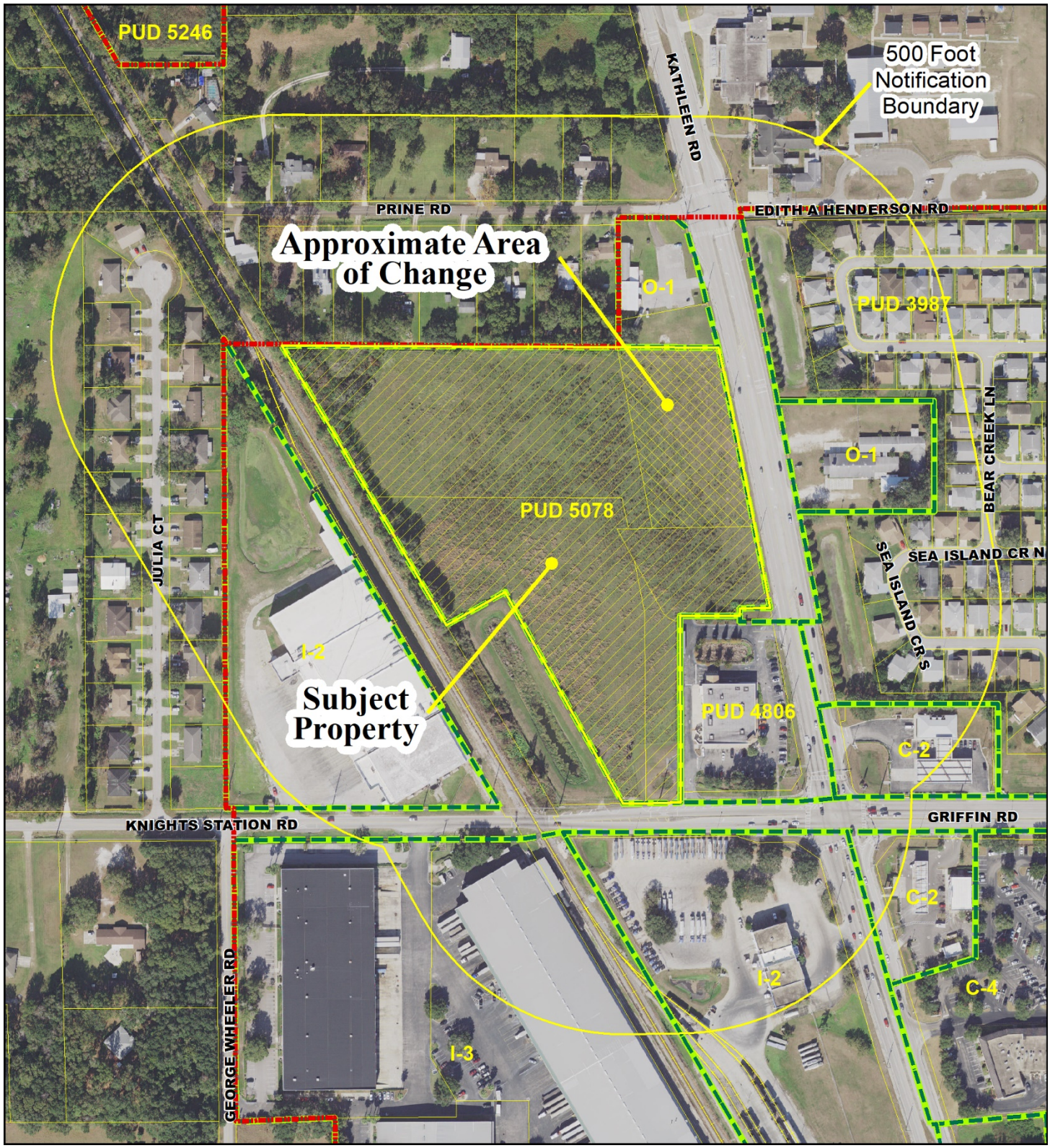
Stephanie Franklin, Chair	Andrew Snyder, Vice-Chair

Community & Economic Development
Staff Recommendation

Date:	August 18, 2020	Reviewer:	Phillip Scearce
Project No:	PUD20-009	Location:	3170 Kathleen Road
Owner:	Brandon Clark		
Applicant:	Matthew Baker		
Current Zoning:	PUD (Planned Unit Development) 5078	Future Land Use:	Neighborhood Activity Center (NAC) Business Park (BP)
Context District:	SSP (Suburban Special Purpose)		
P&Z Hearing:	July 21, 2020	P&Z Final Decision:	August 18, 2020
Request:	Major modification of PUD (Planned Unit Development) zoning to allow certain commercial uses on Lot 1, in lieu of the current O-1 and O-2 office entitlements, on property located north of Knights Stations Road, west of Kathleen Road, and south of Prine Road.		

1.0 Location Maps




PUD 5246
KATHLEEN RD
500 Foot Notification Boundary
PRINE RD
EDITH A HENDERSON RD
Approximate Area of Change
O-1
PUD 3987
O-1
BEAR CREEK LN
PUD 5078
JULIA CT
SEA ISLAND CR N
SEA ISLAND CR S
I-2
Subject Property
PUD 4806
C-2
KNIGHTS STATION RD
GRIFFIN RD
C-2
I-2
C-4
GEORGE WHEELER RD
I-3

2.0 Background

2.1 Summary

Matthew Baker requests a major modification of PUD zoning to allow C-1, C-3 and C-4 commercial uses on Lot 1, in lieu of the current O-1 and O-2 office entitlements, on property located north of Knights Stations Road, west of Kathleen Road, and south of Prine Road. A map of the subject property is included as Attachment "C."

2.2 Subject Property

The subject property, as approved in 2009, has zoning which allows for the development of a six-lot office/commercial subdivision. The subject property is approximately 13.3 acres in area and has a split Future Land Use designation of Neighborhood Activity Center (NAC) and Business Park (BP). The subdivision is currently in the construction phase and a plat has yet to be recorded.

Lot 1 is approximately 1.02 acres in area and located in the northeast corner of the site, north of a planned driveway connection from Kathleen Road. The driveway, which will provide primary access to the internal street system and development area, is currently under review through Polk County and has yet to be permitted.

Prior to subdivision review, a 1.15-acre portion of Lot 6 was removed from the proposed plat and developed for a McDonald's that was completed in 2019. While the McDonald's will have a driveway connection which provides access to the project's internal street system and connect to the project's stormwater drainage system, it will not be included in the recorded plat for the subdivision. Subsequent to this change, the developer shifted the internal roadway farther north which reduced the size of Lot 1 and allowed for the creation of a new Lot 6 just north of the McDonald's parcel. As a result, the development now has a total of three lots with frontage directly on Kathleen Road.

2.3 Project Background

The applicant requests a major modification of the PUD zoning to allow commercial uses on Lot 1, in lieu of the current office entitlements, in order to provide for more flexibility in leasing and developing the property. A revised site development which depicts the location of lots, internal streets, driveways and drainage is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Commercial / Residential	Business Park (BP)	O-1	UCO
South	Commercial	Business Park (BP)	PUD 3987	SCO
East	Institutional / Residential	Residential Medium (RM)	O-1/PUD	SNH
West	Industrial	Business Park (BP)	I-2	SSP

2.3 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

Under the current PUD zoning, Lot 1 is limited to O-1 and O-2 office uses. While O-1 and O-2 allow limited personal services uses, both districts are primarily intended for professional office and medical office-type uses. The applicants' justification for the request is related to the lack of demand for office uses along Kathleen Road. The Kathleen Road corridor is relatively undeveloped and there is little demand for the types of professional office uses that define more mature corridors like S. Florida Avenue, Harden Boulevard, and U.S. 98/Bartow Road. Lot 1 has direct frontage on Kathleen Road, which makes it attractive for the development of the types of retail/commercial uses that rely on large amounts of pass-by vehicle traffic.

The applicant has requested that the C-1, C-3 and C-4 commercial uses be permitted on Lot 1, similar to the other parcels with direct frontage on Kathleen Road. Since the PUD zoning was adopted in 2009, the Land Development Code has been revised to streamline and consolidate the range of uses permitted within commercial zoning districts. To reflect this change and to be consistent with the underlying BP future land use designation and the intent of the PUD, staff is recommending that only limited C-2-type uses be permitted. In effect, this will exclude certain C-2 uses that would otherwise not be permitted with C-1, C-3 or C-4.

3.1 Transportation and Concurrency

Following the original adoption of the PUD zoning ordinance in 2009, the entire development site was annexed into the Lakeland Area Mass Transit District (LAMTD) within which a half-mill ad valorem tax is levied for transit services within the Lakeland area. The internal road system that is depicted in Attachment C is currently under construction and a site plan has been adopted for a McDonald's restaurant on a former lot immediately to the south of Lot 6.

On behalf of the applicant, Raysor Transportation Consulting provided a zoning-level transportation analysis to quantify the impacts of an overall development program within the PUD containing 60,113 square feet of office and 110,860 square feet of commercial uses, representing an assumed maximum allowable intensity based on a 0.5 Floor Area Ratio. With this scale of development, 7,098 Daily (656 P.M. Peak) Trips are expected at the project driveways, including pass-by trips that are already on the adjacent roads (evaluated for operational purposes) and new trips that are specifically travelling to/from the office/commercial site that are the focus of transportation concurrency reviews. Once the pass-by trips are deducted from the calculation, 4,904 new Daily Trips are expected with 456 of those trips expected during the P.M. Peak Hour of Adjacent Street Traffic (4 p.m. to 6 p.m.). At buildout, the driveways are expected to operate acceptably, except for the eastbound exiting left turns from the main Kathleen Road driveway. The Kathleen Road/Griffin-Knights Station Road intersection is also expected to operate acceptably following full-buildout of the development in Year 2023. The adjacent roadway segments are expected to operate at an acceptable level-of-service at buildout in Year 2023; however, it should be noted that the northbound direction of Kathleen Road (Griffin Road to Sleepy Hill Road) is expected to operate very close to capacity, with a volume-to-capacity ratio at 0.99.

The applicant also provided a supplemental comparison of the expected trip generation for 22,216 square feet of office (current allowed use) and proposed retail uses in Lot 1 to quantify the expected trip increase associated with this request. Using trip generation estimates from the Institute of Transportation Engineers *Trip Generation Manual 10th Edition*, the Shopping Center (Code 820) use is expected to generate 1,914 total additional Daily Trips more than the General Office (Code 710) use. Once pass-by trips are removed from the calculations, the proposed commercial use is expected to generate 1,178 more net new external daily trips on the surrounding road network that would be evaluated for future concurrency analyses. During the P.M. Peak Period for Adjacent Street Traffic, the change from office to commercial is expected to generate 152 additional total Daily Trips of which 90

are additional new external trips once the pass-by traffic volumes are deducted. Each site plan that is submitted within this PUD will be the subject of a cumulative concurrency review prior to approval and additional concurrency requirements may be imposed at that time beyond the conditions of approval in Section I.

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 major modification to PUD 5078 allowing certain commercial uses within Lot 1. Letters of notification were mailed to 93 property owners within 500 feet of the subject property. There were no calls or e-mails in opposition to the proposed PUD modification.

4.2 The Planning & Zoning Board

It is recommended that the request for PUD major modification, 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 designated lots as illustrated on the site development plan included as Attachment "B."

~~a. Lots 1 through 3: Those uses permitted by right in the O-1 and O-2 zoning district classifications. Uses permitted by conditional use in the O-1 and O-2 districts may be permitted in accordance with the standard conditional use process.~~

~~b. Lots 4 through 6: Those uses permitted by right in the C-1, C-3 and C-4 zoning district classifications. Banks, credit unions and savings and loan associations shall also be permitted by right. Other uses permitted by conditional use in the C-1, C-3 and C-4 districts may be permitted in accordance with the standard conditional use process.~~

a. Parcel 1 (Lot 1 on Attachment "B"): Those uses permitted by right in the C-2 zoning district classification, except for the following:

- Residential Uses
- Motor Vehicle Rental
- Motor Vehicle Sales, New or Used
- Motor Vehicle Repair, Major
- Tax Preparation Services, Retail
- Outdoor Sales, New & Used, as a Principal Use
- Plant Nurseries & Greenhouses
- Rent-To-Own Stores
- Thrift & Secondhand Stores
- Mini-Warehousing & Storage

- Recycling Collection Centers

b. Parcels 2 and 3 (Lots 2 through 3 on Attachment "B"): Those uses permitted by right in the O-1 and O-2 zoning district classifications. Uses permitted by conditional use in the O-1 and O-2 districts may be permitted in accordance with the standard conditional use process.

c. Parcels 4 through 7 (Lots 4 through 6 on Attachment "B" and the McDonald's Parcel): Those uses permitted by right in the C-1, C-3 and C-4 zoning district classifications. Banks, credit unions and savings and loan associations shall also be permitted by right. Other uses permitted by conditional use in the C-1, C-3 and C-4 districts may be permitted in accordance with the standard conditional use process.

B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "B," except as otherwise provided herein. With the approval of the Director of Community Development, minor adjustments can be made to these zoning-lot configurations at the time of subdivision plat review without requiring a change to this PUD.

C. Development Regulations:

1. Development regulations shall be in accordance with C-1 ~~zoning district regulations~~ Suburban Corridor Context Sub-District standards, except as otherwise provided herein.

2. Minimum building setbacks from the north parcel boundaries of Parcels 1, 2 and 3 (Lots 1, 2 and 3) adjacent to the residential lots on Prine Road shall be 30 feet.

D. Noise Abatement: There shall be no outdoor public address systems, bell ringers or loud speakers.

E. Buffering: Prior to the issuance of the first Certificate of Occupancy on Parcels 1, 2 and 3 (Lots 1, 2 and 3), a view-blockage buffer wall or fence shall be installed along the entire north parcel boundary of those lots adjacent to the residential lots on Prine Road.

F. Lighting: All outdoor lighting fixtures shall be arranged so as to direct lights away from adjacent residential areas in accordance with Section 30.03.07.00. Except for City-approved street lights within rights-of-way, all 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 surfaces, etc.) shall not extend beyond the opaque housing of the fixture.

G. Street Trees: Street trees in public rights-of-way shall be provided in accordance with City of Lakeland regulations.

H. Property Owners Association: In the event that the subject property is subdivided, there shall be a property owners association which shall be responsible for the maintenance of common property.

I. Transportation and Access:

1. Vehicle access from Kathleen Road shall be limited to one full movement access point and one joint-access connection to the existing Walgreens parcel as illustrated on Attachment "B." Vehicle access from Griffin Road shall be limited to a shared access from the adjoining Walgreens parcel.

2. All internal roads shall have sidewalks on both sides and dedicated pedestrian connections to each development parcel.

3. Cross access shall be provided between Parcel 1 (Lot 1) and the abutting parcel to the north to allow north-south access to Prine Road in the event that the abutting parcel redevelops. A stub-out for this cross access point shall be shown on site plans for buildings on Parcel 1 (Lot 1).

4. Prior to subdivision plat approval for the project, the developer shall petition to annex the project into the Lakeland Area Mass Transit District (LAMTD).

5. ~~One bicycle parking rack shall be provided for each 20,000 square feet of retail/commercial space and 50,000 square feet of office space. Each such rack shall accommodate at least five bicycles and shall be available upon the issuance of a Certificate of Occupancy for each respective lot~~. Bicycle parking shall be provided for each principal building in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.

J. Off-Site Transportation Mitigation:

Concurrency determinations shall be made at the time of site plan approval for each lot in accordance with the latest City Concurrency Management/Proportionate Fair-Share Program Ordinance.

K. Design Standards:

1. Principal buildings on Parcels 1 and 6 (Lot 1 and Lot 6) shall orient toward Kathleen Road, shall each have a principal entrance on the Kathleen Road side, and shall use architectural treatments to provide visual interest. Such treatments may include but are not limited to the use of cornices; variations in roofline and roof type; variations in colors, textures, and materials; the use of columns, pilasters, belt courses and fenestration; the use of awnings; and the use of trees and other landscaping. The selection of the treatments used shall be at the developer's discretion and no one or more treatment shall be deemed to be required provided that, in the opinion of the review staff, the intent of this provision has been met. The use of corrugated metal wall panels of the type used in prefabricated metal buildings shall be prohibited when used as a finish material.

2. On Parcels 1, 2 and 3(Lots 1, 2 and 3), building surfaces, including roof planes, that face residential dwellings on Prine Road shall be designed and finished to limit glare and reflectivity impacts on such dwellings.

ATTACHMENT “A”

Legal Description:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 28, RANGE 23, POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE SOUTH 89°57'57" WEST, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1327.12 FEET TO THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE SOUTH 00°05'25" EAST, ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 76.77 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF CSX RAILROAD; THENCE SOUTH 30°07'14" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE 246.40 FEET TO A POINT ON THE NORTH LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 3485, PAGE 2197, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 30°07'14" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 704.32 FEET TO THE NORTH LINE OF PARCEL 101, AS DESCRIBED IN OFFICIAL RECORDS BOOK 5731, PAGE 1013, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 60°52'46" EAST, ALONG SAID NORTH LINE, 145.69 FEET TO THE EAST LINE OF SAID PARCEL; THENCE SOUTH 28°52'12" EAST, ALONG SAID EAST LINE 524.51 FEET TO THE NORTH MAINTAINED RIGHT-OF-WAY OF KNIGHTS STATION (GRIFFIN ROAD), AS DESCRIBED IN OFFICIAL RECORDS BOOK 5731, PAGE 1013 PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 89°17'42" EAST, ALONG SAID NORTH MAINTAINED RIGHT-OF-WAY LINE 125.37 FEET TO THE WEST LINE OF A PARCEL, DESCRIBED IN OFFICIAL RECORDS BOOK 6263, PAGE 1443, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 00°02'36" WEST, ALONG SAID WEST LINE, 403.75 FEET TO THE NORTH LINE OF SAID PARCEL; THENCE NORTH 89°58'24" EAST, ALONG SAID NORTH LINE, 130.00 FEET, THENCE NORTH 00°02'36" WEST, 17.12 FEET; THENCE NORTH 89°58'24" EAST, 65.50 FEET TO THE WEST LINE OF PARCEL 104, AS DESCRIBED IN OFFICIAL RECORDS BOOK 5731, PAGE 1013, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 10°47'53" WEST, ALONG SAID WEST LINE, 254.72 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 9546.00 FEET, A CENTRAL ANGLE OF 01°56'08", A CHORD BEARING OF NORTH 11°45'15" WEST AND A CHORD DISTANCE OF 322.46 FEET THENCE ALONG THE ARC OF SAID CURVE AND SAID WEST LINE 322.48 FEET TO THE NORTH LINE OF A PARCEL, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3485. PAGE 2197, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 89°26'20" WEST, ALONG SAID NORTH LINE 941.14 FEET TO THE POINT OF BEGINNING. CONTAINING 13.27 ACRES. MORE OR LESS.

LESS AND EXCEPT:

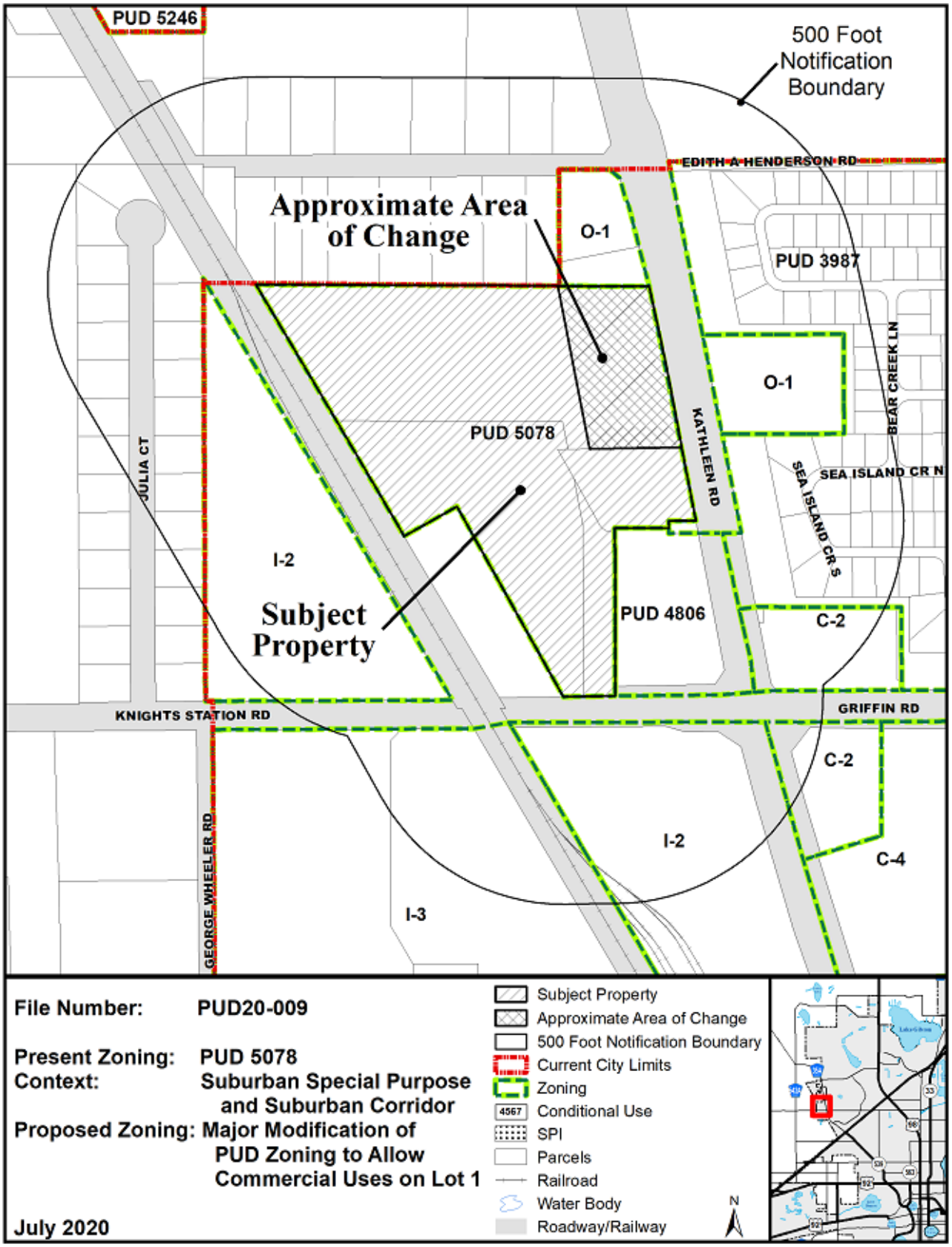
A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA. BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA; THENCE S 89°57'57" W, ALONG THE NORTH BOUNDARY OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, A DISTANCE OF 1327.12 FEET TO THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3; THENCE S 00°05'25" E, ALONG THE WEST BOUNDARY OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, A DISTANCE OF 76.77 FEET TO THE EASTERLY RIGHT-OF-WAY OF THE CSX RAILROAD; THENCE S 30°07'14" E, ALONG SAID EASTERLY RIGHT-OF-WAY OF THE CSX RAILROAD, A DISTANCE OF 246.40 FEET TO THE NORTH BOUNDARY OF A PARCEL, AS DESCRIBED IN OFFICIAL RECORDS BOOK 3485, PAGE 2197, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE S 89°26'20" E, ALONG THE NORTH BOUNDARY OF SAID PARCEL. A DISTANCE OF 941.14 FEET TO THE WEST BOUNDARY OF PARCEL 104, AS DESCRIBED IN OFFICIAL RECORDS

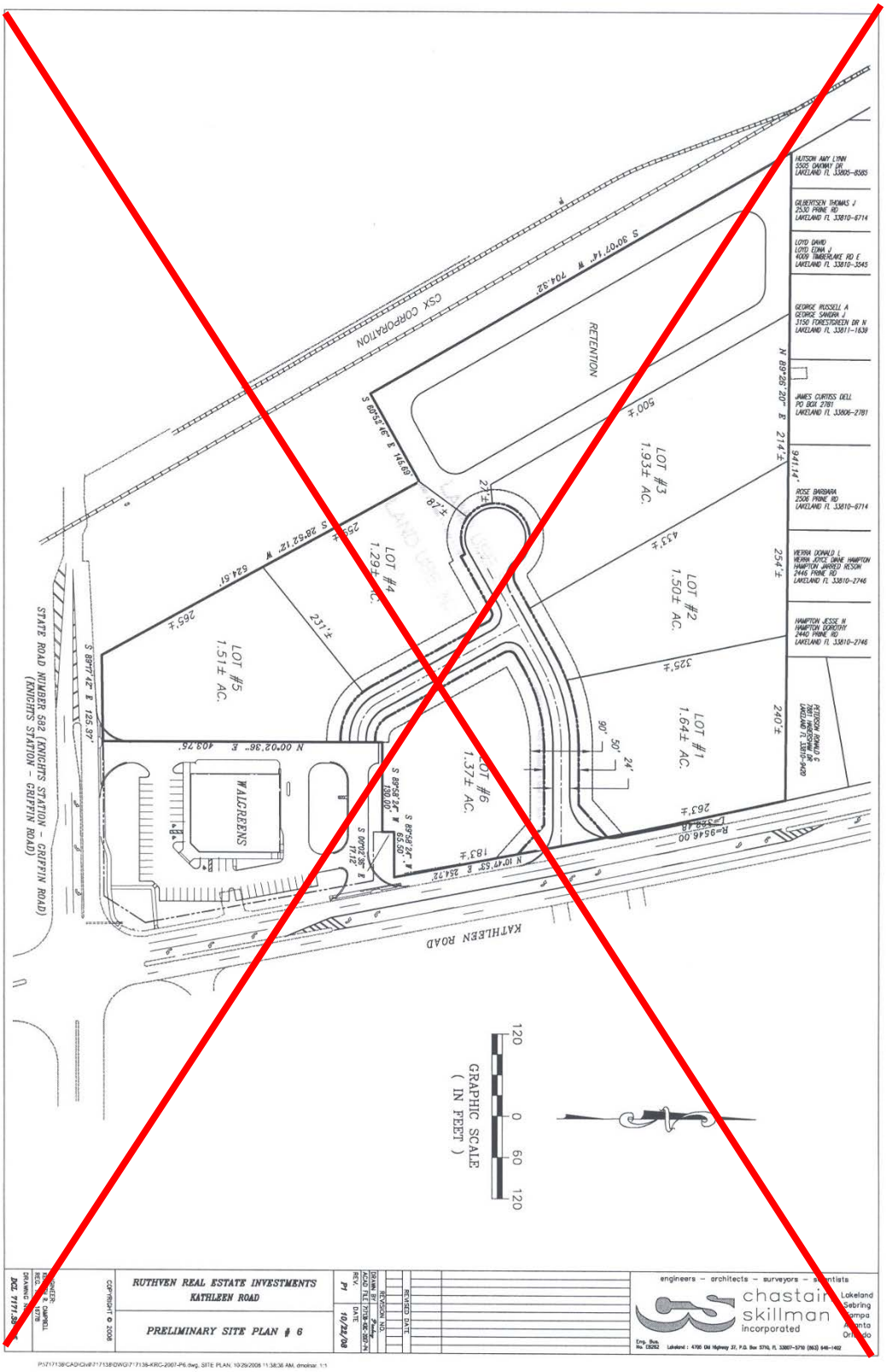
BOOK 5731, PAGE 1013, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTHERLY ALONG SAID WEST BOUNDARY OF PARCEL 104 FOR THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 9,546.00 FEET, AN ARC OF 322.48 FEET, A CHORD OF 322.46 FEET, A CHORD BEARING OF S 11°45'15" E AND A CENTRAL ANGLE OF 01°56'08", (2) S 10°47'53" E, A DISTANCE OF 74.55 FEET TO THE POINT OF BEGINNING, (3) CONTINUE S 10°47’53" E, A DISTANCE OF 180.17 FEET; THENCE S 89°58'24" W, A DISTANCE OF 65.50 FEET; THENCE S 00°02'36" E A DISTANCE OF 17.12 FEET TO THE NORTH BOUNDARY OF A PARCEL, AS DESCRIBED IN OFFICIAL RECORDS BOOK 6263, PAGE 1443, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE S 89°58'24" W, ALONG THE NORTH BOUNDARY OF SAID PARCEL A DISTANCE OF 130.00 FEET TO THE WEST BOUNDARY OF SAID PARCEL; THENCE S 00°02'36" E ALONG THE WEST BOUNDARY OF SAID PARCEL, A DISTANCE OF 10.44 FEET, THENCE S 89°57'24" W, A DISTANCE OF 5.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 37.00 FEET, AN ARC OF 39.34 FEET, A CHORD OF 37.51 FEET, A CHORD BEARING OF N 59°34'55" W AND A CENTRAL ANGLE OF 60°55'22"; THENCE N 29°07'14" W, A DISTANCE OF 205.98 FEET; THENCE N 88°54'36" E, A DISTANCE OF 299.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 50,046 SQUARE FEET OR 1.149 ACRES, MORE OR LESS.

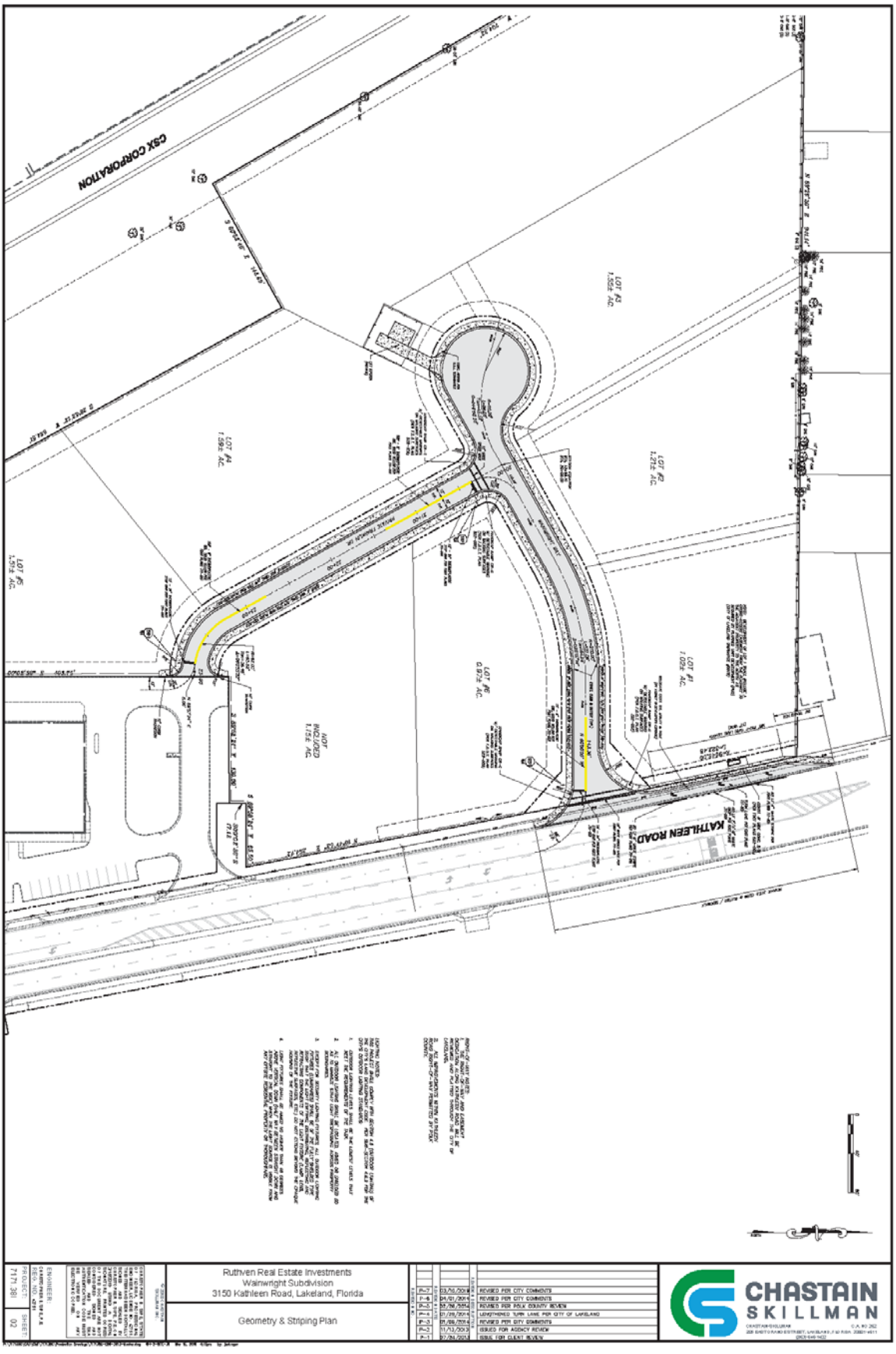
ATTACHMENT “B”



~~ATTACHMENT C"~~



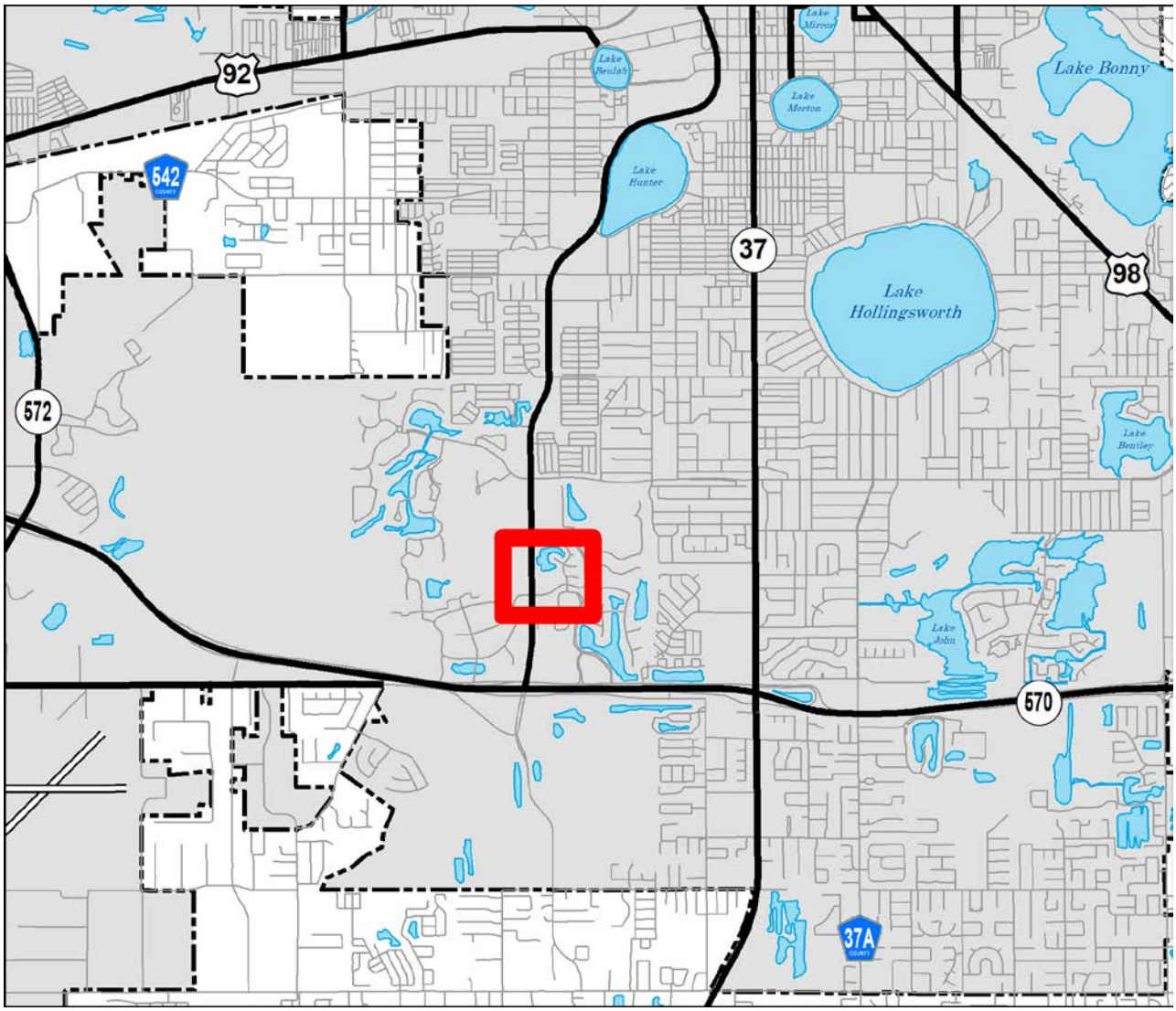
ATTACHMENT “C”



Community & Economic Development Staff Recommendation

Date:	August 18, 2020	Reviewer:	Todd Vargo
Project No:	PUD20-010	Location:	1201 Oakbridge Parkway
Owner:	Oakbridge Venture, LC		
Applicant:	Timothy F. Campbell, Clark, Campbell, Lancaster and Munson PA		
Current Zoning:	PUD (Planned Unit Development) 3432	Future Land Use:	Residential Medium (RM)
Context District:	Urban Corridor (UCO)		
P&Z Hearing:	July 21, 2020	P&Z Final Decision:	August 18, 2020
Request:	Major modification of PUD (Planned Unit Development) zoning to allow an 83,000 sq. ft. orthopedic hospital/surgical care facility, in lieu of the current office entitlements on approximately 8.63 acres located at 1201 Oakbridge Parkway.		

1.0 Location Maps



500 Foot
Notification
Boundary
Subject
Property
PUD 5400
PUD 3432
PUD 5712
WATERFALL LN
PUD 3432
STONEWATER DR
PUD 3432
PUD 3432
PUD 5712
OAKBRIDGE PY
PUD 4390
PUD 5823
PUD 3432
PUD 4501
PUD 5823

2.0 Background

2.1 Summary

Timothy F. Campbell of Clark, Campbell, Lancaster and Munson, PA, on behalf of Oakbridge Venture, LC, requests a major modification of PUD (Planned Unit Development) zoning to allow an 83,000 sq. ft. orthopedic hospital/surgical care facility, in lieu of the current office entitlements on approximately 8.63 acres located north of Oakbridge Parkway and east of Harden Boulevard. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, presently vacant with a Residential Medium (RM) future land use designation, is regulated Parcel G-1 under Area G within Attachment "A" of Ordinance 3432, as amended. Parcel G-1's current entitlements allow for up to 60,000 sq. ft. of office uses with a maximum height of two-stories. Map H of the Oakbridge Development of Regional Impact (DRI), however, allows for a maximum of 80,000 sq. ft. of office and banking uses in this area. Of this amount, 3,360 square feet is already allocated for a freestanding branch bank located on a 1.03-acre parcel at the northeast corner of Harden Boulevard and Oakbridge Parkway (currently GTE Financial). If this request is approved, subject to a reallocation of land uses within the Oakbridge DRI, the maximum, total square footage allowed in Parcel G-1 will increase to 86,360 sq. ft.

2.3 Project Background

The applicant requests approval to amend the PUD to allow for the development of an orthopedic hospital/surgical care facility. The initial phase would be for 50-beds and no more than 90-beds at full build out. A site development plan showing the footprint of the proposed hospital, off-street parking, driveways and pedestrian facilities is included as Exhibit "E."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Multi-Family Residential	RM	PUD	UNH
South	Commercial	RM	PUD	UCO
East	Multi-Family Residential	RM	PUD	UNH
West	Commercial	RAC	PUD	UCT

2.5 Attachments

Exhibit A: Legal Description

Exhibit B: Location Map

Exhibit C: Previously Approved Site Development Plan Former Branch Bank

Exhibit D: Previously Approved Site Development Plan East Village

Exhibit E: Site Development Plan Orthopedic Hospital/Surgical Facility

Exhibits "F-1" and "F-2: Landscape Buffer Plan

3.0 Discussion

The subject property is located directly on Harden Boulevard, across from the main entrance to Lakeside Village. The current office entitlements have been in place since the early 1990s and a parking lot was constructed shortly thereafter in anticipation of future office development. That the property remains undeveloped after more than two decades suggests there is little market demand for additional office uses in this area.

The proposed facility, while technically a hospital because patients would be admitted for overnight treatment and care, would offer specialized care and extensive rehabilitative services beyond what most hospitals typically provide. Patients would be admitted by appointment only and either dropped off by their families or by an ambulance on a non-emergency basis (i.e. no sirens). To be admitted, patients must be in stable condition and able to perform a minimum of three hours of therapy per day.

The proposed site plan (Exhibit "E") shows the building oriented east-west, with the front elevation facing south towards Oakbridge Parkway. Vehicles will enter and exit using a single driveway from Oakbridge Parkway with secondary access through a cross-action connection with the adjacent bank. Patient rooms will be located on the west side of the facility with trash collection services, oxygen storage and a service yard located in the northeast corner of the facility. A kitchen and dining room will be located on the east side of the facility with administrative offices located above on the second floor.

Employee traffic to and from the site will be outside of normal AM/PM peak hours as a typical work schedule will be for 12 hours, with workers entering/leaving the site at 7:00 AM and 7:00 PM. Based on similar facilities operated by Encompass Health, the estimated peak time for visitor traffic is from 11:00 AM to 1:00 PM with visiting hours ending at 8:00 PM.

On July 9, 2020, the applicant held a community meeting at the SpringHill Suites at 511 West Lime Street to advise nearby property owners of the proposal and solicit feedback prior to the public hearing. Prior to the hearing, staff received a total of five e-mails with concerns from residents of the adjacent multi-family condominium project to the east, Stonewater. Most of the concerns expressed were related to waste collection activities and light trespass from the facility.

To reduce the impact of solid waste collection activities, the applicant relocated the trash receptacle to the north side of the building. While the building will be illuminated at night, the visual impact will be similar to the types of commercial office uses that could be developed by right under the current entitlements. To address light trespass, all outdoor lighting fixtures will need to be shielded as specified by Section 4.6 of the Land Development Code.

Secondary concerns were expressed about buffering in respect to the Stonewater residential development. Stonewater is currently separated from the subject property by an extensive stormwater drainage pond system. To address these concerns, the applicant has agreed to a substantial landscape buffer plan, which will be adopted into the PUD as Exhibits "F-1" and "F-2." The buffer will consist of a minimum of eight Type B (Red Maple) trees, one Type A canopy tree, a hedge, and two bald cypress trees planted adjacent to the water, for every 100 lineal feet.

3.1 Transportation and Concurrency

The subject property is located within the Central City Transit Supportive Area (CCTSA) and is located adjacent to State Road 563 (Harden Boulevard), a designated Type I roadway in the Lakeland Comprehensive Plan: 2010-2020. This roadway type requires access management controls such as cross-access connections, backage roads and other similar treatments to limit the number of traffic signals and maintain safe and efficient operations for through-traffic. Ingress and egress to the site is restricted to a shared-access point on Oakbridge Parkway that aligns with the East Village development site on the south side of the street. Since the adjacent financial institution (GTE Federal Credit Union) has an exit-only connection to Oakbridge Parkway, a cross-access easement shall be granted through the subject property that is recorded with the Polk County Clerk of Courts. The site is served by fixed-route transit service operated by the Lakeland Area Mass Transit District via the Orange Line 1 and Red Line 2, both utilizing the existing stop on the east side of Harden Boulevard just north of Oakbridge Parkway. Sidewalks exist on both sides of Harden Boulevard and Oakbridge Parkway adjacent to the development site.

The subject property is also located within the northeastern quadrant of the Oakbridge Development of Regional Impact (DRI), which includes access management and concurrency mitigation requirements consistent with the Comprehensive Plan. The DRI Development Order was amended and restated through Resolution No. 5447 in June 2018 to reflect an updated development program and comprehensive traffic analyses, primarily focused on the increase in retail entitlements in the southeastern quadrant bound by Parkway Frontage Road (north) and State Road 563 (Harden Boulevard) (west). The DRI Development Order currently allows a total of 80,000 square feet of office uses on a tract that includes the subject property and adjacent parcel containing the 5,044 square foot GTE Federal Credit Union building.

Section 4(25)(c) of the Development Order allows for the re-allocation of uses within the DRI as long as the overall trip generation does not exceed the total amount that is approved. In order to quantify the traffic impacts of the proposed use, Stantec, Inc. submitted a memorandum on behalf of the applicant comparing the trip generation of the proposed 90-bed orthopedic medical facility with 74,956 square feet of undeveloped office uses that are currently allowed in the DRI. The remaining amount of office uses are expected to generate 87 P.M. Peak Hour Trips (14 inbound / 73 outbound) using Land Use Code 710 (General Office Building) rates published in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual, 10th Edition*.

Since a 90-bed orthopedic in-patient facility is a unique use not specifically evaluated by ITE, the applicant provided hourly parking information from a similar 80-bed facility it operates as a proxy for trip generation estimates. Using the applicant's information, the proposed 90-bed facility at Oakbridge is expected to generate 41 P.M. Peak Hour Trips, which is 46 fewer trips (40 fewer outbound trips) than the amount of remaining office use that is allowed on the subject property in the DRI. In order to further verify the expected trip generation rate of the proposed use, City staff used the average trip generation rates for ITE Land Use Codes 610 (Hospital) and 620 (Nursing Home) to calculate a 170 P.M. Peak Hour and 20 P.M. Peak Hour trip estimate for both uses, respectively. Given that the scope and description of the proposed use is more similar to a nursing home than that of a traditional hospital, City staff believes that the trip generation estimate supplied in the applicant's traffic memorandum is acceptable and provides a solid comparison for this zoning request.

The applicant's traffic analysis evaluated the full access point on Oakbridge Parkway with approved East Village traffic and concluded that this intersection will operate at an acceptable level-of-service when both projects are completed.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the 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 mitigation as recommended in this PUD modification and the Oakbridge Development Order. Other essential services are presently available to provide concurrency for the proposed use. Actual construction is subject to final concurrency determinations at the time of site plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Development Department reviewed this request and recommends the approval of the modification to PUD zoning. Letters of notification were mailed to 99 property owners within 500 feet of the subject property and five e-mails in objection were received. Concerns noted in those e-mails regarded adequate landscaping buffers, noise, light intrusion, two-story structure, odor from waste and kitchen facility, potential for rodents due to waste receptacle and the condition of Lake Stonewater during and after construction. Additionally, three e-mails in support of the application were received.

4.2 The Planning & Zoning Board

It is recommended that the request for a major modification of PUD zoning, as described above and in Exhibits "A", "B," "C," "D," "E," "F-1" and "F-2," be approved, subject to the following conditions.

Ordinance 3432, Attachment C, as amended by Ordinances 4390 and 5823:

G. Area G. Office Park

1. Land Use Intensity: Parcel G-1 – PUD-36
   Parcel G-2 – PUD-30
   Each building and/or ownership parcel shall individually meet the LUI requirements

2. Permitted Uses:

~~a. Parcel G-1: Offices not catering to retail trade with the general public. Provided, however, in addition to the foregoing, branch banking facilities and retail sales incident to a principal use are permitted.~~

a. Parcel G-1: The following uses are permitted subject to the maximum floor area limits for each use specified below.

- Banks
- Office Uses, Medical and Non-Medical
- Orthopedic Hospital/Surgical Care Facility

b. Parcel G-2: The following uses are permitted subject to the maximum floor area limits for each use specified below.

- Office Uses, Medical and Non-Medical
- Antique Shops & Consignment Boutiques
- Barber Shops, Hair Salons & Day Spas
- Exercise, Fitness & Martial Arts Studios
- Music & Dance Studios

- Per Grooming & Pet Day Care
- Restaurants, Carry Out/Delivery
- Restaurants, Low or High Turnover, without drive-through facilities
- General Retail & Personal Services Uses*

*In accordance with Table 2.3-1 of the Land Development Code, All Other Retail Uses or Personal Services Uses, Not Specified, Indoors.

3. Maximum Floor Area:

a. Parcel G-1: ~~60,000 sq. ft.~~

- General Office, Medical Office and Banking Uses: 3,360 sq. ft.
- Orthopedic Hospital/Surgical Care Facility: 83,000 sq. ft.

b. Parcel G-2:

- Former Branch Bank: 7,635 sq. ft. of Office or Medical Office Uses
- Multi-Tenant Commercial: 16,000 sq. ft. of Office, Medical Office, Restaurants, General Retail & Personal Services Uses
- Restaurants: Two freestanding restaurants, without drive-through facilities, with a combined floor area no greater than 10,000 sq. ft.

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

5. Minimum Setbacks:

a. Buildings:

(1) Twenty-five (25) feet from any boundary line.

(2) Seven and one-half (7.5) feet from any interior lot line and fifteen (15) feet between buildings.

b. Off-Street Parking or Drives: Ten (10) feet from any perimeter boundary line or public right-of-way; zero (0) feet from any interior parcel boundary line.

6. Development Conditions Specific to East Village (Exhibit "D")

a. It is the intent of this PUD that the 5.14-acre parcel identified as "East Village" be developed as a mixed-use commercial development with restaurants, retail, offices and other commercial uses oriented towards the general public. Single-tenant office and medical office uses that occupy either an entire building or multiple buildings, shall not be permitted without a modification to this PUD.

b. Site Development Plan: The project shall be developed in substantial accordance with the site development plan, Attachment "D." Minor adjustments to the site plan may be made of the time of site plan review without requiring a modification to the PUD.

c. Commercial Design Standards: All building facades facing streets, private drives or customer parking areas shall include fenestration, architectural relief or both so that no portion of a façade shall have a blank area greater than 24 feet in width measured horizontally along the face of the building. Architectural relief may be provided by changes in materials or textures, changes in volume or wall plane, and the use of awnings, canopies, porticos, pilasters or similar architectural elements.

d. Parking, Buffering & Landscaping: In accordance with the Land Development Code.

e. Outdoor Lighting and Signage: In accordance with the Land Development Code.

f. Transportation:

(1) Each primary building on the development site shall be connected to the Oakbridge Parkway sidewalk via an integrated network of sidewalks that comply with Americans with Disabilities Act requirements and standards.

(2) Bicycle parking shall be provided within 40 feet of and shall be visible from the principal building entrance in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.

(3) The development shall comply with any permitting requirements provided by the Florida Department of Transportation.

(4) An updated allocation of land uses within the Oakbridge DRI shall be provided staff to reflect the new East Village development program.

7. Development Conditions Specific to Area G-1 (Exhibits "E," "F-1" and "F-2")

a. The 83,000 square foot orthopedic hospital/surgical care facility shall be limited to a maximum of 90 beds. The number of beds shall not increase beyond this amount without a major modification to this PUD.

b. Site Development Plan: The orthopedic hospital/surgical care facility project shall be developed in substantial accordance with the site development plan, Exhibit "E," and landscape buffer plan, Exhibits "F-1" and "F-2." Minor adjustments to the site plan may be made of the time of site plan review without requiring a modification to the PUD.

c. Landscaping and Buffering: In accordance with the Land Development Code, except as follows.

(1.) Adjacent to the bank of Stonewater retention pond, a landscape buffer shall be constructed as shown on Exhibits "F-1" and "F-2." Bald Cypress trees shall be planted along the shore at a ratio of 2 per 100 lineal feet of buffer length or portion thereof. Type B tree plantings identified on Exhibit "F-1" as 18' HT. O.A. shall consist of Red Maple (Acer rubrum).

(2.) All invasive and non-native plant and tree species shall be removed.

d. Transportation:

(1.) A Binding Concurrency Determination shall be made at the time of site plan submittal.

(2.) An ADA-compliant pedestrian route shall be constructed between the Oakbridge Parkway sidewalk and principal building entrance.

(3.) A formalized cross-access connection shall be maintained between the orthopedic hospital/surgical care facility and adjacent bank that is recorded by the Polk County Clerk of Courts.

(4.) Bicycle parking shall be provided in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.

(5.) The development shall comply with any permitting requirements provided by the Florida Department of Transportation.

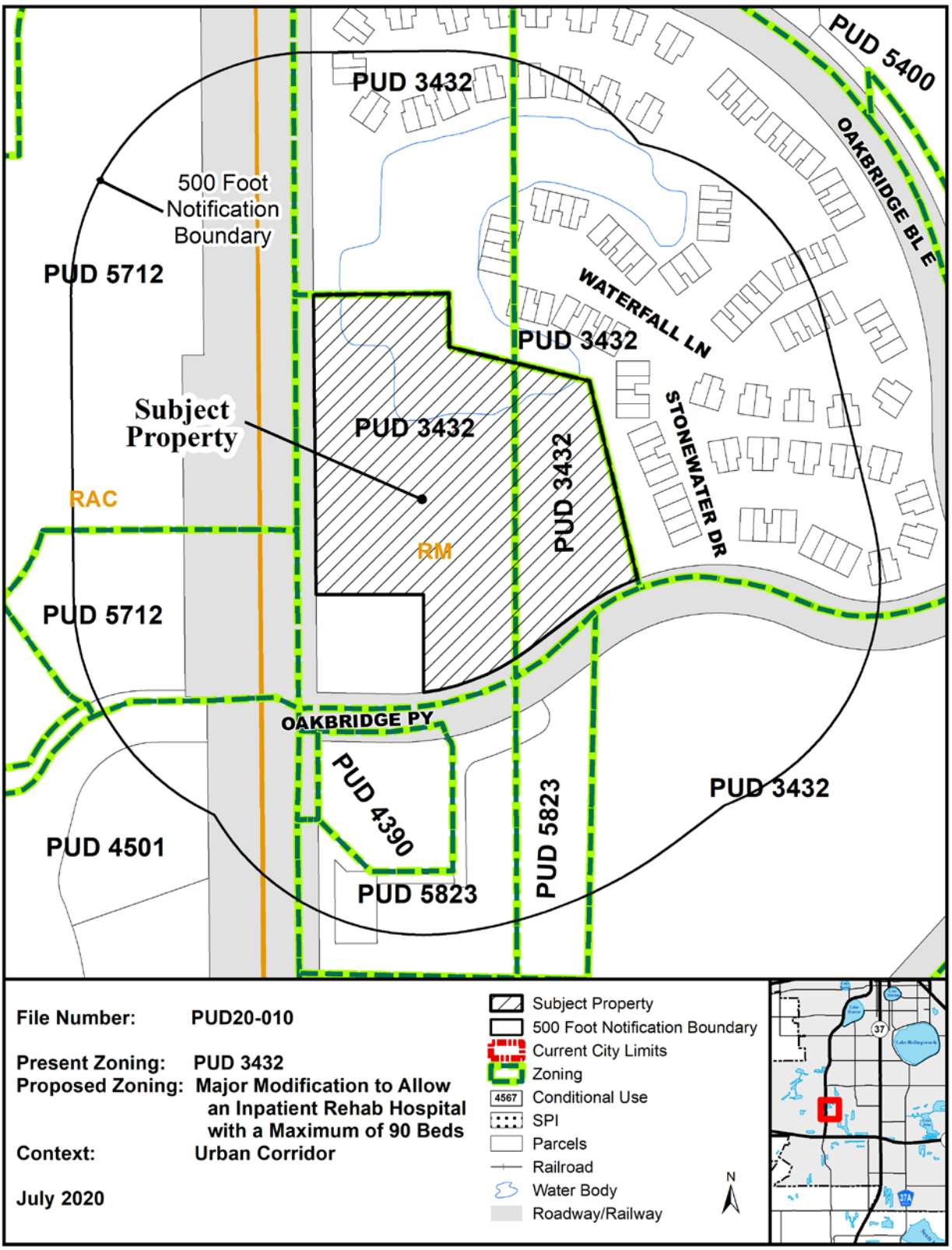
(6.) An updated allocation of land uses within the Oakbridge DRI shall be provided to staff to reflect the new orthopedic hospital/surgical care facility development program.

~~ATTACHMENT "A"~~

EXHIBIT "A"

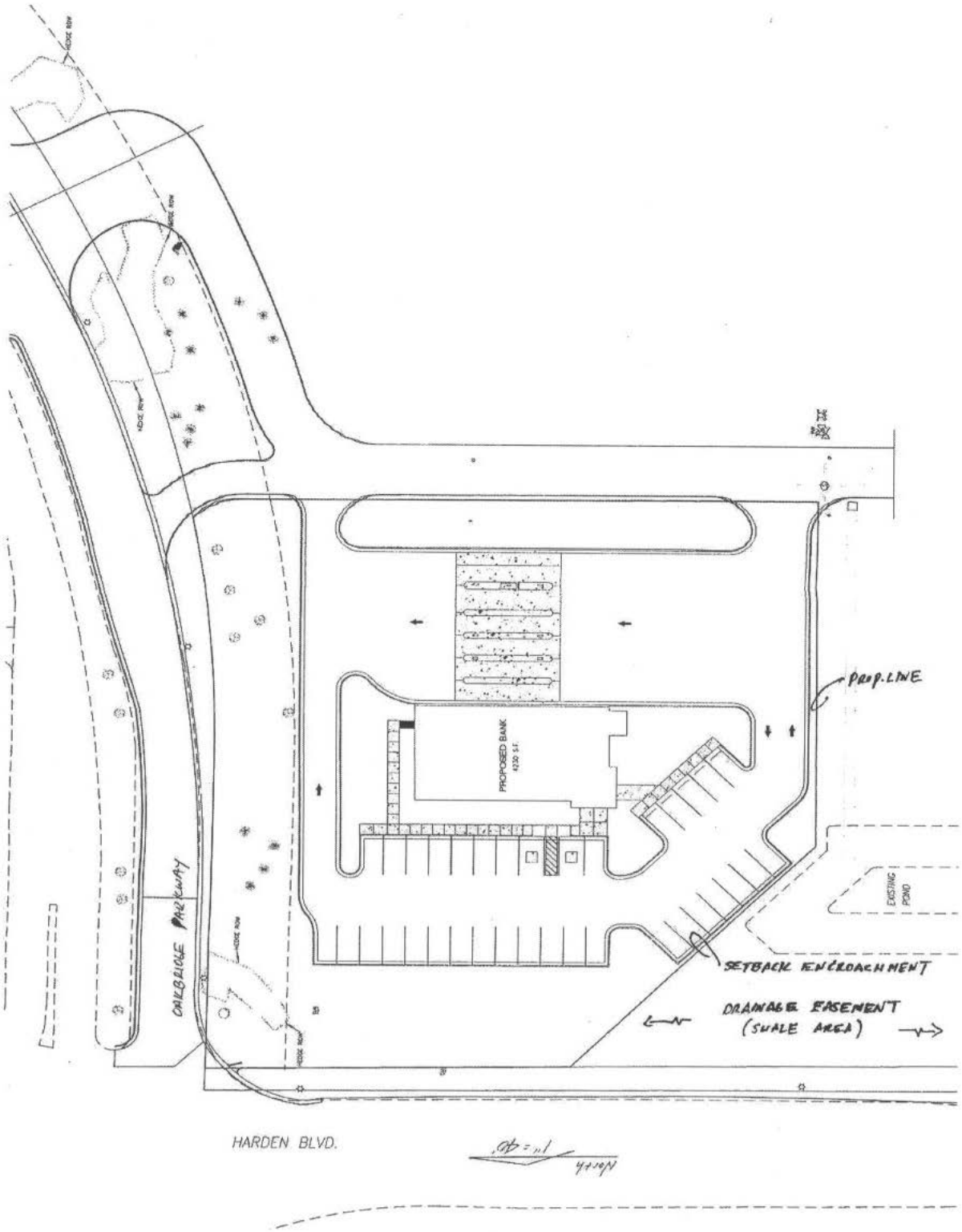
A PARCEL OF LAND IN SECTIONS 35 AND 36, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, LYING EAST OF HARDEN BOULEVARD, BOUND BY SUBDIVISION STONEWATER A CONDOMINIUM AMENDED TO THE NORTH AND SUBDIVISION OAKBRIDGE ONE LOT MULTI-FAMILY TRACT F TO THE SOUTH, LESS RIGHT OF WAY.

EXHIBIT “B”


PUD 3432
PUD 5400
OAKBRIDGE BL E
500 Foot
Notification
Boundary
PUD 5712
WATERFALL LN
PUD 3432
Subject
Property
PUD 3432
PUD 3432
STONEWATER DR
RAC
RM
PUD 5712
OAKBRIDGE PY
PUD 4390
PUD 5823
PUD 5823
PUD 3432
PUD 4501
File Number: PUD20-010
Present Zoning: PUD 3432
Proposed Zoning: Major Modification to Allow an Inpatient Rehab Hospital with a Maximum of 90 Beds
Context: Urban Corridor
July 2020
Subject Property
500 Foot Notification Boundary
Current City Limits
Zoning
4567 Conditional Use
SPI
Parcels
Railroad
Water Body
Roadway/Railway
N

~~ATTACHMENT "C~~

EXHIBIT "C"



~~ATTACHMENT "D"~~

EXHIBIT "D"

EXHIBIT “E”

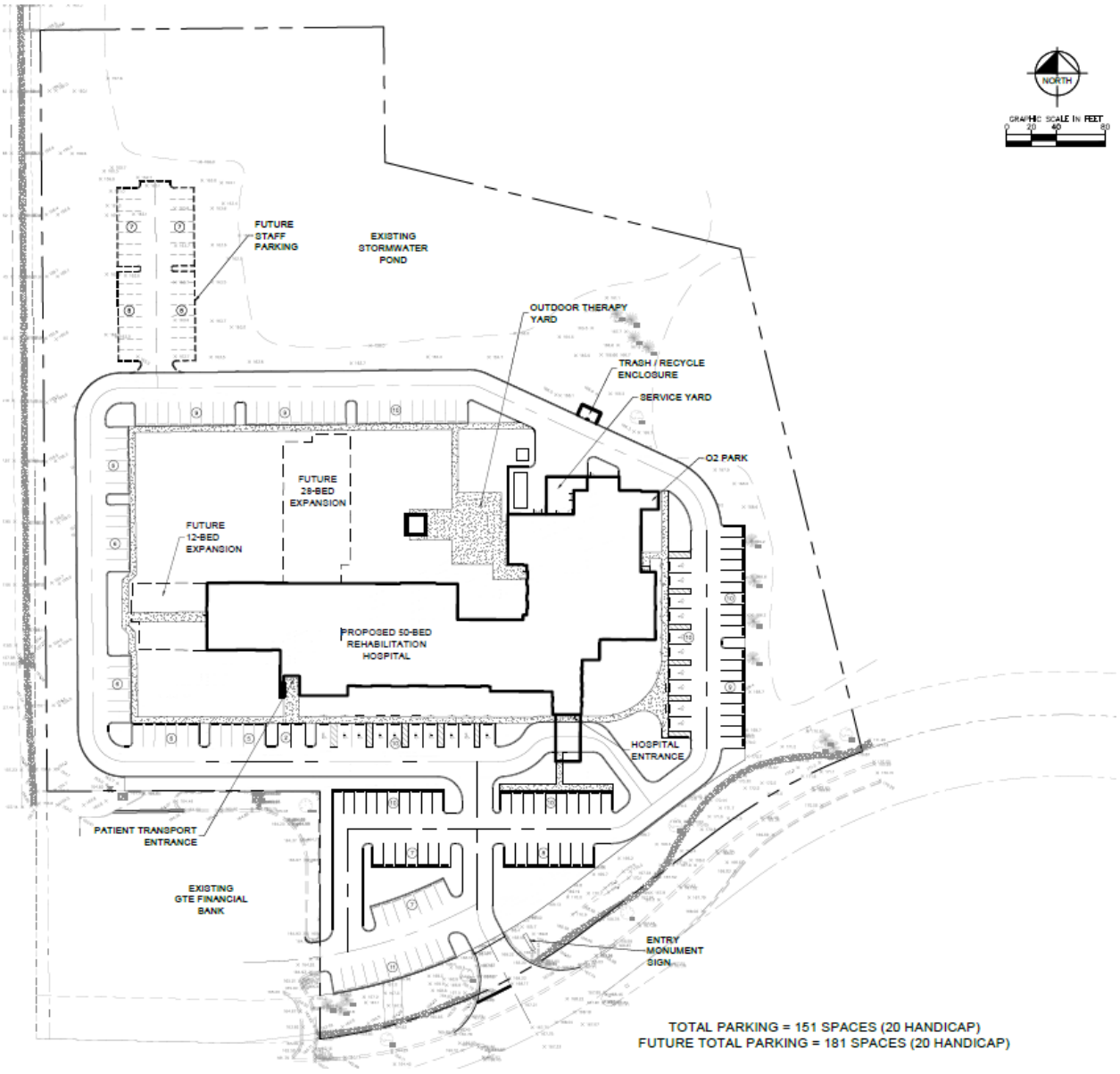

NORTH
GRAPHIC SCALE IN FEET
0 20 40 80
FUTURE STAFF PARKING
EXISTING STORMWATER POND
OUTDOOR THERAPY YARD
TRASH / RECYCLE ENCLOSURE
SERVICE YARD
O2 PARK
FUTURE 28-BED EXPANSION
FUTURE 12-BED EXPANSION
PROPOSED 50-BED REHABILITATION HOSPITAL
HOSPITAL ENTRANCE
PATIENT TRANSPORT ENTRANCE
EXISTING GTE FINANCIAL BANK
ENTRY MONUMENT SIGN
TOTAL PARKING = 151 SPACES (20 HANDICAP)
FUTURE TOTAL PARKING = 181 SPACES (20 HANDICAP)

EXHIBIT “F-1”

TYPICAL LANDSCAPE BUFFER PER 100 LF.

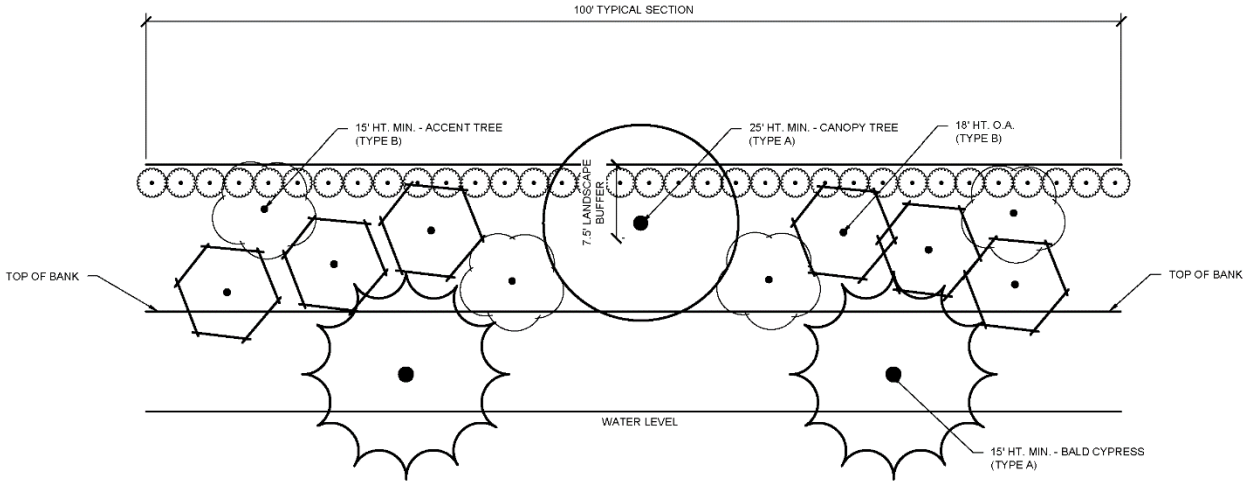
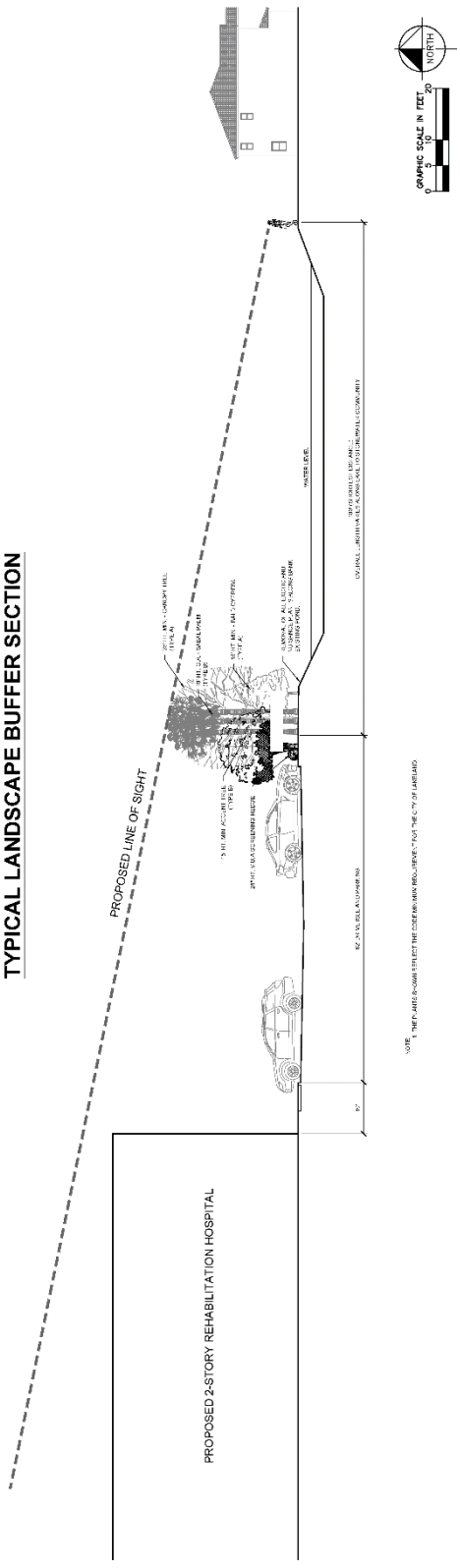


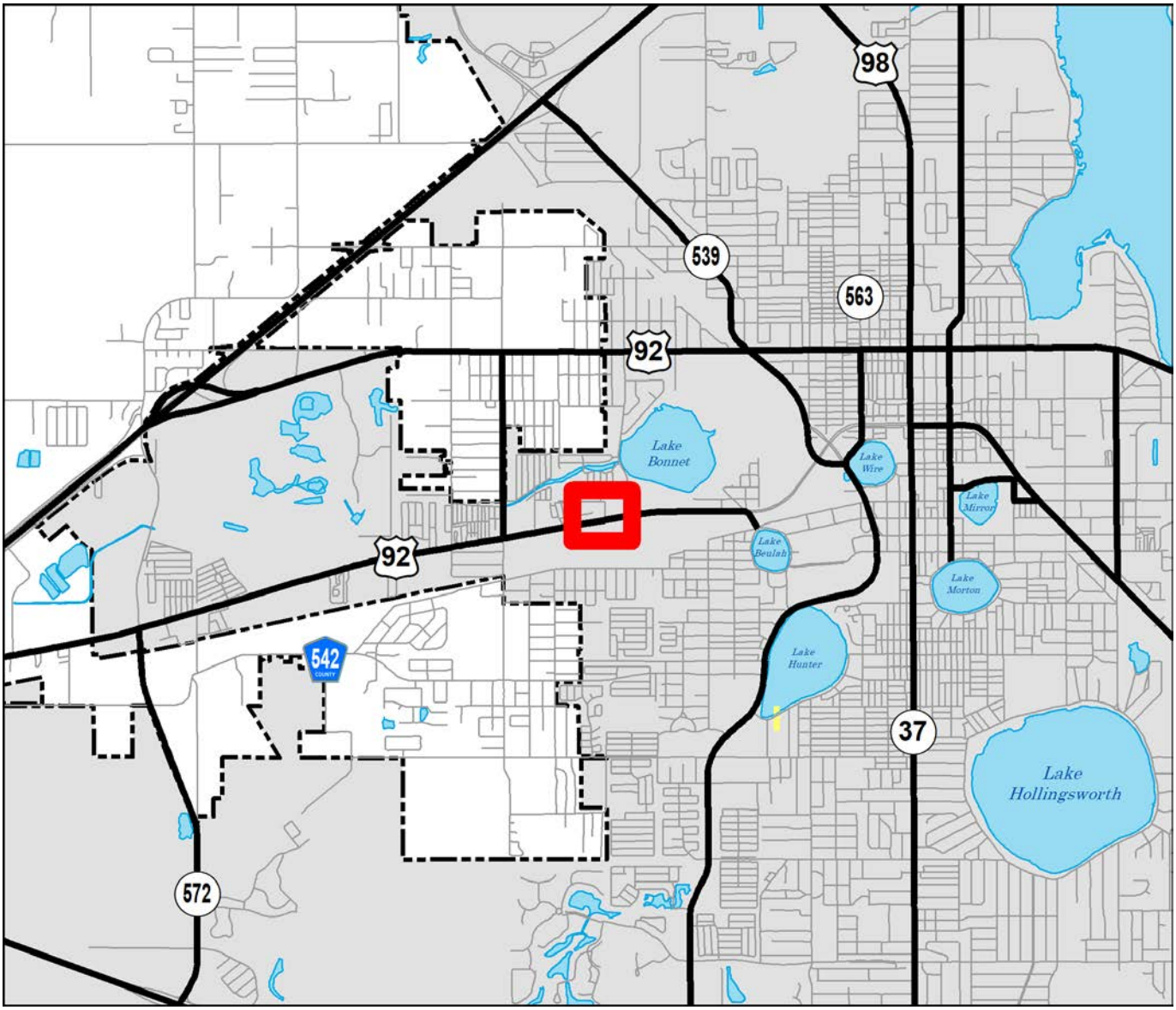
EXHIBIT “F-2”

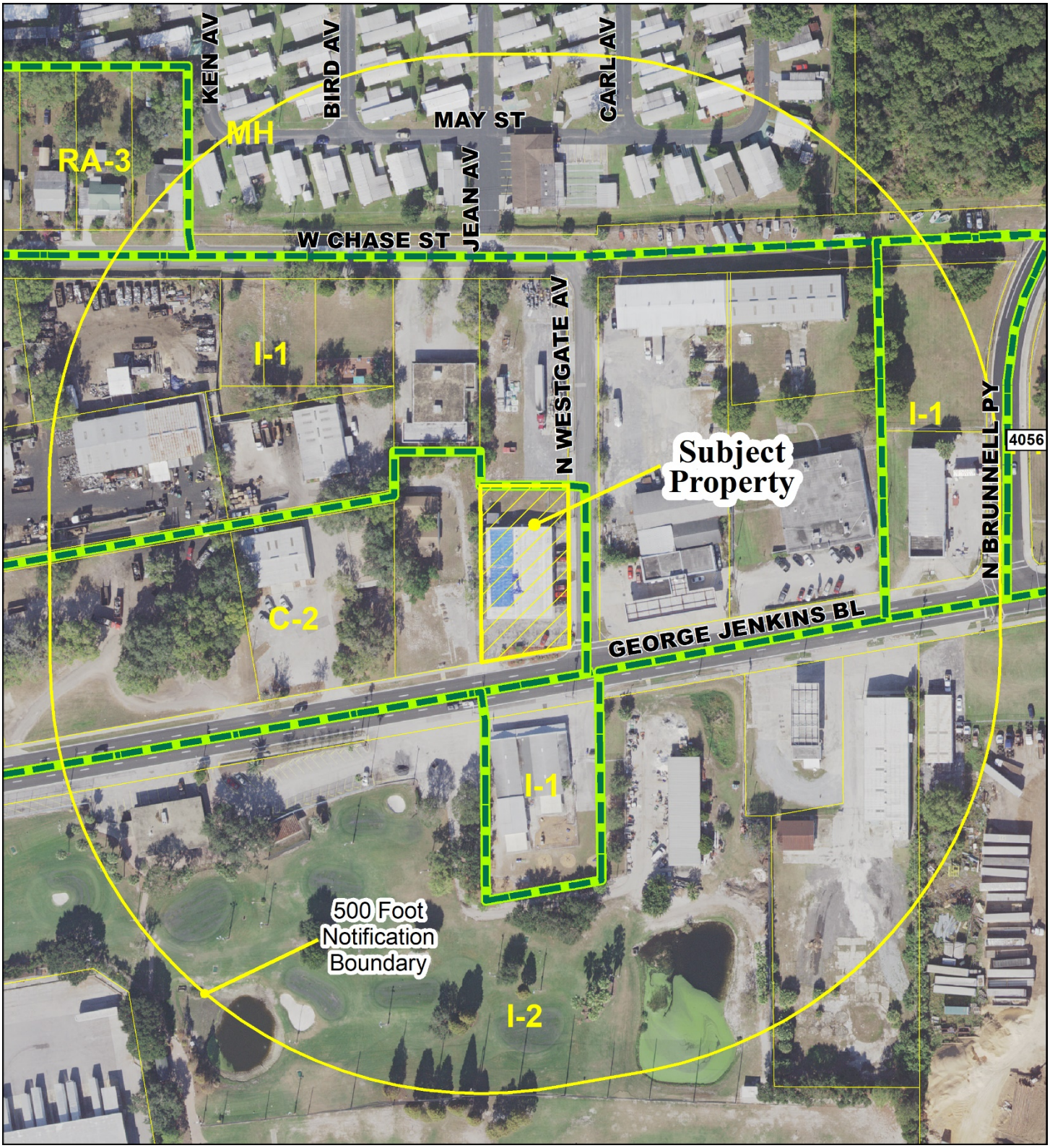

TYPICAL LANDSCAPE BUFFER SECTION
PROPOSED LINE OF SIGHT
PROPOSED 2-STORY REHABILITATION HOSPITAL
NORTH
GRAPHIC SCALE IN FEET
0
5
10
20

Community & Economic Development
Staff Recommendation

Date:	August 18, 2020	Reviewer:	Joshua Cheney
Project No:	ZON20-005	Location:	1705 George Jenkins Boulevard
Owner:	The Robert & Carol Deibel Family Trust		
Applicant:	Deibel Laboratories of Florida, Inc.		
Current Zoning:	C-2 (Highway Commercial)	Future Land Use:	Mixed Commercial Corridor (MCC)
Context District:	Urban Corridor (UCO)		
P&Z Hearing:	July 21, 2020	P&Z Final Decision:	August 18, 2020
Request:	Change in zoning from C-2 (Highway Commercial) to I-1 (Light Industrial - Limited Commercial) on property located at 1705 George Jenkins Blvd.		

1.0 Location Maps




KEN AV
BIRD AV
MAY ST
CARL AV
MH
RA-3
JEAN AV
W CHASE ST
I-1
N WESTGATE AV
I-1
4056
Subject Property
N BRUNNELL PY
C-2
GEORGE JENKINS BL
I-1
500 Foot Notification Boundary
I-2

2.0 Background

2.1 Summary

Deibel Laboratories of Florida, Inc., on behalf of The Robert & Carol Deibel Family Trust, requests a change in zoning from C-2 (Highway Commercial) to I-1 (Light Industrial - Limited Commercial) on property located at 1705 George Jenkins Boulevard. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, approximately 0.46 acres in area, is presently developed with an 7,875 sq. ft. office building which was originally constructed in 1973 according to the Polk County Property Appraiser. The subject property has a future land use designation of Mixed Commercial Corridor (MCC) and is located within the Urban Corridor (UCO) context sub-district.

2.3 Project Background

The subject property is presently used as a commercial testing laboratory for food products. In respect to the current C-2 zoning classification, this use is considered to be legal, nonconforming. The purpose of this request is to apply conforming zoning in order to allow for the expansion of testing to other products such as pharmaceuticals and cosmetics. No new development is planned at this time.

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Outdoor Storage and Parking lot	Mixed Commercial Corridor (MCC)	I-1	UCO
South	Golf Course and Daycare	Industrial (I)	I-2 & I-1	USP
East	Gas Station	Mixed Commercial Corridor (MCC)	I-1	UCO
West	Single-Family Residential	Mixed Commercial Corridor (MCC)	C-2	UCO

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

3.0 Discussion

Deibel Laboratories of Florida, Inc., has performed commercial testing services for manufactured food products on the subject property since 2003. In accordance with Section 2.6 of the Land Development Code, commercial testing laboratories are classified as Industrial-type Service Establishments, Level I. This general category of uses, which includes moderate impact activities such as equipment cleaning, repair and building contractor services, is only permitted within I-1, I-2 and I-3 zoning districts.

The requested change from C-2 to I-1 is necessary in order to allow for the expansion of testing services to non-food products. Adjacent properties to the north, south, and east are presently zoned for I-1 uses. The intent of the I-1 District is to allow for a limited range of light-industrial wholesale trade, services and manufacturing uses along with retail and commercial services uses that support business park and industrial employment centers. The types of industrial uses permitted generally have limited external impacts which allow for compatibility with commercial uses and do not create an appreciable nuisance or hazard.

In terms of land use, George Jenkins Boulevard is predominantly an industrial-commercial corridor defined by a mixture of light-medium industrial uses and a limited amount of C-2 /C-4 uses, as well as several large mobile home parks and a small number of older, single-family residential uses which predate the development of the corridor. Within this portion of the corridor, approximately half of the properties with C-2 zoning are vacant and undeveloped, while the remainder are older commercial properties which haven't seen significant investment in decades. As such, the surrounding land use pattern suggests little market demand for C-2 uses and that the highest and best use for the subject property is I-1 zoning.

3.1 Transportation and Concurrency

The subject property is presently developed with a 7,875 square foot office building. No expansion of the existing building is planned at this time. The requested zoning change will have a nominal impact on the surrounding transportation network. Any future expansion of the facility would have to meet concurrency standards prior to approval.

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. Letters of notification were mailed to 11 property owners within 500 feet of the subject property. No concerns or issues were expressed at the July 21, 2020, public hearing.

4.0 Recommendation

4.1 Community and Economic Development Staff

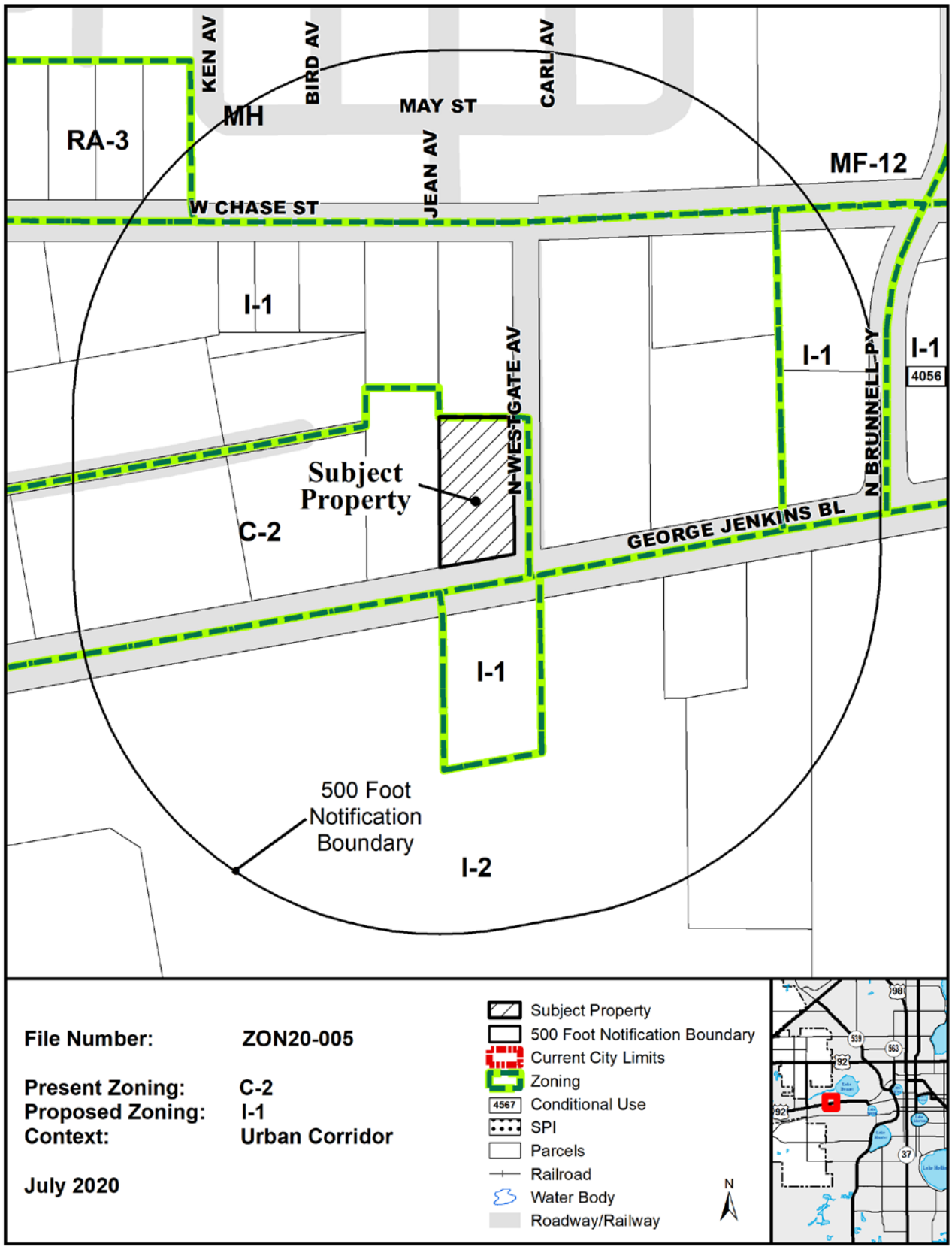
The Community and Economic Development Department reviewed this request and recommends approval of a change in zoning from C-2 to I-1.

ATTACHMENT “A”

Brief Legal Description:

TAMPA HIGHWAY INDUSTRIAL ADD PB 30 PG 49 A BLK C LOT 5 E 108.5 FT LESS N 239.5 FT & LESS E 5 FT FOR R/W OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA

ATTACHMENT “B”



Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, August 18, 2020

Meeting of July 20, 2020

Ordinances (Second Reading)

Proposed 20-027; Change in zoning from O-1 (Low Impact Office) and I-1 (Light Industrial-Limited Commercial) 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. (PUD20-005) **Note: Withdrawn by Applicant Prior to Second Reading**

Meeting of August 3, 2020

Miscellaneous (First Reading)

DAG20-001; Development Agreement with Orlando Health, Inc. related to transportation impacts of proposed mixed use medial campus located south of State Road 570 (Polk Parkway), east of County Road 37B (Lakeland Highlands Road) and north of Winter Lake Extension Road

Ordinances (First Reading)

Proposed 20-028; Approving a Conditional Use to allow for the construction of a 12,200 sq. ft. daycare facility, with a maximum enrollment of 200 students, on approximately 4.37 acres located at the northwest corner of Lakeland Highlands Road and Deerfield Drive. (CUP20-004)

Proposed 20-029; 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 fuel sales on approximately 5.78 acres located at the southeast corner of New Tampa Highway and Airport Road. (PUD20-004)

Ordinances (Second Reading)

Proposed 20-027; Change in zoning from O-1 (low Impact Office) and I-1 (Light Industrial-Limited Commercial) 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. (PUD20-005) **Note: Withdrawn by applicant prior to Second Reading.**