AGENDA

Planning & Zoning Board
City Commission Chambers
October 19, 2021 8:30 a.m.

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: Proposed text amendment to the Infrastructure, Conservation and Intergovernmental Coordination Elements of the Lakeland Comprehensive Plan: Our Community 2030 to update the Water Supply Facilities Work Plan consistent with the Central Florida Water Initiative Regional Water Supply Plan. Applicant: City of Lakeland. (CPA21-002)

ITEM 2: Major modification of PUD zoning for Tracts B and C of Morgan Creek Preserve to allow for the construction of 321 single-family detached homes on approximately 129 acres generally located north of West Pipkin Road, south of Medulla Road, east of Hamilton Road, and west of Micanope Crescent Drive. Owner: McP2, LLC. Applicant: John Hall, Polk Community Association Management, Inc. (PUD21-010)

ITEM 3:

a. Change in land use on approximately 8.23 acres, from Convenience Center (CC) to Conservation (C), a change in land use on approximately 6.29 acres from Residential Low (RL) to Convenience Center (CC), and a change in zoning on approximately 6.29 acres, from LD (Limited Development) to PUD (Planned Unit Development), on property located north of the Polk Parkway, east of Airport Road and south of Steeplechase Drive (3002 Airport Road). Owner: Palm Airport Road LLC. Applicant: Hetty Harmon, CivilSurv, Design Group, Inc. (LUS21-002/PUD21-008) **Note: Continued from July Meeting**

b. Consideration of final decision.

GENERAL MEETING

ITEM 4: Review minutes of the September meeting.

ITEM 5: Proposed text amendment to the Lakeland Comprehensive Plan: Our Community 2030 to adopt a Property Rights Element. Applicant: City of Lakeland. (CPA21-001)

ITEM 6: Application of PUD zoning to allow for a 148-bed assisted living facility on approximately 10.45 acres generally located south of the Polk Parkway, west of Airport Road and north of Carillon Boulevard. Owner: Louise W. Moore Family Trust. Applicant: Sarah Case, ECON South, LLC. (PUD21-011)

ITEM 7: Change in zoning from RA-4 (Single-Family Residential) to O-1 (Low Impact Office) on property located at 103 W. 7th Street. Owner: Lakeland Community Redevelopment Agency. Applicant: Lakeland Community Redevelopment Agency. (ZON21-006)

ITEM 8: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Housing Manager's Report

ITEM 9: Audience.

ITEM 10: Adjourn.

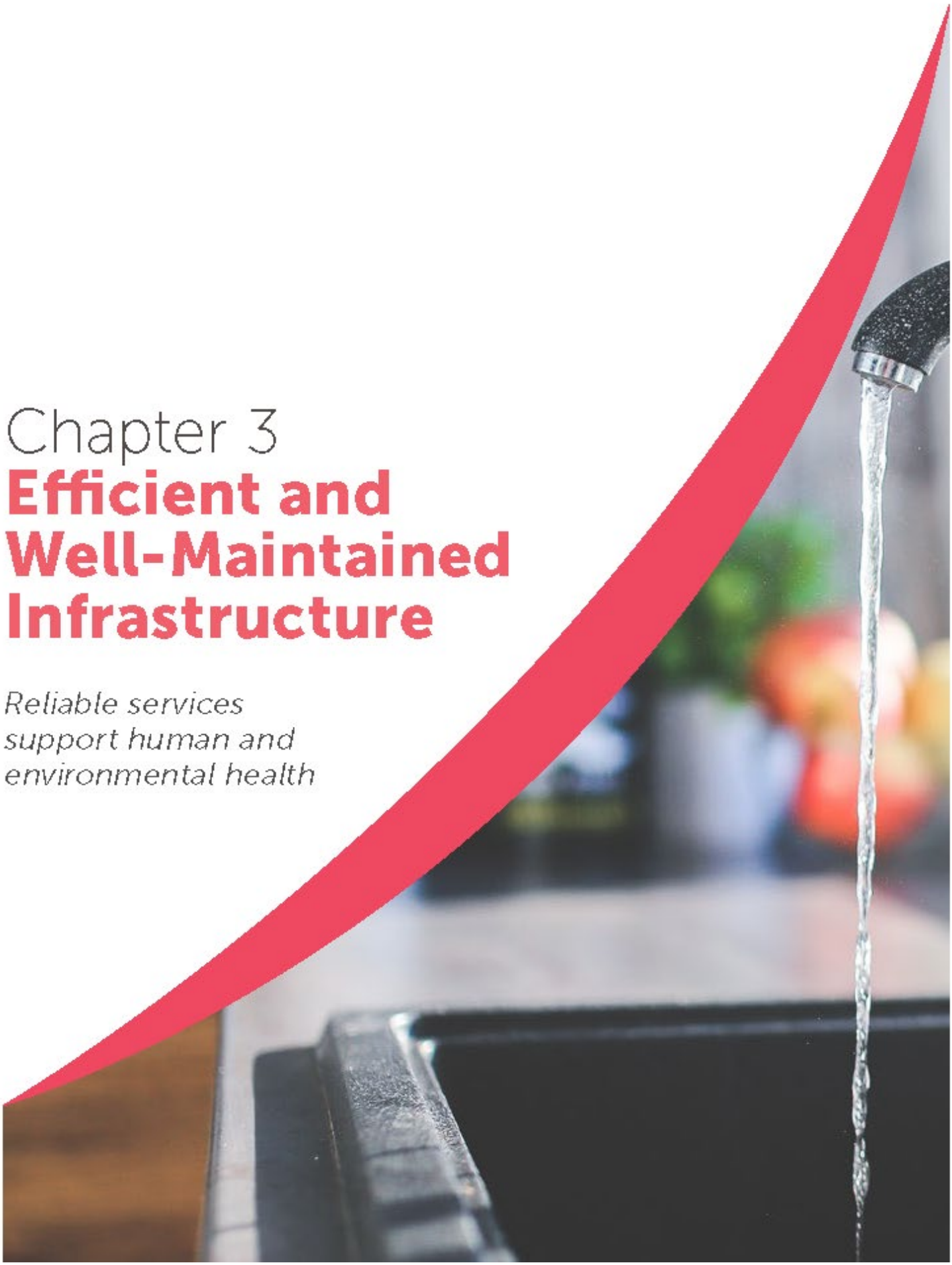
Planning & Zoning Board General Application

General Information:				
Project No:	CPA21-002	**Application Date:**	8/23/2021	
Project Name:	10-YEAR WATER SUPPLY PLAN UPDATE			
Applicant Name:	CITY OF LAKELAND, COMMUNITY & ECONOMIC DEVELOPMENT			
Applicant Address:	228 S MASSACHUSETTS AVE	LAKELAND	FL	33801

Request:		
Application Type:	**COMP PLAN TEXT AMEND**	**TEXT AMEND**
Explanation of Request:	The proposed amendment revises the Potable Water section of the Infrastructure Element, policies related to the conservation of natural resources in the Conservation Element, and a policy pertaining to coordination with the Polk County School County in the Intergovernmental Coordination Element to align the City's 10-year Water Supply Plan with the Central Florida Water Initiative Regional Water Supply Plan.	
Justification:	Pursuant to Sections 373.709 and 163.3177, Florida Statutes, local governments are required to amend their comprehensive plans to update their 10-year Water Supply Plans within 18 months of their respective water management districts' adoption of a Regional Water Supply Plan.	

Chapter 3
Efficient and Well-Maintained Infrastructure

Reliable services support human and environmental health



Our Trends: Potable Water

The City of Lakeland Water Department operates as a regional water utility in that it provides potable water services for customers inside the corporate limits of the City, unincorporated areas of Polk County, such as Highland City, and also sells water to other public systems, including Polk County Utilities, Plant City, and Florida Government Utility Authority. Extraction and supply of the City's potable water resources is permitted through a water use permit issued by the Southwest Florida Water Management District (SWFWMD). The City's current water use permit, which was approved in 2008, permits a total capacity of 35.03 million gallons of water per day. Water is extracted through a number of wells at the following locations with permitted withdrawal capacities as follows.

- Northwest Wellfield = 28.03 MGD
- Combee Water Treatment Plant = 3.0 MGD
- Northeast Wellfield = 4.0 MGD

Water is treated at the T.B. Williams and Combee Treatment Plants. These facilities have a total design capacity of 59.0 MGD. The facilities capacities are as follows:

- T.B. Williams Water Treatment Plant = 51.0 MGD
- Combee Water Treatment Plant = 8.0 MGD

According to the City's Water Department, approximately seventy percent (70%) of plant demand serves the incorporated area with the remaining thirty percent (30%) serving the unincorporated Planning Area. The City continues to invest and participate in intergovernmental coordination efforts to provide a high-quality, efficient, and cost-effective potable water system to serve current users and a growing population. The City is projected to have available water resources to serve forecast needs through the year 2040 and is committed to further reducing domestic per capita water consumption during this period. Projected population and consumption figures are shown below in Tables INF -1 and INF-2.

TABLE INF-1. PROJECTED WATER NEEDS: 2020 ~~2030~~2040, CITY OF LAKELAND CORPORATE LIMITS*

YEAR	POPULATION	PROJECTED DAILY DEMAND (GPD/CAPITA)	TOTAL DAILY DEMAND (MGD)
2020	115,216	127	14.632
2025	120,793	127	15.341
2030	124,165	127	15.789
2035	127,778	127	16.228
2040	131,212	127	16.664

Source: BEBR ~~2016~~2020 projection; Lakeland Community & Economic Development Dept. ~~2016~~2021

*Population projections are provided consistent with the City's 2021 10-Year ~~Water Supply Plan~~Master Plan and are updated with each Water Supply Plan Update.

TABLE INF-2. AVERAGE AND PEAK WATER USE PROJECTIONS: 2020 ~~2030~~2040, LAKELAND WATER SERVICE AREA*

YEAR	POPULATION	ESTIMATED PER CAPITA DEMAND	INITIAL AVERAGE ANNUAL (MGD)	EXPORTED WATER & TREATMENT LOSSES	TOTAL PUMPING ANNUAL (MGD)	PEAK MONTH (MGD)
2020	184,612	121	22.262	0.4	22.635	25.766
2025	187,746	127	23.844	0.7	24.544	27.599
2030	195,476	127	24.825	0.7	25.525	28.736
2035	203,077	127	25.791	0.7	26.491	29.853
2040	210,204	127	26.696	0.7	27.396	30.900

Source: City of Lakeland, Water Utilities Department, ~~2016~~2021

*Population projections are provided consistent with the City's 2021 10-Year ~~Water Supply Plan~~Master Plan and are updated with each Water Supply Plan Update.

NOTE: These population forecasts support the City's approved Water Supply Facilities Work Plan and differ slightly from the 2030 population forecast for this Comprehensive Plan update.

Policy INF-1.2B: New urban development will only occur within areas where potable water services are available concurrent with development no later than time of issuance of a building permit.

Policy INF-1.2C: The City of Lakeland will continue to require necessary on-site water system improvements to be completed at the expense of the property owner.

Policy INF-1.2D: Where service area agreements exist, the City of Lakeland will continue coordination efforts to ensure availability of service and ascertain any needed revisions of boundaries.

Policy INF-1.2E: The City of Lakeland will extend water service in a pattern consistent with the Future Land Use Map (MAP FLU-6), the Future Land Use Element, and all policies of the comprehensive plan, adhering to a compact urban growth area, promoting infill development and discouraging urban sprawl. Water service will be given priority within the Urban Development Area depicted in the Future Land Use Element.

Policy INF-1.2F: Back-up power generators at the City's water treatment plant shall be tested and maintained on a regular basis.

Objective INF-1.3: Continue promoting the conservation of potable water resources to achieve a reduction in actual daily per capita consumption. Using the methodology for the Southern Water Use Caution Area to calculate per capita consumption, the City will target a reduction in domestic per capita water consumption.

Policy INF-1.3A: The City of Lakeland will reduce per capita consumption of potable water through implementation of the Conservation Element of this comprehensive plan.

Policy INF-1.3B: The City of Lakeland will support education and awareness of water use restrictions within the corporate limits during SWFWMD declared water shortage periods and provide enforcement of such restrictions wherever possible.

Objective INF-1.4: The City will utilize and maintain a 10-year Water Supply Plan , last updated in 2017, to address water supply facilities necessary to serve existing and future development within the City's water utility service.

Policy INF-1.4A: The Water Supply Plan will be consistent with the potable water level-of-service standards established in Policy INF-1.1 B.

Policy INF-1.4B: The Water Supply Plan will be updated ~~subsequent to~~ within 18 months after the State required five-year updates of the Southwest Florida Water Management District (SWFWMD) Regional Water Supply Plan.

Policy INF-1.4C: When updating the Water Supply Plan, the City will consider the feasibility of alternative sources of water in order to meet projected water demands.

Policy INF-1.4D: The City will utilize its Water Supply Plan to assist in prioritizing and coordinating the expansion and upgrade of facilities used to withdraw, transmit, treat, store and distribute potable water to meet future water demands.

Policy INF-1.4E: The City will maintain, at a minimum, a current 5-year schedule of capital improvements for the improvement, extension and/or increase in capacity of potable water facilities reflecting those projects in the corresponding five (5) years of the Water Supply Plan.

Objective INF-1.5: The City will identify sources of water that can be used to meet existing and future needs when maintaining and updating the Water Supply Plan.

Policy INF-1.5A: In conjunction with the SWFWMD and other local governments, the City will consider the development of efficient, cost-effective, and technically feasible

Chapter 5
Attractive and Environmentally-Friendly Community

Magnificent lakes support our natural resources

Objective CON-1.2: Continue to conserve and protect the quality and quantity of water resources, including area lakes.

Policy CON-1.2A: The City of Lakeland will continue to support ongoing programs for the conservation and protection of water resources, including use of the inverted rate structure, Florida Friendly Landscaping at all City buildings and parks, the leak detection program, effluent reuse, and water conservation education efforts. (As outlined in the City of Lakeland Water Conservation Plan, which is updated annually and submitted to the SWFWMD for review as a condition of the City's Water Use Permit).

Policy CON-1.2B: Water conservation measures will continue to reduce domestic per capita water consumption. The City of Lakeland will use conservation targets set in the Polk Regional Water Cooperative Demand Management Plan dated September 29, 2020.

Policy CON-1.2C: The City of Lakeland will continue to implement a program to conserve water through the re-use of wastewater effluent at the McIntosh power plant complex and through contract with TECO.

Policy CON-1.2D: The City shall encourage Florida Friendly Landscape and discourage the planting of species that are less water efficient.

Policy CON-1.2E: The City of Lakeland LDC will continue to protect wellfields and aquifer recharge areas from potential contamination by development. The LDC will continue to prohibit within the designated zones of protection the location of landfills, wastewater facilities, and facilities for the storage, handling, or processing of petroleum products, agricultural chemicals, hazardous waste, toxic waste, medical waste, or other uses which could contaminate wellfields or aquifer recharge areas.

Policy CON-1.2F: The City of Lakeland's lakes management program will pursue water quality goals for area lakes in accordance with the 20-year Comprehensive Lakes Management Plan.

Policy CON-1.2G: The City of Lakeland's management plan for area lakes will include support of water quality goals and programs for all lakes within the Lakeland Planning Area.

Policy CON-1.2H: The City of Lakeland will encourage use of low impact development best practices and/or incentives to emphasize conservation and use of natural features of a site to maximize stormwater filtration. These best practices may include, but are not limited to, reduction of impervious areas, use of permeable surface treatments, use of bioswales, rainwater harvesting via rain barrels and cisterns, and "green" or vegetated roofs.

Policy CON-1.2I: City of Lakeland LDC will continue to include specific standards, criteria, and land use controls necessary for the protection and conservation of the natural function of floodplains. These regulations will continue to require development in the FEMA 100-year flood hazard zone to be constructed so that the lowest floor elevation is at least one foot above the base flood elevation as established by the FEMA Flood Insurance Rate Maps.

Policy CON-1.2J: City of Lakeland LDC includes specific standards, criteria, procedures, and land use controls necessary to protect and conserve area lakefronts while allowing reasonable access to the water and recreational opportunities. LDC shall continue to require a 50-foot setback from the protected lakefront to the start of any construction.

Chapter 6
Responsible and Accessible Government

Maintain financial stability while providing for growth and redevelopment

Responsible and Accessible Government

Intergovernmental Coordination Element

OUR GUIDANCE

- Chapter 163.31777; 163.3180; 163.3246; Florida Statutes
- Interlocal agreement between Polk County School Board and City of Lakeland
- Polk County Transportation Planning Organization Long Range Transportation Plan 2040
- City of Lakeland Sector Plans Downtown, Midtown, South, East, North, Northwest, Southeast, Northeast, Southwest
- Central Florida Water Initiative's Regional Water Supply Plan 2020
- Chapter 380.06 Florida Statutes

Our Vision: Maintain financial stability while providing for growth and redevelopment

The City of Lakeland is committed to transparency and fiscal responsibility in aligning our programs, policies, procedures, and resources to support the community's vision. This is achieved through performance budgeting and comprehensive capital projects planning to ensure adequate levels of service are provided as Lakeland grows and redevelops.

The City alone cannot ensure that all community needs are met and meaningful cooperation with local and state government and other agencies is essential. The quality of life for Lakeland residents is dependent upon this coordination particularly with Polk County and the Polk County School Board.

The Intergovernmental Coordination Element includes guidance for coordination with other governmental entities, many of which surround Lakeland, and both influence land use decisions and are influenced by Lakeland's decisions. Since Lakeland is historically the largest municipality in Polk County and the largest provider of urban services, intergovernmental coordination is essential in the orderly growth of the City and the planning area. This element includes principles and guidelines to be used in that coordination.

The inclusion of the Schools Facilities Element in the adopted Comprehensive Plan sets forward the joint processes between the City and the Polk County School Board for collaborative planning and decision making on population projections and public school siting and the necessary location and extension of public facilities to establish and maintain concurrency. The Schools Facilities Element ensures that adequate school facilities will be available as growth continues to increase student populations. This cooperation also seeks to ensure that declining and low income neighborhoods are not negatively affected by the demand for school expansions.

The Capital Improvements Element (CIE) establishes the principles for matching deficiencies and facility expansions to match growth and redevelopment needs for a 5-year capital budget period and is updated annually. The CIE also contains the level of service standards for essential services provided by the City and those the city relies on from other government agency budgets. Efficient government is the key principle guiding city capital budgeting and the provision of services for areas of growth and redevelopment in Lakeland.

Policy IGC-1.5G: To the maximum extent feasible, the City will work with the Polk County School Board to ensure minimal impact of potential rezoning of school enrollment zones to existing neighborhoods and the housing investments made by residents of those neighborhoods.

Policy IGC-1.5H: The City shall notify the school board of all proposed residential development projects, which are subject to school concurrency per the Interlocal Agreement for Public School Facility Planning.

Policy IGC-1.5I: Continue ongoing coordination with other units of municipal, county, and regional governments, special taxing districts and State government providing services but not having regulatory authority over the use of land.

Policy IGC-1.5J: The City of Lakeland will continue to participate in the proceedings of the Polk County Joint Airport Zoning Board.

Policy IGC-1.5K: The City will coordinate with SWFWMD to ensure review of any applicable updates published for the District's Regional Water Supply Plan regarding the projection of future water demand and supply for both potable water and alternative sources.

Policy IGC-1.5L: The City will exchange water supply information with the SWFWMD, Central Florida Regional Planning Council, and local governments through water supply planning work groups and meetings on an as-needed basis.

Policy IGC-1.5M: The City will participate in the implementation of the Central Florida Water Initiative and the SWFWMD's Regional Water Supply Plans updates, to enable the City to design and implement an effective local water supply plan.

Objective IGC-1.6: Coordinate, as appropriate, any change in established level-of-service standards for public facilities, including, at minimum, for all 10-year updates to the *Lakeland Comprehensive Plan*, and five-year updates to the Polk Long Range Transportation Plan.

Policy GC-1.6A: The City of Lakeland will inform appropriate governmental entities of proposed changes in level-of-service standards, at minimum, as applicable under State law.

Policy GC-1.6B: The City of Lakeland will, when notified of other governmental entities proposed changes in their level-of-service standards, review, and comment on these changes in particular in regard to direct or indirect impact on the City and consistency with the City's level of service standards.

Policy GC-1.6C: The City of Lakeland will continue to participate on the Technical Advisory Committee, Land Use and Transportation Forum, and Mass Transit Steering Committee for the Polk County Transportation Planning Organization (TPO), as well as on the TPO Board, to ensure coordination regarding transportation issues. Coordination with the provider of transit services shall include mutually agreed upon corridors for future transit capital and/or operational investments and improvements, based upon consistency with the future land use and transportation elements of the City and County regarding designated transit corridors and centers and connectivity planning.

Objective IGC-1.7: Establish mechanisms to resolve, in a timely manner, any conflicts which arise between the City of Lakeland and other governmental entities.

Policy IGC-1.7A: Staff at all levels, in all departments/divisions, will initially work with staff of other governmental entities in an informal manner to resolve any conflicts. If conflicts cannot be resolved in this manner the department/division head will inform the City Manager. For those governmental entities that have existing agreements with Lakeland that address the resolution of conflicts, the City will use the procedures set forth in that agreement. For those governmental entities that do not have an existing

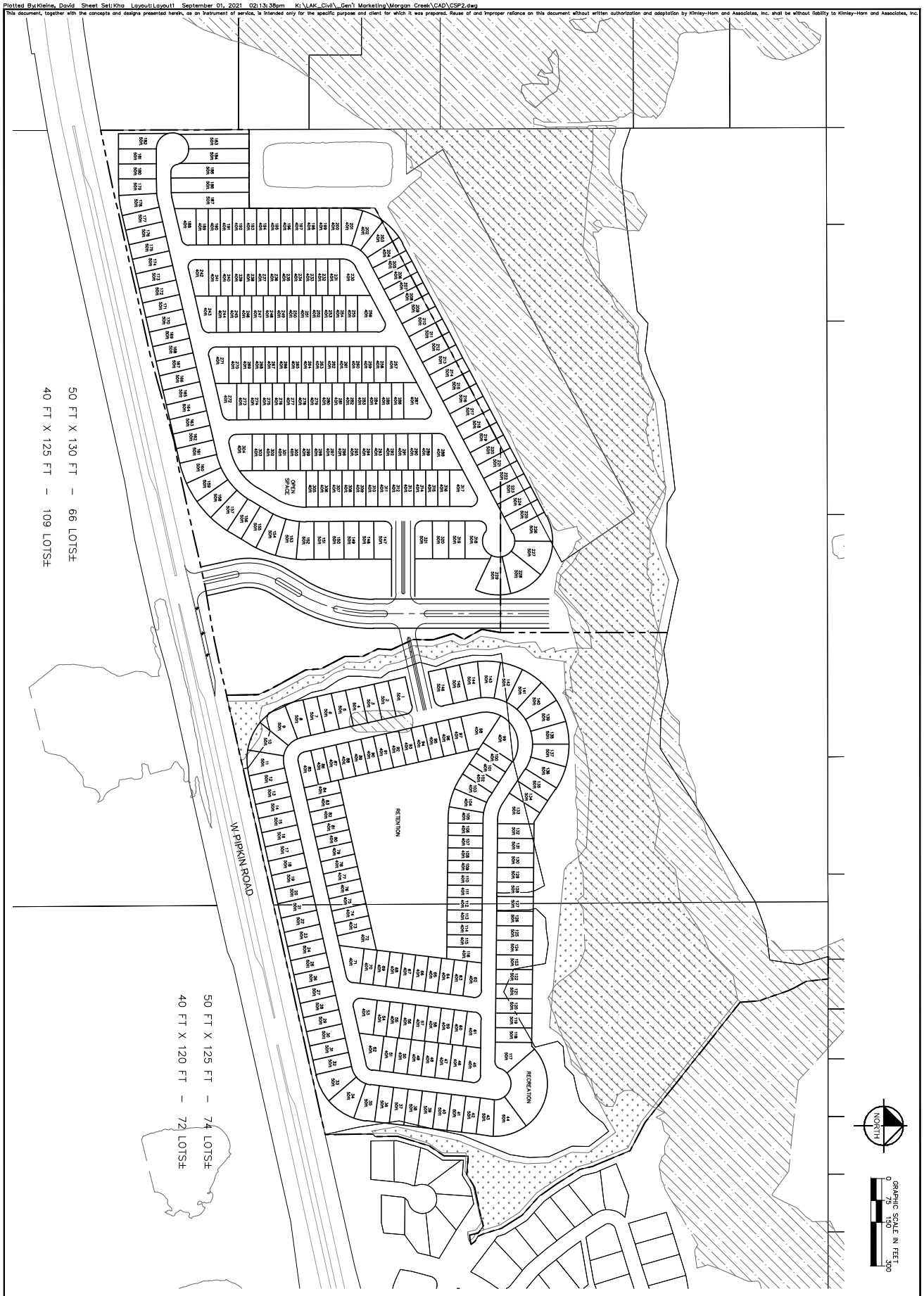
Planning & Zoning Board General Application

General Information:				
Project No:	PUD21-010	**Application Date:**	7/28/2021	
Project Name:	GRESHAM TRAILS			
Subject Property Address:				
Parcel ID:	232908000000034020	**Total Acreage:**	Approx. 75	
Applicant Name:	JOHN HALL			
Applicant Address:	5121 SOUTH LAKELAND DR., SUITE 1	LAKELAND	FL	33813
Owner Name:	MCP2 LLC			
Owner Address:	4225 MORGAN CREEK PRKWY	LAKELAND	FL	33811

Request:		
Application Type:	**PLANNED UNIT DEVELOPMENT**	**MAJOR MODIFICATION**
Proposed		**Current**
Zoning:	(PUD) Planned Unit Development 4818	(PUD) Planned Unit Development 4818
Land Use:	Not Applicable	Residential Low (RL)
Context:	Not Applicable	Suburban Neighborhood (SNH)
Explanation of Request:	To switch the 10,000sf lots to 5,500sf & 4,000sf lots, which will increase the total lot count and make like and same with the surrounding developments.	
Justification:	The surrounding developments and market desire is now for the 5,500sf and 4,000sf lots.	

Concurrency:								
Proposed Dwelling Units:	321	**Project Floor Area:**		**0**		Square feet		
Type of Use:	Single Family-Detached			Phase	2	Year	2021	
Estimate of Public Service Demand								
Roadways	**Daily Trips:**	0		**PM Peak Hour Trips:**		0		
Potable Water	104,325	GPD	**Wastewater**	86,670	GPD	**Solid Waste**		PPD

Plotted By:Kleine, David Sheet Set:Kha Layout:Layout1 September 01, 2021 02:13:38pm K:\LAK_Civil_Gen'l Marketing\Morgan Creek\CAD\CSP2.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



SHEET NUMBER
CSP-1

MORGAN CREEK

PREPARED FOR
LANDSTAR LAKELAND

LAKELAND FLORIDA

CONCEPT SITE PLAN

KHA PROJECT	
PROJ #	
DATE	DATE
SCALE	AS SHOWN
DESIGNED BY	____
DRAWN BY	____
CHECKED BY	____

LICENSED PROFESSIONAL

JASON A. ALLIGOOD, P.E.

FLORIDA LICENSE NUMBER
71103

DATE:

Kimley»Horn

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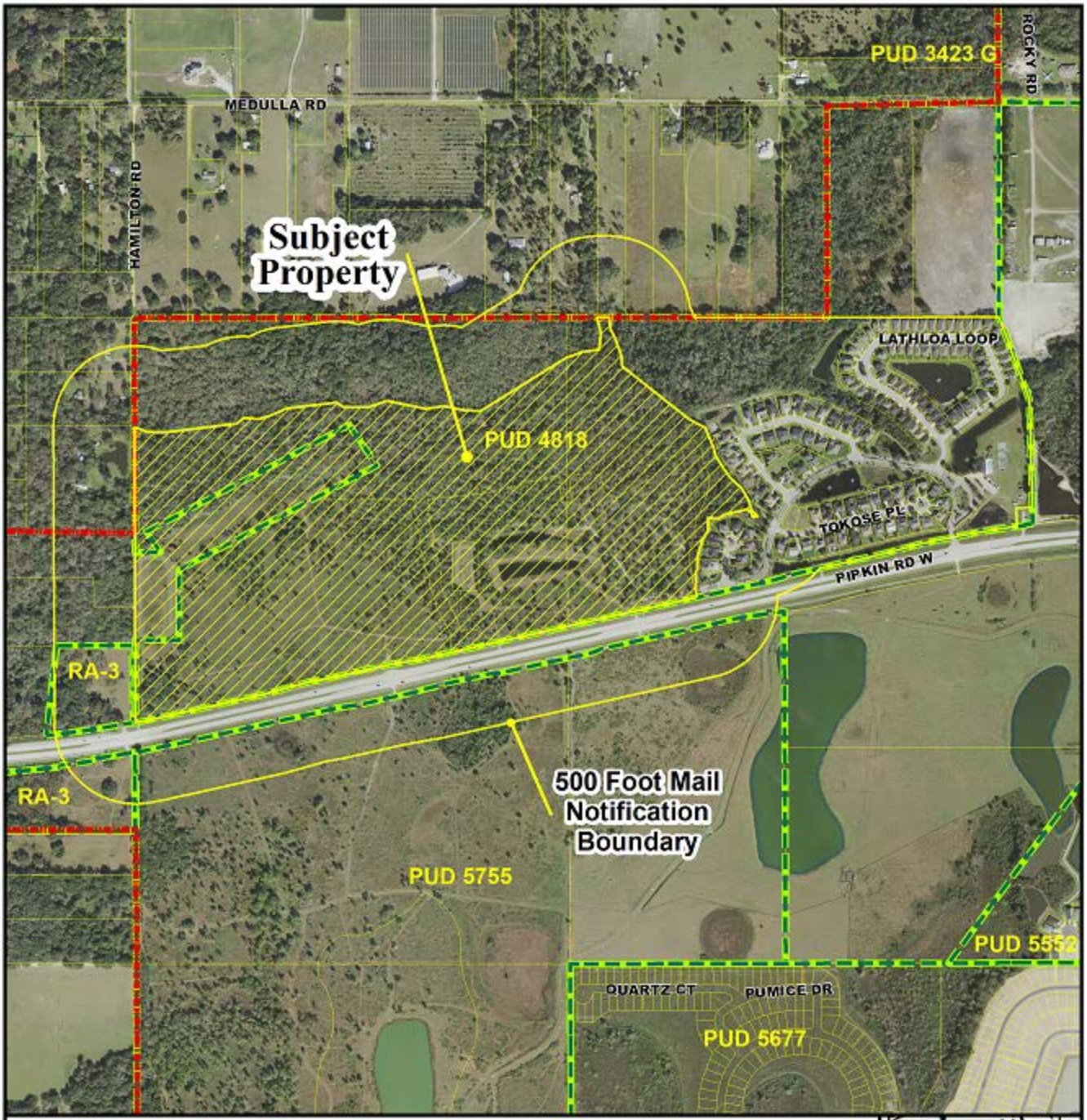
No.	REVISIONS	DATE	BY



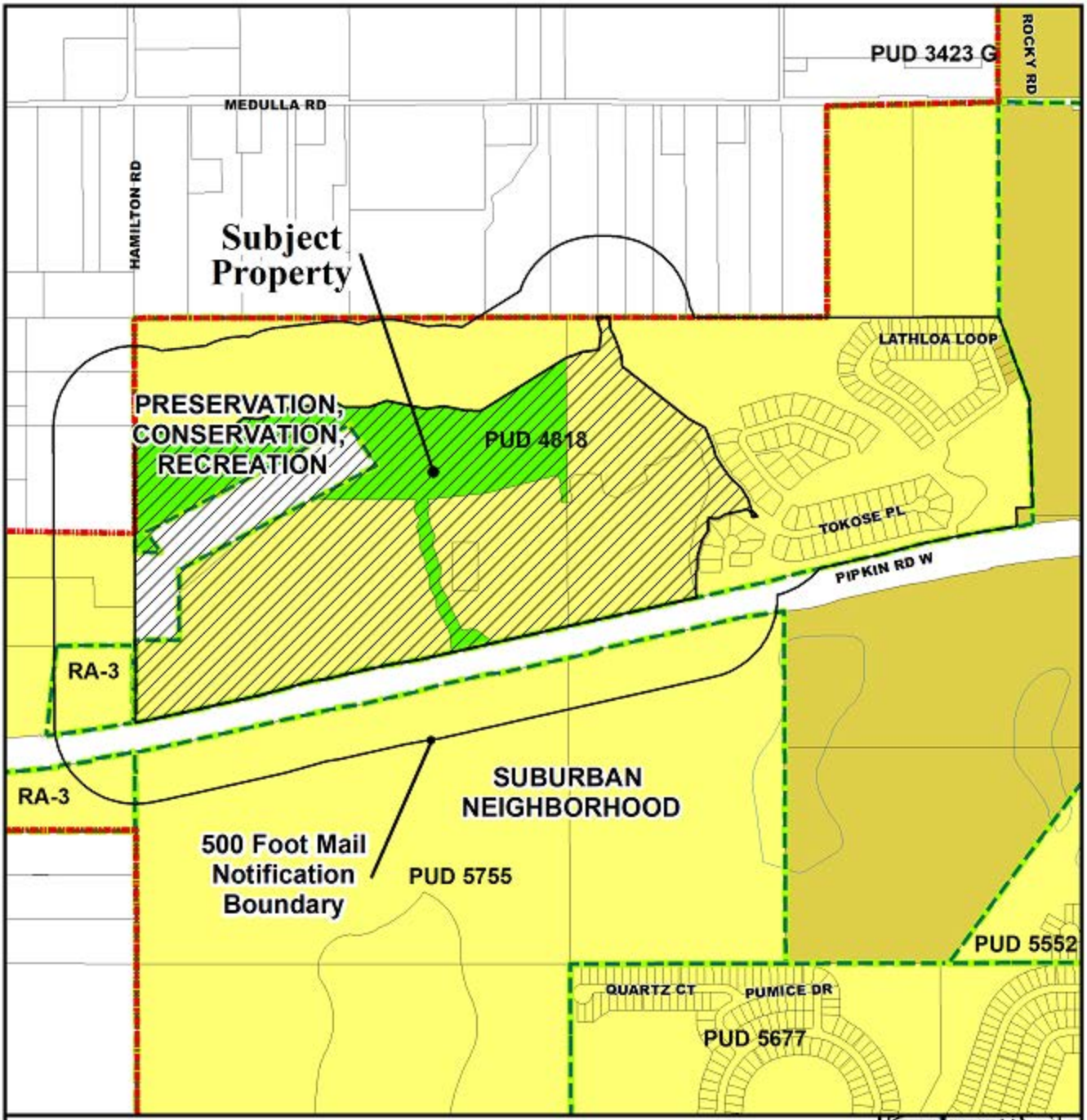
File Number: PUD21-010

Present Zoning: PUD 4818
Present Context: Suburban Neighborhood and Preservation Conservation Recreation
Proposed Zoning: Major Modification of PUD Zoning to Allow 321 Single-Family Homes

October 2021

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

N



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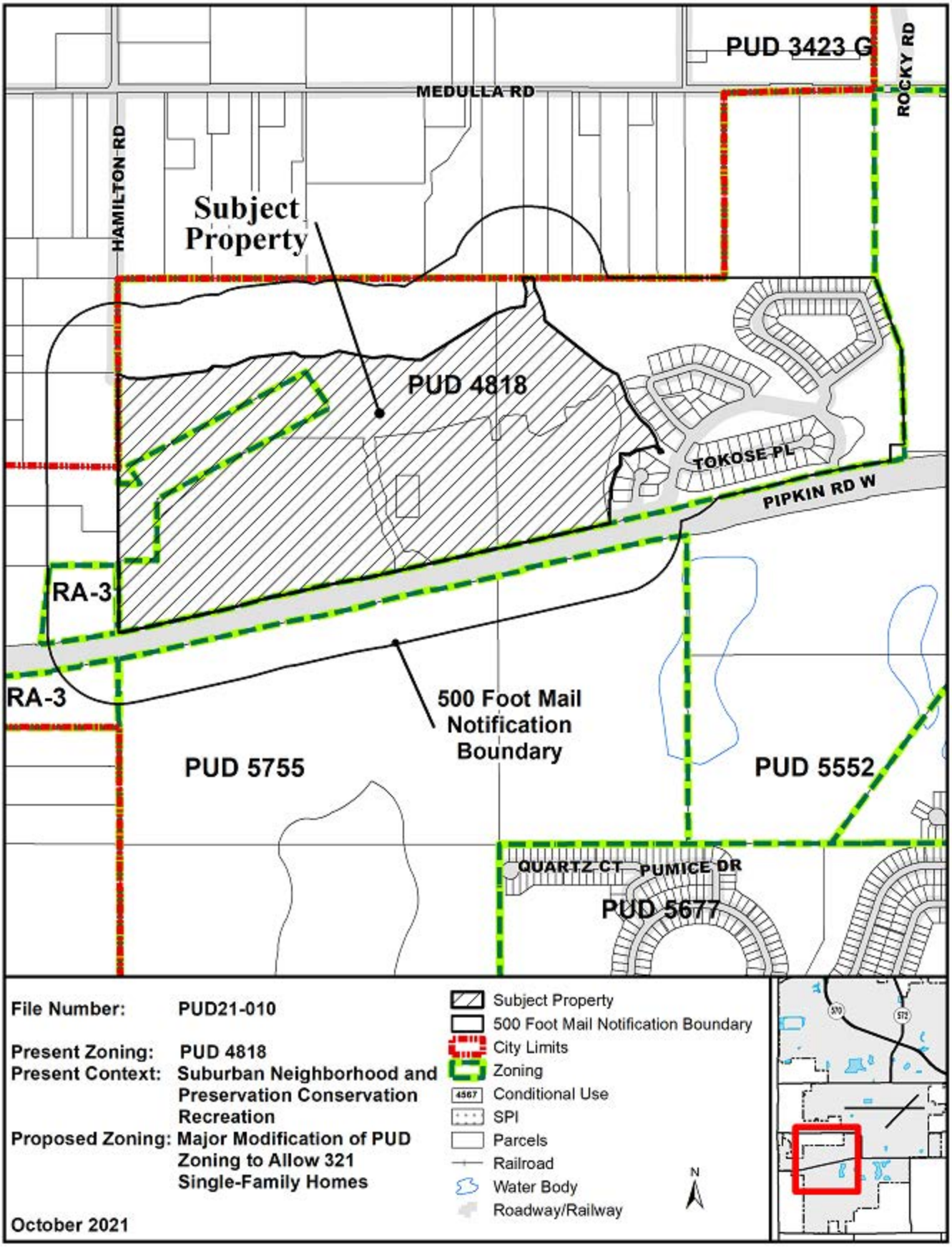

PUD 3423 G
MEDULLA RD
ROCKY RD
HAMILTON RD
Subject Property
PUD 4818
TOKOSE PL
PIPKIN RD W
RA-3
RA-3
500 Foot Mail Notification Boundary
PUD 5755
PUD 5552
QUARTZ CT
PUMICE DR
PUD 5677
File Number: PUD21-010
Present Zoning: PUD 4818
Present Context: Suburban Neighborhood and Preservation Conservation Recreation
Proposed Zoning: Major Modification of PUD Zoning to Allow 321 Single-Family Homes
October 2021
Subject Property
500 Foot Mail Notification Boundary
City Limits
Zoning
4567 Conditional Use
SPI
Parcels
Railroad
Water Body
Roadway/Railway
N

228 S MASSACHUSETTS AVE
LAKELAND, FLORIDA 33801
PLANNING@LAKELANDGOV.NET

October 1, 2021

RE: Gresham Trails - Project No. PUD21-010

Dear Property Owner:

This is to advise you that John Hall, Polk Community Association Management, Inc., requests a major modification of PUD zoning for Tracts B and C of Morgan Creek Preserve to allow for the construction of 321 single-family detached homes on approximately 129 acres generally located north of West Pipkin Road, south of Medulla Road, east of Hamilton Road, and west of Micanope Crescent Drive. The subject property is legally described as:

> A PART OF LAND IN SECTIONS 7 AND 8, TOWNSHIP 29 SOUTH, RANGE 23 EAST FURTHER DESCRIBED AS PARCELS 232907000000012080, 232907000000012090, 232907000000021020 AND 232908000000034020, POLK COUNTY, FLORIDA (A complete legal description is available in the Community & Economic Development Department.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, October 19, 2021** in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing *or* you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the Tuesday, October 19th 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.

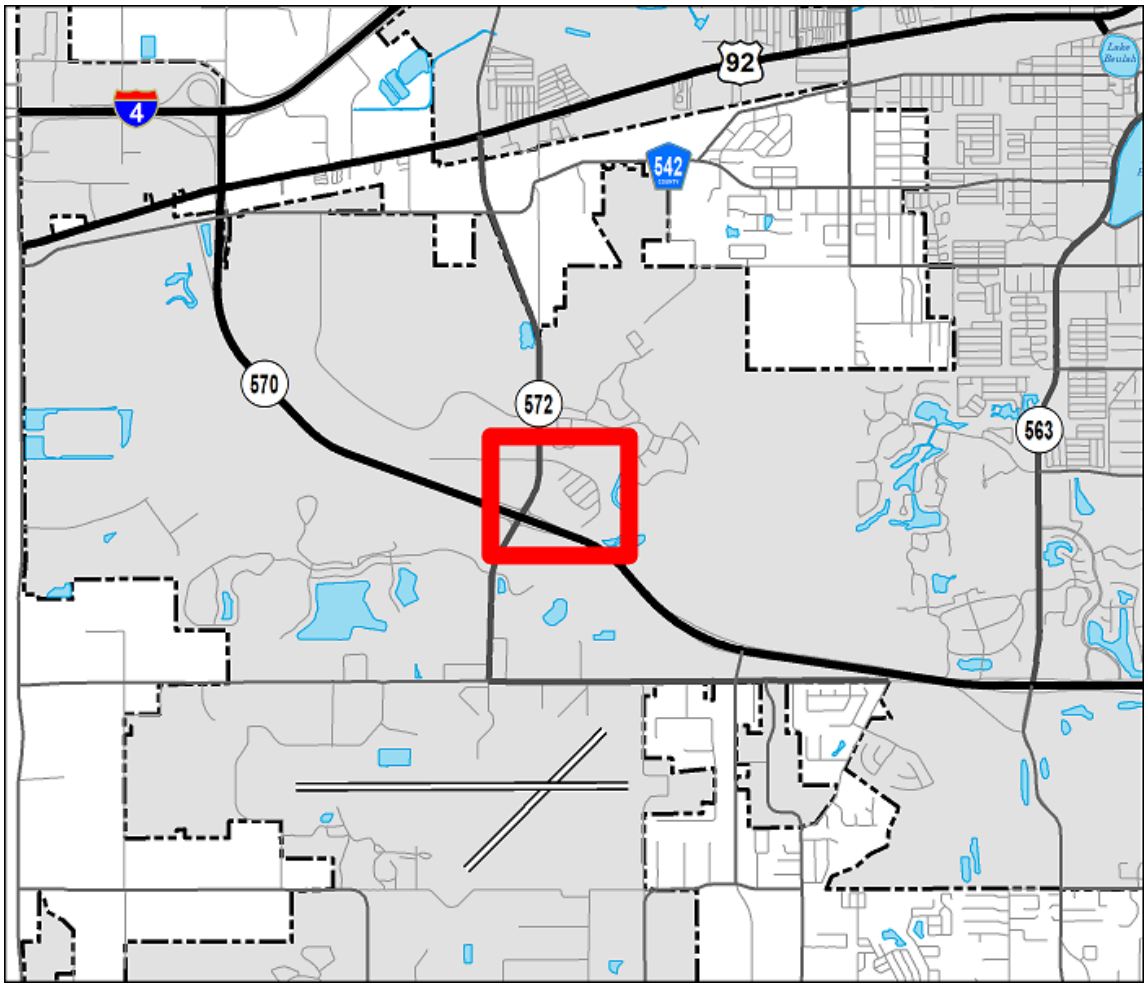
In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Lakeland ADA Specialist, Jenny Sykes, 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:	October 19, 2021	Reviewer:	Todd Vargo
Project No:	LUS21-002/PUD21-008	Location:	3002 Airport Road
Owners:	Palm Airport Road, LLC		
Applicant:	Hetty Harmon, CivilSurv Design Group, Inc.		
Current Zoning:	LD (Limited Development)	Future Land Use:	Convenience Center (CC)/Residential Low (RL)
Context District:	Suburban Neighborhood (SNH) and Suburban Corridor (SCO)		
P&Z Hearing:	July 13, 2021	P&Z Final Decision:	October 19, 2021
Request:	Change in land use on approximately 8.23 acres, from Convenience Center (CC) to Conservation (C), a change in land use on approximately 6.29 acres from Residential Low (RL) to Convenience Center (CC), and a change in zoning on approximately 6.29 acres from LD (Limited Development) to PUD (Planned Unit Development), on property located north of the Polk Parkway, east of Airport Road and south of Steeplechase Drive.		

1.0 Location Maps



PUD 5859
RL
LD
PUD 5859
RM
PUD 5541
BUNKER RD
500 Foot Mail Notification Boundary
Land Use Change RL to CC
Zoning Change LD to PUD
LD
PUD 5820
Area to Remain RL
TRIPLE CROWN LN
THOROUGHBRED LOOP N
FILLY LN
PUD 3428 E
RL
SIRE TRL
Land Use Change CC to C
LD
CC
POLK PKWY
AIRPORT RD
BP
POLK PKWY
PI
PUD 4155

2.0 Background

2.1 Summary

Hetty Harmon, CivilSurv Design Group, Inc., on behalf of Palm Airport Road, LLC, requests a change in land use from Convenience Center (CC) to Conservation (C) on approximately 8.23 acres; a change in land use from Residential Low (RL) to Convenience Center (CC) on 6.29 acres; and a change in zoning from LD (Limited Development) to PUD (Planned Unit Development) on approximately 6.29 acres on property located north of the Polk Parkway, east of Airport Road and south of Steeplechase Drive. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, currently vacant, consists of a mixture of upland and wetland areas with approximately 1.2 acres set aside as a storm water retention area for the adjacent Steeplechase residential subdivision. The southwest corner of property consists of 8.23 acres of wetlands with a future land use designation of Convenience Center (CC). The remainder of the property has a future land use designation of Residential Low (RL). The existing LD (Limited Development) zoning classification, previously RC (Rural Conservation), was applied as a placeholder due to the lack of infrastructure and services necessary to support development at the time the land use was adopted in the early 1990s. Access to the subject property is limited to a single driveway from Steeplechase Drive, a City-maintained local street which serves as the sole entrance and exit to the Steeplechase subdivision.

2.3 Project Background

Due to the presence of wetlands and the proximity to the Polk Parkway interchange, development of the 8.23 acres for commercial uses is not economically feasible. The applicant is requesting approval to relocate the existing CC entitlements to a 6.29-acre portion of the property located just south of Steeplechase and west of the existing storm water retention area. In exchange, the 8.23 acres of CC would be designated Conservation (C) to ensure that the existing wetlands are preserved. The remainder of the property, which is essentially undevelopable, would remain Residential Low (RL).

The proposed PUD would allow for a maximum of 29,000 sq. ft. of limited C-1 commercial uses. A conceptual site development plan showing the location of commercial uses, internal access, buffering and existing storm water retention pond is included as Attachment “C.”

Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	PUD5541	SNH
South	Polk Parkway	N/A	N/A	N/A
East	Single-Family Residential	RL	PUD3428E	SNH
West	Vacant/Pasture	IAC	PUD5820	SSP

2.4 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

Attachment D: Landscape Plan

3.0 Discussion

The subject property was previously part of the West Lakeland Development of Regional Impact (DRI), a 3,200-acre mixed-use project consisting of residential, retail, office, industrial and related land uses, approved by the City Commission in February of 1986. The West Lakeland DRI was originally planned to be developed in seven phases with the subject property located in Phase II, an area intended for a mixture of residential and commercial uses. Due to market forces, only Phase I of the DRI was completed. In 1992, Phases II – VII were eliminated by the City Commission through an amendment to the DRI (Resolution 3481).

The Polk Parkway was originally conceived in the 1950s as a circumferential route around Lakeland, not as a limited access, high-speed, grade-separated toll roadway. At the time the DRI was adopted, commercial land uses were assigned with the expectation that the road would function as a limited-access arterial road with at-grade intersections. In 1990, the Florida Legislature formally incorporated the Polk Parkway as part of the Turnpike Expansion Program. Within the next few years, additional right-of-way was acquired to account for the larger roadway cross-section, grade-separated interchanges, on-ramps and off-ramps, toll plazas and associated storm water retention areas.

Due to the operational characteristics of the interchange, direct access to the subject property from Airport Road is not possible. While the portion designated as CC could potentially be developed for commercial uses through the purchase of wetland mitigation credits, access would still be limited to the single access point off of Steeplechase Drive. The existing CC future land use designation potentially allows for high impact commercial uses such as very-high turnover, fast food-type restaurants, convenience stores with motor vehicle fuel sales, and motor vehicle sales, service and repair.

To account for the adjacent residential subdivision to the east, the applicant has agreed to restrict development of the property to limited C-1 commercial uses. The C-1 zoning classification provides for office uses and a limited range of retail and personal services uses. High impact retail sales and services uses which have characteristics appropriate for more intense commercial areas are not permitted. Through the PUD, certain C-1 uses such as group homes, hotels, pharmacies, medical marijuana dispending facilities, bed & breakfasts, and hostels will be excluded as they would not be appropriate given the adjacent residential context.

As presented at the July 20, 2021, meeting of the Planning and Zoning Board, this request was initially for a change in land use and the application of C-1 zoning. At the July public hearing, seven property owners in Steeplechase expressed concerns regarding the proposed change in zoning. Comments included concerns about commercial development bringing crime to the area, increased traffic on Airport Road during peak traffic hours, and loss of views and privacy. As a result of the public hearing, the applicant agreed to revise the application to request PUD (Planned Unit Development) zoning in order to adopt specific conditions of approval, including performance standards and a detailed landscape buffer plan, which will minimize the development’s impacts.

To address concerns about privacy, the applicant is proposing two separate landscape buffers. The primary buffer, located south of the existing retention pond and adjacent to existing residential uses in Steeplechase, will be 30 feet in width and consist of a six-foot fence on top of a three-foot high berm planted with four type “B” trees and 16 shrubs per 100 linear feet.

To the west of the existing storm water retention pond, the applicant is proposing a smaller 20-foot wide buffer consisting of six type “B” trees and 32 shrubs (in two staggered rows) per 100 linear feet. A smaller buffer is appropriate in this location because of the size of the 1.2 acre pond which functions as a substantial horizontal buffer between the residential uses on the west side of Triple Crown Lane and the access driveway from Steeplechase Drive to the commercial parcel.

Recommended performance standards include a restriction on the use of outdoor public address system, bell ringers and loud speakers, a limitation on the hours in which delivery trucks can be loaded and unloaded, and a prohibition on the performance of live music outdoors.

3.1 Transportation and Concurrency

The subject property is located on State Road 572 (Airport Road) just north of the State Road 570 (Polk Parkway) interchange at Exit 3. Per the Polk Transportation Planning Organization’s Roadway Network Database (March 16, 2020), the adjacent segment of Airport Road (Drane Field Road to US 92) has an Annual Average Daily Traffic (AADT) volume of 11,400 vehicles, operating at level-of-service (LOS) C during the P.M. Peak Hour. The site is located within the Urban Development Area as depicted in the Comprehensive Plan, which has a LOS “E” standard for roadways.

Significant growth is currently underway in the surrounding area, primarily associated with the Lakes at Laurel Highlands residential community and Lakeland Central Park business park located north and west of the Steeplechase community, respectively. Both developments are currently constructing sections of the new Winston Park Boulevard collector road between CR 542 (Old Tampa Highway) and North Parkway Frontage Road, which is expected to absorb some of this additional traffic. However, the Lakeland Central Park traffic analysis upon which its adopted Development Agreement is based assigned all of its trips to Airport Road, with 556 southbound and 308 northbound P.M. Peak being vested on the segment between the Polk Parkway and Winston Park Boulevard. Representatives for Lakeland Central Park are required to provide Florida Department of Transportation with an Intersection Control Evaluation (ICE) to determine what traffic control measures and roadway improvements it will require at the Airport Road/Winston Park Boulevard intersection. This ICE analysis, which will be used to determine if a traffic signal or roundabout will be required at this location, has not been received by Florida DOT to date. Based on information from the Polk County Property Appraiser, the owner of the Lakeland Central Park development site (LCP Owner, LLC) owns a 334-foot-long strip of land along the east side of Airport Road abutting the subject property, ranging in width from 21 feet to 24 feet. This strip of private land is expected to accommodate future roadway improvements in support the business park and means that the subject parcel does not have direct frontage on Airport Road within this area.

It should be noted that the proposed land use change will reduce the Convenience Center designation by almost two acres, therefore resulting in a decrease in future trip generation for the land use analysis. The Planned Unit Development zoning conditions will further restrict the retail uses to more neighborhood-scale C-1 categories, limiting the amount of future traffic relative to other uses allowed under the Convenience Center land use category. The Transportation Concurrency Study for the Steeplechase Drive Retail Site prepared by Robert Pergolizzi, AICP PTP (Gulf Coast Consulting) estimates that 29,000 square feet of retail space will generate 1,095 Daily and 111 P.M. Peak Hour Trips, using the trip generation rates for Land Use Code 820 (Shopping Center) published in the Institute of Transportation Engineers’ *Trip Generation Manual* (10th Edition). Given that the future year background and vested trips on this section of Airport Road are expected to cause the volume to exceed the generalized capacity of the adjacent segment of Airport Road (Polk Parkway to Winston

Park Boulevard), a more detailed arterial analysis was conducted as part of this study. That arterial analysis concludes that with project traffic, northbound Airport Road will operate a Level of Service "B" during the P.M. Peak Period and at Level of Service "C" in the southbound direction. Both directions will operate at an acceptable level of service. At the Airport Road/Steeplechase Drive intersection, the westbound approach delay is expected to increase from 13.6 seconds (LOS B) under current conditions to 35.1 seconds (LOS E) during Year 2023 conditions with project traffic and additional background traffic that includes vested trips from nearby development activity. Under future conditions, the Airport Road/Steeplechase intersection will operate at an acceptable level-of-service.

The Florida DOT constructed a new sidewalk along the east side of Airport Road between Drane Field Road and Gay Road as part of its recent resurfacing project. Winston Park Boulevard within Lakes at Laurel Highlands includes sidewalks and bicycle lanes on both sides of the street and the section within Lakeland Central Park will include a sidewalk on the south side of the street with a 10-foot wide bicycle trail ("sidepath") on the north side of the street. Both Winston Park Boulevard and the adjacent section of Airport Road are designated Proposed Pathways Corridors in the Comprehensive Plan. The Lakeland Area Mass Transit District (Citrus Connection) operates southbound bus service on Airport Road via Red Line 2 with frequencies of 90 minutes or greater. These "headways" exceed the acceptable 60-minute frequencies for the Urban Development Area. Access to the development parcel will only be allowed from Steeplechase Drive. The existing full-movement connection to Airport Road from Steeplechase Drive may have to be converted to right-in/right-out or right-in/right-out/left-in operations with development on this site or with the future access modifications required for Lakeland Central Park. These access modifications are subject to the Florida Department of Transportation's permitting process.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: 2030 and it is our opinion that the request as conditioned 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 the approval of the land use change and application of PUD zoning. Letters of notification were mailed to 124 property owners within 500 feet of the subject property. In addition to those that spoke at the July public hearing, three e-mails and three phone calls were received in objection to the original application (LUS21-002/ZON21-008). While the majority were supportive of the change in land use from Convenience Center to Conservation in the southwest portion of the property, objections to the relocation of the commercial entitlements were expressed as stated above.

4.2 The Planning & Zoning Board

It is recommended that the request for a change in land use from CC to C, a change in land use from RL to CC, and a change in zoning from LD to PUD, as described above and in Attachments "A", "B," and "C," be approved.

A. Permitted Uses:

Those uses permitted by right within C-1 zoning districts, except for the following uses which shall be prohibited.

- Rooming Houses, & Hostels, Level I
- Bed & Breakfast
- Hotels
- Drug Stores & Pharmacies
- Medical Marijuana Dispensing Facilities
- Group Homes, Level I
- Group Homs, Level II
- Group Homes, Level III
- Ground Mounted Personal Wireless Facilities

B. Maximum Intensity of Use: 29,000 sq. ft.

C. Development Standards: In accordance with the C-1/Suburban Corridor (SCO) context sub-district.

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

E. Performance Standards:

1. The use of outdoor public address systems, bell ringers or loud speakers shall be prohibited.

2. The loading and unloading of trucks, trailers or other vehicles shall be prohibited between the hours of 10:00 PM and 6:00 AM.

3. The performance of live music outdoors, whether amplified or unamplified, shall be prohibited.

F. Landscaping & Buffering: In accordance with the Land Development Code, except as follows.

1. As shown on Attachments “C” and “D,” along the western shore of the existing retention pond, a landscape buffer with a minimum width of 20 feet consisting of six Type “B” trees and 32 shrubs per 100 lineal feet shall be constructed by the developer. Maintenance of the landscaping shall be the responsibility of the property owner. Specific tree/shrub species, planting locations and quantities shown on the landscape plan will be subject to review and approval by Parks & Recreation at the time of site plan review.

2. As shown on Attachments “C” and “D,” parallel to the rear property lines of the single-family lots on Triple Crown Lane, a landscape buffer with a minimum width of 30 feet consisting of a three-foot high berm with a six-foot high privacy fence on top and four type “B” trees with 16 shrubs shall be constructed by the developer. Maintenance of the landscaping shall be the responsibility of the property owner. Specific tree/shrub species, planting locations and quantities shown on the landscape plan will be subject to review and approval by Parks & Recreation at the time of site plan review.

G. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code

H. Transportation

1. Binding Concurrency Determinations shall be made with each site plan submittal.

2. Development activity on this site shall comply with all Florida Department of Transportation permitting requirements along the Airport Road frontage, including the Steeplechase Drive intersection.

3. An ADA-compliant sidewalk shall be constructed along the development parcel's Steeplechase Drive frontage, connecting to the existing sidewalk along the east side of Airport Road.

4. ADA-compliant pedestrian routes shall be constructed between the principal buildings and the ADA-compliant sidewalks on Airport Road and Steeplechase Drive.

5. 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.

ATTACHMENT “A”

Land use change from CC to C

A portion of that certain parcel of land described and recorded in Official Records Book 11107, Page 1408, public records of Polk County, Florida, lying in Section 33, Township 28 South, Range 23 East, Polk County, Florida that has a Future Land Use Zoning Designation of "CC" and being more particularly described as follows:

Commence at the western most corner of Lot 72 of the plat of Steeple Chase, Phase Two, as shown and recorded in Plat Book 90, Pages 26 and 27, public records of Polk County, Florida; thence run easterly and southerly along the southwestern boundary of said Steeple Chase Phase Two for the following six courses: (1) South 39°02'56" East, a distance of 463.23 feet; (2) South 61°50'15" East, a distance of 408.12 feet; (3) South 50°57'04" West, a distance of 150.00 feet; (4) South 83°04'39" West, a distance of 59.41 feet; (5) South 51°07'06" West, a distance of 69.71 feet; (6) South 23°33'01" West, a distance of 227.60 feet to a point on the north right of line of the Polk Parkway as described and recorded in Official Records Book 11107, Page 1408, public records of Polk County, Florida; thence westerly along said north right of way line for the following three courses: (1) North 64°33'07" West, a distance of 274.51 feet to the Point of Beginning; (2) thence continue North 64°33'07" West, a distance of 862.36 feet; (3) thence North 27°20'27" West, a distance of 67.29 feet to the beginning of a non-tangent curve concave to the west and having the following elements: a radius of 1959.86 feet, a central angle of 1°58'18", a chord bearing of North 25°35'55" East and a chord distance of 67.44 feet; thence northerly along the arc of said curve, a distance of 67.44 feet to a point on the east maintained right of way line of Airport Road as shown and recorded in Map Book 5, Page 113, public records of Polk County, Florida; thence northerly along said east maintained right of way line for the following four (4) courses: (1) North 33°28'18" East, a distance of 12.99 feet; (2) North 36°23'31" East, a distance of 100.10 feet; (3) North 34°54'14" East, a distance of 100.02 feet; (4) North 21°34'28" East, a distance of 108.44 feet; thence departing said east maintained right of way line, South 69°49'35" East, a distance of 657.34 feet; thence South 00°01'24" West, a distance of 538.73 feet to the Point of Beginning.

Containing 359,009 square feet (8.24 acres), more or less.

Land use change from RL to CC and zoning change from LD to PUD

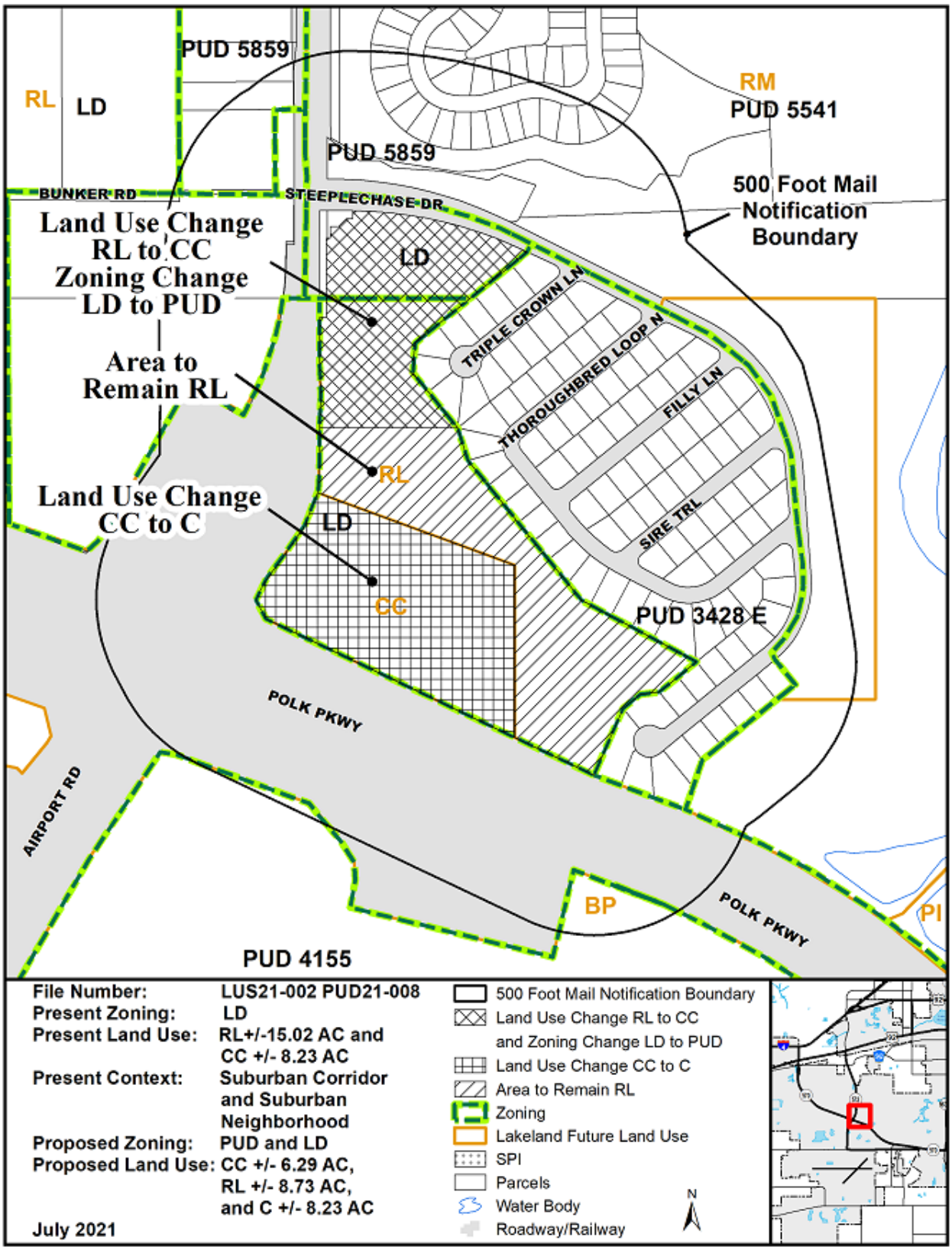
A portion of that certain parcel of land described and recorded in Official Records Book 11107, Page 1408, public records of Polk County, Florida, lying in Sections 28 and 33, Township 28 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

Begin at the southernmost corner of Lot 8 of the plat of Steeplechase, Phase One, as shown and recorded in Plat Book 89, Page 8, public records of Polk County, Florida; thence North 89°58'11" West, a distance of 431.14 feet to a point on the east maintained right of way line of Airport Road as shown and recorded in Map Book 5, Page 113, public records of Polk County, Florida; thence northerly along said east maintained right of way line for the following five (5) courses: (1) North 00°01'53" West, a distance of 5.16 feet; (2) North 02°18'59" East, a distance of 100.08 feet; (3) North 02°22'45" West, a distance of 100.08 feet; (4) North 00°01'33" East, a distance of 100.00 feet; (5) North 00°04'57" East, a distance of 39.81 feet to a point on the east right of way line of Airport Road as described and recorded in Official Records Book 8200, Page

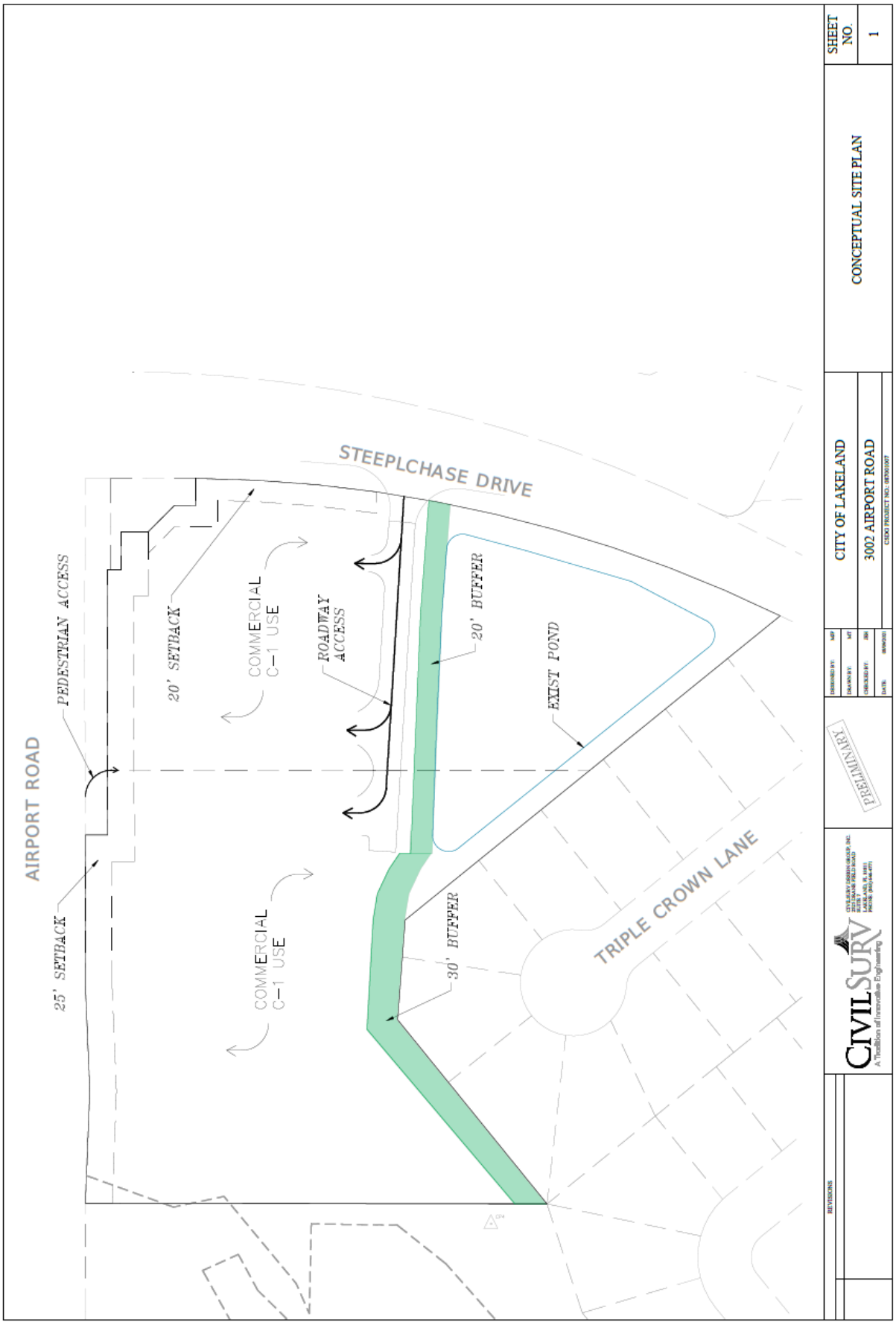
1378, public records of Polk County, Florida thence easterly and northerly along said right of way line for the following three courses; (1) South 89°58'39" East, a distance of 19.74 feet; (2) North 00°02'00" West, a distance of 248.99 feet; (3) South 89°58'00" East, a distance of 3.00 feet to the southwest corner of a parcel of land described in Official Records Book 2959, Page 78, public records of Polk County, Florida; thence along the south and east line of said parcel of land for the following six (6) courses: (1) North 89'58'00" East, a distance of 10.00 feet; (2) North 00°02'00" West, a distance of 35.00 feet; (3) North 89°58'00" East, a distance of 25.00 feet; (4) North 44°58'00" East, a distance of 35.36 feet; (5) North 89°58'00" East, a distance of 20.00 feet; (6) North 00°02'00" West, a distance of 24.94 feet to point on the south boundary line of the aforesaid plat of Steeplechase, Phase One; thence easterly and southerly along said boundary line for the following four courses; (1) easterly along the arc of a non-tangent curve concave to the south and having the following elements: a radius of 1269.67 feet; a central angle of 25°33'46", an arc distance of 566.47 feet, a chord bearing of South 76°45'21" East and a chord distance of 561.78 feet; (2) South 50°57'04" West, a distance of 451.95 feet; (3) South 04°19'52" West, a distance of 93.63 feet; (4) South 39°02'56" East, a distance of 221.95 feet to the Point of Beginning.

Containing 274,128 square feet (6.29 acres), more or less.

ATTACHMENT “B”



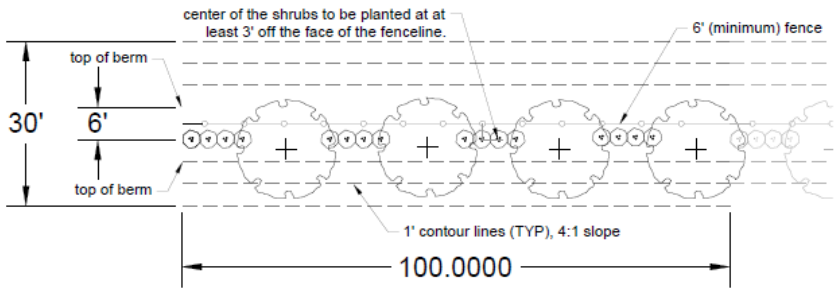
ATTACHMENT “C”



ATTACHMENT "D"

30' BUFFER WITH BERM & FENCE

Scale: 1" = 10' @ 24X36



DETAIL OF 30' WIDE BUFFER:

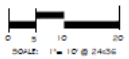
PROPOSED- 'TYPE B' BUFFER (REQUIREMENTS PER. 100LF - 20' WIDE BUFFER):

Trees- Minimum of four (4) 'Type 'B' Trees (Per Lakeland Land Dev. Code)

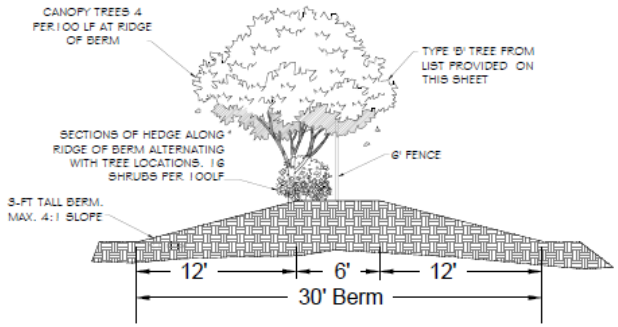
Shrubs- Minimum of sixteen (16) shrubs planted at least 2' off the fence.

6' Fence- to be installed at the center of the berm for stability.

Fence to be designed by others

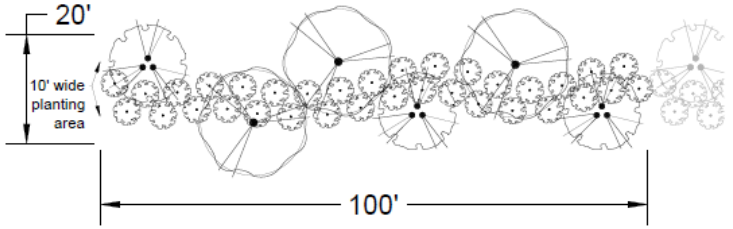


SECTION- 30' BUFFER WITH BERM & FENCE



20' BUFFER AT STORMWATER POND

Scale: 1" = 10' @ 24X36



DETAIL OF POND BUFFER

PROPOSED -'TYPE C' BUFFER REQUIREMENTS PER. 100LF - 20' WIDE BUFFER):

Trees- Minimum of six (6) 'Type 'B' Trees (per Lakeland Land Dev. Code)

Shrubs- Minimum of thirtytwo (32) shrubs in 2 staggered rows.

20' WIDE BUFFER - POND LANDSCAPE MATERIAL OPTIONS:

Shrubs:

1. Myrica cerifera - Wax Myrtle
2. Eleagnus pungens - Silverthorn
3. Callicarpa americana - American Beautyberry

Trees:

1. Quercis geminata- Sand Live Oak
2. Acer rubrum- Red Maple
3. Taxodium distichum- Pond Cypress

30' WIDE BUFFER - LANDSCAPE MATERIAL OPTIONS:

Shrubs:

1. Hamelia patens - Firebush
2. Viburnum obovatum - Walter's Viburnum
3. Illicium floridanum - Florida Anise

Trees:

(Background row options)

1. Juniperus silicicola - Southern Red Cedar
2. Gordonia lasianthus - Loblolly Bay
3. Lagerstroemia Indica var. 'Natchez'- Crape Myrtle

MINUTES

Planning & Zoning Board

City Commission Chambers

Tuesday, September 21, 2021

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members Silvana Knight, Joseph Lauk, Leigh Ann Lunz, Lyle Philipson, Ronald Roberts, and Susan Seitz were present. Community & Economic Development staff Teresa Maio, Planning & Housing Manager; Chuck Barmby, Transportation & Development Review Manager; Matthew Lyons, Chief Planner; Phillip Scearce, Principal Planner; Joshua Cheney, Senior Planner; Todd Vargo, Senior Planner; Damaris Stull, Senior Planner and Christelle Burrola, Planning Assistant, were present. Assistant City Attorney Jerrod Simpson was also present.

PUBLIC HEARING

ITEM 1: Proposed text amendment to the Lakeland Comprehensive Plan: Our Community 2030 to adopt a Property Rights Element. Applicant: City of Lakeland. (CPA21-001)

Damaris Stull stated the request is due to recent legislative changes that requires local governments to adopt a Property Rights Element in the Comprehensive Plan. The element requires the City to consider the rights of property owners when making decisions.

Teresa Maio stated the criteria is verbatim from the statute and have also been vetted with Department of Economic Opportunity (DEO) through the Central Florida Regional Planning Council.

ITEM 2: Conditional use to allow for the demolition and reconstruction of a secondary school for grades six through eight on property located at 2815 Eden Parkway. Owner: Polk County Public Schools. Applicant: Gadd & Associates, LLC. (CUP21-008)

Phillip Scearce stated the request is to allow for the demolition and reconstruction of existing facilities to modernize the Southwest Middle School campus. The subject property is 18.24 acres in area and occupies an entire block located north W. Edgewood Drive, west of Eden Parkway, and east of S. Lincoln Avenue. The school was originally constructed in 1956 as a junior high school for grades 7 – 9 and in 1992 was reclassified as a middle school for grades 6—8. On the north end of the property, there is a sidewalk that runs between Lincoln Avenue and Eden Parkway. The proposed site plan will expand the parking as well as the car rider pick up line.

Rodney Gadd, 1925 U.S. Highway 98 South, stated this is a large project for the school board and will be good for the community.

In response to Leigh Ann Lunz, Jennifer Farrell, Polk County School Board, stated the plan is for the school to remain in operation during the construction.

In response to Ronald Roberts, Rodney Gadd stated the number of student stations will be increased as part of the reconstruction. There are 800 students currently and the potential increase in enrollment is approximately 80 students.

In response to Silvana Knight, Phillip Scearce stated the recommended conditions of approval will require the school board to dedicate a 20’ right-of-way for the existing east-west sidewalk which the City will maintain as a public pedestrian connection from Eden Parkway to S. Lincoln Avenue.

Mr. Scearce presented recommended conditions to the Board.

Brad Hanke, 626 W. Oak Drive, stated he has concerns about the existing oak trees along the north side of the property.

In response to Mr. Hanke, Mr. Scearce stated there are no plans to remove any of these trees unless the City's arborist department deems it necessary.

Mr. Hanke stated he also has concerns with the increase of rodents with the demolition of the school.

Joseph Lauk made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 6—0.

ITEM 3: Application of PUD zoning to allow for a 148-bed assisted living facility on approximately 10.45 acres generally located south of the Polk Parkway, west of Airport Road and north of Carillon Boulevard. Owner: Louise W. Moore Family Trust. Applicant: Sarah Case, ECON South, LLC. (PUD21-011)

Todd Vargo stated the property was annexed in the City and does not currently have any zoning designation. The request is to allow for a 148-bed assisted living facility.

Sarah Case, 6700 S. Florida Avenue, stated there is a Florida Department of Transportation (FDOT) easement on the subject property that states the applicant has access through Airport Road. The request will be low intensive use for traffic.

In response to Silvana Knight, Ms. Case stated the units pertains to beds.

Barbara Sweeney, 3356 Fiddle Leaf Way, stated she recommends there be a buffer between the subject property and Carillon Lakes Apartments.

George Lussier, 3003 Bellflower Way, stated he is concerned with there being access on Carillon Boulevard.

Jerrod Simpson stated the applicant would have to reapply for access to Carillon Boulevard as it is not in the proposed site plan.

Teresa Maio stated regardless of zoning, the applicant would not have access to Carillon Boulevard unless the Carillon Lakes Apartments Homeowner's Association grants that right.

Sarah Case stated the applicant is only proposing access from Airport Road.

In response to Susan Seitz, Ms. Case stated the property owner has an agreement with FDOT from 1998 that states access to Airport Road will be granted after all proper processes are followed.

In response to Lyle Phillipson, Ms. Case stated next month staff will have conditions that will likely require a buffer.

ITEM 4: Change in zoning from (RA-4) Single-Family Residential to (O-1) Low Impact Office on property located at 103 W. 7th Street. Owner: Lakeland Community Redevelopment Agency. Applicant: Terrilyn Bostwick, Lakeland Community Redevelopment Agency. (ZON21-006)

Damaris Stull stated the subject property has been vacant since 2007. The proposed zoning change will allow those uses permitted in O-1 zoning districts, primarily professional office uses, and medical office uses. The property is located on the northwest corner of Florida Avenue and W. 7th Street. In December 2020, an official notice of disposition was advertised with the stipulation that any future development must align with the Midtown CRA's infill goals and support the grown of the medical district along U.S. 98/N. Florida Avenue corridor.

Terrilyn Bostwick stated the requested zoning aligns with the CRA's vision for the Midtown District. The property immediately to the north is currently being developed for a café. To the south, across W. 7th

Street, is the Robinson Kyles Counseling Center. Both have been funded by the CRA. The rezoning for the subject property will support redevelopment in the area.

ITEM 5: Minor modification of PUD (Planned Unit Development) zoning for the Estates at Carpenters to allow for the construction of a new three-story skilled care building, a chapel, an addition to existing dining facilities, a pond pavilion, and allow driveway access from Corporate Avenue. Owner: Carpenters Home Estates, Inc. Applicant: Hetty Harmon, CivilSurv, Design Group, Inc. (PUD21-012)

Joshua Cheney stated the request a new one-story 4,500 square foot chapel addition, with a 620 square foot covered porch, dining renovations, an outdoor patio, a three-story skilled care building and a pond. There will not be any additional beds to the existing skilled care facility. Mr. Cheney stated there will also be a pavilion, and a new access road of Corporate Avenue.

Hetty Harmon, CivilSurv Design Group, Inc., stated the existing skilled care facility is all double occupancy units and with the proposed request, it will become single occupancy units as a result of the pandemic. There will be no increase in beds with the development. The new access will be used mainly for residents and delivery as it will not be the prime access.

Mr. Cheney presented recommended conditions to the Board.

Leigh Ann Lunz made a motion for approval of staff's recommendation. Ronald Roberts seconded the motion and it passed 6—0.

ITEM 6: Review minutes of the August meeting.

Silvana Knight made a motion for approval of the minutes from the previous meeting. Susan Seitz seconded the motion and it passed 6—0.

ITEM 7: Request for a change in land use on approximately 8.23 acres, from Convenience Center (CC) to Conservation (C), a change in land use on approximately 6.29 acres from Residential Low (RL) to Convenience Center (CC), and a change in zoning on approximately 6.29 acres, from (LD) Limited Development to (C-1) Pedestrian Commercial District, on property located north of the Polk Parkway, east of Airport Road and south of Steeplechase Drive (3002 Airport Road). Owner: Palm Airport Road LLC. Applicant: Hetty Harmon, CivilSurv, Design Group, Inc. (LUS21-002/ZON21-003) **Note: Applicant request an additional one-month continuance to revise the application to address the concerns of Steeplechase residents.**

The applicant is requesting an additional one-month continuance to address the concerns of the Steeplechase residents.

Leigh Ann Lunz made a motion for approval of a one-month continuance. Joseph Lauk seconded the motion and it passed 5—0. Susan Seitz recused herself from the vote for this item.

ITEM 8: Changes to Article 4 (General Site Development Standards) to adopt development standards for Clothing Collection/Donation Bins, allow shipping containers as accessory structures for certain commercial uses, and expand the parking exempt area within downtown Lakeland north, south, and east of Lake Mirror, north of W. Main Street, south of Lake Wire and south of Orange Street. Applicant: City of Lakeland. (LDC21-001)

Phillip Scearce stated the proposed amendment addresses the use of shipping containers as accessory structures, development standards for clothing donation bins and the expansion of the parking exempt area in downtown. The proposed standards for Clothing Collection/Donation Bins were requested by Code Enforcement as they are currently not regulated in the Land Development Code. The City of Lakeland proposed standards are like Polk County's Land Development Regulations. Mr. Scearce read through the proposed standards. The last part of the proposed amendment pertains to

the expansion of the Parking Exempt Area. Mr. Scearce presented an exhibit showing the proposed expansion.

In response to Ronald Roberts, Mr. Scearce stated the language being removed in regard to collecting items every seven days was not a realistic timeframe.

Teresa Maio stated there is a requirement to collect items to prevent overflow.

In response to Leigh Ann Lunz, Ms. Maio stated there is no standard proposed for habitual violators.

Jerrod Simpson stated there is a provision in the Code Enforcement process for repeat violators.

In response to Silvana Knight, Ms. Maio stated there is no standard that requires the donation bin operator to obtain written permission from the property owner.

In response to Lyle Philipson, Ms. Maio stated the property owner has the power to have the donation bin removed.

In response to Joseph Lauk, Phillip Scearce stated the City does not have an analysis of how many of these donation bins currently exist.

Mr. Lauk stated he is concerned with perhaps some non-profits that have been operating with no issues.

Mr. Maio stated the property owners and operators will be made aware of the proposed standards.

In response to Silvana Knight, Jerrod Simpson stated any permitting program will be an administration burden to City staff and can potentially cause legal issues. Discussion ensued.

Joseph Lauk made a motion for approval of staff's recommendation. Leigh Ann Lunz seconded the motion and it passed 5—1. Susan Seitz voted against the motion.

ITEM 9: Changes to Article 9 (Subdivision Standards) and Article 13 (Nonconformities) to address subdivision review and platting requirements, adopt standards for splitting lots and parcels, and allow for the development of nonconforming lots under certain conditions. Applicant: City of Lakeland. (LDC21-002)

Joshua Cheney stated the intent of the subdivision standards is to protect the public health, safety, and general welfare through the orderly layout of development sites and streets. Any division of a lot, parcel, or tract of land that includes the construction of new roads, drainage facilities, shall be reviewed by the Subdivision Review Team and may require both construction plan review and plat review.

The next subsection states that all requires for lot and parcel splits shall be processed through the Polk County Property Appraiser's Office. The proposed changes are intended to prevent the creation of new nonconformities. Lastly, the proposed amendment to Article 13 will allow for the development of nonconforming lots and parcels when comprised of one or more lots of legally created prior to July 18, 1950, or if the nonconformity is due to a taking, when within 10% of the minimum dimensional standards. Mr. Cheney read through the proposed standards.

Susan Seitz made a motion for approval of staff's recommendation. Ronald Roberts seconded the motion and it passed 6—0.

ITEM 10: Changes to Article 2 (Permitted Uses) and Article 5 (Standards for Specific Uses) to adopt development standards allowing for the use of shipping containers as dwelling units in Mobile Home (MH) and Multi-Family (MF) zoning districts and as accessory structures for certain commercial uses, amend standards for home-based business, clarify parking standards for boats, trailers and RVs on residential property, and revise development standards related to personal wireless facilities in Limited Development (LD) zoning districts. Applicant: City of Lakeland. (LDC21-003)

Todd Vargo stated the proposed development standards within Article 5, Section 5.25, will allow for the use of shipping containers as dwelling units in Mobile Home Parks and multi-family zoning districts and as accessory structures for certain commercial uses. The second part of the amendment addresses the recent preemption of the regulation of home businesses by the Florida Legislature. Regulations can now only address impacts such as parking, visibility from street/adjacent properties, and performance standards such as noise and odors. The proposed changes to Section 5.17 clarify within which yards such vehicles may be parked and stored. The last and final change, consists of minor revisions to Section 5.18, Personal Wireless Service Facilities, to replace references to the RC (Rural Conservation) zoning district which was replaced by the LD zoning district and to provide a maximum height for ground mounted personal wireless facilities within the LD zoning district.

In response to Lyle Philipson, Mr. Vargo stated shipping containers are only permitted in the multi-family and mobile home parks zoning districts.

In response to Leigh Ann Lunz, Mr. Vargo stated accessory dwelling units are accessory only to single-family zoning districts.

Teresa Maio stated if a single-family home was in a multi-family zoning district, a shipping container could be used as an accessory dwelling unit.

Matthew Lyons stated the regulations for accessory dwelling units require them to be compatible in appearance with the principal structure on the lot.

In response to Susan Seitz, Mr. Vargo stated the street side definition is a yard extending from the front yard to the rear yard between any building and the side lot line measured perpendicular to the side lot line.

In response to Susan Seitz, Mr. Vargo stated even if fenced, you cannot park an RV or boat in the street side yard of a corner lot.

In response to Susan Seitz, Mr. Vargo stated you can park in the or rear yard.

In response to Silvana Knight, Jerrod Simpson stated the statute gives local governments no authority to regulate home-based businesses.

Joseph Lauk made a motion for approval of staff's recommendation. Leigh Ann Lunz seconded the motion and it passed 6—0.

ITEM 11: Changes to Article 5 (Standards for Specific Uses) to revise development standards for new mobile home parks to allow a smaller development site area, smaller lot sizes and greater density as a conditional use, to allow for the use of shipping containers as dwelling units in new and existing mobile home parks as a conditional use, and to allow for the use of "tiny homes" in recreational vehicle parks and spaces designated for recreational vehicles in existing mobile home parks. Applicant: City of Lakeland. (LDC21-004)

Matthew Lyons stated the primary purpose of the proposed amendment is to revise the development standards for new mobile home parks to allow a smaller development site area, smaller lot sizes and greater density as a conditional use. The proposed change is to allow for greater flexibility through the conditional use process when developing innovative new mobile home parks. Under the proposed changes, smaller development sites, smaller lot sizes, and greater density up to 12 dwelling units per acre may be considered as a conditional when proposing new, innovative manufactured housing projects. The second part of this text amendment pertains to the replacement of units in nonconforming mobile home parks that are not zoned for mobile home uses. The last part of this amendment allows for the use of Tiny Homes built on a towable chassis as short-term housing in recreational vehicle parks and in mobile home parks with designated RV spaces. Mr. Lyons read through the proposed standards

In response to Silvana Knight, Mr. Lyons stated a tiny home cannot be placed on a single-family plotted lot of record.

Dan Stumpfhauser, 3339 Mossy Oak Circle, Land O Lakes, stated he concerned with the requirement of a replacement mobile home be under 10 years in age at the time of permitting. He recommends the age requirement be extended. He is also concerned with the setback requirements.

Mr. Lyons stated the age requirement will likely get amended when it goes to City Commission and the setback requirement will not change.

Ronald Roberts made a motion for approval of staff's recommendation. Joseph Lauk seconded the motion and it passed 6—0.

ITEM 12: Changes to Article 3 (Urban Form Standards) to amend design standards for attached garages on single-family and two-family uses in response to recent changes to the Florida Statutes. Applicant: City of Lakeland. (LDC21-005)

Phillip Scearce stated the proposed amendment is due to recent Florida legislative changes which preempted the ability of local governments to regulate certain building design elements. These building design elements include the location and placement of attached garages on single-family and two-family homes. The design criteria was intended to minimize the impact of garage-centric house designs in order to preserve neighborhood character, enhance safety and promote walkability.

Susan Seitz made a motion for approval of staff's recommendation. Silvana Knight seconded the motion and it passed 5—0. Lyle Philipson left the meeting at 10:35 am.

ITEM 13: Changes to Article 10 (Concurrency Standards) to provide clarification regarding the concurrency determination process and adopt review requirements for major traffic studies. Applicant: City of Lakeland. (LDC21-006)

Chuck Barmby stated the intent of the proposed amendment is to formalize the traffic study procedures. This would better define when traffic studies are required and what is required of the major traffic studies. The proposed study requirements also include considerations for alternative transportation modes as well as time periods that may fall outside of the traditional P.M. Peak Period. Traffic study standards do not affect the permitting requirements of the individual jurisdictions that operate the roadways within the Lakeland area. The City will not supersede any permitting requirements by the Florida Department of Transportation and Polk County.

In response to Joseph Lauk, Mr. Barmby stated there are specific conditions and flexibility for special events.

Silvana Knight made a motion for approval of staff's recommendation. Ronald Roberts seconded the motion and it passed 5—0.

ITEM 14: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Housing Manager's Report

Teresa Maio reviewed the recent actions of the City Commission. Ms. Maio also reviewed the new cases for the October hearing.

ITEM 15: Audience.

There were no comments from the audience.

ITEM 16: Adjourn.

There being no further discussion, the meeting was adjourned at 10:53 AM

Respectfully Submitted,

Lyle Philipson	Leigh Ann Lunz

Planning & Zoning Board Recommendation

Date:	October 19, 2021	Reviewer:	Damaris Stull
Project No:	CPA21-001		
Applicant:	City of Lakeland, Community & Economic Development		
P&Z Hearing:	September 21, 2021	P&Z Final Decision:	October 19, 2021
Request:	Proposed Text Amendment to the Lakeland Comprehensive Plan: Our Community: 2030 to adopt a Property Rights Element.		

1.0 Summary

1.1 Proposed Amendment

On August 30, 2021 the City Commission approved the adoption of the 10-year update to the City's comprehensive plan. The proposed text amendment is in response to the recent legislation which requires that local governments adopt a Property Rights Element as part of their comprehensive plan. The proposed changes, included as Attachment "B," will be incorporated as a new element within Chapter 2, Vibrant and Inclusive Community.

1.2 Discussion

Pursuant to F.S. 163.3177(6), the proposed amendment requires the City to consider the rights of property owners when making decisions. These rights include the right of the property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights; the right to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances; the right of the owner to privacy and to exclude others from the property to protect the owner's possessions and property; and the right of a property owner to dispose of his or her property through sale or gift

1.3 Comments from Other Agencies

The proposed text amendment is related to a new statutory mandate and will require State review following approval by the City Commission.

1.4 Attachments

Attachment A: Revised Plan Opening Document

Attachment B: Proposed Property Rights Element

2.0 Recommendation

The Community & Economic Development Department reviewed the proposed text amendment CPA21-001 and it is our opinion that the request is consistent with the Lakeland Comprehensive Plan: Our Community 2030.

It is recommended that the proposed text amendment, as described above and in Attachments "A" and "B," be approved and forwarded to the City Commission for a transmittal hearing.

ATTACHMENT "A"
Plan Opening: Property Rights Element

Comprehensive Plan: Our Community *2030*

Structure of the Plan

The Lakeland Comprehensive Plan 2030 is structured to reflect our Community's vision and acknowledges the values that guide decision making by the City of Lakeland. Elements are consolidated into chapters and each chapter consists of sections:

- **Our Guidance**: The documents, plans, visions, regulations, and policies that influences each Element of the Plan
- **Our Vision:** The City's Vision for that Chapter that influences each Element of the Plan
- **Our Trends:** The current and future resources that influence each Element of the Plan
- **Goals, Objectives and Policies:** The regulatory guidance of each Element of the Plan
- **Influence on Other Plan Elements:** Details the policy influence each Element has on other Elements of the Plan

Chapters of the Plan are organized around visions and values and bring together relevant elements of the Comprehensive Plan, including:

Chapter 1) Introduction

Chapter 2) Vibrant and Inclusive Community links the importance of the Future Land Use Element in shaping growth and redevelopment with the Housing Element, the Recreation and Open Space Element, and a new Neighborhoods and Historic Preservation Element which all support an inclusive and healthy quality of life. Pursuant to F.S. 163.3177(6), a Property Rights Element is now included.

Chapter 3) Efficient and Well-Maintained Infrastructure brings together the provision of services including Potable Water, Wastewater, Solid Waste, and Stormwater Management with protection of the quality and quantity of our Surface Waters and our Ground Water Aquifers.

Chapter 4) Safe and Convenient Mobility Options highlights the modes of transportation including roadways, transit, bicycles, and pedestrian paths along with air and rail to ensure there are transportation options for the movement of people and goods.

Chapter 5) Attractive and Environmentally-Friendly Community includes the Conservation Element that supports the high priority of lakes and the need to ensure habitat and natural resources are protected as the City grows.

Chapter 6) Responsible and Accessible Government is the standard the City holds itself to in communicating with its citizens and with other governmental agencies through the Intergovernmental Coordination Element, the School Facilities Element, and in the City's investment in the Capital Improvement Element.

Chapter 7) Definitions

Technical Support Document: Includes a of the materials used to quantify, forecast, analyze, and influence the development of the Lakeland Comprehensive Plan 2030.

Interdependent and Vision Focused Plan Elements

The Chapters and individual Elements of the Lakeland Comprehensive Plan work together to guide the growth, redevelopment, and provision and coordination of services while protecting the natural resources and enhancing the quality of life for all Lakeland residents. As such, no one Element, Goal, Objective, or Policy should be evaluated in isolation, but rather taken as guidance as each has a specific and general influence on achieving the Lakeland Community's vision.

ATTACHMENT "B"
To be incorporated as part of Chapter 2: Vibrant and Inclusive Community, after Neighborhoods and Historic Preservation

Chapter 2
Vibrant and Inclusive Community

Strong neighborhoods support our cultural history and our economic future

OUR GUIDANCE

- Chapter 163.3177(6) Florida Statutes

Property Rights Element

Goals, Objectives, and Policies:

Property Rights Element

The following goal, objective and policy statements have been developed for the use of local policy makers in guiding and directing the decision-making process as it relates to private property rights. For purposes of definition, the goal is a generalized statement of a desired end state toward which objectives and policies are directed. The objectives provide the measurable and attainable ends toward which specific efforts are directed. The policy statements are the specific recommended actions that the City of Lakeland will follow to achieve the stated goal.

The goal, objective and policy statements in the Property Rights Element of the *Lakeland Comprehensive Plan* are consistent with the requirements of Chapter 163, *Florida Statutes* and with the other elements of this Comprehensive Plan and with the goals and policies of the *Central Florida Regional Planning Council's Strategic Regional Policy Plan.*

PROPERTY RIGHTS (PR) GOAL 1: Consider Property Rights when Making Decisions.

Objective PR-1.1: Local policymakers shall consider certain private property rights when making decisions.

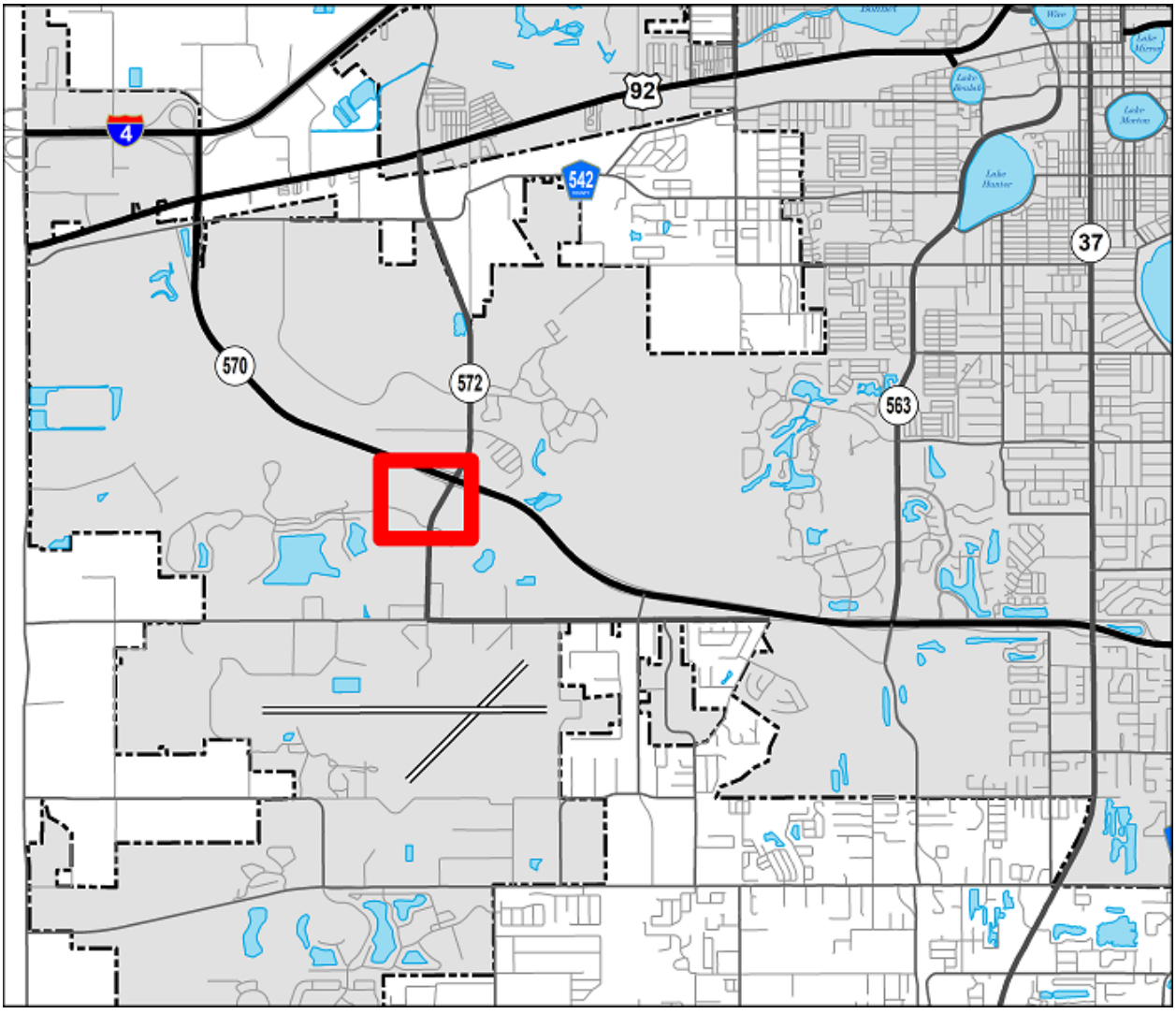
Policy PR-1.1A: Consistent with Section 163.3177(6), Florida Statutes, the City of Lakeland shall consider the following private property rights in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

Community & Economic Development
Staff Recommendation

Date:	October 19, 2021	Reviewer:	Todd Vargo
Project No:	PUD21-011	Location:	3201 Airport Road
Owner:	Louise W. Moore, Family Trust		
Applicant:	Sarah Case, ECON South, LLC		
Current Zoning:	N/A	Future Land Use:	Interchange Activity Center (IAC)
Context District:	Suburban Corridor (SCO)		
P&Z Hearing:	September 21, 2021	P&Z Final Decision:	October 19, 2021
Request:	Application of PUD zoning to allow for a 148-bed assisted living facility on approximately 10.45 acres generally located on the west side of Airport Road, south of the Polk Parkway, north of Carillon Boulevard.		

1.0 Location Maps



LD
PUD 5820
POLK PKWY
POLK PKWY
PUD 3839
Subject Property
AIRPORT RD
AIRPORT RD
500 Foot Mail Notification Boundary
PUD 5855
PUD 4155

2.0 Background

2.1 Summary

Sarah Case, on behalf of the Louise W. Moore Family Trust, requests application of PUD zoning in order to construct a 148-bed assisted living facility on approximately 10.45 acres located on the west side of Airport Road, south of the Polk Parkway and north of Carillon Boulevard. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property is approximately 10.45 acres in area and has a future land use designation of Interchange Activity Center (IAC) and is within the Suburban Corridor (SCO) context district. The subject property was annexed into the City of Lakeland on March 3, 1986 (Ordinance 2773) and was initially given a Community Activity Center (CAC) future land use designation within the former West Lakeland Development of Regional Impact (DRI). On November 6, 2000, as part of a large-scale land use amendment which included adjacent properties to the south and west (Ordinance 4210), the future land use designation was changed from CAC to the current IAC designation. Zoning, however, was not applied at that time.

2.3 Project Background

The purpose of this request is to obtain PUD zoning to allow for the construction of a 148-bed assisted living facility comprised of one-story memory care unit, a one-story amenity center and a three-story assisted living unit. The proposed site development plan, which shows the location of building footprints, driveway access and off-street parking is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Polk Parkway Right-of-Way	N/A	N/A	N/A
South	Multi-Family Residential	IAC	PUD	SCO
East	Professional Office	IAC	PUD	SSP
West	Storm Water Management Area	RM	PUD	SNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

The IAC future land use designation is a special category of activity center that was created to address the unique opportunities associated with development at limited access highway interchanges such as the Polk Parkway and Airport Road. While primarily intended for high intensity commercial uses which cater to regional travelers, the land use category also allows for residential uses with a maximum intensity of up to 75 du/acre. Development within the IAC Future Land Use district requires creation of either a Special Public Interest (SPI) District or approval of a Planned Unit Development (PUD).

The development of the subject property as an assisted living facility is appropriate given the proximity to the Polk Parkway/Airport Road interchange and nearby services. Access limitations from Airport Road and adjacent single-family uses to the southwest preclude the development of the property for more intense commercial uses such as very high turnover fast food/quick service-type restaurants and convenience stores with motor vehicle sales.

The subject property is also constrained by the presence of wetlands along the Airport Road frontage and the northern portion of the property adjacent to the Polk Parkway. Due to these constraints, the proposed assisted living facility will be located in the southern portion of the property with the one-story memory care unit located north of Carillon Boulevard and the three-story assisted living unit further north.

Access to the property will be limited solely to a single right-in/right-out driveway on Airport Road with no emergency or secondary access to Carillon Boulevard. The property was granted a perpetual easement by FDOT in 1998 which guarantees access to Airport Road with the approval of an FDOT driveway permit.

3.1 Transportation and Concurrency

The subject property is located on the west side of State Road 572 (Airport Road), just south of the State Road 570 (Polk Parkway) interchange at Exit 3. Per the Polk Transportation Planning Organization's Roadway Network Database (March 16, 2020), this segment of Airport Road (Drane Field Road to US 92) has an Annual Average Daily Traffic (AADT) volume of 11,400 vehicles, operating at level-of-service (LOS) "C" during the P.M. Peak Hour. This site is located within the Urban Development Area as designated in the Comprehensive Plan, which has a LOS "E" roadway standard. A 148-bed assisted living facility is expected to generate an estimated 385 Daily and 38 P.M. Peak Hour Trips, using the trip generation rates for Land Use Code 254 (Assisted Living) published in the Institute of Transportation Engineers' *Trip Generation Manual* (10th Edition). The site is located north of the privately-owned Carillon Boulevard but has no rights to access this street. The planned Parkway Preserve apartment community is located south of Carillon Boulevard and will be required to construct a sidewalk and transit shelter along its Airport Road frontage.

The Florida DOT constructed a new sidewalk along the east side of Airport Road between Drane Field Road and Gay Road as part of its recent resurfacing project. A sidewalk does not exist on the west side of Airport Road north of the Carillon Boulevard intersection, which has full pedestrian accommodations with crosswalks across both Carillon Boulevard and Airport Road. The adjacent section of Airport Road is a designated Proposed Pathways Corridor in the Comprehensive Plan. The Lakeland Area Mass Transit District (Citrus Connection) operates southbound bus service on Airport Road via Red Line 2 with frequencies of 90 minutes or greater. These "headways" exceed the acceptable 60-minute frequencies for the Urban Development Area. The site's Airport Road

driveway shall be permitted by the Florida Department of Transportation. The Amended Order of Taking involving the Airport Road/Polk Parkway right-of-way acquisition (OR BK 4340 PG 507) shows that the limited access line (which prohibits driveway access to Airport Road) stops just north of the proposed driveway location for this site.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request as conditioned is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends the approval of the application of PUD zoning. Letters of notification were mailed to five (5) property owners within 500 feet of the subject property and no objections or comments were received.

4.2 The Planning & Zoning Board

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

1. Permitted Uses: A 148-bed assisted living facility complex with assisted living and memory care units.

2. Site Development Plan: The project shall be developed in substantial accordance with the site development plan shown in Attachment "C." With the approval of the Director of Community and Economic Development, minor modifications may be made to the site development plan at the time of site plan review without requiring a modification of this PUD.

3. Development Regulations: In accordance with the C-1/Suburban Corridor (SCO) sub-district standards, except as otherwise provided herein.

    a. Maximum Building Height: Three (3) stories for the assisted living building, one (1) story for the memory care units and the main entrance/amenity center

    b. Minimum Perimeter Setbacks: 25 feet.

4. Sidewalks: An ADA-compliant sidewalk shall be constructed along the Airport Road frontage and along the entrance way from Airport Road to the development site. ADA-compliant sidewalks shall also connect each principal building within the development site.

5. Signage: In accordance with the Office Commercial and Small Lot General Commercial Zoning District Regulations (O-1, O-2 and C-1) as specified in Sub-Section 4.9.4.3 of the Land Development Code.

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

    a. Adjacent to the southern perimeter project boundary, where there are no existing wetlands, a Type A buffer as shown in Figure 4.5-9 of the Land Development Code shall be planted. Construction of a fence or wall as part of the landscape buffer shall be optional.

7. Transportation Conditions

    a. Binding Concurrency Determinations shall be made at the time of site plan submittal.

    b. The site shall comply with all Florida Department of Transportation permitting requirements.

    c. Driveway access to Carillon Boulevard shall not be allowed.

    d. An ADA-compliant sidewalk shall be provided along the site driveway, between the required Airport Road frontage sidewalk and principal building entrance.

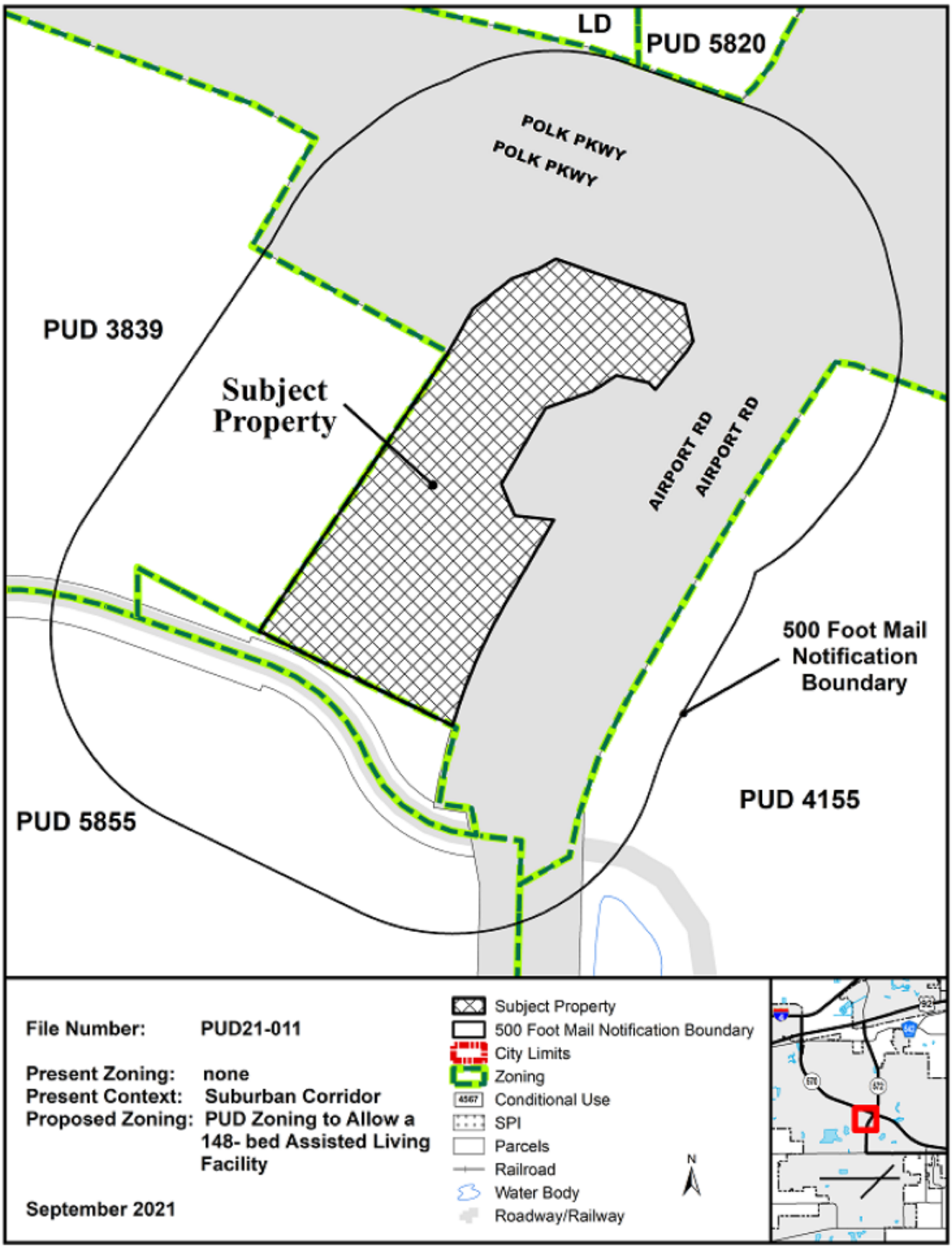
    e. A sidewalk shall be constructed along the site's Airport Road frontage between its driveway and the Carillon Boulevard intersection.

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

ATTACHMENT “A”

UNRE AUCTION TRACT 12 COMM SW COR OF SEC RUN N 1335.42 FT E 1373.11 FT TO C/L AIRPORT RD N 01 DEG 41 MIN 57 SEC E 1572.81 FT N 28 DEG 26 MIN 15 SEC W 85.97 FT TO POB RUN N 64 DEG W 665 FT N 34 DEG 03 MIN 43 SEC E 809.23 FT N 30 DEG 24 MIN 16 SEC E 118.22 FT N 52 DEG 04 MIN 16 SEC E 118.29 FT N 70 DEG 11 MIN 04 SEC E 68.68 FT N 59 DEG 52 MIN 28 SEC E 48.22 FT S 70 DEG 30 MIN 36 SEC E 325.88 FT S 13 DEG 32 MIN 29 SEC E 144.22 FT S 29 DEG 58 MIN 37 SEC W 637.37 FT SWLY ALONG A CURVE 409.12 FT TO POB LESS R/W FOR SR 570

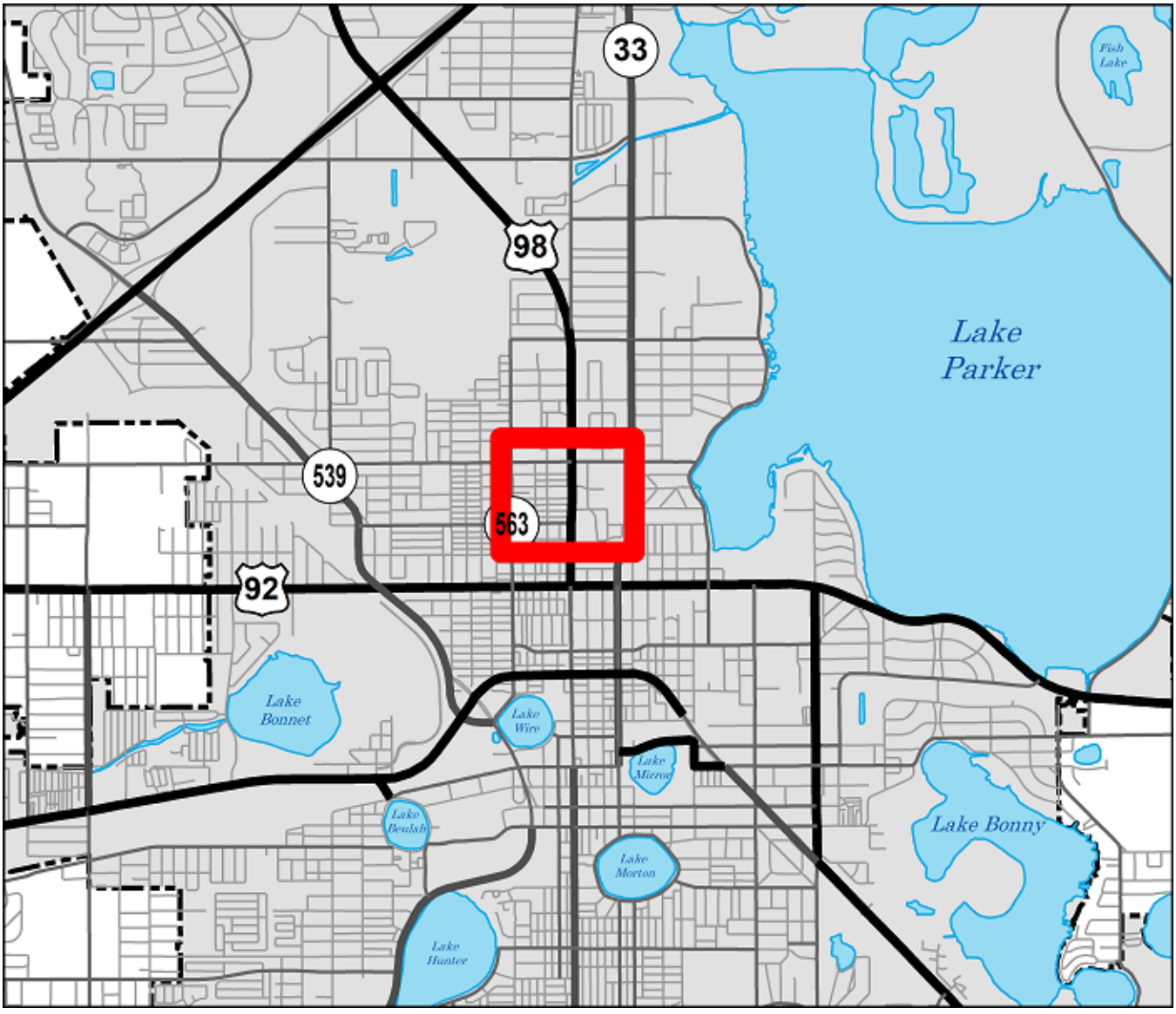
ATTACHMENT “B”

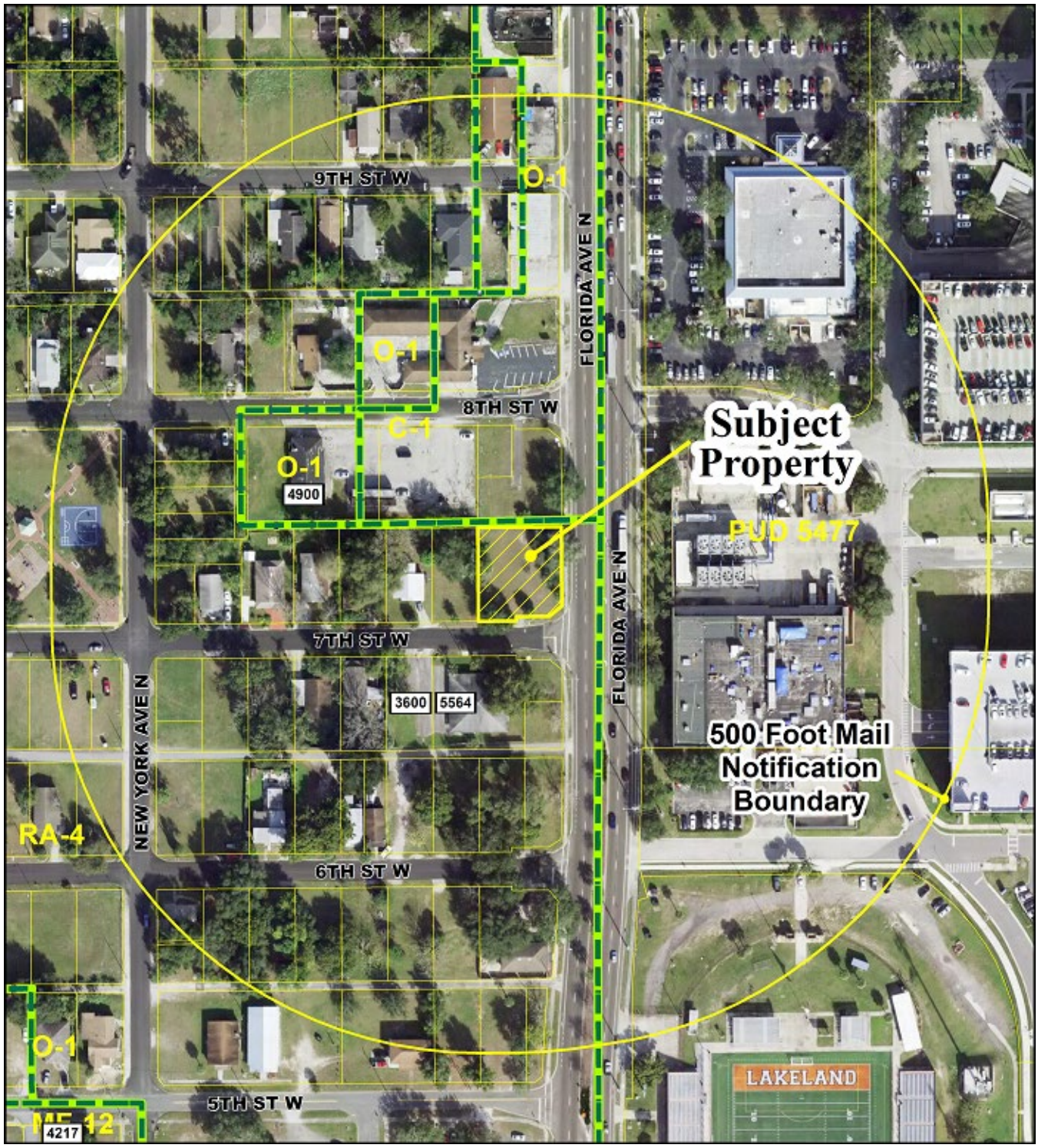


Community & Economic Development
Staff Recommendation

Date:	October 19, 2021	Reviewer:	Damaris Stull
Project No:	ZON21-006	Location:	103 W. 7th Street
Owners:	Lakeland Community Redevelopment Agency		
Applicant:	Lakeland Community Redevelopment Agency		
Current Zoning:	(RA-4) Single-Family Residential	Future Land Use:	Residential Medium (RM)
Context District:	UNH (Urban Neighborhood)		
P&Z Hearing:	September 21, 2021	P&Z Final Decision:	October 19, 2021
Request:	Change in zoning from RA-4 (Single Family Residential) to O-1 (Low Impact Office) on approximately 0.24 acres located at 103 W. 7th Street.		

1.0 Location Maps




9TH ST W
8TH ST W
7TH ST W
6TH ST W
5TH ST W
FLORIDA AVE N
NEW YORK AVE N
O-1
C-1
RA-4
4900
3600
5564
4217
Subject Property
PUD 5477
500 Foot Mail Notification Boundary
LAKELAND

2.0 Background

2.1 Summary

The Lakeland Community Redevelopment Agency requests a change in zoning from RA-4 (Single Family Residential) to O-1 (Low Impact Office) on approximately 0.24 acres located at 103 W. 7th Street. A map of the subject property is included as Attachment "B."

2.2 Subject Property

Located in the Paul A. Diggs neighborhood at the northwest corner of W. 7th Street and N. Florida Avenue, the subject property is presently vacant and has a future land use designation of Residential Medium (RM). Adjacent properties to the north are zoned (C-1) Pedestrian Commercial District. The adjacent property to the south, across W. 7th Street, is zoned RA-4 and consists of a one-story, 3,600 sq. ft. office building that currently operates as a community clinic through a conditional use permit.

The current RA-4 zoning classification allows for single-family detached residential uses by right and certain non-residential uses such as churches, schools, clinics and daycare facilities as a conditional use. The subject property has been vacant since 2007 when a small single-family home located on the west half of the property was demolished. Given the proximity to U.S. 98 North/N. Florida Avenue, the market demand for residential uses is minimal.

2.3 Project Background

The subject property is presently owned by the Lakeland Community Redevelopment Agency (CRA). The CRA first acquired the property in 2007 and in November 2020 received a letter of interest to purchase the property. The following month, an official notice of disposition was advertised with the stipulation that any future development must align with the Midtown CRA's infill goals and support the growth of the medical district along the U.S. 98/N. Florida Avenue corridor.

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Vacant	MCC	C-1	UCO
South	Medical Clinic	RM	RA-4	UNH
East	Regional Medical Center	RAC	PUD	USP
West	Single-Family Residential	RM	RA-4	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

3.0 Discussion

This segment of the U.S. 98 North/N. Florida Avenue corridor is bounded by Lakeland Regional Health Systems hospital campus to the east, and a mixture of older single-family residential uses and commercial properties on the west. Over the past 20 years, most of the single-family homes with frontage along the corridor have been demolished.

The O-1 zoning classification is primarily intended for small-scale professional office and medical office uses and typically applied as a transition zone when adjacent to residential zoning districts. The requested O-1 zoning will allow for future development of the property consistent with the CRA's master plan to expand medical office uses along the corridor.

3.1 Transportation and Concurrency

All levels of service are currently acceptable, and no new development is proposed at this time. Any future redevelopment plans for the site will be subject to a binding concurrency determination at time of site plan review. Based on the size of the property and the types of uses allowed within O-1 zoning districts, the proposed rezoning is not anticipated to negatively impact or diminish the level-of-service of the local roadway network.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 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 Development Department reviewed this request and recommends the approval of the change in zoning from RA-4 (Single Family Residential) to O-1 (Low Impact Office). Letters of notification were mailed to 55 property owners within 500 feet of the subject property and no objections were received.

4.2 The Planning & Zoning Board

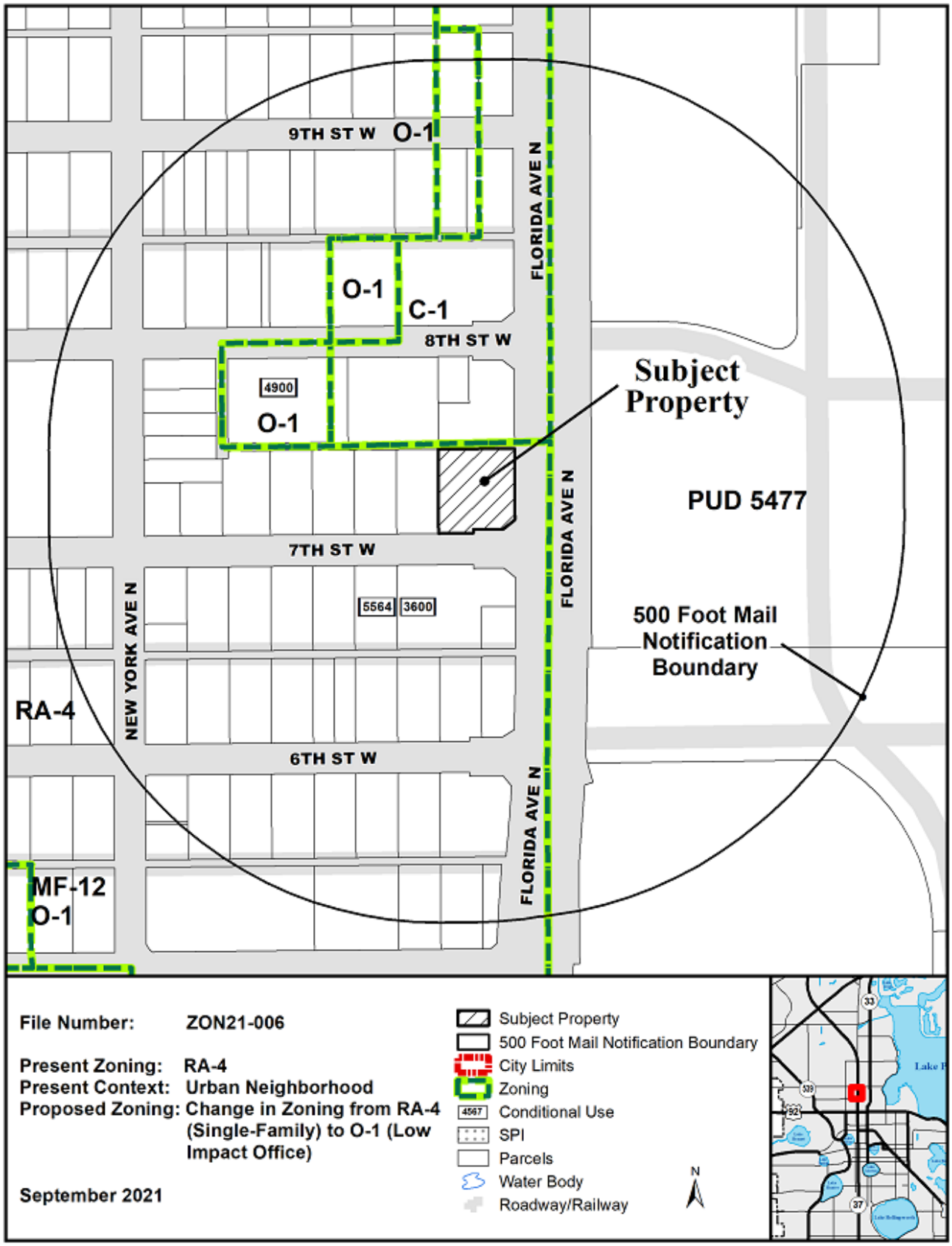
It is recommended that the request for change in zoning from RA-4 to O-1, as described above and in Attachments "A" and "B," be approved.

ATTACHMENT “A”

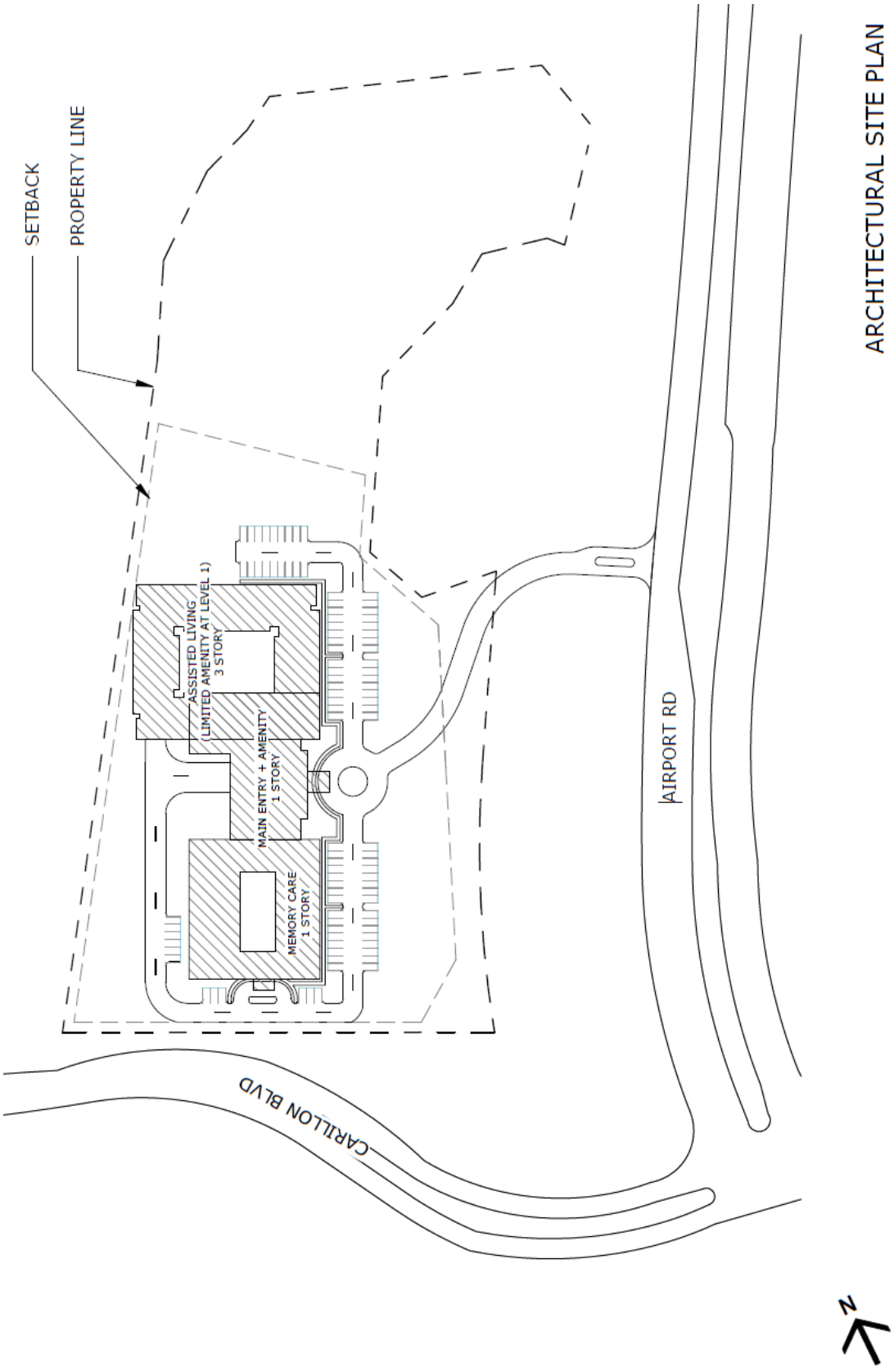
Legal Description:

Commence at the Southeast corner (point of intersection section 36 + 33.54) of Section 12, Township 28 South, Range 23 East, at point 89° 06' 10" East 1,138.00 feet of the Southwest corner of the SE 1/4 of the SE 1/4 of said Section 12, run thence North 0° 38' 30" West 1,890.14 feet, thence South 89° 27' 02" West 40.00 feet for a point of beginning; continue thence South 89° 27' 02" West 53.38 feet; thence North 0° 41' 30" West 5.° 00 feet; thence North 89° 30' 21" East 36.38 feet; thence North 50° 40' 05" East 19.22 feet; thence South 0° 38' 30" East 17.00 feet to the Point of Beginning.

ATTACHMENT “B”



ATTACHMENT “C”



Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, October 19, 2021

Meeting of September 20, 2021

Ordinances (Second Reading)

Proposed 21-035; Proposed 21-035; Approving a Conditional Use to Construct a 180-Foot High Ground Mounted, Personal Wireless Services Facility on Approximately 24.07 Acres Located East of Lakeland Highlands Road and North of SR 570. **Approved 7—0, Ordinance 5889**

Proposed 21-036; Amending Ordinance 3839, as Amended; Major Modification of PUD Zoning for Parkway Preserve, to Allow Driveway Access on Airport Road for Property Located South of Carillon Boulevard and West of Airport Road. **Approved 7—0, Ordinance 5890**