

## AGENDA

Planning & Zoning Board  
City Commission Chambers  
June 17, 2025, 8:30 a.m.

In accordance with the Americans with Disabilities Act 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: [ADASpecialist@lakelandgov.net](mailto:ADASpecialist@lakelandgov.net). **If hearing impaired**, please contact the **TDD numbers**: Local – (863) 834-8333 or 1-800-955- 8771 (TDD-Telecommunications Device for the Deaf) or the **Florida Relay Service Number** 1-800-955-8770 (VOICE), for assistance.

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

## PUBLIC HEARING

- ITEM 1:** Application of C-1 (Pedestrian Commercial) zoning on approximately 0.98 acres located north of Lakeland Park Center Drive and west of Hopewell Avenue (1009, 1015, 1019 and 1026 Lakeland Park Center Drive and 3504 Hopewell Avenue). Owner: Van and Nguyen LLC. Applicant: Chandra Frederick. (ZON25-007)
- ITEM 2:** Small-scale land use amendment to change the future land use designation from Residential Medium (RM) to Public Buildings/Grounds/Institutional (PI); and a change in zoning from MF-12 (Multi-Family Residential) to PUD (Planned Unit Development), to allow a 100-unit, multi-family residential development for the elderly on approximately 3.16 acres located at the northeast corner of W. 10<sup>th</sup> Street and Kettles Avenue (1401 Kettles Avenue). Owner: Lakeland Housing Authority. Applicant: Boggs Engineering, LLC. (LUS25-004/PUD25-008)

## GENERAL MEETING

- ITEM 3:** Review minutes of the May meeting.
- ITEM 4:** Plat approval for Lakeside Preserve Phase 2C, a 109-lot residential subdivision, on 22.05 acres generally located south of the Polk Parkway (SR 570) and east of Pipkin Creek Road and west of Harden Boulevard (4519 River Birch Bend). Owner: Domain Timberlake Multistate, LLC. Applicant: Kenneth Thompson, Platinum Surveying and Mapping, LLC. (SUB25-001)
- ITEM 5:** Major modification to PUD (Planned Unit Development) zoning to allow for the development of a new 8,000 square foot, one-story office building on property located at 4265 New Tampa Highway. Owner: Magna Vitae Investments III LLC. Applicant: Jason Kendall. (PUD25-004)
- ITEM 6:** Small-scale land use amendment, to change the future land use designation from Business Park (BP) to Industrial (I); and a change of zoning from I-2 (Medium Industrial) to PUD (Planned Unit Development) to allow for Scrap, Waste and Reclaimed Materials Trade Uses, Level II and Secondary Smelting and Refining of Nonferrous Materials on approximately 9.35 acres generally located at 2420 New Tampa Highway. Owner: Hamlin Real Estate LLC. Applicant: Timothy F.

Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A. (LUS25-001/PUD25-003) **Note:**  
**Continued from a previous meeting.**

**ITEM 7:** Small-scale land use map amendment to apply a future land use designation of Residential Medium (RM), the application of RA-4 (Single-Family Residential) zoning, and a conditional use to allow a 64-unit single-family attached (townhome) development on approximately 7.51 acres located at the northeast corner of Kathleen Road and Sleepy Hill Road. Owner: James P. Gills, Jr. Applicant: Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A. (LUS25-003/CUP25-004/ZON25-005)

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

ITEM 9: Audience.

ITEM 10: Adjourn.



# Planning & Zoning Board General Application

General Information:										
Project No:		<a href="#">ZON25-007</a>			Application Date:		4/11/2025			
Associated Projects:										
Project Name:		LAKELAND PARK CENTER RETAIL								
Subject Property Address:		1019 LAKELAND PARK CENTER DR								
Parcel ID:		232736015700001031			Total Acreage:		0.98			
Applicant Name:		CHANDRA FREDERICK								
Applicant Address:		7930 ASHLEY POINTE DR			LAKELAND		FL		33810	
Owner Name:		VAN AND NGUYEN LLC								
Owner Address:		1870 VIA LAGO DR			LAKELAND		FL		33810	
Request:										
Application Type:		Rezoning				General				
Land Use										
Current		Regional Activity Center				(RAC)				
Proposed		Not Applicable								
Zoning										
Current										
Proposed		Pedestrian Commercial				(C-1)				
Sub Context District										
Current		(SCO)				Suburban Corridor				
Proposed										
Explanation of Request:		<p>The owner wishes to apply for C1 zoning on the following parcels:</p> <p>232736-015700-001040 (1025 Lakeland Park Center Dr)            232736-015700-001031 (1019 Lakeland Park Center Dr)            232736-015700-001032 (1015 Lakeland Park Center Dr)            232736-015700-001020 (1009 Lakeland Park Center Dr)            232736-015700-001010 (3504 Hopewell Dr)</p> <p>These parcel currently do not have a zoning classification assigned to them. The owner plans to build a retail building and the required stormwater, parking and landscaping on four of five parcels. The fifth parcel (ending in 001040) may be used for office or retail in the future, but for the foreseeable future will continue to be used as a single family home.</p>								
Justification:		<p>The subject parcels have a commercial Future Land Use designation (RAC), but no assigned zoning. In order to facilitate a retail development (~6,000 square feet), the owner is applying for zoning.</p>								
Concurrency:										
Proposed Dwelling Units:		0		Project Floor Area:				Square feet		
Type of Use:					Phase				Year	
Estimate of Public Service Demand										
Roadways		Daily Trips:		#Error		PM Peak Hour Trips:		46.13		
Potable Water		1102.5		GPD		Wastewater		937.125		
						GPD		Solid Waste		
								38.5		
								PPD		



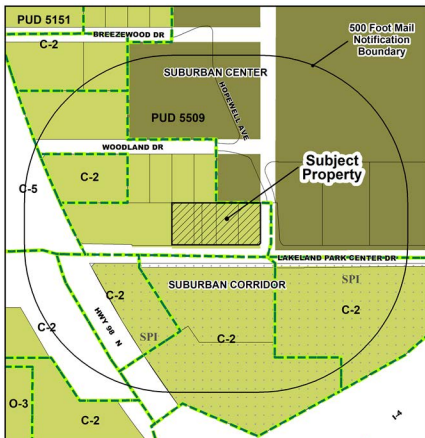
**File Number:** ZON25-007  
**Present Zoning:** None  
**Present Land Use:** RAC  
**Present Context:** Suburban Corridor  
**Proposed Zoning:** Application of C-1 Zoning

June 2025

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





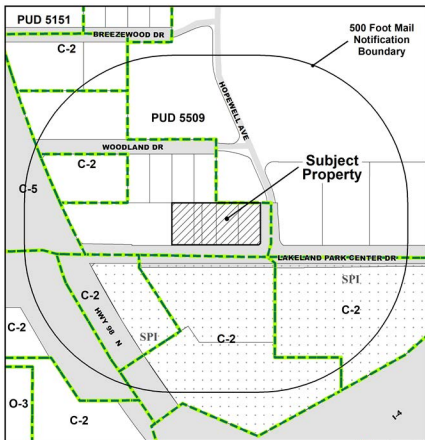


**File Number:** ZON25-007  
**Present Zoning:** None  
**Present Land Use:** RAC  
**Present Context:** Suburban Corridor  
**Proposed Zoning:** Application of C-1 Zoning

June 2025

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





**File Number:** ZON25-007

**Present Zoning:** None

**Present Land Use:** RAC

**Present Context:** Suburban Corridor

**Proposed Zoning:** Application of C-1 Zoning

June 2025

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





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

May 30, 2025

RE: 1019 Lakeland Park Center Drive - Project No. ZON25-007

Dear Property Owner:

This letter is to advise you that Chandra Frederick requests the application of C-1 (Pedestrian Commercial District) zoning on approximately 0.98 acres located north of Lakeland Park Center Drive and west of Hopewell Avenue (1009, 1015, 1019 and 1026 Lakeland Park Center Drive and 3504 Hopewell Avenue). The subject property is legally described as:

WOODLAND ACRES SUB PB 36 PG 12 BLK A LOTS 1 THRU 4 LESS RIGHT OF WAY FOR  
LAKELAND PARK CENTER DR

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, June 17, 2025**, 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](mailto:planning@lakelandgov.net), prior to the June 17<sup>th</sup> 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.**

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



# Planning & Zoning Board General Application

General Information:											
Project No:		<a href="#">LUS25-004</a>			Application Date:		4/29/2025				
Associated Projects:		PUD25-008									
Project Name:		KETTLES AVENUE SENIOR HOUSING									
Subject Property Address:		1401 KETTLES AVE # OFFICE									
Parcel ID:		232812000000014020			Total Acreage:		3.16				
Applicant Name:		BOGGS ENGINEERING LLC									
Applicant Address:		607 S ALEXANDER ST #101			PLANT CITY		FL		33563		
Owner Name:		LAKELAND HOUSING AUTHORITY									
Owner Address:		430 HARTSELL AVE			LAKELAND		FL		33815		
Request:											
Application Type:		Comprehensive Plan Amendment				Future Land Use Map					
Land Use											
Current		Residential Medium				(RM)					
Proposed		Not Applicable									
Zoning											
Current		Multi Family				(MF-12)					
Proposed		PUD (Planned Unit Development)									
Sub Context District											
Current		(UNH)				Urban Neighborhood					
Proposed											
Explanation of Request:		Development of 100 multi-family affordable units for senior independent apartments.									
Justification:		This 100% affordable development by the Lakeland Housing Authority is consistent with the City's policies to increase housing opportunities. This project will provide independent apartments for seniors that are accessible by walking or transit to healthcare and commercial services. The project is designed with large setbacks, landscaping and open space than the older apartment complex on the site. See report for additional justification.									
Concurrency:											
Proposed Dwelling Units:		0		Project Floor Area:				Square feet			
Type of Use:					Phase		Year				
Estimate of Public Service Demand											
Roadways		Daily Trips:		#Error		PM Peak Hour Trips:		25			
Potable Water		12400		GPD		Wastewater		12.4		GPD	
						Solid Waste		490		PPD	

## KETTLES AVENUE SENIOR HOUSING PROJECT NARRATIVE & JUSTIFICATION REPORT

### REZONING FROM RM-12 TO PUD

1401 Kettles Ave., Lakeland FL  
Property ID # 23-28-12-000000-014020

The owner, the Lakeland Housing Authority is requesting a rezoning from Residential Multi-family (RM-12) to Planned Unit Development (PUD) on the property identified above. A plan amendment to Public Buildings/Grounds/Institutional (PI) accompanies this application. The project will provide 100 rental units for seniors at affordable rates. These applications are required because the current entitlements are limited to 12 units per acre and the proposed development is at a density of 32 units per acre (0.73 FAR).

### PROJECT DESCRIPTION

The 3.16-acre site is located on the north side of West 10<sup>th</sup> street, just west of Martain Luther King Ave. The proposed project is a multi-family senior living facility, designed as one 3-story building. The building comprises 100 units total, including 60 one-bedroom, one-bathroom units and 40 two-bedroom, two-bathroom units. The project will feature meeting rooms on each floor and age-appropriate activities and programming. Three community rooms with porches will face the 10<sup>th</sup> Street frontage which will allow indoor/outdoor space for residents to enjoy. These areas will enliven the façade and frontage while maintaining a secure, accessible formal building entrance at the back of the building. Outdoor amenities include two community gardens as well as significant additional open space. Traffic safety will be improved with one access point on Kettles Avenue which lines up with 11<sup>th</sup> Street West. Sixty-six parking spaces will be provided which exceeds the code requirement for “elderly housing.”

### EXISTING SITE CONDITIONS

The site is currently occupied by an older apartment complex with 40 units of various sizes, in six buildings. It is not within any flood zone or Coastal High Hazard Area, and there are no environmental resources present. Two driveways access the site – one from Kettles Avenue and the other to 10th Street. Parking is located abutting the adjacent homes and on 10<sup>th</sup> Street.



## **CURRENT ENTITLEMENTS**

The current land use category is Residential Medium (RM) which allows multi-family residential at a maximum density of 12 units/acre unless the site falls within a Transit Oriented Corridor. The current zoning district is RM-12 which also allows multi-family residential at a density of 12 units/acre.

The site lies just outside of a Transit-Oriented Corridor and the Core Implementation Area of the City's comprehensive plan. It does, however, fall within several special districts that are intended to encourage development and redevelopment in Lakeland:

- Central City Transit Supportive Area (CCTSA)
- Midtown Community Redevelopment Area (CRA)
- Central City Intensity Area
- Urban Neighborhood Context Area (UNH)

## **CONSISTENCY WITH COMPREHENSIVE PLAN**

In order to obtain sufficient density to build this affordable project, the Lakeland Housing Authority has submitted a Small-Scale Land Use Plan Amendment from Residential Medium (RM) to the Public Buildings/Grounds/Institutional (PI) future land use category.

The density of the proposed project is 32 u/a with an FAR of 0.73. The RM maximum density of 12 u/a is insufficient for this project, however, the City's Residential High Density (RH) category is significantly higher than required for this project and had the potential to be incompatible with the single-family homes abutting the property. As a result, and after collaborating with City staff, the PI category was determined to be the best option to allow the project while protecting the neighborhood.

The Public Buildings, Grounds, and Institutional Uses (PI) category is a good fit for this project. LHA, a public body, will create a quality environment for senior residents at affordable rental rates and convenient access to transit, shopping and community services. Numerous Goals, Objectives and Policies in the comprehensive plan support this project. Some are highlighted below, and are fully outlined in the Justification Report for the plan amendment:

Housing GOAL 1: Promote the provision of adequate, safe and affordable housing for existing and future populations including those with special housing needs.

Objective HOU-1.3: Support efforts of public and private organizations to develop and implement innovative housing programs which increase housing availability to very low, low, and moderate income households; in particular, programs which locate such housing within mixed income, stable neighborhoods.

Policy HOU-1.3B: The City of Lakeland will coordinate the development of any applicable affordable rental and owner-occupied housing programs with the Lakeland Housing

Authority, Polk County, the Polk County Builders Association, lending institutions, and other public and private agencies.

Objective NHP-1.3: Develop and revitalize communities that enable residents to live active, healthy lives by providing convenient access to recreational opportunities, safe active transportation options, access to nutritious food choices and increasing aging-in-place opportunities.

Additional policies include NHP-1.1E and NHP-1.3I which promote Aging In Place and access to amenities and services that are walkable and close to transit. In conclusion, the proposed PUD rezoning for this affordable senior housing project - are consistent with and further the adopted Lakeland Comprehensive Plan.

### **COMPATIBLE WITH SURROUNDING AREA**

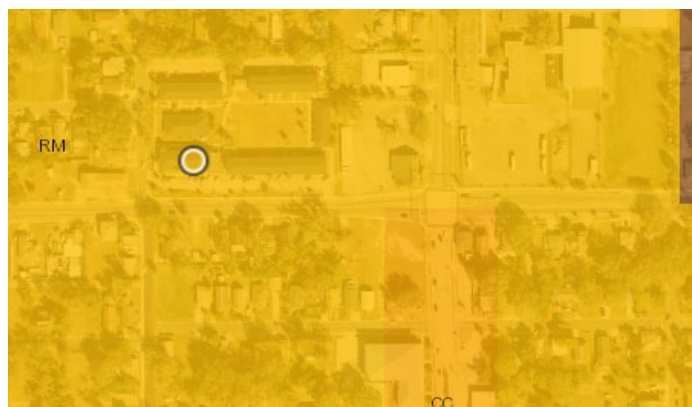
The property is located at the northeast corner of 10<sup>th</sup> Street and Kettles Avenue, just two blocks west of Florida Avenue which is a 4-lane divided arterial. As shown on the table below, the Future Land Use of the area is primarily Residential Medium (RM), with some Commercial Corridor (CC) to the south. A mixture of zoning districts ranges from RA-4 Single Family to O-1 Office, to the east. The site is on a main thoroughfare with commercial uses and some homes adjacent to it. The surrounding area is developed as single-family homes, however, the entire area has RM planned land use which already allows multi-family development up to 12 u/a.

<b><i>Abutting Property</i></b>	<b><i>Future Land Use</i></b>	<b><i>Zoning District</i></b>	<b><i>Current Use</i></b>
<b>North</b>	RM	RA-4	Single Family Homes
<b>South</b>	RM/CC	RA-4	Single Family Homes
<b>East</b>	RM	O-1	Day Care Center and Coney Funeral Home
<b>West</b>	RM	RA-4	Single Family Homes

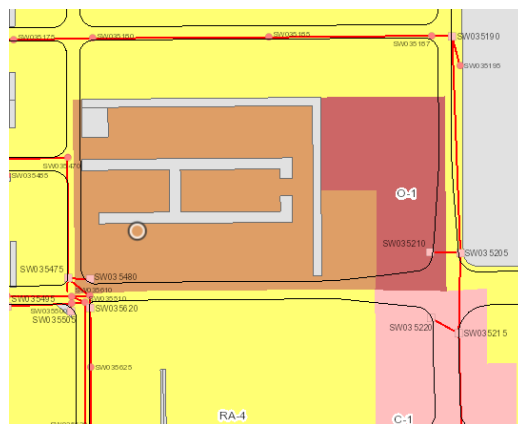
Although the proposed density is somewhat higher than the surrounding neighborhood, the PUD zoning itself offers predictability and protection for the area because it is controlled by the site plan. The site is designed to provide significant distance and buffers between the building and the adjacent homes; and increased setbacks and buffers between the parking lot and the adjacent homes. Specifically, the new building is more than 150 ft from the single-family homes to the north and the parking lot is 20 ft away – with an intervening buffer and fence. The green space will provide an attractive view from those homes. Whereas, the existing two-story buildings are approximately 50 ft from the abutting single-family lots and the parking lot is approximately 15 ft away.



Although at a higher density and height than the existing apartments, this building is compatible with surrounding uses as it is more than 150 ft from the adjacent homes and provides ample buffering, open space and fencing along the north property line. These independent apartments for seniors will be compatible and fit well by contributing landscaping, trees and updated stormwater management. The site layout is sensitive to the neighborhood environment and builds upon the neighborhood's strengths of connectivity, transit, availability of public infrastructure, commercial uses and nearby healthcare.



Future Land Use Map



Zoning Map

## COMPLIANCE WITH LAND DEVELOPMENT CODE

The proposed PUD is compliant with the intent and regulations of the City's Land Development Code (LDC). In particular, it is compliant with the UNH Context Requirements as listed on the PUD site plan submitted with this application and report. No deviations are being requested at this time.

Parking: Multiple-Family for the Elderly @ 0.5 spaces per dwelling unit

Landscaping: Type A buffer on north and east property lines which includes decorative fencing

Stormwater: A dry stormwater pond will provide updated facilities and serve as additional buffer

Open Space: Open space far exceeds LDC requirements and includes community garden areas

Setbacks & Entry: Comply with urban standards to enhance walkable public realm of 10<sup>th</sup> Street

## CONCLUSION & FINDINGS OF FACT SUMMARY

This LHA project is consistent with the City's plan, compatible with the surrounding uses and compliant with the supports the UNH context requirements as well as relevant regulations of the LDC such as parking, stormwater, refuse, buffering and open space. LHA respectfully requests approval of the Kettles Avenue Senior Housing development for the following reasons:

- The proposed affordable senior housing is supported by numerous Comprehensive Plan policies*



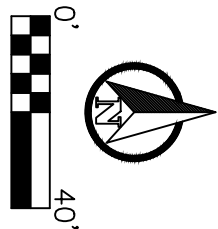
- *Muti-family Residential uses are compatible with surrounding uses with the large setbacks and open spaces provided*
- *The increased density is appropriate to support new construction of 100% affordable units*
- *Transportation – walkable, served by major roads and four bus routes, with multiple transit stops within walking distance*
- *The project will be developed by a public agency, Lakeland Housing Authority*
- *Facilitates City policies for redevelopment and increased densities in the CCTSA and the Midtown CRA*
- *The PUD provides a predictable level of development and amenities per the proposed site plan*

PREPARED BY:



Susan Swift, AICP

4/29/25



ADDRESS	1401 KETTLES AVENUE
FOLIO NUMBER	23-28-12-000000-014020
ACREAGE	3.16
PRESENT LAND USE/ZONING	RESIDENTIAL, MEDIUM / RM-12
PROPOSED FUTURE LAND USE	PUBLIC / INSTITUTIONAL (PI)
PROPOSED ZONING DISTRICT	PUD
PRESENT USE	MULTI-FAMILY - 40 UNITS
PROPOSED USE	MULTI-FAMILY SENIOR HOUSING - 100 UNITS
PROPOSED DENSITY (FAR)	32 U/AC (.73 FAR)
PROPOSED BUILDING (SF)	100,000 SF

INTENSITY AREA CENTRAL CITY TRANSIT SUPPORTIVE AREA (CCTSA)

CRA AREA MIDTOWN

CONTEXT AREA STANDARDS	URBAN NEIGHBORHOOD (UNH)
SUB-DISTRICT	MF
BLOCK FACE	625 FT
BLOCK PERIMETER	1,900 FT
LOT WIDTH	429 FT
LOT AREA	140,097 SF
LOT COVERAGE	24%
MAIN STREET SETBACKS - 10TH ST (COLLECTION)	20 FT
LOCAL STREET SETBACKS - KETTLE AVE (LOCAL)	8 FT
SIDE SETBACK INTERIOR (EAST)	20 FT
REAR SETBACK	160 FT
FRONTAGE BUILDOUT HEIGHT (PER SEC.2.3-1)	48 FT / 3 STORES
PARKING LOCATION	ZONE 2 COVERED PORCH
ENTRY FEATURE	
PARKING MULTI-FAMILY FOR THE ELDERLY (0.5 SPACES PER UNIT)	66 SPACES
OPEN SPACE	13,000 SF
REAR YARD	3,500 SF
ENTRY AREA	2,500 SF
COMMUNITY GARDENS	7,000 SF

**CIVIL ENGINEER:**

BBE - BOGGS ENGINEERING, LLC  
607 SOUTH ALEXANDER STREET--STE 101  
PLANT CITY, FL 33563

**PLANNER:**

NAME: SUSAN SWIFT AICP  
607 SOUTH ALEXANDER STREET--STE 101  
PLANT CITY, FL 33563

**DESIGN CONSULTANTS:**

COMPANY: BDP  
607 SOUTH ALEXANDER STREET--STE 101  
PLANT CITY, FL 33563

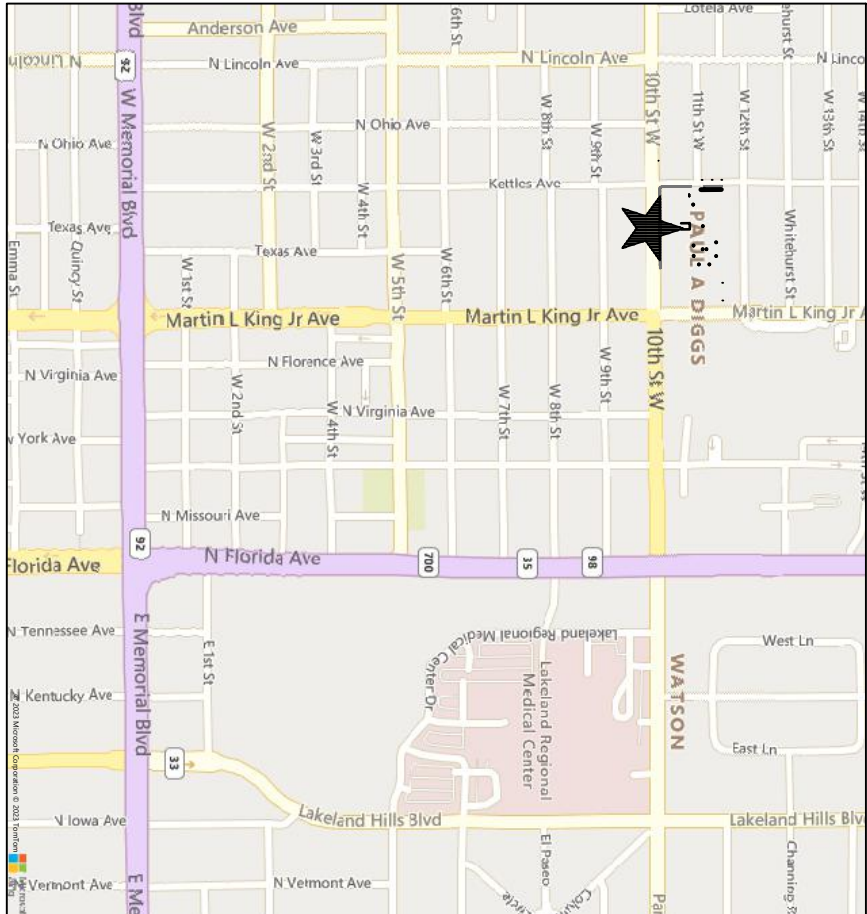
**LEGAL DESCRIPTION**

THE SOUTH 3/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 28 SOUTH, RANGE 23 EAST, LESS AND EXCEPT THE EAST 232.50 FEET THEREOF, AND LESS AND EXCEPT THE SOUTH 36.75 FEET THEREOF FOR ROAD RIGHT-OF-WAY.

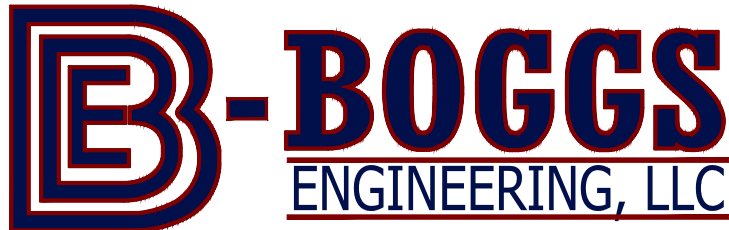
**LEGEND**

— PD BOUNDARY	+ EXISTING TREE
- - - EDGE OF PAVEMENT	⊗ WATER WELL
— CENTER LINE	⊗ POWER POLE
- - - OVERHEAD POWER	⬆ PROPOSED INGRESS/EGRESS
— RIGHT-OF-WAY	MHP EXISTING LAND USE
— CHAIN LINK FENCE	063427.0000 PARCEL NUMBER
— ALUMINUM FENCE	AS-C-1/ RIES-1 LAND USE
— WIRE FENCE	

**VICINITY MAP**



NO.	DATE	REVISION DESCRIPTION



DAKOTA PARK APARTMENTS  
1401 KETTLES AVENUE  
LAKELAND, FLORIDA 33815

PD  
PLAN

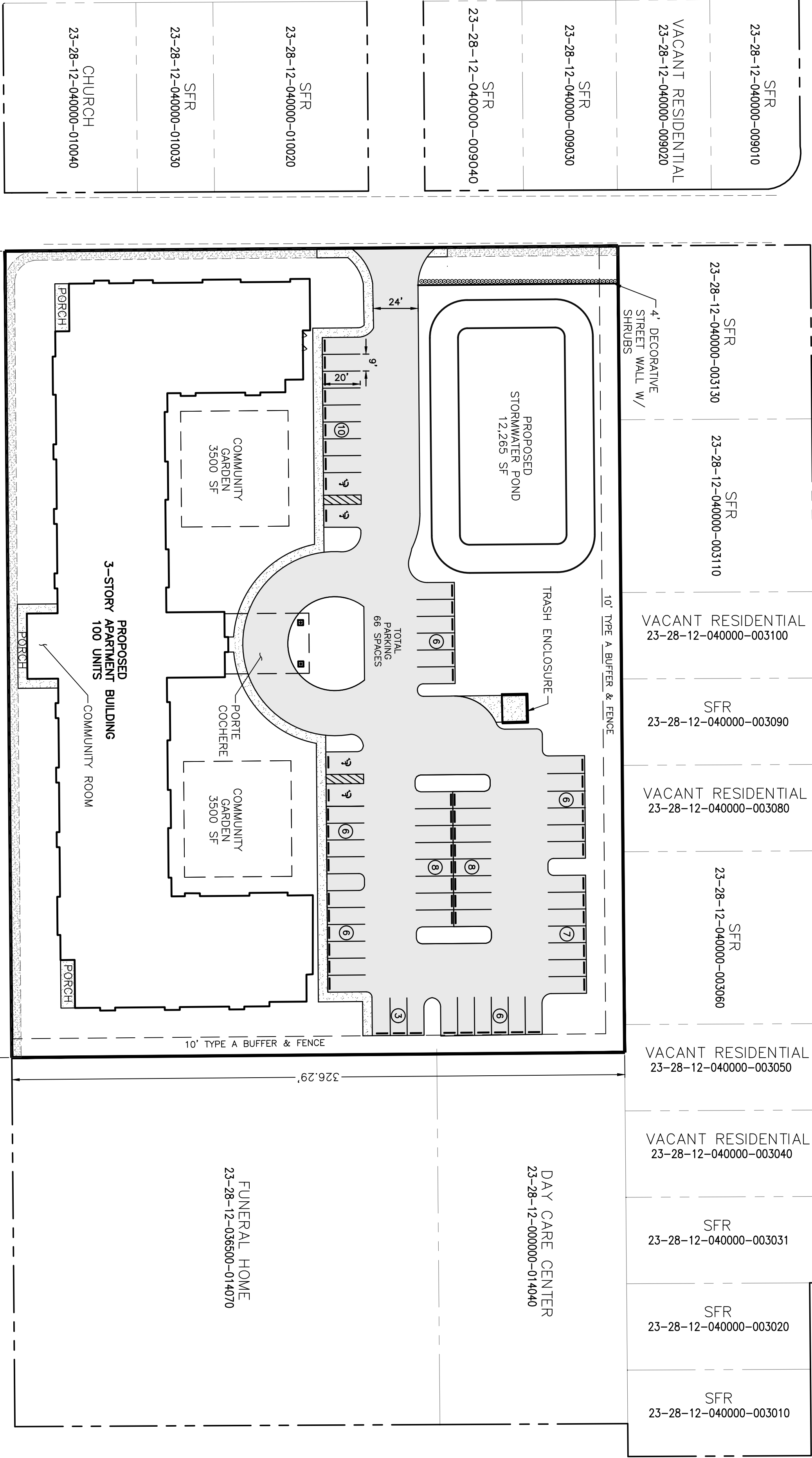
SHEET NO:

PD-1

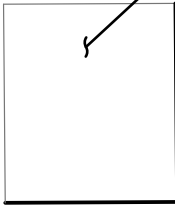


DRAWING TITLE:

DATE: 4/29/23
STEVEN C. BOGGS, P.E.
FL REG. NO. 55410
PROJECT NO:
23012
DATE: 10/17/23
DESIGNED BY: PME
DRAWN BY: NB
CHECKED BY: SCB



VACANT COMMERCIAL  
23-28-12-050500-014141



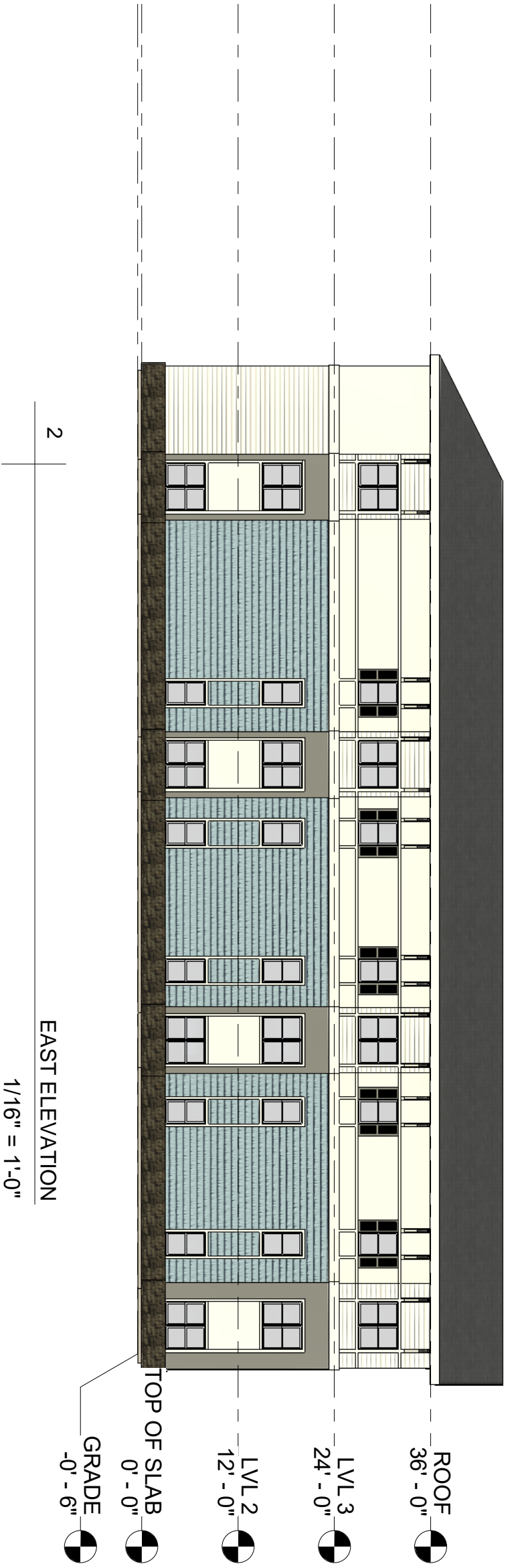
SFR 23-28-12-036500-001010	SFR 23-28-12-036500-001040	SFR 23-28-12-036500-001050	SFR 23-28-12-036500-001060	SFR 23-28-12-036500-001090
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MARTIN L. KING JR AVENUE

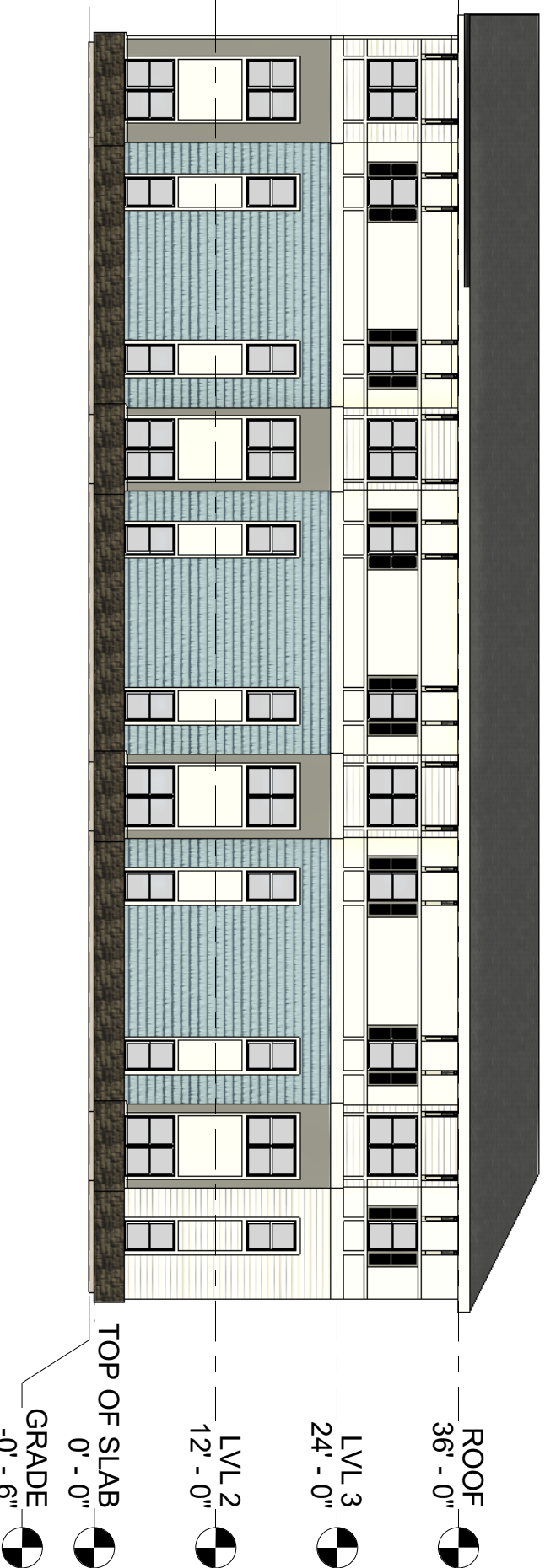




1  
NORTH ELEVATION  
1/16" = 1'-0"



3  
EAST ELEVATION  
1/16" = 1'-0"



3  
WEST ELEVATION  
1/16" = 1'-0"

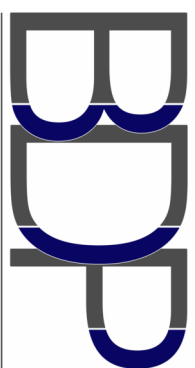


4  
SOUTH ELEVATION  
1/16" = 1'-0"

GENERAL NOTES

- ALL DIMENSIONS ARE TO FACE OF STUD OR CMU, UNLESS NOTED OTHERWISE.
- SEE STRUCTURAL DRAWINGS AND ROOF PLAN FOR ROOF FINISH AND DRAINAGE.
- ALL EXTERIOR COLORS TO BE APPROVED BY OWNER PRIOR TO ORDERING.
- SEE EXTERIOR FINISH SCHEDULE FOR MORE INFORMATION.

SHEET NOTES



607 S. ALEXANDER ST.  
SUITE 101  
PLANT CITY, FL 33683  
813 . 946 . 8444

DRAFT  
NOT FOR  
CONSTRUCTION

DATE: ERICA AZORIN CRAIG  
FL REG. NO. ARI01655  
THIS DOCUMENT IS THE PROPERTY OF BODGS DESIGN PARTNERS, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM BODGS DESIGN PARTNERS, LLC.

LHA - DAKOTA APARTMENTS

ADDRESS

No	Date	Revision
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PROJECT NO:  
23017

DATE: 04-30-25  
DESIGNED BY: NP/EAC  
DRAWN BY: NP/JG  
CHECKED BY: EAC

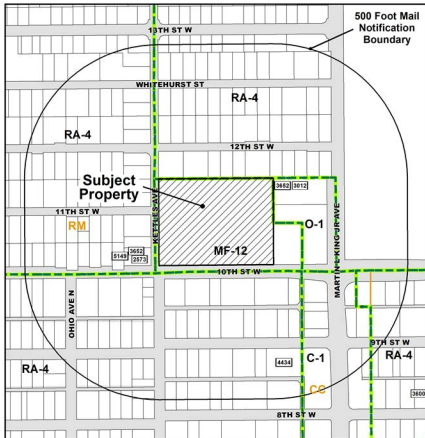
DRAWING TITLE:  
CONCEPTUAL  
EXTERIOR  
ELEVATIONS

SHEET NO:

A-201

SCALE: 1/8" = 1'-0"  
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File Number: LUS25-004 PUD25-008

Present Zoning: MF-12

Present Land Use: RM (3.16 AC+/-)

Present Context: Urban Neighborhood

Proposed Zoning: Change of Zoning from MF-12 to PUD to Allow a 100-unit, Multi-Family Residential Development for the Elderly

Proposed Land Use: PI (3.16 AC+/-)

June 2025

- Subject Property
- 500 Foot Mail Notification Boundary
- City Limits
- Zoning
- Lakeland Future Land Use
- Conditional Use
- Parcels
- Railroad
- Roadway/Railway





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- Conditional Use
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June 2025



File Number: LUS25-004 PUD25-008

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Proposed Land Use: PI (3.16 AC+/-)

- Subject Property
- 500 Foot Mail Notification Boundary
- City Limits
- Zoning
- Lakeland Future Land Use
- Conditional Use
- Parcels
- Railroad





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

May 30, 2025

RE: 1401 Kettles Avenue - Project No. LUS25-004 PUD25-008

Dear Property Owner:

This letter is to advise you that Boggs Engineering, LLC, on behalf of the Lakeland Housing Authority, requests a small-scale land use amendment to change the future land use designation from Residential Medium (RM) to Public Buildings/Grounds/Institutional (PI); and a change in zoning from MF-12 (Multi-Family Residential) to PUD (Planned Unit Development), to allow a 100-unit, multi-family residential development for the elderly on approximately 3.16 acres located at the northeast corner of W 10<sup>th</sup> Street and Kettles Avenue (1401 Kettles Avenue). The subject property is legally described as:

S1/2 OF SE1/4 OF SW1/4 OF NE1/4 LESS E 232.5 FT & LESS R/W ON 10TH S  
The South 347.50 feet of the SE ¼ of the SW ¼ of the NE ¼ Section 12, Township 28 south,  
Range 23 East, LESS AND EXCEPT the East 232.50 feet thereof and LESS AND EXCPET the  
South 36.75 feet thereof for road right of way.

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, June 17, 2025**, 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](mailto:planning@lakelandgov.net), prior to the June 17<sup>th</sup> 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, Kristin Meador, no later than 48 hours prior to the proceeding, at (863) 834-8444, Email: [ADASpecialist@lakelandgov.net](mailto:ADASpecialist@lakelandgov.net). If hearing impaired, please contact the TDD numbers: Local – (863) 834-8333 or 1-800-955- 8771 (TDD- Telecommunications Device for the Deaf) or the Florida Relay Service Number 1-800-955-8770 (VOICE), for assistance.

THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

## MINUTES

Planning & Zoning Board

City Commission Chambers

Tuesday, May 20, 2025

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members, Terry Dennis, Joseph Lauk, Veronica Rountree, Susan Seitz and Jeri Thom were present. Community & Economic Development staff Chuck Barmby, Urban Planning & Transportation Manager; Matthew Lyons, Executive Planner; Audrey McGuire, Senior Planner; Damaris Stull, Senior Planner; Todd Vargo, Senior Planner and Christy Loughlin, Board Secretary, were present. Assistant City Attorney Alex Landback was also present.

## PUBLIC HEARING

**ITEM 1:** Major modification of an existing conditional use for a Neighborhood Convenience Center (NCC) to expand the boundaries of the conditional use to allow a bookstore on property located at 737 S. Missouri Avenue. Owner/Applicant: Finley Walker. (CUP25-003)

Todd Vargo stated the request is to expand the boundaries of an existing conditional use for a Neighborhood Convenience Center (NCC) that currently encompasses the property located at 119 Hillcrest Street to include the subject property located to the west at 737 S. Missouri Avenue to allow a bookstore. The conditional use for the existing NCC, approved in 2013, allowed for the conversion of a single-family home located at 119 Hillcrest Street into a restaurant/snack bar use, currently Hillcrest Coffee. The proposed changes to the conditional use will expand the boundaries of the NCC across S. Missouri Avenue to incorporate the subject property located at 737 S. Missouri Avenue.

Mr. Vargo stated the applicant, Finley Walker, is the owner and operator of Inklings Book Shoppe presently located in downtown Lakeland at 243 N. Florida Avenue. While the bookstore is currently successful at this location, it operates out of a leased commercial space and Mr. Walker would like to relocate to another property in which he can purchase and own the building. Mr. Vargo pointed to photos on the overhead screen of the subject property, surrounding areas and site plan.

Finley Walker, 243 N. Florida Avenue, the applicant, summarized the proposed request.

In response to Joseph Lauk, Mr. Walker stated the parcel would be just for the business.

In response to Mr. Lauk, Mr. Vargo stated staff did not receive any public comment in response to the request.

Mr. Vargo presented the recommended conditions for approval.

In response to Mr. Lauk, Mr. Vargo stated the conditions for approval were not sent to the owner of Hillcrest Coffee as the conditions applicable to their business have not changed. Mr. Vargo stated that owner of the business, Brian Goding, is in support of this request.

In response to Mr. Lauk, Mr. Walker stated he agrees to staff's recommended conditions.

Terry Dennis made a motion for approval of staff's recommendation. Susan Seitz seconded the motion and it passed 5—0.

**ITEM 2:** Major modification to PUD (Planned Unit Development) zoning to allow for the development of a new 8,000 square foot, one-story office building on property located at 4265 New Tampa Highway. Owner: Magna Vitae Investments III LLC. Applicant: Jason Kendall. (PUD25-004)



Todd Vargo stated the subject property is located on the east side of N. Galloway Road, just north of the intersection of N. Galloway Road and New Tampa Highway. The purpose of this request is to amend the PUD to adopt a new site plan which will allow for the construction of a one-story, 8,000 square foot office building. In 2013, the City Commission approved Ordinance 5422 which rezoned the subject property from O-1 (Low Impact Office District) to PUD (Planned Unit Development). The current PUD zoning allows for O-1 uses plus showrooms for contractors which offer bathroom, kitchen and interior remodeling services. Showroom uses are limited to no more than twenty percent. As an accessory use, the PUD zoning also allows for an outdoor storage yard not to exceed 2,400 sq. ft. in area. Recommended conditions for approval include the removal of the provision for outdoor storage. Mr. Vargo pointed to photos on the overhead screen of the subject property, surrounding areas and proposed site plan.

Jason Kendall, 708 Lithia Pinecrest Road, Brandon, the applicant, summarized the proposed request.

In response to Joseph Lauk, in regard to the closed driveway access, Mr. Kendall stated there is no intent to reopen unless required by the Florida Department of Transportation (FDOT) or the City.

In response to Mr. Lauk, Mr. Kendall stated there has been no discussion about closing the driveway access if it is not needed but will bring it up to his client.

In response to Mr. Lauk, Mr. Kendall stated the dumpster location will be relocated closer to the single-family residence to the north but there will be additional buffering provided.

In response to Mr. Lauk, Mr. Kendall stated the dumpster will be in an enclosure.

In response to Mr. Lauk, Mr. Kendall stated the design of the pond is still in the preliminary stages.

In response to Mr. Lauk, Mr. Vargo stated staff did not receive any public comment in response to the request.

Ms. Vargo stated staff will present a written recommendation for the request at the next regular meeting of the Board.

**ITEM 3:** Small-scale land use map amendment to apply a future land use designation of Residential Medium (RM), the application of RA-4 (Single-Family Residential) zoning, and a conditional use to allow a 64-unit single-family attached (townhome) development on approximately 7.51 acres located at the northeast corner of Kathleen Road and Sleepy Hill Road. Owner: James P. Gills, Jr. Applicant: Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A. (LUS25-003/CUP25-004/ZON25-005)

Audrey McGuire stated adjacent land uses to the subject property include Sleepy Hill Elementary School and Sleepy Hill Middle School to the north and east, respectively. To the south, across Sleepy Hill Road, is a parcel zoned Planned Unit Development (PUD) and developed with a commercial self-storage facility. Properties to the west, across Kathleen Road, are located within unincorporated Polk County and consist of single-family uses with a County Residential Low-1 (RL-1) land use designation. Ms. McGuire stated the subject property was annexed into the City in 1997. Following the adoption of the current Land Development Code, the subject property was assigned Suburban Neighborhood (SNH) context sub-district designation. Zoning and land use, however, were not assigned at that time. The subject property is heavily wooded. Ms. Stull pointed to photos on the overhead screen of the subject property, surrounding areas. The purpose of this request is to apply land use, zoning and a conditional use to allow for the development of the subject property for a single-family attached (townhome) subdivision.

Tim Campbell, 500 S. Florida Avenue, and Stephen Sposato, 505 E. Jackson Street, Tampa, representing the applicant, made a presentation that provided an overview of the proposed request.

In response to Susan Seitz, Mr. Campbell stated there have not been traffic studies completed but will be required to do so.

Chuck Barmby stated that because the City of Lakeland operates Sleepy Hill Road and Polk County operates Kathleen Road, both jurisdictions will have to manage the traffic study.

Discussion ensued among the Board and applicant on density, the design of the proposed townhomes, the location of the ponds on the subject property, as well as proposed site plan.

Ms. McGuire stated staff received two emails from residents on Sleepy Hollow Lane with concerns about the proposed request. Ms. McGuire handed out printed copies of the letters received from the public to the Board prior to the start of the meeting. Ms. McGuire summarized the concerns.

Kenneth Kemp, 3934 Kathleen Road, stated he has concerns with potential flooding to his property caused by the proposed development.

Jim Robinson, 2530 Sleepy Hollow Lane, stated he has concerns with traffic safety and access, and the overall density of development.

Nikki Matthews, 2510 Sleepy Hollow Lane, stated she is one of the residents that sent in the previously mentioned email. She stated the proposed development will impact the area. The communities and neighborhoods in the area have entrances that are not built as proposed.

Francisco Garate, 2520 Sleepy Hollow Lane, stated he also has concerns with the traffic.

Tim Campbell stated there will be site work done on the property to prevent flooding and will work with the client to address the concerns mentioned. Any issues related to access and traffic will be addressed as they go through the development review process.

A written recommendation for the request will be presented at the next regular meeting of the Board.

## **GENERAL MEETING**

**ITEM 4:** Review minutes of the April meeting.

Terry Dennis made a motion for approval of the minutes from the previous meeting. Jeri Thom seconded the motion and it passed 5—0.

**ITEM 5:** City-initiated application to repeal PUD (Planned Unit Development) zoning on approximately 2.67 acres located north and south of Bon Air Street, east of N. Vermont Avenue, and west of Gilmore Avenue (1046 and 1104 Gilmore Avenue, and 1103 and 1111 N. Vermont Avenue). Owners: Multiple. Applicant: City of Lakeland. (PUD24-023)

Damaris stated the current PUD zoning was adopted in 1994 as a conformance for the land development code that was approved in 1993. The current PUD allows for the development of 44 single-family attached townhomes. In 2009, the Lakeland CRA acquired the three parcels in the block located south of Bon Air Street. The six lots located north of Bon Air Street, however, are under separate ownership and partially developed for single-family detached residential uses. Plans for the development, however, did not come to fruition and the property has remained vacant.

Ms. Stull stated the repeal is necessary to make the single-family residential uses north of Bon Air Street legally, conforming and provide certainty to the current regarding future development rights. Concurrent with this request, a private developer requested the application of PUD zoning on the block south of Bon Air Street to allow for the development of a new single-family attached (townhome) development, and the City initiated a request to apply RB (Two-Family) zoning for the six lots located north of Bon Air Street.

In response to Joseph Lauk, Matthew Lyons stated following the previous public hearing, staff met with the owners of the single-family home near the subject property that expressed concerns to provide additional clarification regarding the proposed zoning action.

Discussion ensued.

Terry Dennis made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 5—0.

**ITEM 6:** Application of PUD (Planned Unit Development) zoning to allow a 30-unit single-family attached (townhome) project on property located at 1046 Gilmore Avenue. Owner: Lakeland Community Redevelopment Agency. Applicant: Neiel Group, LLC. (PUD24-016)

Damaris Stull stated concurrent to the previous request, the purpose of this request is to apply new PUD zoning to allow for the development of a 30-unit single-family attached (townhome) development. The subject property is currently vacant. In 2009, the Lakeland CRA acquired the three parcels in the block located south of Bon Air Street. Ms. Stull pointed to photos on the overhead screen of the subject property, surrounding areas and proposed site plan.

In response to Jeri Thom, Ms. Stull stated there is no provision in the site plan for guest parking. The developer is not required to provide additional parking for guests or provide for on-street parking. On-street parking, however, is currently allowed on both Gilmore Avenue and N. Vermont Avenue.

Discussion ensued among the Board and staff on parking and access.

Ms. Stull presented the recommended conditions for approval.

In response to Joseph Lauk, Ms. Stull stated the sports facilities' hours of operation would be regulated by the Homeowners Association.

Susan Seitz stated the HOA would have better control of the sports facility if it was internal.

In response to Mr. Lauk, Chuck Barmby stated on street parking will also be regulated by the HOA.

Discussion ensued among the Board and staff on off street parking and access to the property for emergency vehicles.

Terry Dennis made a motion for approval of staff's recommendation. Veronica Rountree seconded the motion and it passed 4—1. Jeri Thom voted against the motion.

**ITEM 7:** City-initiated application to apply RB (Two-Family Residential) zoning on approximately 0.93 acres located north of Bon Air Street, east of N. Vermont Avenue and west of Gilmore Avenue (1104 Gilmore Avenue, and 1103 and 1111 N. Vermont Avenue). Owners: Multiple. Applicant: City of Lakeland. (ZON24-014)

Damaris Stull stated the subject property, approximately 0.93 acres in area, is located north of Bon Air Street, east of N. Vermont Avenue and west of Gilmore Avenue. Concurrent to the two previous requests, the purpose of this request is to assign RB-1 (Two-family Residential) zoning. The current PUD zoning, which was adopted in 1994 through zoning conformance, allows for the development of 44 single-family attached (townhomes). Due to the current PUD zoning, the existing single-family homes on the subject property are classified as legal, nonconforming uses under the Land Development Code. As legal, nonconforming uses, they cannot be expanded. and in the event of casualty, cannot be repaired or replaced should the damage exceed 50% of the replacement cost. Through the application of RB zoning, the existing single-family homes will become legal conforming uses and may repaired or replaced without any restrictions. Individual lots may also be split off and developed for single-family or two-family uses. Ms. Stull pointed to photos on the overhead screen of the subject property, surrounding areas.

Jeri Thom made a motion for approval of staff's recommendation. Terry Dennis seconded the motion and it passed 5—0.

**ITEM 8:** Small-scale land use amendment, to change the future land use designation from Business Park (BP) to Industrial (I); and a change of zoning from I-2 (Medium Industrial) to PUD (Planned Unit Development) to allow for Scrap, Waste and Reclaimed Materials Trade Uses, Level II and Secondary Smelting and Refining of Nonferrous Materials on approximately 9.35 acres generally located at 2420 New Tampa Highway. Owner: Hamlin Real Estate LLC. Applicant: Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A. (LUS25-001/PUD25-003)

Audrey McGuire stated the applicant is requesting a one-month continuance.

Susan Seitz made a motion for a one-month continuance. Jeri Thom seconded the motion and it passed 5—0.

**ITEM 9:** Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.

Chuck Barmby reviewed the recent actions of the City Commission. Mr. Barmby also reviewed the new cases for the June hearing.

**ITEM 10:** Audience.

There were no comments from the audience.

**ITEM 11:** Adjourn.

There being no further discussion, the meeting was adjourned at 10:41 AM.

Respectfully Submitted,

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Joseph Lauk, Chair

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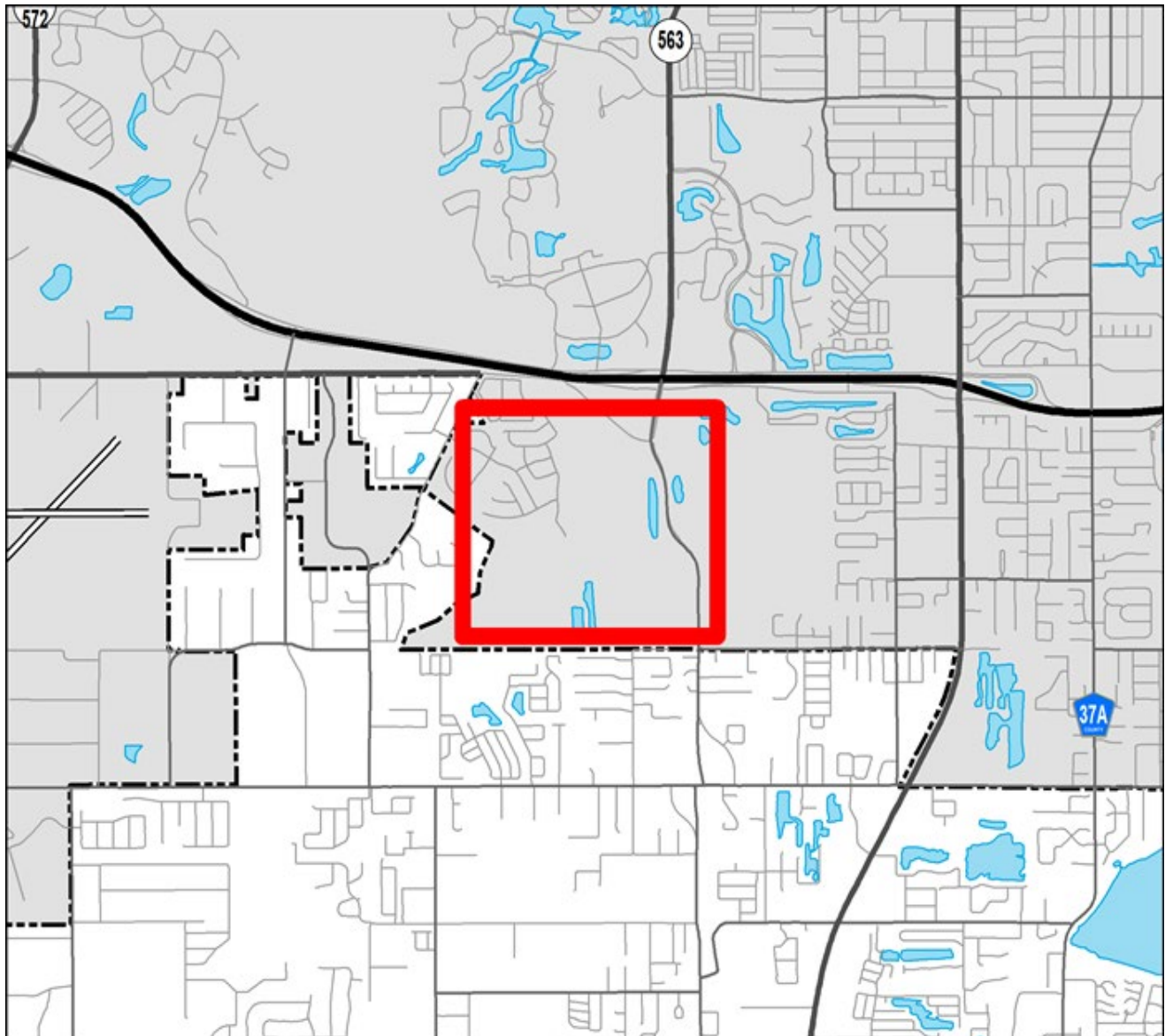
Susan Seitz, Vice-Chair



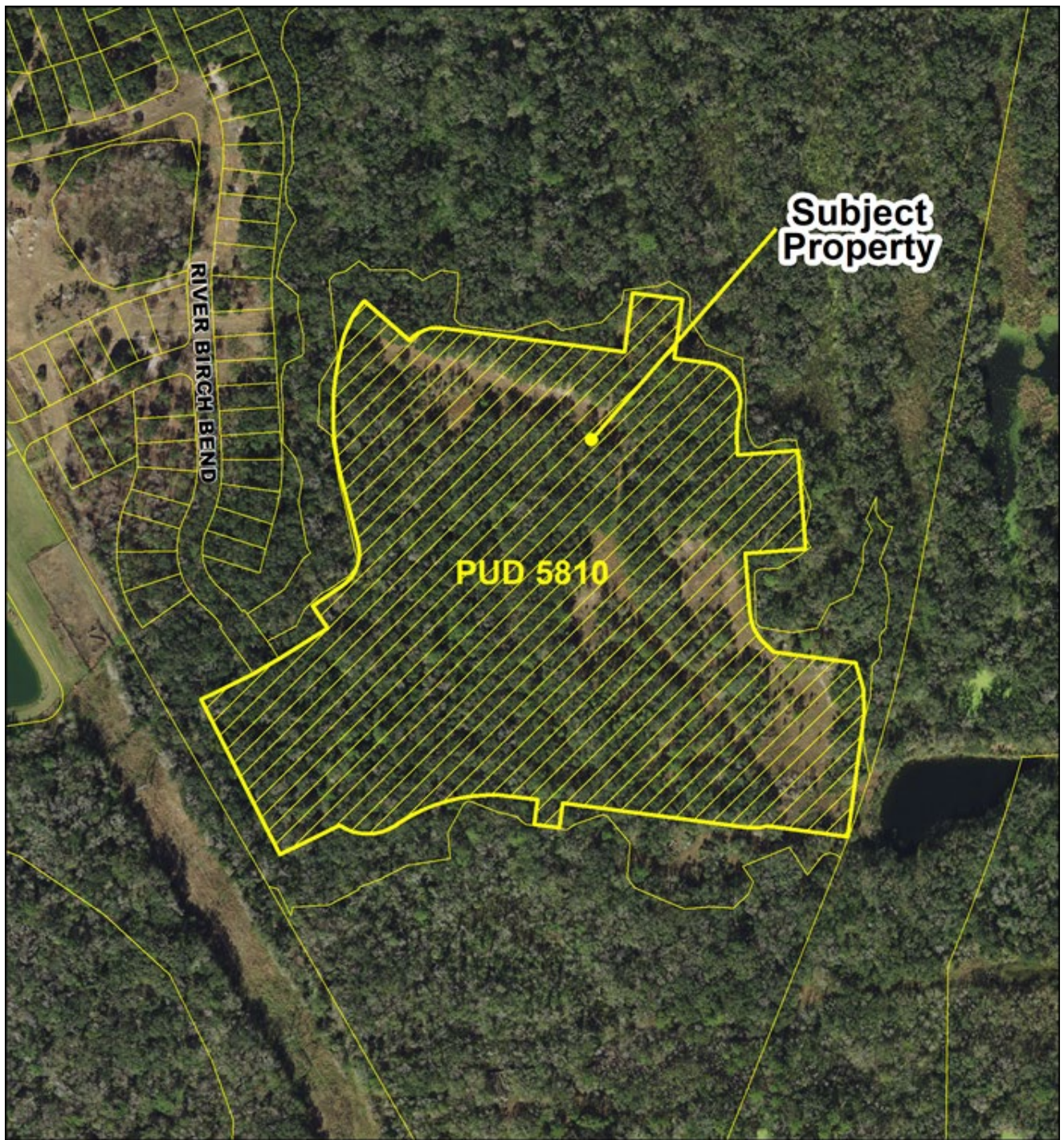
# Community & Economic Development Staff Recommendation

Date:	June 17, 2025	Reviewer:	Audrey McGuire
Project No:	SUB25-001	Location:	4519 River Birch Bend
Owner:	Domain Timberlake Multistate, LLC		
Applicant:	Kenneth Thompson, Platinum Surveying and Mapping, LLC		
Current Zoning:	PUD (Planned Unit Development) 5810	Future Land Use:	Residential Medium (RM)
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	June 17, 2025	P&Z Final Decision:	June 17, 2025
Request:	Plat approval for Lakeside Preserve Phase 2C, a 109-lot residential subdivision, on 22.05 acres generally located south of the Polk Parkway (SR 570) and east of Pipkin Creek Road and west of Harden Boulevard (4519 River Birch Bend).		

## 1.0 Location Maps







## **2.0 Background**

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### **2.1 Summary**

Kenneth Thompson, Platinum Surveying and Mapping, LLC, on behalf of Domain Timberlake Multistate, LLC, has submitted a subdivision plat for the Lakeside Preserve Phase 2C. The proposed 22.05-acre plat consists of 109 single-family detached residential lots with an average lot size of 6,000 square feet (50' x 120'). Plats are reviewed by the City's Subdivision Review Team for compliance with Article 9 (Subdivision Standards) of the Land Development Code. The PUD (Planned Unit Development) zoning for the Lakeside Preserve residential development (Ord. 4382 as amended by Ord. 5810) allows for 461 single-family detached dwellings. Once the Phase 2C plat is recorded, Lakeside Preserve will have a cumulative total of 426 lots to date.

### **2.2 Attachments**

Plat Sheets for Lakeside Preserve Phase 2C

## **3.0 Recommendation**

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### **3.1 Community & Economic Development Staff**

It is recommended that the Planning and Zoning Board approve the plat as conforming to Article 9 (Subdivision Standards) of the Land Development Code.







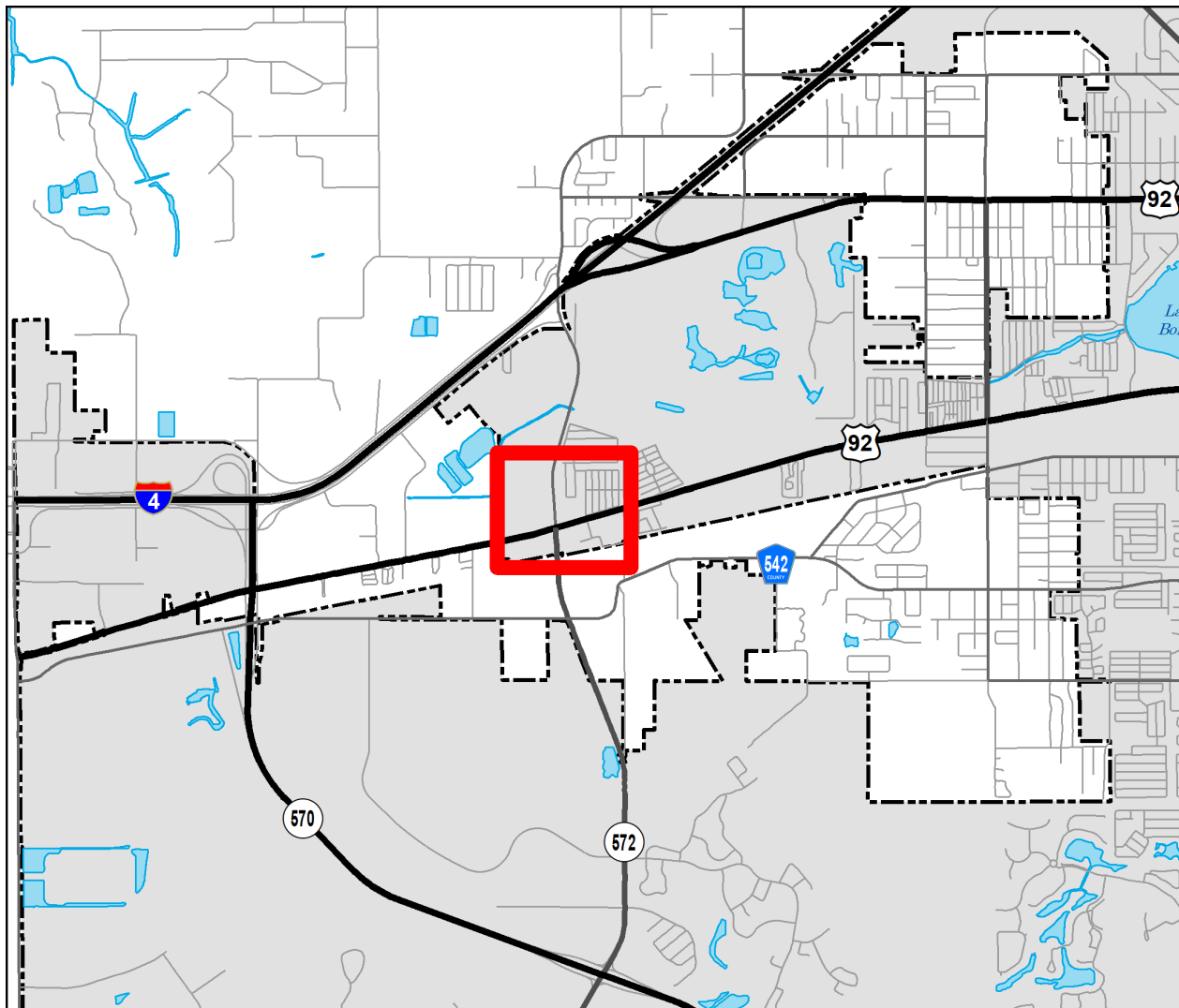




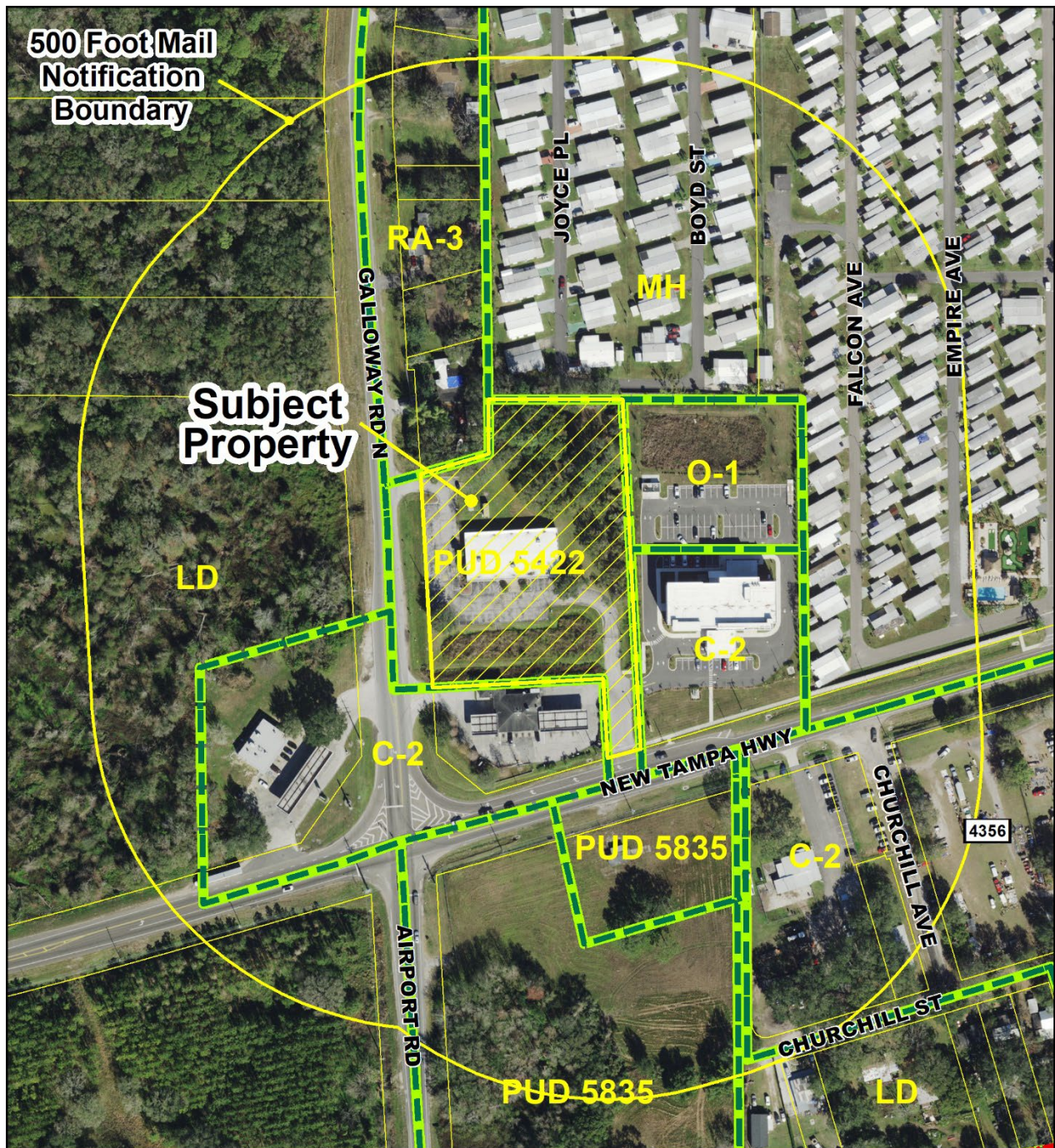
# Community & Economic Development Staff Recommendation

Date:	June 17, 2025	Reviewer:	Todd Vargo
Project No:	PUD25-004	Location:	4265 New Tampa Highway
Owner:	Magna Vitae Investments III, LLC		
Applicant:	Jason Kendall, Brad Design and Engineering, Inc.		
Current Zoning:	Planned Unit Development (PUD)	Future Land Use:	BP (Business Park)
Context District:	SSP (Suburban Special Purpose)		
P&Z Hearing:	May 20, 2025	P&Z Final Decision:	June 17, 2025
Request:	Major modification of PUD (Planned Unit Development) zoning to allow for the development of a new 8,000 square foot one-story office building on property located at 4265 New Tampa Highway.		

## 1.0 Location Maps







## 2.0 Background

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### 2.1 Summary

Jason Kendall, Brad Design and Engineering, Inc., requests a major modification of PUD (Planned Unit Development) zoning to allow for the development of an 8,000 square foot one-story office building on property located at 4265 New Tampa Highway. A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property, approximately 2.77 acres in area, is located on the east side of N. Galloway Road, just north of the intersection of N. Galloway Road and New Tampa Highway. The subject property is currently improved with a one-story 8,750 sq. ft. office building which was constructed in 1988 according to the Polk County Property Appraiser. In 2013, the City Commission approved Ordinance 5422 which rezoned the subject property from O-1 (Low Impact Office District) to PUD (Planned Unit Development). The subject property has a future land use designation of Business Park (BP) and a Suburban Special Purpose (SSP) context district designation.

### 2.3 Project Background

The purpose of this request is to amend the PUD to adopt a new site plan which will allow for the construction of a one-story, 8,000 square foot office building. The proposed office building will be located northeast of the existing office building on the portion of the site currently approved for use as outdoor storage under the PUD zoning. A site development plan which shows existing and proposed building footprints, off-street parking, internal driveways, and storm water retention areas is included as Attachment “C”.

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-family Residential and Mobile Home Park	RM	RA-3	SNH
South	Convenience Store with Fuel Sales	BP	C-2	SCO
East	Hotel	BP	C-2/O-1	SCO
West	Convenience Store with Fuel Sales/Vacant Land	MCC/BP	C-2/LD	SSP

### 2.5 Attachments

Attachment “A”: Legal Description

Attachment “B”: Location Map

Attachment C: Revised Site Development Plan



## 3.0 Discussion

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The proposed major modification to PUD will adopt a new site plan to allow for the construction of the new office building in the area currently identified for use as outdoor storage. The current PUD zoning allows for O-1 uses plus showrooms for contractors which offer bathroom, kitchen and interior remodeling services. Showroom uses are limited to no more than twenty percent. As an accessory use, the PUD zoning also allows for an outdoor storage yard not to exceed 2,400 sq. ft. in area. No changes will be made to the list of uses permitted under the PUD zoning.

The subject property currently has vehicular access from both N. Galloway Road and New Tampa Highway. The proposed location of the new 8,000 square foot office building in the northeast corner of the site will not impact vehicle ingress or egress. To accommodate the additional square footage, twenty-four additional parking spaces will be provided which will increase the total amount of parking available on-site to 64 spaces. In accordance with Table 4.11-1 of the Land Development Code, the minimum parking requirement for professional office uses is one (1) space per 275 sq. ft. of gross floor area. To support the existing 8,750 sq. ft. of office uses and new 8,000 sq. ft. office building, a minimum of 61 off-street parking spaces are required.

Recommended conditions for approval include the removal of the provision for outdoor storage and the installation of a Type A landscape buffer adjacent to protected uses to the north. The landscape buffer, which will consist of a six-foot high view blockage fence or wall with a minimum 7.5-foot wide landscape strip consisting of four “B” trees and 16 shrubs per 100 lineal feet, will be used to replace the natural vegetative buffer which will be removed when the new building and associated stormwater retention facilities are constructed. Lastly, due to the size of the new office building, staff recommends as a condition for approval that existing vehicle use areas be brought into compliance with current Land Development Code landscape standards.

### 3.1 Transportation and Concurrency

The subject property lies on the north side of US-92 (New Tampa Highway), a two-lane undivided Urban Principal Arterial operated by Florida Department of Transportation that is currently operating at an acceptable Level of Service (LOS) C and to the east of CR-542A (Galloway Road), two-lane undivided Urban Collector operated by Polk County that is currently operating at an acceptable LOS C. Per the Polk Transportation Planning Organization’s 2025 Roadway Network Database, the Two-Hour Average Volume during the PM Peak Period for US-92/New Tampa Highway is 712 Eastbound and 684 Westbound vehicles (directional service volume/capacity of 880 vehicles) and the Two-Hour Average Volume for Galloway Road is 436 Northbound and 454 Southbound vehicles (directional service volume/capacity of 790 vehicles).

The subject property is located within the Urban Development Area as designated in the Comprehensive Plan within which central water, central sewer, urban level public safety, an urban road network, and other facilities and services normally associated with urban development can be expected. The Lakeland Area Mass Transit District (Citrus Connection) operates one route nearby the subject property via its Lemon Line with 60-minute frequencies. This route provides connecting services to Amazon Warehouse, Bonnet Springs Park, and the Downtown Terminal. A sidewalk partially exists along the north side of US-92 (New Tampa Highway) which ends west of the subject property driveway that is shared with an adjacent gas station/convenience store and hotel. Paved shoulders exist on both sides of the roadway to accommodate bicycle trips, however the sidewalk can support trips for novice riders. FDOT has completed a Project Development & Environment (PD&E) Study that recommends an ultimate four-lane cross-section between Wabash Avenue and County Line

Road; however, due to increased implementation costs, FDOT has scaled back potential short- and mid-term improvements to include intersection and operational improvements throughout the corridor.

Based on data published in the Institute of Transportation Engineers *Trip Generation Manual* (11<sup>th</sup> Edition) for Land Use Code 712 (Small Office Building), the proposed 8,000 square foot office building is expected to generate 115 Daily trips, 17 trips during the PM Peak Hour (of Adjacent Street Traffic, 4 PM – 6 PM) and 13 trips during the AM Peak Hour (of Adjacent Street Traffic, 7 AM – 9 AM). The subject property shall comply with the transportation conditions set forth with this PUD amendment and any further requirements set forth by FDOT and Polk County.

### **3.2 Comprehensive Plan Compliance**

The Community and Economic Development Department and the Planning & Zoning Board reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request as conditioned is consistent with the Comprehensive Plan. All roadway levels of service are acceptable. Other essential services are presently available to provide concurrency for the proposed use. Actual construction is subject to final concurrency determinations at the time of site plan review.

## **4.0 Recommendation**

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### **4.1 Community and Economic Development Staff**

The Community and Economic Development Department reviewed this request and recommends approval of the major modification to the PUD. Letters of notification were mailed to twenty (20) property owners within 500 feet of the subject property and no comments or objections were received.

### **4.2 The Planning & Zoning Board**

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

- A. Permitted Uses: Those uses permitted within the O-1 zoning district and contractor showrooms, including but not limited to those specializing in bathrooms, kitchens and interior remodeling. Showroom uses shall be limited to no more than twenty percent of the total gross floor area. Over-the-counter retail sales shall be prohibited.
- B. 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 & Economic Development, minor changes may be made at the time of site plan review without requiring a modification to the PUD zoning.
- C. Development Standards: In accordance with the O-1/Suburban Special Purpose (SSP) context sub-district development regulations standards.
- ~~D. Landscaping and Buffering: In accordance with the Land Development Regulations, except that natural vegetation which is maintained at a minimum height of 6 ft. and provides 90 percent view blockage may substitute for required buffering adjacent to residential uses.~~
- D. Landscaping and Buffering: In accordance with the Land Development Code, and as follows.

1. Adjacent to the northern property boundary line, a Type A buffer as specified under Section 4.5.9 and Figure 4.5-9 of the Land Development Code shall be constructed and maintained.
2. Existing vehicle use area shall be enhanced with landscaping where needed as specified under Section 4.5.7 and Figure 4.5-2 of the Land Development Code.

~~E. Outdoor Storage: Outdoor storage shall be permitted in the area located north of the principal building in accordance with the following:~~

- ~~1. The storage yard shall not exceed 2,400 sq. ft.~~
- ~~2. The storage yard shall be enclosed with a fence having a minimum height of six feet and at least 90 percent view blockage.~~

E. Transportation:

1. Binding Concurrency Determinations shall be made at the time of site plan or building permit approval.
2. The site shall comply with all Florida Department of Transportation and Polk County permitting requirements.
3. An ADA pedestrian pathway shall be established connecting from the principle main entrance to the sidewalk on US-92(New Tampa Highway).
4. Bicycle parking shall be provided in a visible location within 40 feet of principal building entrance(s) in compliance with Sub-Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.
5. The existing driveway connection to the joint access point serving the adjacent gas station/convenience store and hotel shall be maintained with, at minimum, one-way outbound operations to US 92 (New Tampa Highway). The one-way restriction shall not apply to the joint driveway segment between US 92 (New Tampa Highway) and access points to the gas station/convenience store and hotel parcels.

ATTACHMENT "A"

**LEGAL DESCRIPTION:**

BEGINNING AT THE NORTHEAST CORNER OF THE SW 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, THENCE RUN S 1°29'00" E 81.43 FEET FOR A POINT OF BEGINNING, THENCE S 72°27'00" W 104.0 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 542-A, THENCE S 3°54'00" E 410.65 FEET WITH SAID RIGHT-OF-WAY LINE TO A CONCRETE MONUMENT, THENCE S 52°14'00" E 93.3 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 600 (U.S. 92), THENCE WITH SAID RIGHT-OF-WAY LINE N 73°11'15" E 11.26 FEET TO THE EAST LINE OF THE SW 1/4 OF SAID SECTION, THENCE N 73°11'15" E 11.26 FEET TO THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION, THENCE N 1°29'00" W 494.97 FEET TO THE POINT OF BEGINNING.

AND PARCEL II:

ASSUMING THE NORTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, TO BE DUE EAST AND WEST, BEGIN AT THE NORTHWEST CORNER OF SAID SE 1/4 OF NW 1/4 OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 23 EAST, FOR THE POINT OF BEGINNING FOR THIS DESCRIPTION, RUN THENCE EAST ALONG SAID NORTH LINE THEREOF A DISTANCE OF 196.75 FEET, RUN THENCE S 03°07'05" EAST A DISTANCE OF 512.56 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 600 (U.S. HWY. NO 92 WEST), RUN THENCE S 73°32'05" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 225.0 FEET TO THE INTERSECTION OF THE WEST LINE OF SAID SE 1/4 OF NW 1/4, RUN THENCE N 0°52'55" W ALONG SAID WEST LINE A DISTANCE OF 575.64 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT FROM PARCEL I AND PARCEL II THE FOLLOWING:

A PARCEL OF LAND LYING WITHIN NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, MORE PARTICULARLY

DESCRIBED AS FOLLOWS:

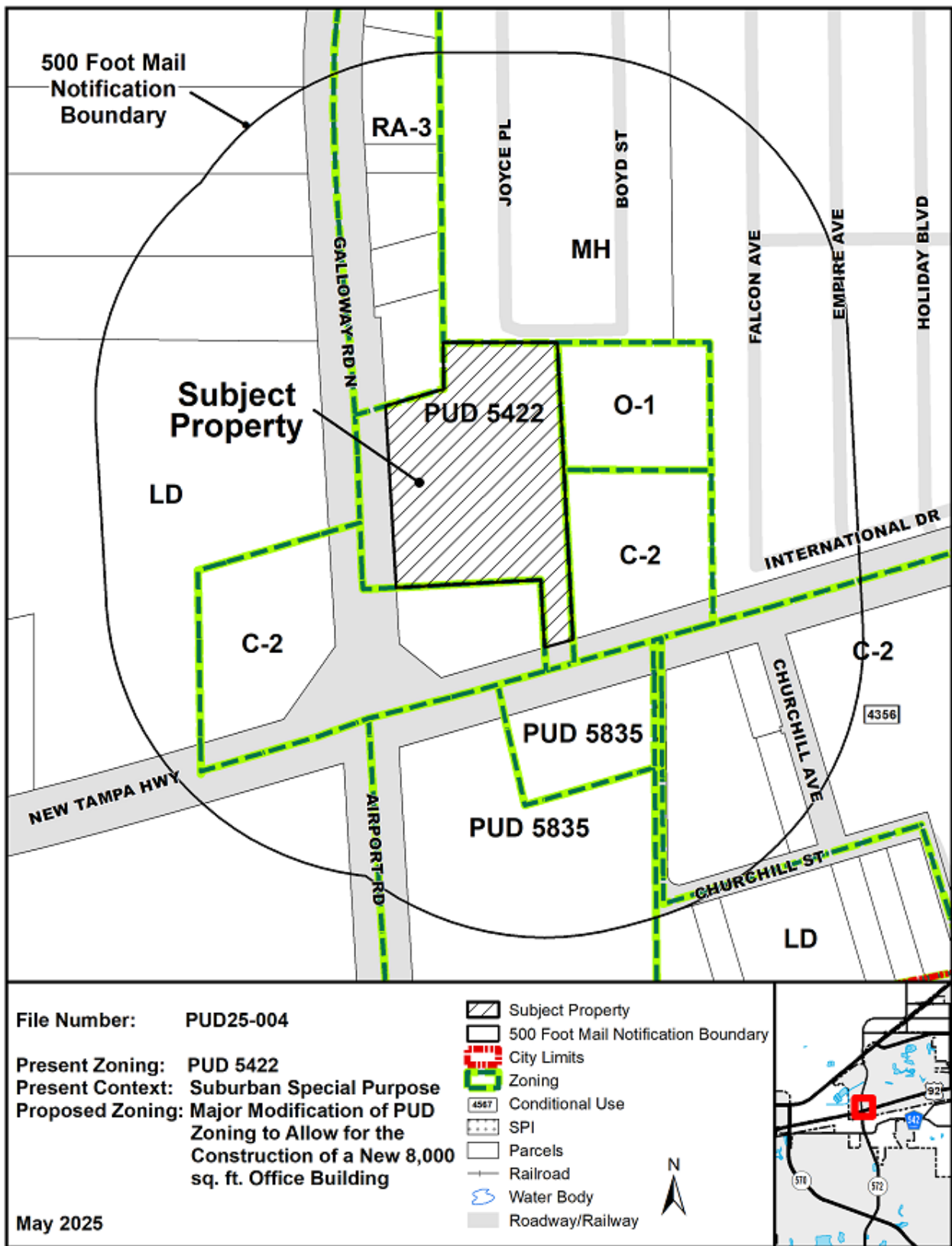
COMMENCE AT THE NORTHEAST BOUNDARY CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, SAME ALSO BEING THE NORTHWEST BOUNDARY CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 21, SAID BOUNDARY CORNER BEINGS 89°49'14" E, 165.95 FEET FROM THE POINT OF INTERSECTION OF THE NORTH BOUNDARY LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 21, WITH THE CENTERLINE OF SURVEY OF STATE ROAD 542-A (ALSO KNOWN AS GALLOWAY ROAD), STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, SECTION NUMBER 1677-150, SAID POINT OF INTERSECTION BEING STATION 16+67.77 OF SAID CENTERLINE OF SURVEY OF STATE ROAD 542 A; THENCE SOUTH 00°43'22" E, ALONG WEST BOUNDARY LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, SAME ALSO BEING THE EAST BOUNDARY LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST OF SECTION 21, FOR 417.75 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21 N 86°53'19" E, FOR 162.95 FEET; THENCE S 03°20'53" E, FOR 116.95 FEET TO THE POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 17 (ALSO KNOWN AS STATE ROAD 600, U.S. HIGHWAY 92), AS DESCRIBED IN DEED BOOK 734, PAGE 301 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAME ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 17,

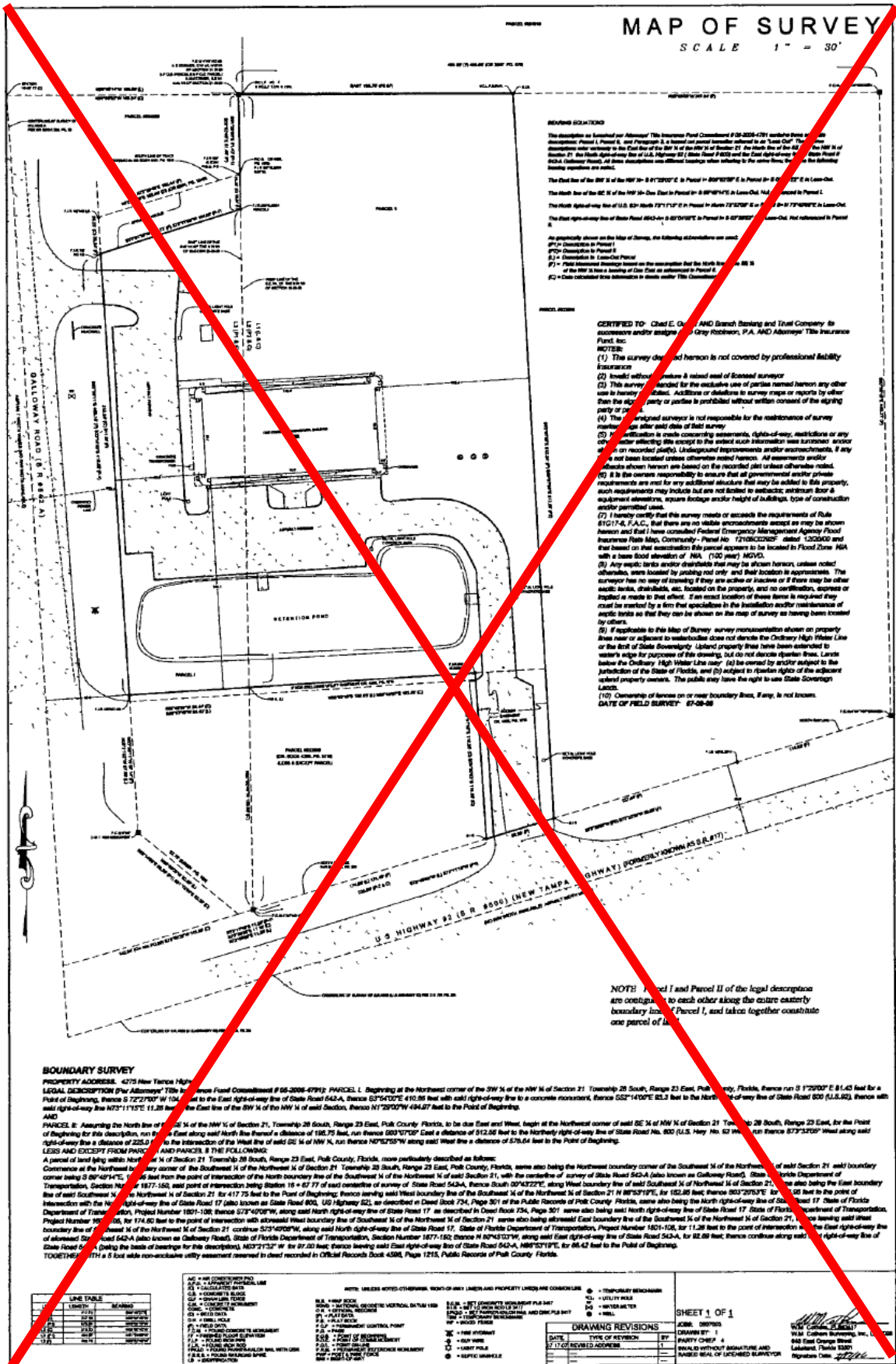


STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, PROJECT NUMBER 1601-106; THENCE S 73°40'06" W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF STATE ROAD 17, AS DESCRIBED IN DEED BOOK 734, PAGE 301, SAME ALSO BEING SAID NORTH RIGHT-OF-WAY LINE OF STATE ROAD 17, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, PROJECT NUMBER 1601-106, FOR 174.60 FEET TO THE POINT OF INTERSECTION WITH AFORESAID WEST BOUNDARY LINE OF SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, SAME ALSO BEING AFORESAID EAST BOUNDARY LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21; THENCE LEAVING SAID WEST BOUNDARY LINE OF SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 21, CONTINUE S 73°40'06" W, ALONG SAID NORTH RIGHT-OF-WAY LINE OF STATE ROAD 17, STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, PROJECT NUMBER 1601-106, FOR 11.26 FEET TO THE POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE AFORESAID STATE ROAD 542-A (ALSO KNOWN AS GALLOWAY ROAD), STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, SECTION NUMBER 1677-150; THENCE N 50°45'03" W ALONG SAID EAST RIGHT-OF-WAY LINE OF SAID STATE ROAD 542-A, FOR 92.69 FEET; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY LINE OF STATE ROAD 542-A (BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION), N 03°21'32" W, FOR 97.00 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE OF STATE ROAD 542-A, N 86°53'19" E, FOR 86.42 FEET TO THE POINT OF BEGINNING.

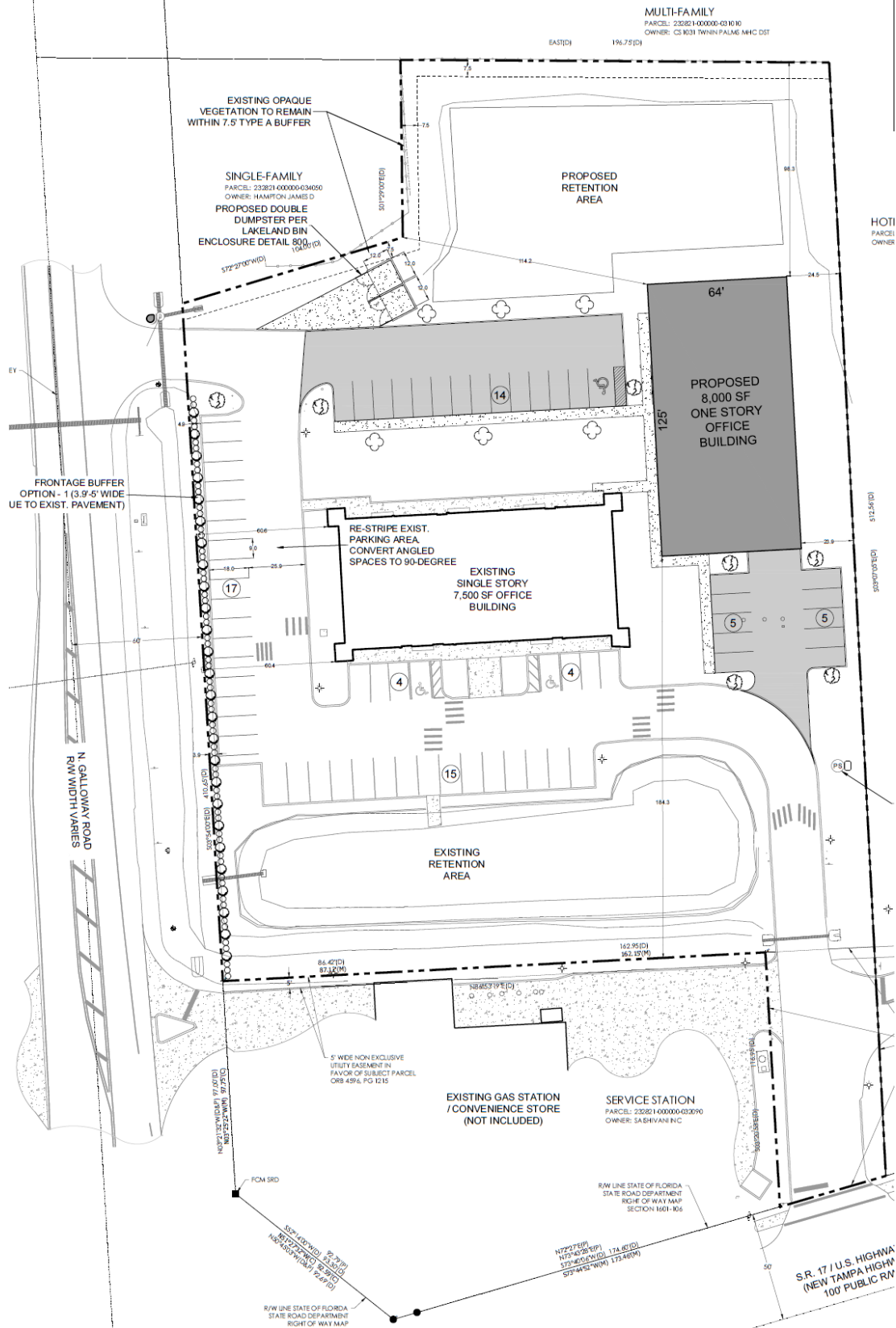
TOGETHER WITH A 5 FOOT WIDE NON-EXCLUSIVE UTILITY EASEMENT RESERVED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 4596, PAGE 1215, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

# ATTACHMENT "B"





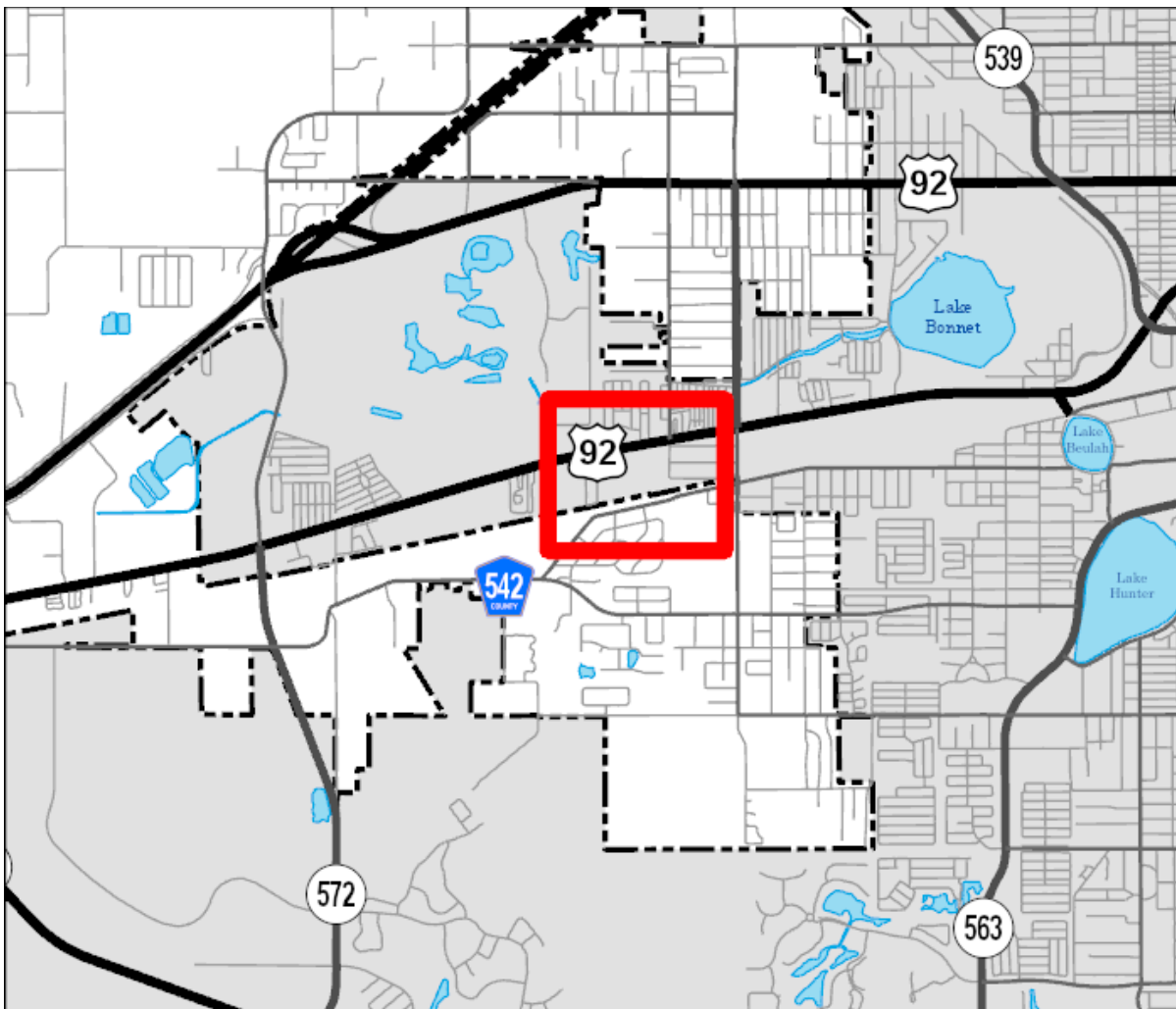
ATTACHMENT "C"



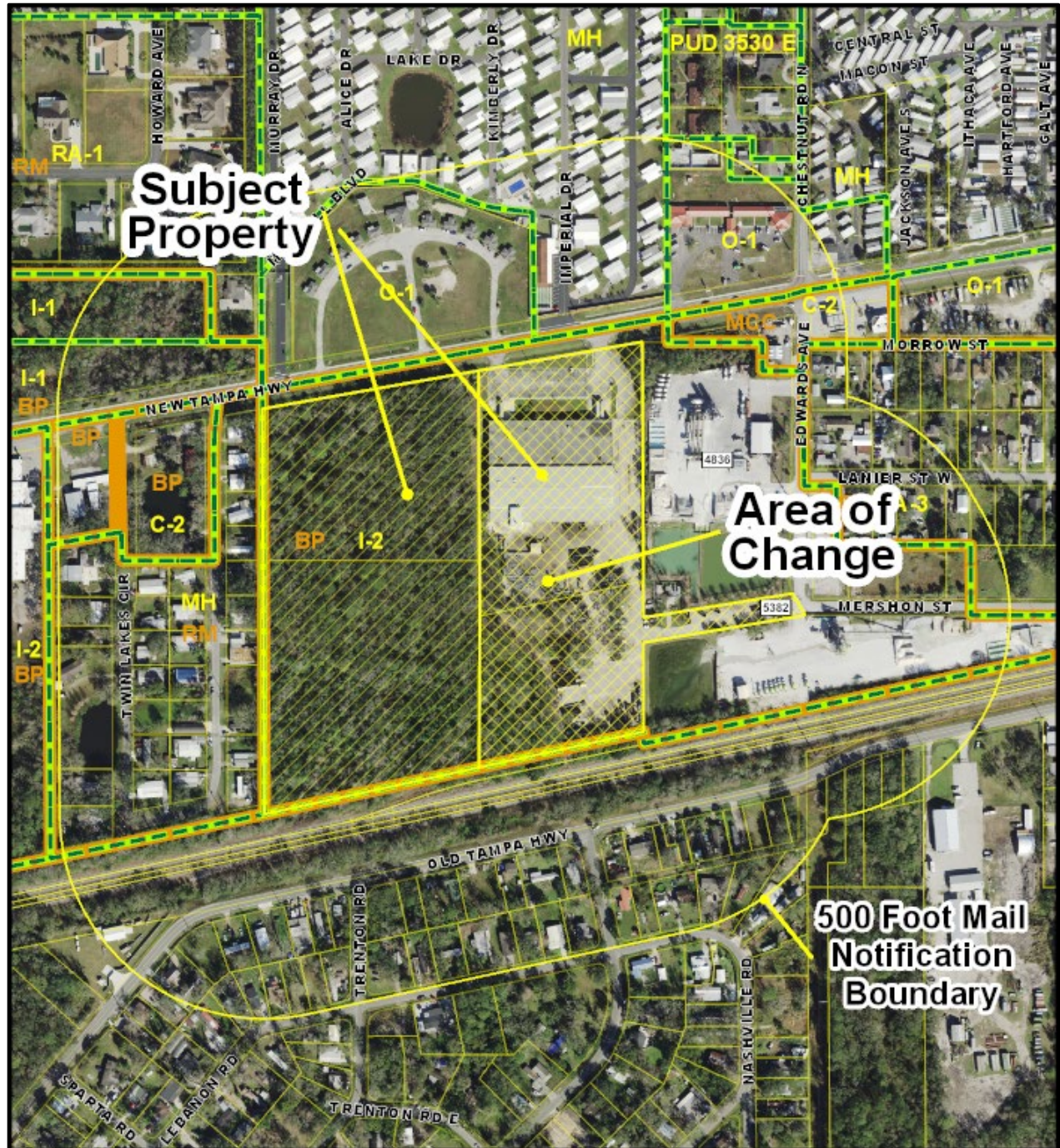
# Community & Economic Development Staff Recommendation

Date:	June 17, 2025	Reviewer:	Audrey McGuire
Project No:	LUS25-001 PUD25-003	Location:	2420 New Tampa Highway
Owner:	Hamlin Real Estate LLC		
Applicant:	Timothy F. Campbell, Clark, Campbell, Lancaster and Munson PA		
Current Zoning:	I-2 (Medium Industrial)	Future Land Use:	Business Park (BP)
Context District:	Suburban Special Purpose (SSP)		
P&Z Hearing:	April 15, 2025	P&Z Final Decision:	June 17, 2025
Request:	Small-scale land use amendment, to change the future land use designation from Business Park (BP) to Industrial (I); and a change of zoning from I-2 (Medium Industrial) to PUD (Planned Unit Development) to allow for Scrap, Waste and Reclaimed Materials Trade Uses, Level II and Secondary Smelting and Refining of Nonferrous Materials on approximately 9.35 acres generally located at 2420 New Tampa Highway.		

## 1.0 Location Maps









## 2.0 Background

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### 2.1 Summary

Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A., on behalf of Hamlin Real Estate, LLC, requests a small-scale land use map amendment to change the future land use designation from Business Park (BP) to Industrial (I) and a change in zoning from I-2 (Medium Industrial) to PUD (Planned Unit Development) to allow for Scrap, Waste and Reclaimed Materials Trade Uses, Level II and Secondary Smelting and Refining of Non-Ferrous Materials on property generally located at 2420 New Tampa Highway. A map of the subject property is included as Attachment "B."

### 2.2 Subject Property

The subject property, approximately 9.16 acres in area, is located south of New Tampa Highway, west of Edwards Avenue and north of the CSX railroad right-of-way. The subject property has a future land use designation of Business Park (BP) and is zoned I-2 (Medium Industrial within the Suburban Special Purpose (SSP) context sub-district. The subject property is bounded by residential properties to the north and west that are zoned MH (Mobile Home). To the south, the subject property abuts right-of-way for the CSX Railroad "A" Line and single-family residential uses located south of Old Tampa Highway within unincorporated Polk County that have a County Residential Low-4 (RL-4) land use designation. Adjacent properties to the east are zoned I-2 (Medium Industrial).

In 2013, a conditional use permit (Ordinance 5382) was granted which authorized the use of the subject property for metal and scrap waste recycling within an enclosed building (Scrap, Waste and Reclaimed Materials Trade Uses, Level I). The conditional use expressly prohibits smelting and/or refinement of any metals and outdoor storage, handling, sorting and loading / unloading of materials.

According to the Polk County Property Appraiser, the subject property is currently improved with a 75,510 sq. ft. concrete and steel building. The current tenant, Automotive Core Supply, Inc. (ACS 2, LLC) relocated to the subject property from a commercial property located at 119 Snowbird Avenue at the end of 2022. Since that time, it has expanded operations to include outdoor storage, sorting, handling and loading/unloading of metal scrap and waste materials, uses that are not permitted by the approved conditional use permit.

### 2.3 Project Background

The purpose of this request is to change the future land use designation and zoning to allow for a metal and scrap recycling facility with outdoor storage and material handling (Scrap, Waste and Reclaimed Materials Trade Use, Level II) and secondary smelting of non-ferrous metals (Industrial Use, Level III). An overall site development plan which shows the footprint of the existing building, off-street parking and loading areas, internal driveways, and outdoor storage and material handling is included as Attachment "C."

## 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Residential / Temporary Lodging	RM	MH / O-1	SNH
South	CSX Railroad / Residential	County RL-4	N/A	N/A
East	Industrial	BP	I-2	SSP
West	Residential	RM	MH	SNH

## 2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

## 3.0 Discussion

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Automotive Core Supply, Inc. specializes in the recycling of automotive core parts and components such as automotive transmissions, alternators, starters, radiators, batteries, clean motors, catalytic converters and miscellaneous scrap metal materials such as copper, brass, steel and lead. Under the current I-2 zoning designation, only Scrap, Waste and Reclaimed Materials Trade Uses, Level I, may be considered subject to a conditional use permit.

The 2013 conditional use permit, which was approved for a different scrap metal business (Advanced Converter Services Inc.), allowed for Scrap, Waste and Reclaimed Materials Trade uses, Level I provided that all activities (i.e. sorting, handling, loading/unloading and storage) were located within a fully enclosed building. The conditional use, however, prohibited the refining and smelting of metals as part of the recycling activity.

Since Automotive Core Supply, Inc. relocated to the property at the end of 2022, recycling operations have expanded to include outdoor storage, material handling and loading/unloading, rendering the facility a Level II Scrap, Waste and Reclaimed Materials Trade Use as defined in Section 2.6, *Master Use List* of the Land Development Code. As part of the request, the applicant is requesting approval to allow for secondary smelting of non-ferrous metals (metals or alloys which do not contain iron) as part of the recycling operations. Material smelting and/or refinement is defined as a Level III Industrial Use. Neither of the above-requested uses are permitted under the current BP future land use designation and I-2 zoning classification and may only be considered through a small-scale map amendment to change the future land use designation to Industrial (I) and a change in zoning to either I-3 (Heavy Industrial) zoning district with a conditional use permit, or PUD (Planned Unit Development) zoning.

The subject property has a Future Land Use designation of Business Park (BP). Per the policies of the Lakeland Comprehensive Plan: *Our Vision 2030*, the BP land use is intended for major employment centers, supporting light industry and manufacturing, warehousing and distribution uses. The land use is not intended for heavy industrial uses such as the Level II Scrap, Waste and Reclaimed Materials Trade Use and Level III Industrial Uses proposed by the applicant. Such uses, which often create

impacts external to the site, such as noise, dust, odors and truck traffic are better suited for the proposed Industrial (I) land use designation.

Prior to the public hearing, staff received comments from several residents who live on Twin Lakes Circle, a mobile home subdivision located approximately 550 feet to the west, and one resident on Howard Avenue approximately 900 feet to the northwest. Two residents from Twin Lakes Circle also spoke in opposition of the request at the April 15<sup>th</sup> Planning & Zoning Board meeting. Concerns expressed by the applicants include the excessive level of noise generated by the business, unpleasant odors which appear to be related to the prohibited smelting operations on-site, potential health impacts associated with the noise and odors, and impacts on wildlife and the environment.

The proposed PUD zoning will limit use of the property to a metal and scrap recycling facility with outdoor storage, material handling and sorting, and loading / unloading (Scrap, Waste and Reclaimed Material Trade Use, Level II). To address concerns regarding odors and potential health/environmental impacts, staff recommends that the request for smelting and/or refinement of metals be denied and therefore excluded from the list of permitted uses. To help mitigate noise impacts associated with outdoor loading and unloading operations, staff recommends that an eight-foot-high noise abatement wall be constructed beginning at the southwest corner of the building, extending to the western project boundary and running south to the southern property line. The recommended conditions of approval also address hours of operation, outdoor storage, improvements to vehicle use areas, and temporary dust control measures.

### **3.1 Transportation and Concurrency**

The subject property lies on the south side of US 92 (New Tampa Highway), a two-lane Urban Principal Arterial operated by the Florida Department of Transportation (FDOT) that is currently operating at an acceptable Level of Service (LOS) C. Per the Polk Transportation Planning Organization's 2025 Roadway Network Database, the Two-hour average volume during the PM Peak Period is 712 eastbound and 684 westbound vehicles.

The subject property is located within the Urban Development Area as designated in the Comprehensive Plan within which central water, central sewer, urban level public safety, an urban road network, and other facilities and services normally associated with urban development can be expected. The Lakeland Area Mass Transit District (Citrus Connection) operates one route nearby the subject property with the Lemon Line with 60-minute frequencies. This route provides connecting services to Amazon warehouse, Bonnet Spring Park, and Downtown. A sidewalk exists along the north side US 92 (New Tampa Highway) opposite from the subject property; however, a sidewalk currently does not exist along the south side of the roadway. Paved shoulders exist on both sides of the roadway, which accommodate bicycle trips. FDOT has completed a Project Development & Environment (PD&E) Study that recommends an ultimate four-lane cross-section between Wabash Avenue and County Line Road; however, due to increased implementation costs, FDOT has scaled back potential short- and mid-term improvements to include intersection and operational improvements throughout the corridor.

The trip generation from the requested use is not expected to increase significantly beyond what would be generated by allowed uses through the current CUP. The subject property shall comply with the transportation conditions set forth with this PUD amendment and any further requirements set forth by FDOT.

## 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 is consistent with the Comprehensive Plan.

## 4.0 Recommendation

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### 4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of the small-scale land use map amendment and rezoning. Letters of notification were mailed to 108 property owners within 500 feet of the subject property. Prior to the public hearing, comments were received via telephone and email from two residents on Twin Lakes Circle and one resident of Howard Avenue with the concerns stated above. Several of the residents from Twin Lakes Circle also spoke against the project at the public hearing.

### 4.2 Planning & Zoning Board

It is recommended that the request for a small-scale land use map amendment to change the future land use designation from BP (Business Park) to IND (Industrial) and change in zoning from I-2 (Medium Industrial) to PUD (Planned Unit Development) to allow for a Scrap, Waste and Reclaimed Materials Trade Use, Level II on approximately 9.1588 acres as described above and in Attachments "A," "B" and "C" be approved subject to the following conditions.

*Note: It is the intent of this small-scale map amendment and rezoning to repeal conditional use Ordinance 5382.*

- A. Permitted Uses: Metal waste and scrap recycling, wholesale, with outdoor storage and material handling, as defined under Scrap, Waste and Reclaimed Materials Trade Use, Level II in Section 2.6 of the Land Development Code. The recycling of such materials shall not include the smelting and refining of metals.
- B. Development Regulations: In accordance with the I-2 (Medium Industrial) / SSP (Suburban Special Purpose) sub-district regulations, except where otherwise provided herein.
- C. Site Development Plans: The site shall be developed in accordance with the site development plan submitted as Attachment "C."
- D. Landscape / Buffering: In accordance with Section 4.5 of the Land Development Code and the following:
  - 1. To mitigate noise impacts associated with outdoor loading and unloading activities, an eight-foot-high noise abatement wall, such as "Plywall," precast concrete, masonry or other equivalent materials as determined by the Director of Community & Economic Development, shall be constructed and maintained, beginning at the corners of the front building façade and extending outward to the east and west parcel boundaries, and then running south along the western project boundary to the southern property line.
- E. Vehicle Use Areas: All vehicle use areas shall be designed in accordance with Section 4.11 of the Land Development Code and the following:

1. Loading / Unloading Areas: Areas designated for loading and unloading of scrap materials shall be paved with concrete subject to site plan review / approval and any applicable building or stormwater permits.
  2. High Traffic Areas: All other high traffic areas, including vehicle, heavy-duty truck and equipment entrances, exits and vehicle / equipment storage areas, shall be designed and maintained to provide a stabilized, durable and dust-free surface.
  3. Temporary Dust Control Measures: As a temporary dust control measure until the above improvements are designed, permitted and constructed, the operator of the recycling facility shall rent a water truck to provide on-site dust mitigation as needed.
- F. Outdoor Storage: Outdoor storage of scrap / reclaimed materials and equipment shall be in compliance with Section 5.15 of the Land Development Code and the following:
1. Storage of scrap / reclaimed materials shall be contained to those areas designated as outdoor storage on the site development plan (Attachment "C") and shall be located away from stormwater retention and drainage areas.
  2. Scrap / reclaimed materials shall be stored in bins / roll-off containers, or upon improved, concrete or asphalt surfaces.
  3. Scrap / reclaimed materials, trailers, shipping containers, roll-off containers and equipment shall not be stored between the principal building façade and New Tampa Highway right-of-way.
- G. Hours of Operation: Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m., weekdays.
- H. Transportation:
1. Binding Concurrency Determinations shall be made at the time of site plan or building permit approval.
  2. The site shall comply with all Florida Department of Transportation permitting requirements.
  3. All fence and gates shall be located outside of the driveway throat length areas as defined in Sub-Section 4.2.5 of the Land Development Code. Vehicles shall not queue or park within public right-of-way.
  4. A concrete apron shall be installed at the site's Edwards Avenue driveway, in compliance with the City Engineering Standards Manual or otherwise approved by the City Public Works Department.
  5. All employee parking shall occur on paved, marked spaces within the development site.
  6. Bicycle parking shall be provided in a visible location within 40 feet of principal building entrance(s) in compliance with Sub-Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.

ATTACHMENT "A"

**Legal Description:**

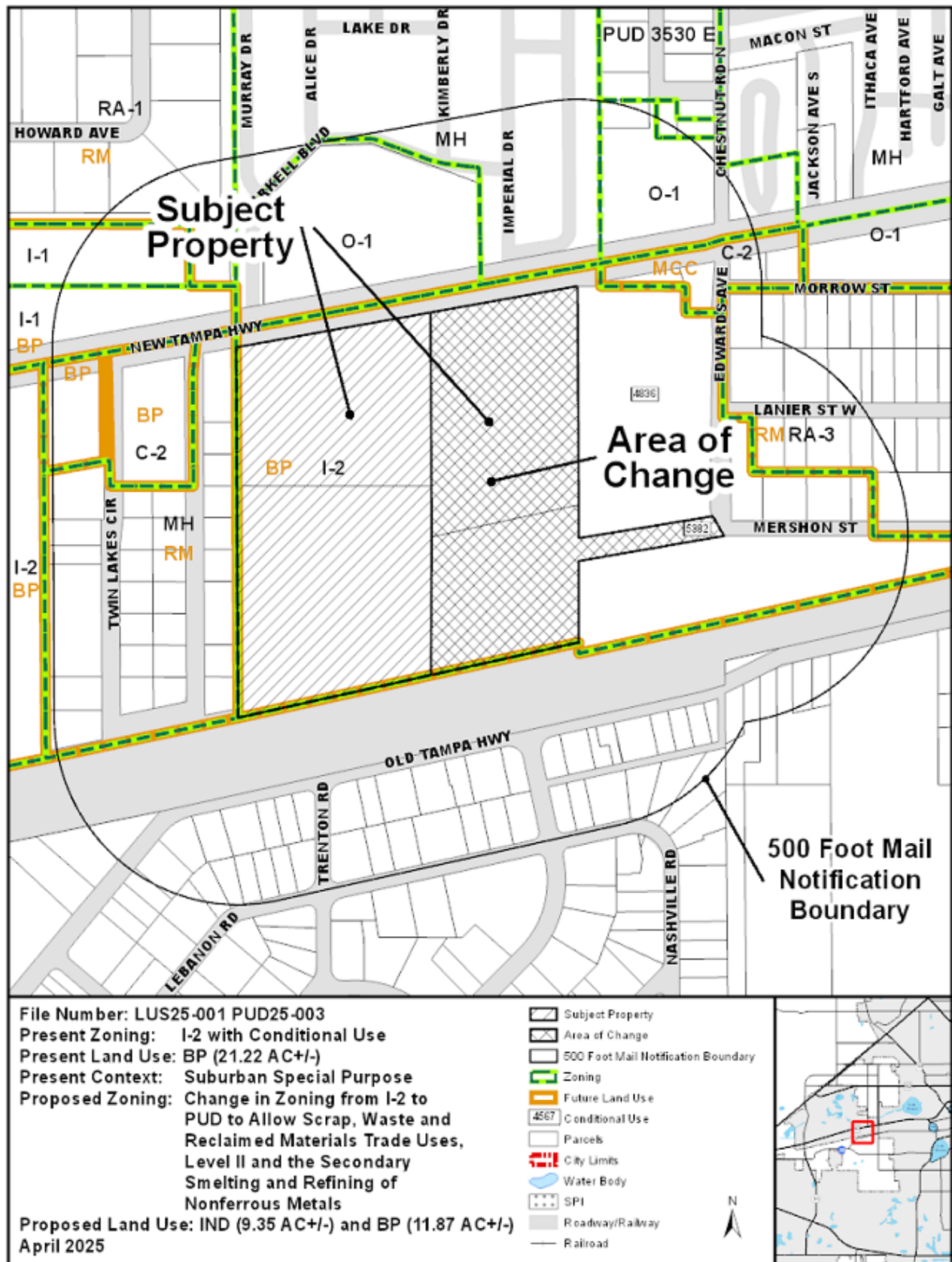
HAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA LYING NORTH OF THE CSX RAILROAD (FORMERLY ATLANTIC COAST LINE RAILROAD) RIGHT OF WAY, SOUTH OF THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 600(NEW TAMPA HIGHWAY), WEST OF THE MAINTAINED RIGHT OF WAY LINE OF EDWARDS AVENUE DESCRIBED IN MAP BOOK 5, PAGE 212, WEST AND NORTH OF THAT PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 2654, PAGE 1449, AND PAGE 1456, WEST AND SOUTH OF THAT PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 5778, PAGES 803, ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, SAID POINT BEING A 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION AND RUN THENCE ALONG THE WEST LINE OF SAID NORTHWEST 1/4, OF THE NORTHEAST 1/4, SAID LINE MONUMENTED ALONG THE LINE WITH SIMILAR 4"X4" CONCRETE MONUMENTS, S00°28'53"E A DISTANCE OF 164.16 FEET TO THE INTERSECTION OF SAID WEST LINE WITH THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 600; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, N79°56'22"E A DISTANCE OF 535.86 FEET TO A 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION MARKING THE POINT OF BEGINNING. CONTINUE THENCE ALONG SAID SOUTH RIGHT OF WAY LINE N79°59'28"E A DISTANCE OF 406.36 FEET TO A 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION MARKING THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 5778, PAGE 803; RUN THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING TWO COURSES: (1) S00°25'08"E A DISTANCE OF 673.86 FEET; (2) N80°25'32"E A DISTANCE OF 365.07 FEET TO A POINT ON SAID MAINTAINED RIGHT OF WAY LINE OF EDWARDS AVENUE; THENCE S34°52'56"E A DISTANCE OF 65.52 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22 AS SHOWN ON THE PLAT OF A.H. DEVANE'S OAKS ADDITION AS RECORDED IN PLAT BOOK 6, PAGE 6, SAID POINT ALSO LYING ON THE BOUNDARY OF SAID PARCEL RECORDED IN OFFICIAL RECORDS BOOK 2654, PAGE 1456; RUN THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO COURSES: (1) S80°23'00"W A DISTANCE OF 400.48 FEET; (2) S00°30'59"E A DISTANCE OF 196.05 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID CSX RAILROAD; RUN THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S77°46'10"W A DISTANCE OF 411.24 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE RUN, N00°27'31"W A DISTANCE OF 946.34 FEET TO THE POINT OF BEGINNING.

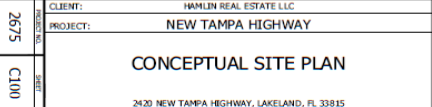
THE ABOVE DESCRIBED LANDS CONTAIN 9.1588 ACRES.



# ATTACHMENT "B"



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SM	
DRAWN BY:	
DH	
CHECKED BY:	
SM	04/10/2025

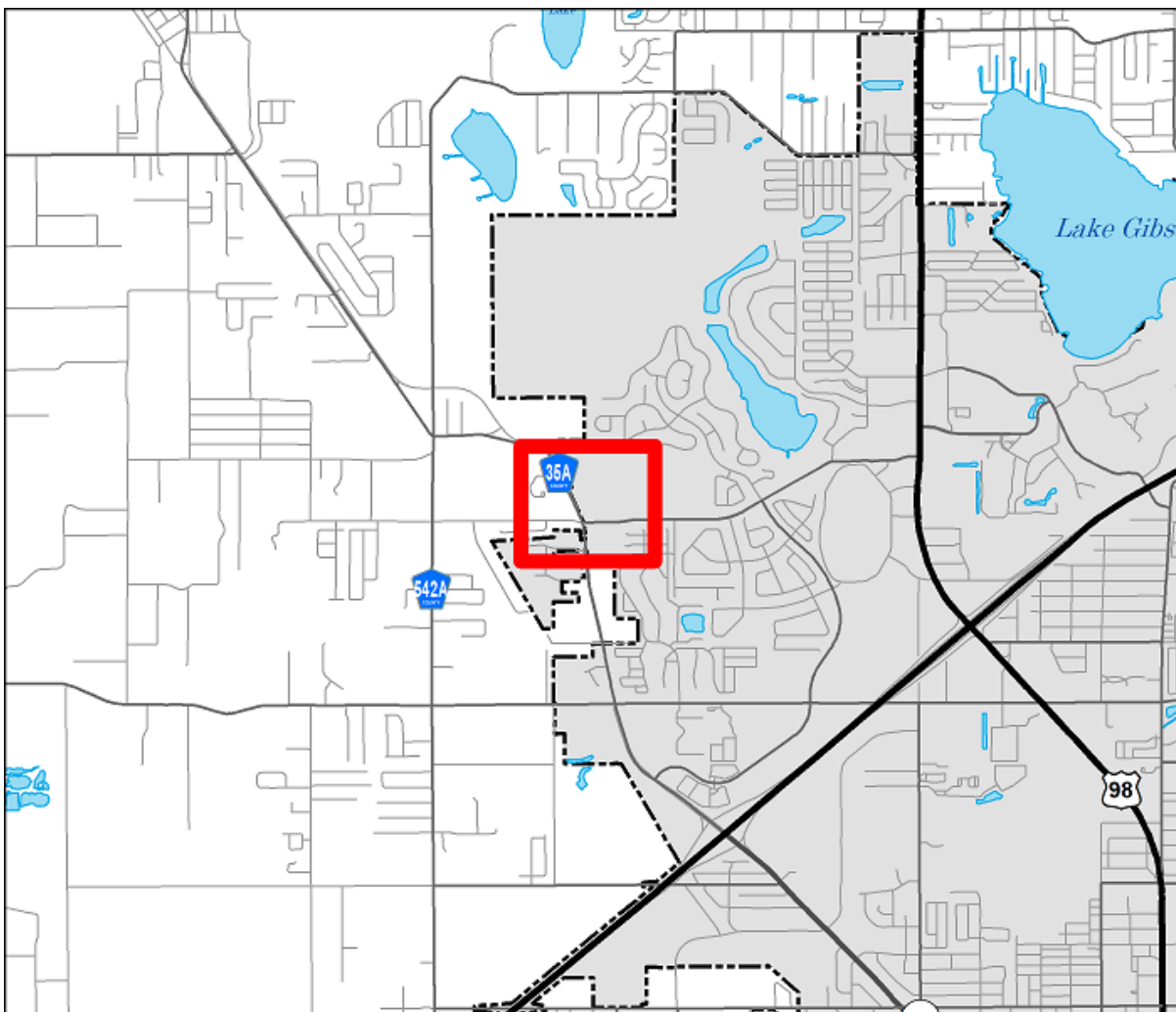
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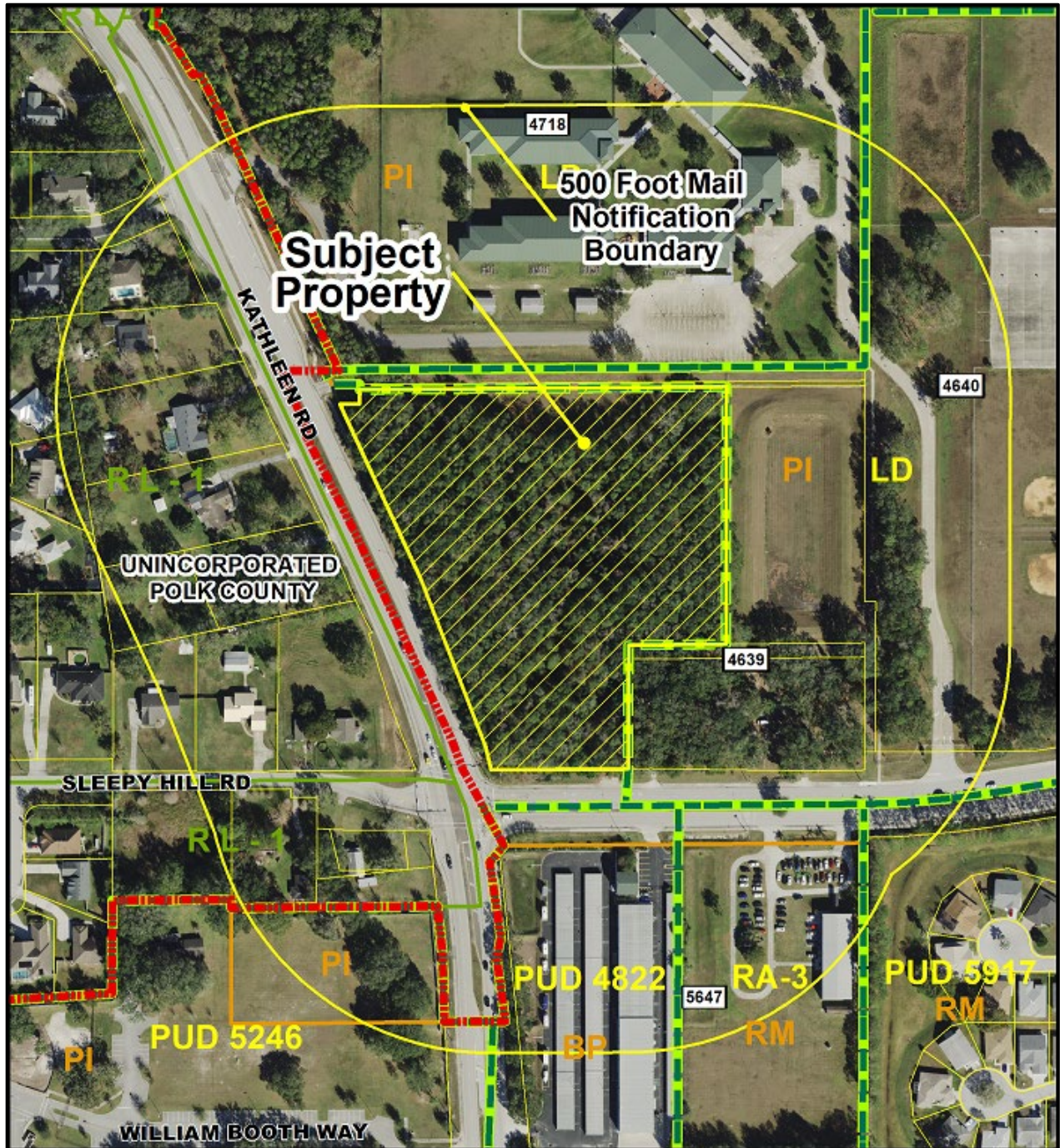
# Community & Economic Development Staff Recommendation

Date:	June 17, 2025	Reviewer:	Audrey McGuire
Project No:	LUS25-003 CUP25-004 ZON25-005	Location:	2365 Sleepy Hill Road
Owner:	James P. Gills Jr.		
Applicant:	Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A.		
Current Zoning:	Not Assigned	Future Land Use:	Not Assigned
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	May 20, 2025	P&Z Final Decision:	June 17, 2025
Request:	Small-scale land use amendment to apply a future land use designation of Residential Medium (RM), the application of RA-4 (Single-Family Residential) zoning, and a conditional use to allow a 64-unit single-family attached (townhome) development on approximately 7.51 acres located at the northeast corner of Kathleen Road and Sleepy Hill Road.		

## 1.0 Location Maps







## 2.0 Background

### 2.1 Summary

Timothy F. Campbell, Clark, Campbell, Lancaster, Workman & Airth, P.A., on behalf of James P. Gills, Jr., requests a small-scale land use amendment to apply a future land use designation of Residential Medium (RM), the application of RA-4 (Single-Family Residential) zoning, and a conditional use to allow a 64-unit single-family attached (townhome) development on approximately 7.51 acres located at the northeast corner of Kathleen Road and Sleepy Hill Road. A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property, approximately 7.51 acres in area, was annexed into the City in 1997 (Ordinance 3817). Zoning and land use, however, were not assigned at that time. Following the adoption of the current Land Development Code, the subject property was assigned Suburban Neighborhood (SNH) context sub-district designation.

The subject property is heavily wooded and comprised of uplands. Adjacent land uses include Sleepy Hill Elementary School and Sleepy Hill Middle School to the north and east, respectively. To the south, across Sleepy Hill Road, is a parcel zoned PUD (Planned Unit Development) and developed with a commercial self-storage facility. Properties to the west, across Kathleen Road, are located within unincorporated Polk County and consist of single-family uses with a County Residential Low-1 (RL-1) land use designation.

In 2005, land use and zoning applications were submitted to apply a Neighborhood Activity Center (NAC) future land use designation and C-3 (Neighborhood Center Commercial) zoning to the subject property to allow for the development of 50,000 sq. ft. of retail commercial uses. According to the minutes from the March 15, 2005, meeting of the Planning & Zoning Board, both requests were denied due to the project not meeting the separation requirements from nearby commercial activity centers and incompatibility with surrounding land uses. At the time of denial, city staff suggested that the Residential Medium (RM) future land use designation would be an appropriate alternative for the subject property because of its location within the urban development area, availability of City utility services, and proximity to other commercial centers.

### 2.3 Project Background

The purpose of this request is to apply land use, zoning and a conditional use to allow for the development of the subject property for a 64-unit single-family attached (townhome) subdivision. A site development plan for the proposed townhome subdivision which includes the internal street layout, arrangement of lots and blocks, driveways and stormwater retention areas, is included as Attachment “C.”

### 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Sleepy Hill Elementary School	PI	LD	SNH
South	Commercial (Self-Storage)	BP	PUD	SSP
East	Sleepy Hill Middle School / Griffin Cemetery	PI	LD	SNH
West	Single-Family Residential	County RL-1	N/A	N/A



## 2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Subdivision Plan

## 3.0 Discussion

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The subject property was annexed into the City as part of a larger tract of land located west of Lakeland Square Mall owned by Mr. Gills. While most of Mr. Gills' holdings were assigned a future land use designation and zoning following annexation, the subject property was not included due to the lack of a pending development proposal and lack of capacity in the surrounding road network.

With the establishment of the urban form standards through the adoption of a new land development code in 2013, the Suburban Neighborhood (SNH) context district was applied to the subject property. The SNH context district generally describes areas of the city composed of low- to moderate-density residential uses which may transition over time to a more walkable, urban environment with smaller blocks and greater connectivity to schools, recreation and other urban services.

The proposed RA-4 (Single-Family Residential) zoning classification allows for single-family attached (townhome) dwellings to be considered through a conditional use application. The proposed conditional use will limit the use of the subject property to a 64-unit single-family attached (townhome) subdivision. The recommended conditions of approval contain tree preservation requirements, minimum development standards and maintenance provisions.

Per the policies of the Lakeland Comprehensive Plan: Our Community 2030, the Residential Medium (RM) land use designation is intended for medium density residential (between 5 and 12 dwelling units per acre) and promotes compact, walkable development. The RM future land use designation has been applied to other properties along the south side of Sleepy Hill Drive near the subject property, including Highland Fairways, a 650-unit single-family residential subdivision that originally began development as a manufactured home community, and Hampton Hills South Phase 3, which consists of 224 single-family attached (townhome) dwellings on 19.38 acres at the southeast corner of Sleepy Hill Road and Mall Hill Drive. The proposed townhome development consists of 64 townhomes on approximately 7.51 acres, which translates to a gross density of 8.52 units per acre and is well below the maximum density of 12 dwelling units per acre allowed under the RM future land use designation.

Prior to the public hearing, staff received a letter from residents who live on Sleepy Hollow Lane, a single-family neighborhood within unincorporated Polk County on the west side of Kathleen Road. The letter expressed concern about compatibility and disruption of existing neighborhood character, increased traffic and safety risks, public infrastructure and services, environmental and stormwater impacts and precedent for future development. Several individuals from Sleepy Hollow Lane also spoke in opposition of the project at the public hearing, stating concerns with potential flooding caused by development, traffic safety and access, and overall density of development.

The Sleepy Hollow subdivision, which was developed in the mid-1990s on private septic, consists of 22 single-family lots on approximately 13.89 acres with a typical lot being between 0.33 and 0.50 acres. At the time the subdivision was developed, the surrounding area was still largely rural in character with both Kathleen Road and Sleepy Hill Road functioning as two-lane roadways. In the mid-2000s, both roads were widened in response to population growth and plans for new housing developments on large tracts of vacant land located to the west of Lakeland Square Mall, along Sleepy Hill Road and Mall Hill Drive. The following years would see the development of Terra Largo, a private

gated residential community with 602 single-family detached and single-family attached dwelling units on the north side of Sleepy Hill Road, and Hampton Hills South, which consists of 689 single-family detached and 244 single-family attached (townhome) dwelling units. Typical lot sizes for single-family homes in Terra Largo range from 50' x 125' (6,250 sq. ft. or 0.14 acres) to 70' x 125' (8,750 sq. ft. or 0.20 acres). In Hampton Hills South, a typical single-family lot is 50' x 120' (6,000 sq. ft. or 0.13 acres). While the proposed townhome development has a greater density than the older residential uses located west of Kathleen Road, it is compatible in terms of neighborhood character and density with the residential uses to the east inside the City along Sleepy Hilly Road and Mall Hill Drive.

Regarding concerns about flooding, development of the proposed townhome subdivision will be subject to Public Works and SWFWMD stormwater requirements at the time of subdivision review. Any stormwater runoff generated by the project will need to be retained on-site in accordance with SWFWMD guidelines. Concerns about traffic impacts are addressed in the Transportation and Concurrency section below.

### **3.1 Transportation and Concurrency**

The subject property lies on the north side of Sleepy Hill Road, a four-lane Urban Collector operated by the City of Lakeland that is currently operating at an acceptable Level of Service (LOS) C and to the east of County Road 35A (Kathleen Road), a four-lane divided Urban Major Collector operated by Polk County that is also currently operating at an acceptable LOS C. Per the Polk Transportation Planning Organization's 2025 Roadway Network Database, the Two-Hour Average Volume during the PM Peak Period for Sleepy Hill Road is 506 Eastbound and 527 Westbound vehicles (directional service volume/capacity of 1,800 vehicles) and the Two-Hour Average for Kathleen Road is 1,058 Northbound and 1,102 Southbound vehicles (directional service volume/capacity of 1,800 vehicles).

Using data published in the Institute of Transportation Engineers *Trip Generation Manual* (11<sup>th</sup> Edition), the proposed 64 townhomes are expected to generate 437 to 461 Daily Trips, 36 trips during the PM Peak Hour of Adjacent Street Traffic (4 PM – 6 PM) and 31 trips during the AM Peak Hour of Adjacent Street Traffic (7 AM – 9 AM).

The subject property is located within the Urban Development Area as designated in the Comprehensive Plan within which central water, central sewer, urban level public safety, an urban road network, and other facilities and services normally associated with urban development can be expected. The Lakeland Area Mass Transit District (Citrus Connection) operates one route intermittently adjacent to the subject property via its Blue Line with 60-minute frequencies. This route provides connecting services to Lakeland Square Mall, Walmart at US 98 N, and the Gow Fields Park and Ride. A sidewalk exists along both sides of Sleepy Hill Rd and both sides of Kathleen Rd. Designated bicycle lanes exist on Sleepy Hill Road; however, they do not exist on Kathleen Road. The development site is located adjacent to Sleepy Hill Elementary and Middle Schools as well as near the North Lakeland YMCA, located approximately 1,700 feet to the east. Given the site's limited frontage on Sleepy Hill Road, a right-in/right-out driveway connection to Kathleen Road will also be required to better distribute project trips around the Kathleen Road/Sleepy Hill Road intersection.

The City of Lakeland Vision Zero Action Plan adopted in March 2025 identifies Sleepy Hill Road as a Top 10 High Injury Network Corridor and to improve traffic safety, the City has received a pending Federal funding award that would support a roadway safety audit along with short-term, low-cost countermeasures and position the City to apply for future funding for any higher-cost improvements that are needed, generally further west between Mall Hill Road and Kennedy Boulevard.

The subject property shall comply with the transportation conditions set forth in this Conditional Use Permit and any further requirements set forth by the County. A traffic analysis will be required for this

site in order to identify adequate driveway connections in relation to the Kathleen Road/Sleepy Hill Road intersection and adjacent median openings.

Per a determination received from the Polk County School District on May 6, 2025, capacity currently exists at zoned elementary, middle and high schools, including the Sleepy Hill Elementary and Middle Schools located immediately adjacent to the development 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 is consistent with the Comprehensive Plan. Actual construction is subject to final concurrency determinations at the time of subdivision plat and construction plan review.

## **4.0 Recommendation**

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### **4.1 Community and Economic Development Staff**

The Community & Economic Development Department reviewed this request and recommends approval of the small-scale land use amendment to apply a Future Land Use classification of Residential Medium (RM), application of RA-4 (Single-Family Residential) zoning, and a conditional use to allow for a 64-unit single-family attached (townhome) development at the northeast corner of Sleepy Hill Road and Kathleen Road. Letters of notification were mailed to 24 property owners within 500 feet of the subject property.

Prior to the public hearing, comments were received via email from residents on Sleepy Hollow Lane with the concerns stated above. Several of the residents from Sleepy Hollow Lane also spoke against the project at the public hearing.

### **4.2 Planning & Zoning Board**

It is recommended that the request for a small-scale land use map amendment to apply a future land use designation of Residential Medium (RM), application of RA-4 (Single-Family Residential) zoning, and the conditional use to allow a 64-unit single-family attached (townhome) development as described above and in attachments “A,” “B” and “C” be approved subject to the following conditions:

- A. Permitted Uses: Single-Family Attached (Townhomes)
- B. Maximum Intensity of Use: 64 Dwelling Units
- C. Development Standards: In accordance with the Single-Family Attached Special Building Type Standards as specified in Table 3.4-11 of the Land Development Code, except as follows:
  - 1. Minimum Lot Width: 20 feet.
  - 2. Minimum Lot Area: 1,700 sq. ft.
  - 3. Front Setback: 20 feet.
  - 4. Street Side Setback: 15 feet.
  - 5. Rear Setback: 15 feet.
  - 6. Driveway Width: 10 feet min./10 feet max.
  - 7. Off-Street Parking: One-car, front-loaded garage with a 10-foot-wide driveway.

8. Building Height: Two (2) stories.
  9. Entrance Feature: Porch or stoop in accordance with Figures 3.4-5 and/or 3.4-6 of the Land Development Code.
- D. Subdivision Plans: The site shall be developed in accordance with the subdivision plan submitted as Attachment "C." With the approval of the Director of Community & Economic Development, minor changes may be made at the time of subdivision review without requiring a modification of the conditional use.
- E. Landscape & Buffering: In accordance with Section 4.5 of the Land Development Code and the following:
1. To provide a natural buffer, existing tree canopy on the subject property shall be preserved and retained within 30 feet of the west and south property boundaries adjacent to Kathleen Road and Sleepy Hill Road. With the approval of the City Arborist, immature, non-native or invasive trees may be removed if found to enhance the health of larger, protected trees. The developer is encouraged to retain other mature canopy trees throughout the project. Trees retained shall be preserved and protected during construction in accordance with Section 4.5.10 of the Land Development Code.
  2. The developer shall plant native tree species within the right-of-way on both sides of the roadway internal to the project at a ratio of one tree per fifty (50) linear feet, minimum.
- F. Maintenance Provisions: All open space, common areas, amenities, fences, walls, landscape buffers, and stormwater retention areas shall be maintained by a homeowner association (HOA), property management company or other similar entity.
- G. Garage Conversions: The conversion of attached garages integral to the single-family attached dwelling units to living area or uses other than vehicle parking shall be prohibited.
- H. Civic Open Space: In accordance with Sub-Section 3.4.6 of the Land Development Code.
- I. Transportation:
1. A Binding Concurrency Determination shall be made prior to subdivision plat approval.
  2. Sidewalks shall be constructed along both sides of each internal road. ADA-compliant routes shall be provided to Sleepy Hill and Kathleen Roads.
  3. A petition shall be submitted to the Lakeland Area Mass Transit District requesting inclusion into the boundaries, within which a half-mill ad valorem tax is levied to support public transit services within the Lakeland Area.
  4. A Minor Traffic Study will be required per Section 10.3 of the Land Development Code, with a focus on the site driveways on Sleepy Hill and Kathleen Roads as well as adjacent median openings where U-turns are expected to occur. .
  5. Bicycle parking shall be provided in compliance with Sub-Section 4.11.6 of the City of Lakeland Land Development Code and Index 900 of the City Engineering Standards Manual.
  6. The site shall comply with all Polk County permitting requirements.
  7. The developer shall coordinate with the Polk County School District and the City of Lakeland to construct a sidewalk between the subject property and Sleepy Hill Elementary School. If a viable alignment is not available, a sidewalk stub-out shall be

constructed to the property boundary at a location determined to be acceptable by the School District and City.

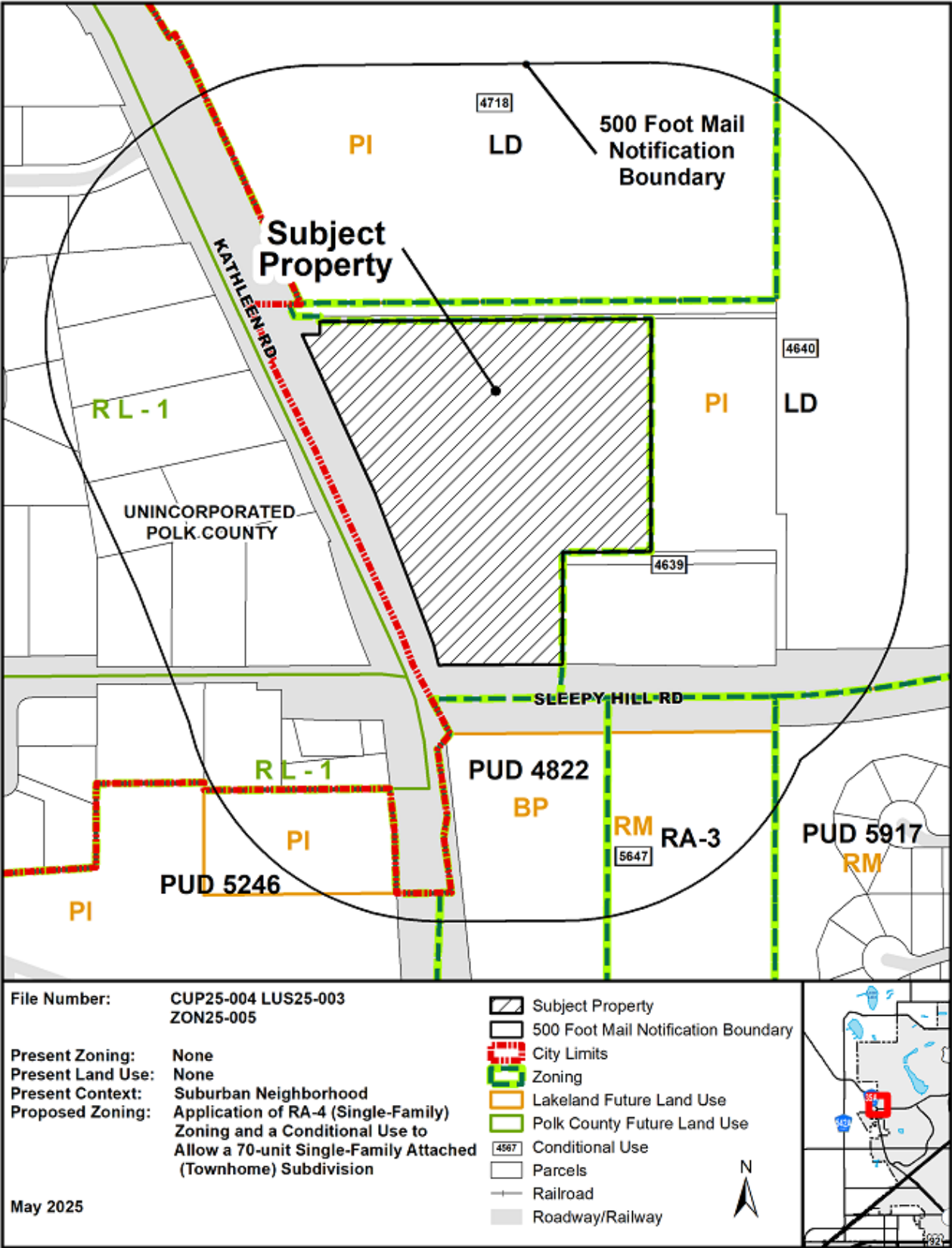


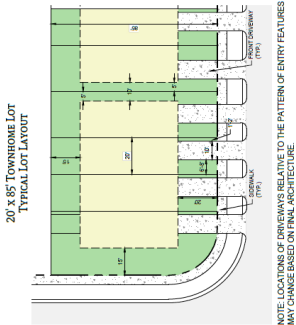
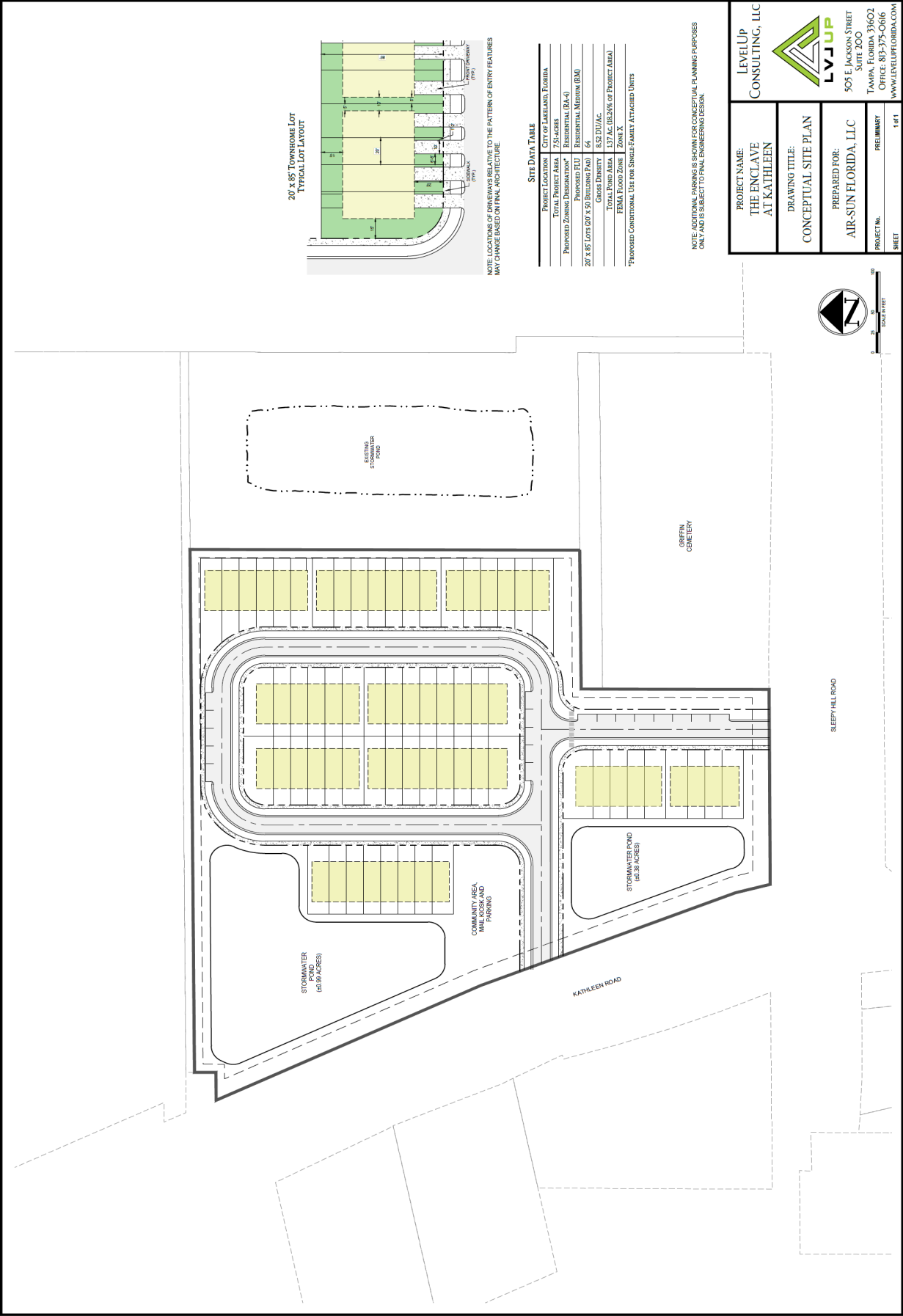
ATTACHMENT "A"

**Legal Description:**

BEG 233.01 FT N & 244 FT W OF SE COR OF SW1/4 OF NE1/4 RUN N 456.65 FT W 782.55 FT S 24 DEG 12 MIN 24 SEC E 751.25 FT E 286.47 FT N 218.01 FT E 172.02 FT TO POB LESS ADDL R/W FOR KATHLEEN RD AS DESC IN OR 4134 PG 1053 & LESS R/W FOR KATHLEEN RD AS DESC IN OR 5787 PG 113

ATTACHMENT "B"





SITE DATA TABLE	
PROJECT LOCATION	CITY OF LAKELAND, FLORIDA
TOTAL PROJECT AREA	75.6 ACRES
PROPOSED ZONING	RESIDENTIAL (R/LA-6)
PROPOSED LOT	20' x 85'
PROPOSED FLOT	RESIDENTIAL MEDIUM (RMD)
PROPOSED FLOT	64
GROSS DENSITY	8.52 DU/AC
TOTAL POND AREA	137 AC (18.24% OF PROJECT AREA)
FEMA FLOOD ZONE	Zone X
*PROPOSED CONDITIONAL USE FOR SINGLE-FAMILY ATTACHED UNITS	

NOTE: ADDITIONAL PARKING IS SHOWN FOR CONCEPTUAL PLANNING PURPOSES ONLY AND IS SUBJECT TO FINAL ENGINEERING DESIGN.

PROJECT NAME:  
THE ENCLAVE  
AT KATHLEEN

DRAWING TITLE:  
CONCEPTUAL SITE PLAN

PREPARED FOR:  
AIR-SUN FLORIDA, LLC

PROJECT NO.:  
PRELIMINARY

LEVELUP  
CONSULTING, LLC

LVJUP

505 E. JACKSON STREET  
SUITE 200  
TAMPA, FLORIDA 33602  
OFFICE: 813-375-0616  
WWW.LEVELUPFLORIDA.COM

1 of 1  
SHEET



# **Report of City Commission Action on Planning and Zoning Board Recommendations**

**Tuesday, June 17, 2025**

## **Meeting of June 2, 2025**

### **Ordinances (First Reading)**

**Proposed 25-014;** Amending Ordinance 5391; Major Modification of a Conditional Use to Allow a Bookstore on Property Located at 737 S. Missouri Avenue. (CUP25-003)

## **Meeting of May 19, 2025**

**NO NEW ITEMS**