

AGENDA

Planning & Zoning Board
City Commission Chambers
April 21, 2026, 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. **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:**
- a. Compatibility review to allow for the construction of an accessory dwelling unit on property located at 1002 Josephine Street. Owner: Roy Brunson. Applicant: Martin Day Construction, LLC. (ADU26-001)
 - b. Consideration of final decision.

- ITEM 2:**
- a. Conditional use to convert a nonconforming Industrial-type Service Establishment, Level I, to a Wholesale Trade Use, Level I, to allow for the wholesale trade of flooring materials, installation tools and supplies, on property located at 1512 E. Gary Road. Owner: HJR Gary Road, LLC. Applicant: Liz Diaz, Mills, Short and Associates, LLC. (CUP26-003)
 - b. Consideration of final decision.

- ITEM 3:** Annexation, a large-scale land use map amendment to apply a future land use designation of Business Park (BP), and the application of I-2 (Medium Industrial) zoning, concurrent with a City-initiated application to apply a Suburban Special Purpose (SSP) context sub-district designation, on approximately 11.29 acres located south of Old Polk City Road, east of Tomkow Road, north and west of Centerstate Logistics Park Phase 2. Owner: Juan E. Santiago. Applicant: Kendra Andrews, Sloan Engineering Group, Inc. (ANX26-001/LUL26-001/ZON26-002/ZON26-003)

- ITEM 4:**
- a. Conditional use to convert a nonconforming commercial lodging use to a six-unit multi-family residential use on property located at 817 South Boulevard. Owner: Coy Properties LLC. Applicant: Daniel P. Kovacs, Tract Engineering LLC. (CUP25-016) **Note: Continued from a previous meeting.**
 - b. Consideration of final decision.

GENERAL HEARING

- ITEM 5:** Review minutes of the March meeting.

- ITEM 6:** Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and allow for the development of 112 multi-family dwelling units in lieu of 92 single-family attached (townhome) dwelling units, on approximately 10.56 acres generally located at the southeast corner

of 10th Street and Saratoga Avenue. Owner: Housing Authority of Lakeland. Applicant: Catherine Coyle, Boggs Engineering, LLC. (PUD26-002)

ITEM 7: Report of City Commission action on Planning and Zoning Board recommendations along with Planning & Transportation Manager's Report.

ITEM 8: Audience.

ITEM 9: Adjourn.



Planning & Zoning Board General Application

General Information:

Project No:	ADU26-001	Application Date:	2/11/2026		
Associated Projects:	HPB24-129				
Project Name:	CONSTRUCTION OF ACCESSORY DWELLING UNIT				
Subject Property Address:	1002 JOSEPHINE ST				
Parcel ID:	232824124500007040	Total Acreage:			
Applicant Name:	MARTIN DAY CONSTRUCTION LLC				
Applicant Address:	8730 MORRISON OAKS CT	TEMPLE TERRACE	FL	33637	
Owner Name:	BRUNSON ROY				
Owner Address:	1430 STOKES BRIDGE RD W	BISHOPVILLE	SC	29010	

Request:

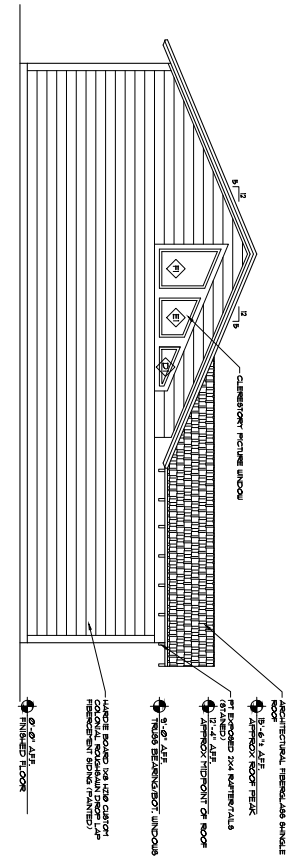
Application Type:	Accessory Dwelling Unit				
Land Use					
Current	Residential Medium	(RM)			
Proposed	Not Applicable				
Zoning					
Current	Single Family	(RA-3)			
Proposed	Not Applicable				
Sub Context District					
Current	(UNH)	Urban Neighborhood			
Proposed					
Explanation of Request:	Compatibility review to allow for the construction of an accessory dwelling unit on property located at 1002 Josephine Street.				
Justification:					

Concurrency:

Proposed Dwelling Units:	0	Project Floor Area:		Square feet
Type of Use:		Phase		Year

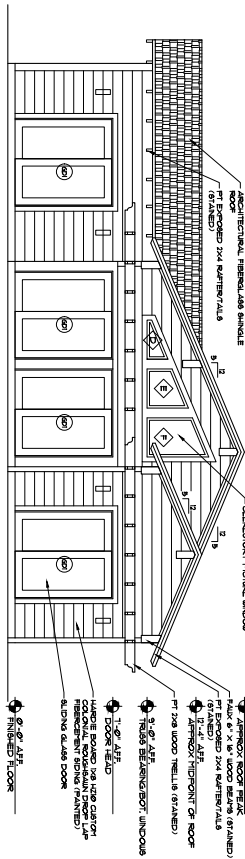
Estimate of Public Service Demand

Roadways	Daily Trips:	#Error		PM Peak Hour Trips:		
Potable Water		GPD	Wastewater		GPD	Solid Waste
						PPD

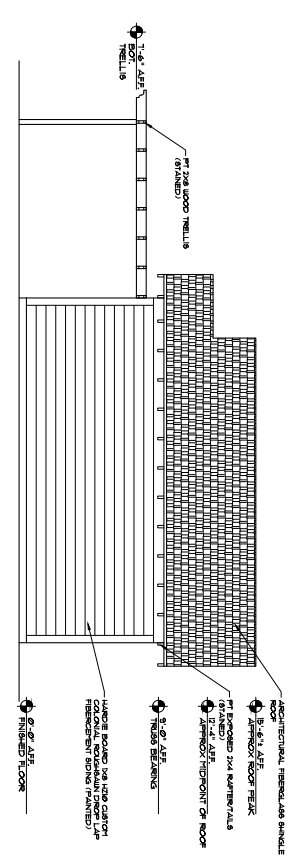


1 ADU East (Side) Elevation
 AS.2 SCALE: 1/4" = 1'-0"

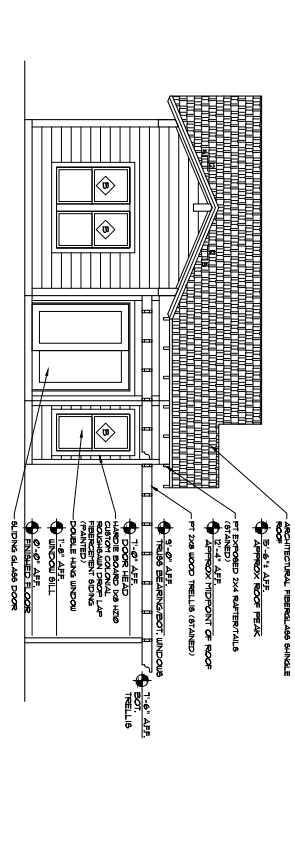
Digitally signed by
 Aaron D Coy
 Date: 2026.03.30 20:51:23 -04'00'



2 ADU West (Poolside) Elevation
 AS.2 SCALE: 1/4" = 1'-0"



3 ADU South (Rear) Elevation A
 AS.2 SCALE: 1/4" = 1'-0"



4 ADU North (Front) Elevation
 AS.2 SCALE: 1/4" = 1'-0"

SPONSOR & SEALED BY:
 AARON D. COY, ARCHITECT
 FLORIDA REGISTRATION NUMBER: 12523

Architecture
 Interior
 Planning

Aaron D. Coy
 Architect
 FloridaArchitect@gmail.com
 Tel: 813.374.4476
 2246 Ring Creek Court
 Pasadena, Florida 34989
 FL Lic. AR00219

Roy Brunson Residence
 Accessory Dwelling Unit

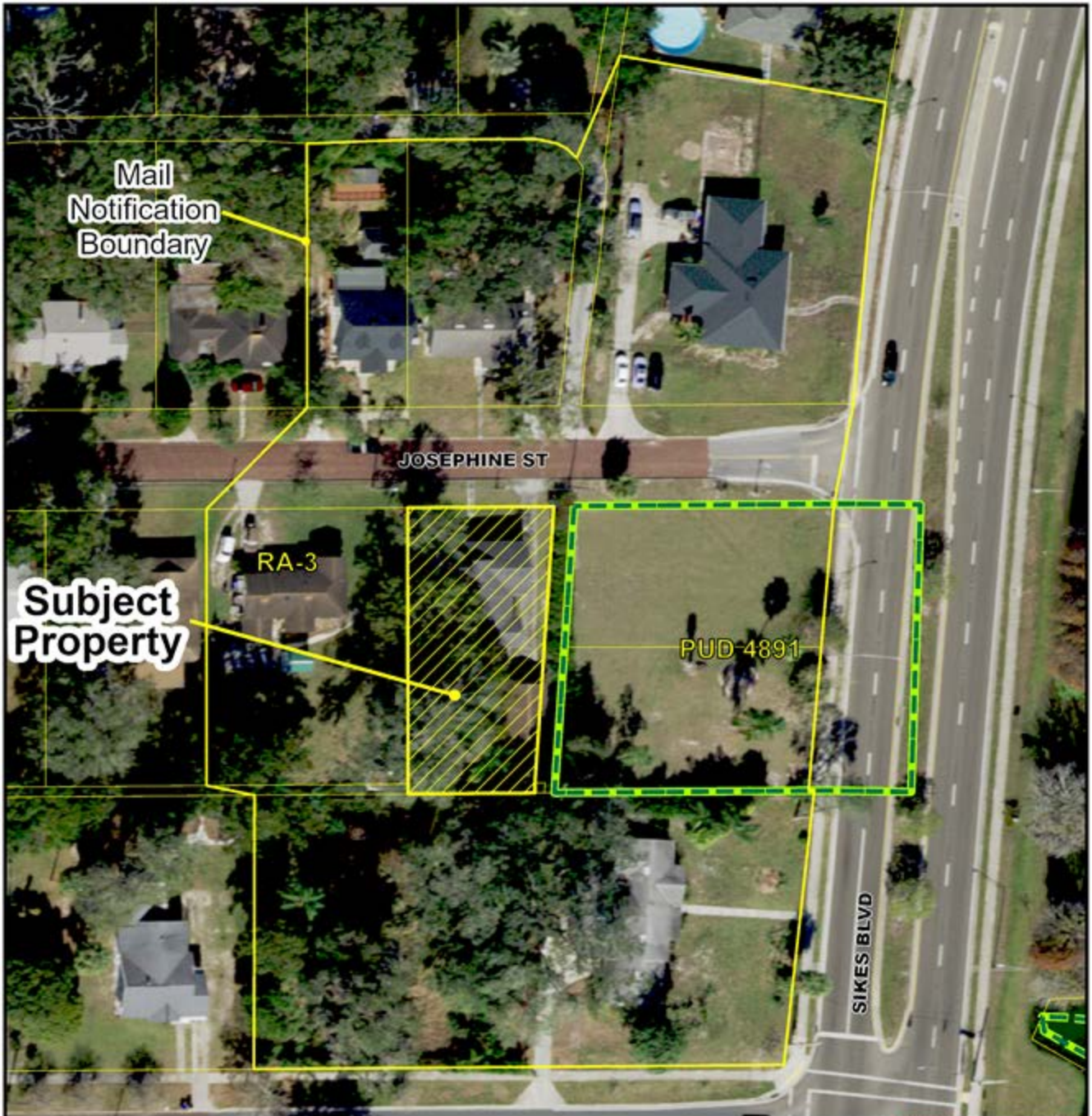
1002 Josephine Street
 Lakeland, Florida 33815

ADU A
 EXTERIOR
 ELEVATIONS

SHEET TITLE: A

Project No: 2601
 Checked by: ADC
 Drawn by: EGM/III
 Phase: CDs
 Date: 1-25-2026
 Revision: A

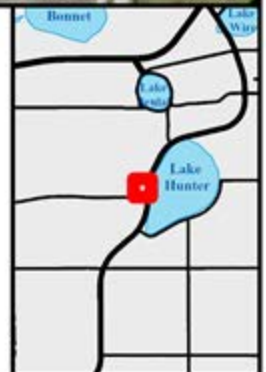
AS.2

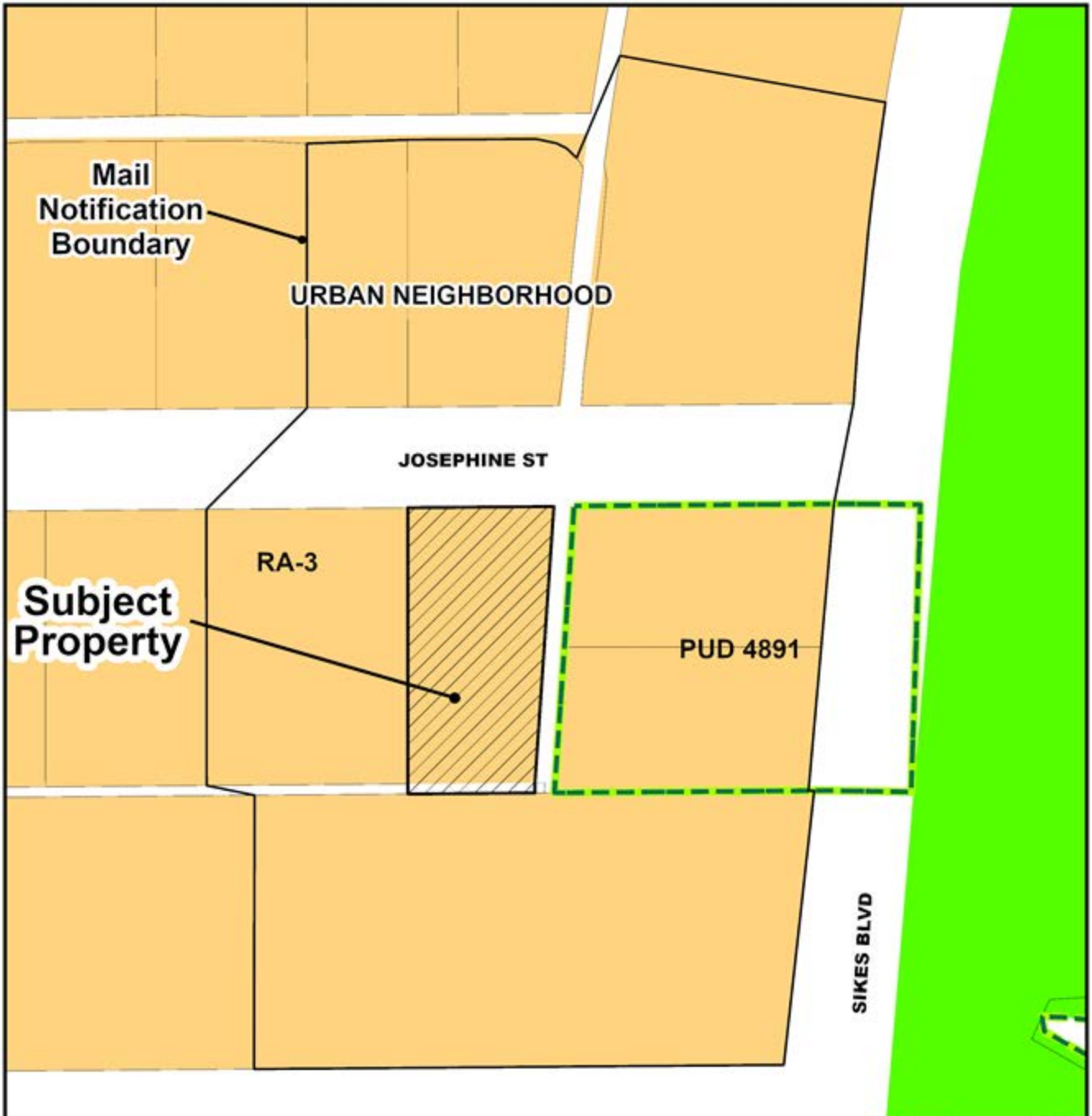


File Number: ADU26-001
Present Zoning: RA-3
Context: Urban Neighborhood
Proposed Zoning: Compatibility Review
 for an Accessory Dwelling Unit

April 2026

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





File Number: ADU26-001

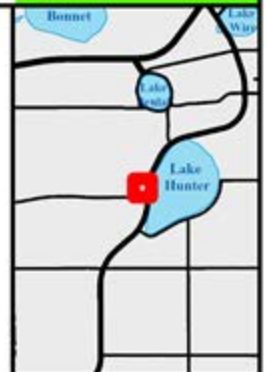
Present Zoning: RA-3

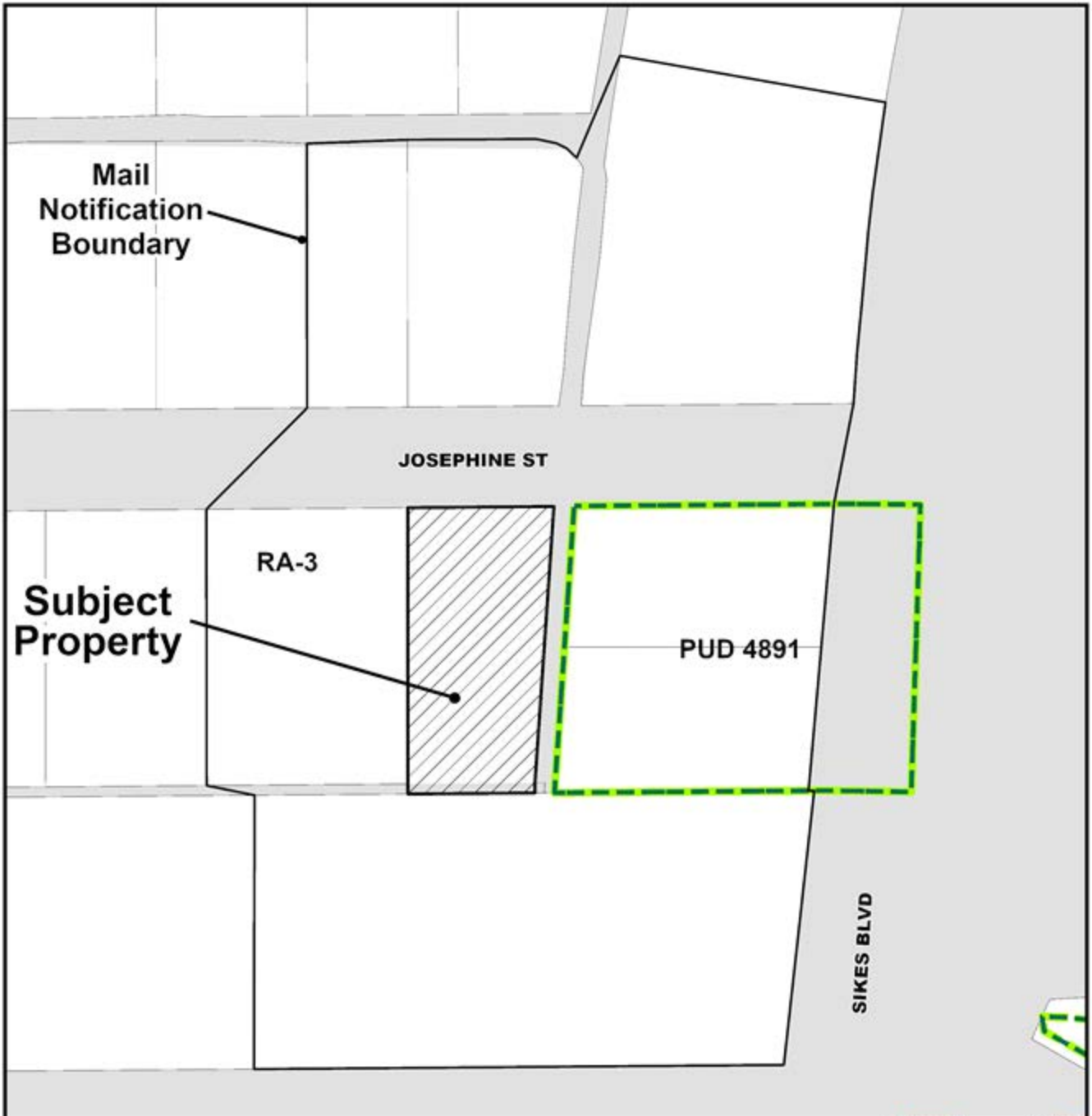
Context: Urban Neighborhood

Proposed Zoning: Compatibility Review for an Accessory Dwelling Unit

April 2026

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















File Number: ADU26-001

Present Zoning: RA-3

Context: Urban Neighborhood

Proposed Zoning: Compatibility Review for an Accessory Dwelling Unit

April 2026

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





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

April 3, 2026

RE: 1002 Josephine Street - Project No. ADU26-001

Dear Property Owner:

This letter is to advise you that Martin Day Construction, LLC, on behalf of Roy Brunson, requests a compatibility review to allow for the construction of an accessory dwelling unit on property located at 1002 Josephine Street. The subject property is legally described as follows:

LAKE HUNTER TERRACE PB 5 PG 28 BLK G LOT 4 & VACATED ALLEY LYING S
OF SAME

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, April 21, 2026**, in the Lakeland Electric Building rooms 1A/B, 501 E. Lemon Street. As an owner of property adjacent to this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing or you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the April 21st 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.

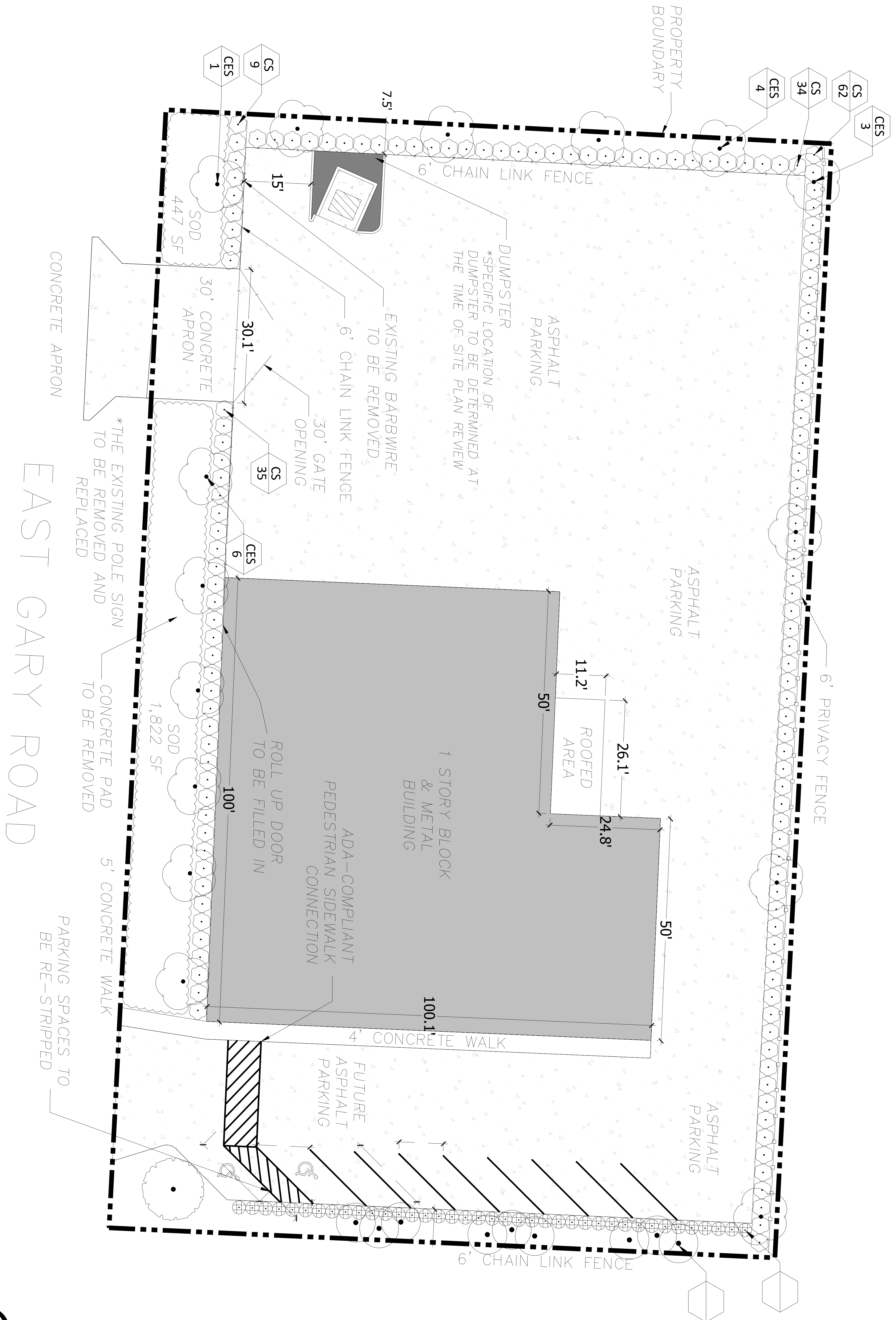
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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW

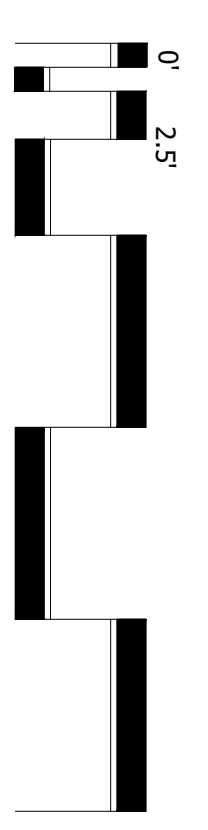


Planning & Zoning Board General Application

General Information:											
Project No:		<u>CUP26-003</u>			Application Date:		1/26/2026				
Associated Projects:		CPT26-008									
Project Name:		1512 GARY ROAD E CUP									
Subject Property Address:		1512 GARY RD E									
Parcel ID:		242817193000011120			Total Acreage:		0.84				
Applicant Name:		LIZ DIAZ									
Applicant Address:		700 22ND PLACE SUITE 2C AND 2D VERO BEACH 32960					FL				
Owner Name:		HJR GARY ROAD LLC									
Owner Address:		113 WOODCREST LN			MULBERRY		FL		33860		
Request:											
Application Type:		Conditional Use Permit									
Land Use											
Current		Mixed Commercial Corridor					(MCC)				
Proposed		Not Applicable									
Zoning											
Current		Pedestrian Commercial					(C-1)				
Proposed		Not Applicable									
Sub Context District											
Current		(UCO)					Urban Corridor				
Proposed											
Explanation of Request:		The proposed project is located on an approximately 0.84-acre (37,500 square foot) site in Lakeland, Florida. The property is currently developed and will be utilized as a wholesale distribution facility for Ceramic Installation Co. of Central Florida (CISCO). CISCO currently operates in Lakeland and supplies local contractors with the tools and materials needed to support their construction and installation projects.									
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:					
Potable Water				GPD		Wastewater		GPD		Solid Waste	PPD



EAST GARY ROAD



Mills, Short & Associates

Civil & Structural Engineering
Land Planning & Landscape Architecture

April 3, 2026

Dear Planning and Zoning Staff,

The proposed project is located on an approximately 0.84-acre (37,500 square foot) site in Lakeland, Florida. The property is currently developed and will be utilized as a wholesale distribution facility for Ceramic Installation Co. of Central Florida (CISCO). CISCO currently operates in Lakeland and supplies local contractors with the tools and materials needed to support their construction and installation projects.

The Concept Review Plan proposes site improvements to support the wholesale use while maintaining the existing building footprint. No changes are proposed to the existing building structure or square footage. The existing building coverage is approximately 19,950 square feet (0.44 acres), representing 51% of the total site area.

The project includes the addition of approximately 16,305 square feet of impervious surface, resulting in a total impervious area of approximately 32,870 square feet (0.75 acres), or 89% of the site. Total impervious area consists of approximately 8,776 square feet of building area and 24,094 square feet of concrete and asphalt surfaces. The site will retain approximately 4,630 square feet (0.09 acres), or 11% of the site, as pervious area, providing approximately 11,890 square feet (0.25 acres), or 49% of the site, as open space. A new concrete driveway apron is proposed along East Gary Road to provide truck access to the site. The existing roll-up door on the front elevation of the building will be infilled, and the existing on-site sign will be removed.

Additional site improvements include the removal of razor wire from the existing chain-link fencing and the installation of a 6-foot privacy fence along the northern property boundary, along with a landscape buffer to provide screening of adjacent properties. Landscaping enhancements are also proposed along the front of the site and include new shrubs and sod to enhance the streetscape appearance.

Overall, the proposed Concept Review Plan improves site access, circulation, safety, and aesthetics while supporting the continued wholesale operations of Ceramic Installation Co. of Central Florida (CISCO), with no expansion of the existing building.




All the best,
Liz Diaz
Project Designer



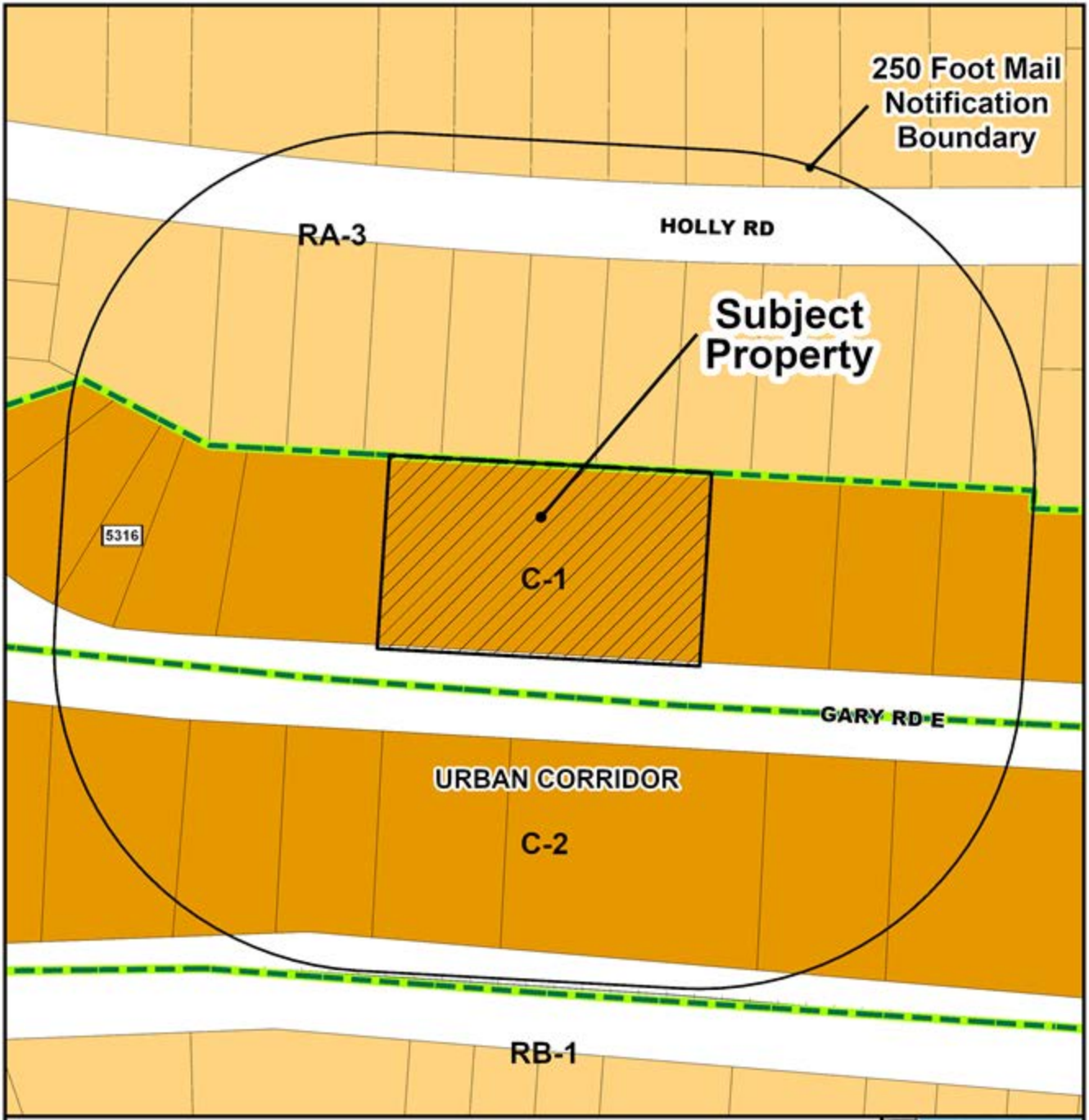
File Number: CUP26-003

Present Zoning: C-1
 Present Context: Urban Corridor
 Proposed Zoning: Conditional Use to Allow a Wholesale Flooring Materials and Supplies Business

April 2026

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





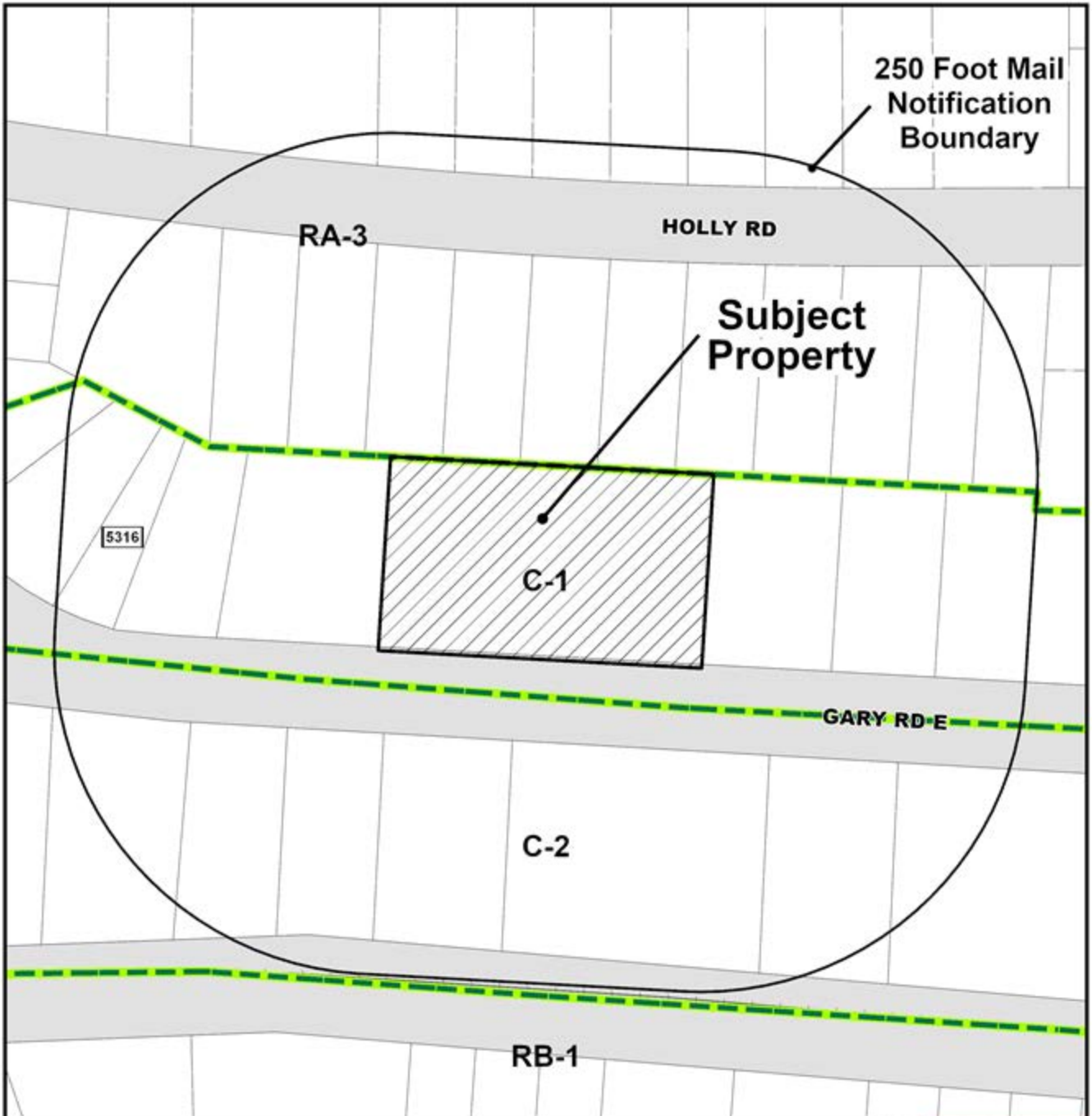
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Proposed Zoning: Conditional Use to Allow a Wholesale Flooring Materials and Supplies Business

April 2026

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





File Number: CUP26-003

Present Zoning: C-1
Present Context: Urban Corridor
Proposed Zoning: Conditional Use to Allow a Wholesale Flooring Materials and Supplies Business

April 2026

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





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

April 3, 2026

RE: 1512 E. Gary Road - Project No. CUP26-003

Dear Property Owner:

This is to advise you that Liz Diaz, Mills, Short and Associates, LLC, on behalf of HJR Gary Road LLC, requests a conditional use to convert a nonconforming Industrial-type Service Establishment, Level I, to a Wholesale Trade Use, Level I, to allow for the wholesale trade of flooring materials, installation tools and supplies, on property located at 1512 E. Gary Road. The subject property is legally described as:

LOTS 12, 13, 14, 15, AND 16, BLOCK 11, SHORE ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 15, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, April 21, 2026**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 250 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing *or* you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the April 21st meeting.

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THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community & Economic Development Summary Memo

Date:	April 21, 2026	Reviewer:	Matt Lyons
Project No:	CUP26-003	Location:	1512 E. Gary Road
Owner:	HJR Gary Road, LLC		
Applicant:	Liz Diaz, Mills, Short and Associates, LLC		
Current Zoning:	C-1 (Pedestrian Commercial)	Future Land Use:	Mixed Commercial Corridor (MCC)
Context District:	Urban Corridor (UCO)		
P&Z Hearing:	April 21, 2026	P&Z Final Decision:	April 21, 2026
Request:	Conditional use to convert a nonconforming Industrial-type Service Establishment, Level I, to a Wholesale Trade Use, Level I, to allow for the wholesale trade of flooring materials, installation tools and supplies, on property located at 1512 E. Gary Road.		

1.0 Background

Liz Diaz, Mills, Short and Associates, LLC, on behalf of HJR Gary Road, LLC, requests a conditional use to convert a nonconforming Industrial-type Service Establishment, Level I, to a Wholesale Trade Use, Level I, to allow for the wholesale trade of flooring materials, installation tools and supplies, on property located at 1512 E. Gary Road.. A map of the subject property is included as Attachment “B”. A site development plan, which details existing site conditions and proposed changes to the subject property is included as Attachment “C.”

1.1 Attachments

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

2.0 Discussion

Located in the Shore Acres neighborhood, the subject property consists of an 0.84-acre parcel on the north side of E. Gary Road. The subject property is zoned C-1 (Pedestrian Commercial), is located within the UCO (Urban Corridor) context sub-district, and has a future land use designation of Mixed Commercial Corridor (MCC).

The subject property is currently improved with a 5,000 sq. ft. retail commercial building and a 3,750 sq. ft. accessory warehouse space. To the south, across E. Gary Road, adjacent land uses include a plumbing services contractor and air conditioning services contractor. To the east, the subject property abuts a business vacuum cleaner repair business, and to the west a nonconforming single-family home. To the north, the subject property abuts the rear yard of single-family homes located with the Shore Acres subdivision.

The current C-1 zoning designation has been in place since 1994 when the subject property was rezoned from C-1A to C-1 as part of a broader City-wide zoning conformance action following the adoption of the 1993 Land Development Code. The subject was previously used as an electrical services contracting business which is classified as an Industrial-type Services Establishment, Level I, and nonconforming under the C-1 zoning. As a continuation of the existing nonconforming use status, the applicant is requesting a conditional use to allow for the wholesale trade of flooring materials, installation tools and supplies, which is classified as a Wholesale Trade Use, Level I, under the Land Development Code.

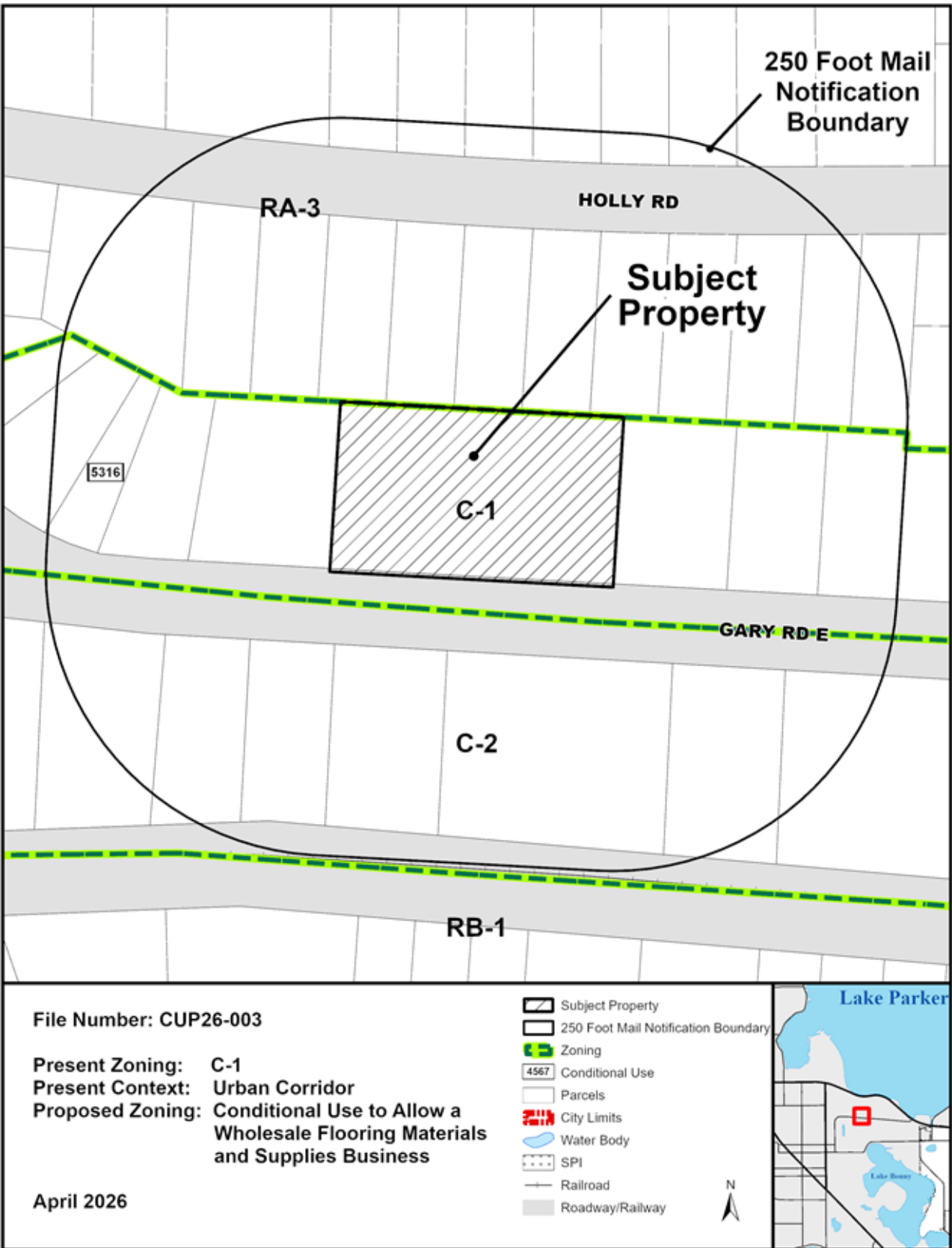
Through a Conditional Use Permit (CUP), Sub-Section 13.3.2.4 of the Land Development Code allows for the conversion of an existing nonconforming use to another nonconforming use, provided that the extent, intensity or the degree of nonconformity is reduced. To allow for the wholesale trade use, the applicant is proposing certain improvements to the property which include the removal of a loading door on the front façade, removal of a nonconforming barbed wire fencing and replacement of a nonconforming pole sign, the addition of a new paved parking area to the west of the building, the installation landscape buffers around the north and west sides of the property, and foundation landscaping along the front of the building.

ATTACHMENT "A"

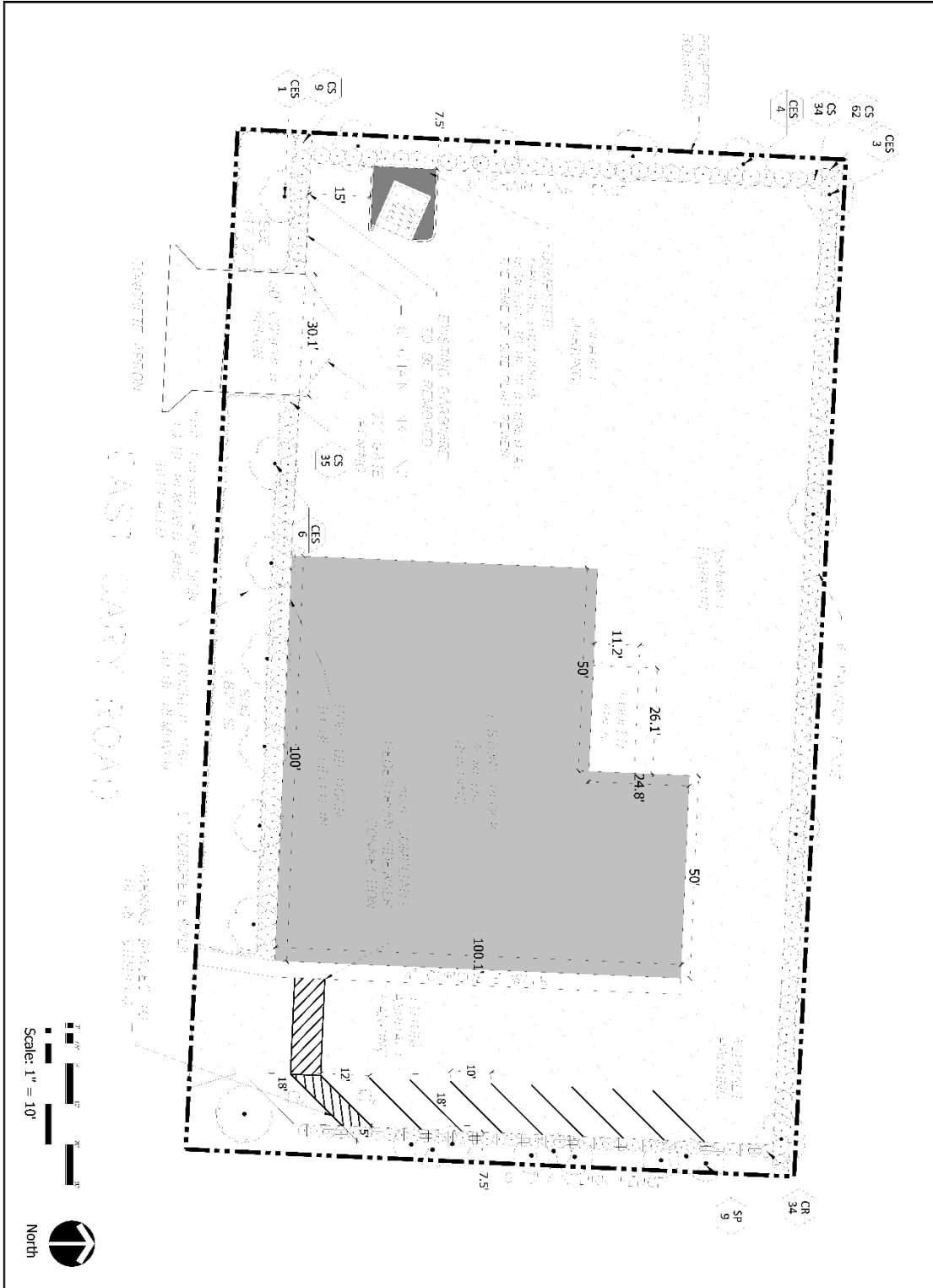
Legal Description:

LOTS 12, 13, 14, 15, AND 16, BLOCK 11, SHORE ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 15, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

ATTACHMENT "B"



ATTACHMENT C"



<p>SP1</p>	<p>1512 GARY ROAD E LAKE LAND, FLORIDA</p>	<p>DATE: 08/20/2018 SCALE: 1" = 10'</p>	<p>PROJECT: 1512 GARY ROAD E DRAWN BY: EFD CHECKED BY: DTS DATE: 08/20/2018</p>	<p>PROPOSED BY: [REDACTED] DATE: [REDACTED]</p>	<p>SCALE: SEE SHEET</p>	<p>1512 GARY ROAD E LAKE LAND, FLORIDA 32050</p>	<p>Mills, Short & Associates Civil & Structural Engineering Land Planning & Landscape Architecture</p>	<p>1512 GARY ROAD E LAKE LAND, FLORIDA 32050</p>
	<p>PROJECT: 1512 GARY ROAD E DRAWN BY: EFD CHECKED BY: DTS DATE: 08/20/2018</p>	<p>PROPOSED BY: [REDACTED] DATE: [REDACTED]</p>	<p>SCALE: SEE SHEET</p>	<p>1512 GARY ROAD E LAKE LAND, FLORIDA 32050</p>	<p>Mills, Short & Associates Civil & Structural Engineering Land Planning & Landscape Architecture</p>	<p>1512 GARY ROAD E LAKE LAND, FLORIDA 32050</p>		



Planning & Zoning Board General Application

General Information:				
Project No:	LUL26-001		Application Date:	2/27/2026
Associated Projects:	ANX26-001	ZON26-002/ZON26-003		
Project Name:	OLD POLK CITY ROAD – INDUSTRIAL			
Subject Property Address:	PENDING ANNEXATION			
Parcel ID:	242710-000000-011020	Total Acreage:	11.29	
Applicant Name:	KENDRA ANDREWS, SLOAN ENGINEERING GROUP, INC.			
Applicant Address:	150 SOUTH WOODLAWN AVENUE	BARTOW	FL	33830
Owner Name:	JUAN E SANTIAGO			
Owner Address:	5229 WOOD THRUSH WAY	LAKELAND	FL	33811

Request:	
Application Type:	Comprehensive Plan Amendment
Proposed Land Use	Business Park (BP)
Current Land Use	Polk County RSX (Residential Suburban)
Current Zoning	N/A
Proposed Zoning	I-2 (Medium Industrial)
Current Context Sub-District Designation	N/A
Proposed Context Sub-District Designation	Suburban Special Purpose (SSP)
Explanation of Request:	The subject property is to be annexed into the City of Lakeland and our request is to obtain a Future Landuse Designation of Industrial and a Zoning classification of I-2. This project consists of a ±45,000 sf warehouse building to support future I-2 uses. The project will include site parking, storm water, and water/wastewater improvements.
Justification:	This project consists of a ±45,000 sf warehouse building to support future I-2 uses.

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

FLUM Amendment Application Questions

RE: Old Polk City Road – Industrial
Parcel ID No. 24-27-10-000000-011020

1. Describe existing land use on subject property.
The property is currently within the unincorporated limits of Polk County and has a future land use designation of Residential Suburban (RS) within the Polk City Special Protection Area.
2. Describe existing land use north of subject property.
North of the subject property, across Old Polk City Road, is property within the limits of the City of Lakeland and with a future land use of Conservation.
3. Describe existing land use south of subject property.
South of the subject property is property within the limits of the City of Lakeland and with a future land use of Business Park (BP).
4. Describe existing land use east of subject property.
East of the subject property is property within the limits of the City of Lakeland and with a future land use of Business Park (BP).
5. Describe existing land use west of subject property.
West of the subject property is property within the unincorporated limits of Polk County and with a future land use designation of Residential Suburban (RS) within the Polk City Special Protection Area.
6. Describe current development trends within one to two miles of the subject property.
To the east and south of the subject property, there has been a noticeable increase in warehousing development along the I-4 corridor within the last decade.
7. Describe the development, schedule, and phases of the proposed use of the subject property.
Upon approval of annexation, future landuse/zoning, the project is expected to immediately proceed with engineering design and required permit application submittals with the intent of commencing construction shortly after permit issuance. The project is not anticipated to be phased.
8. Summarize the impacts of the proposed use on public facilities and services including Roads/transportation network, stormwater, water, wastewater, and parks & recreation.
The impacts for the proposed use are summarized below.

FLUM Amendment Application Questions

Road/transportation: Warehouse (45,000 sf) x 1.71 trips/1,000 sf = 77 trips

Stormwater: Onsite stormwater will be provided in accordance with current City/SWFWMD requirements for water quality/water quantity.

Water: Warehouse (45,000 sf) x 315 gpd/2,000 sf = 7,088 gpd

Wastewater: 85% of potable water demand = 6,025 gpd

Parks/Recreation: The project is not expected to have an impact on parks and recreation.

9. Discuss any 100 year flood prone areas on the site (Cite FEMA Panel), any wetlands, soils, and topography.

There is an existing Zone A flood zone located on site per FEMA Panel 12105C0170G. The site also contains wetlands. Impacts to any flood zone/wetlands will be minimized to the greatest extent possible and appropriate compensation/mitigation will be provided if impacts are unavoidable. The site topography is generally flat on the eastern portion and gradually falls to the west towards the existing flood zone. The existing site soils consist of Lynne Sand in most of the uplands and Eaton mucky fine sand and Floridana mucky fine sand in the rest of the site. These soils are characterized as poorly drained and very poorly drained, respectively.

10. Give an analysis of vegetation and natural resources on the site—for sites with wetlands include the condition of the wetlands and if they have been declared as jurisdictional.

See enclosed memos from Modica & Associates describing the vegetation and naturals resources, and wetlands on site.

11. Give an analysis of threatened or endangered species on the site.

See enclosed memo from Modica & Associates describing the onsite wildlife

12. Give an analysis of historic or archaeological resources on the site.

A review of the FDEP's Natural, Cultural, and Historical Resources GIS viewer did not locate any known historic or archaeological resources on site.

13. List of objectives and policies of the Lakeland Comprehensive Plan: Our Community 2030 with which this amendment is consistent.

Policy FLU-1.1A

Objective FLU-1.5

Policy FLU-1.5B

Policy FLU-1.5F

FLUM Amendment Application Questions

Objective FLU-1.7

Policy FLU-1.14E

Policy FLU-1.14J

Policy FLU-1.14M

Policy FLU-1.14N

Policy FLU-1.14O

Policy FLU-1.14P

Policy FLU-1.14Q

Policy FLU-1.14R

**RE: Old Polk City Road – Industrial
Parcel ID No. 24-27-10-000000-011020
Project Narrative – Policy FLU-1.14T**

1. Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands and flood detention areas.
Impacts will be minimized to the greatest extent possible. If impacts are unavoidable, they will be in accordance with Policy FLU-1.14N
2. Protect or improve the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
The project will be designed to capture sediments in onsite stormwater areas prior to the release to wetlands/ground water/surface waters.
3. Protect or improve the water available for aquifer recharge.
A stormwater management plan will be developed to ensure existing drainage patterns are maintained and pollutant removal requirements will be in conformance with local and state regulations.
4. Protect or improve the functions of the Green Swamp Potentiometric High of the Florida Aquifer.
The site is located near the Green Swamp Potentiometric High which is a ridge with a highpoint just to the east of Lakeland and the direction of flow is outwards from this highpoint. The site will be in compliance with the maximum impervious area policy established in Policy FLU-1.14M. Also, the site will be served by the City's public water/wastewater supply. Therefore, no wells will be withdrawing groundwater.
5. Protect or improve the normal supply of ground and surface water.
The subject site is not planning to use any groundwater resources and is not expected to have an adverse impact on the normal supply of groundwater. Onsite stormwater ponds will capture surface runoff and allow for vertical and horizontal infiltration.
6. Prevent further salt-water intrusion into the Florida Aquifer.
Further salt-water intrusion is not anticipated to be a result of this project as there are no proposed groundwater wells which would alter existing groundwater gradients.
7. Protect or improve existing ground and surface water quality.



The proposed stormwater management system will provide water quality and water quantity in accordance with state and local regulations.

8. Protect or improve the water-retention capabilities of wetlands.
Appropriate buffers for wetlands, as well as the proposed stormwater management system, will maintain or improve the current function of the existing wetlands onsite.
9. Protect or improve the biological-filtering capabilities of wetlands.
The proposed stormwater ponds will act as a natural filter prior to discharge to adjacent wetlands.
10. Protect or improve the natural flow regime of drainage basins.
The stormwater management plan will take into account the existing drainage patterns and maintain/improve with the use of onsite retention areas to accommodate the proposed development.
11. Protect or improve the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.
The existing flood zone is a Zone A; therefore, the project will be required to quantify the existing contributing area to the flood zone and maintain/improve the existing capacity. This will be accomplished during the engineering design of the project.



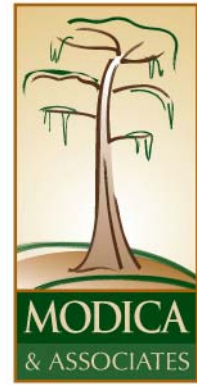
MEMORANDUM

Date: April 16, 2025

To: David Lasser
Lee S. Lasser Family Limited Partnership, No.2.

From: Elaine Imbruglia (eca@modica.cc)

Re: **Old Polk City Rd Property – Polk County, FL
Ecological Feasibility Summary**

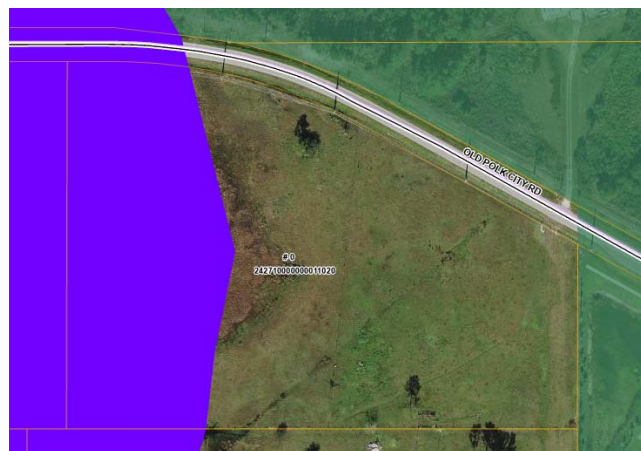


Modica & Associates conducted wetland delineation on the 11.29± acre Old Polk City Road property (“Project Site”) on April 9, 2025. The Project Site is generally located south of Old Polk City Road and east of Tomkow Road in unincorporated Polk County, Florida. More specifically, the Project Area consists of one (1) parcel identified by the Polk County Property Appraiser with Parcel Identification Number 24-27-10-000000-011020.

During the onsite review M&A also conducted a preliminary qualitative review of the onsite wetlands using the Uniform Mitigation Assessment Method (UMAM). The approximate area of onsite jurisdictional wetlands and surface waters can be viewed in **Figure 1**.

POLK COUNTY

The Project Site is located within unincorporated Polk County and is therefore subject to the County’s Land Development Regulations (LDR’s). Chapter 6 of the LDC addresses the protection of natural resources, and the ordinances contained therein generally conform to the regulations imposed by the Districts and ACOE. The Project Site lies within the following Special Protection Areas, as defined by Polk County’s Comprehensive Plan: “Polk City Special Protection Area” and the western portion of the Project Site is also located within a Wellfield Protection District (purple highlight in the inserted image):



Section 2.123-C of the Comprehensive Plan outlines requirements for the Wellhead-Protection Districts”:

POLICY 2.124-D1: PURPOSE - *The "Wellhead-Protection District" overlay is established for the purpose of protecting existing and future potable water wellheads and well fields from sources of ground water contamination.*

POLICY 2.124-D2: DESIGNATION AND MAPPING - *The Future Land Use Map Series shall designate and map the overlay-district category of "Wellhead Protection District" and shall designate this overlay district for all Potable Water Supply System (PWS). The Wellhead Protection District shall include a minimum 500 foot buffer for all PWS. Additional areas shall be included based on best available data or industry standards.*

POLICY 2.124-D3: DEVELOPMENT CRITERIA - *Development and redevelopment within Wellhead Protection Districts shall conform to Chapters 62-521 and 62-555, F.A.C. and the Land Development Code which shall implement the following requirements:*

a. Land uses shall be regulated so as to prevent or minimize the threat of contamination of the potable water supply through restrictions on the storage, generation, or use of hazardous materials (as defined by applicable Federal or state regulations) within areas designated as Wellhead-Protection Districts.

b. Consistent with applicable law, all development or redevelopment occurring within Wellhead Protection Districts shall be processed through the County's development-review process.

c. Land uses shall be regulated so as to prohibit the handling or storage of hazardous wastes within the Wellhead Protection District.

d. All hazardous waste handling and storage within high-recharge areas shall meet all applicable federal and state requirements prior to issuance of any development orders.

According to the 2030 Future Land Use Map, the Project Site is identified as “Residential Suburban” and is located within a “Suburban Development Area”.

The Project Site is located within the Green Swamp Area of Critical State Concern (ACSC), as established in the Florida Statutes (§ 380.0551 F.S.). Accordingly, the property is subject to Chapter 5 of the County’s LDC. Chapter 5, § 501 (C) requires any development within the Green Swamp ACSC to provide a “Green Swamp Impact Assessment Statement” to address defined objectives that have been established for this area.

Chapter 5, § 507 (E) Wetland Protection states that wetland impacts will only be authorized if approved by the water management district, FDEP and/or the U.S. Army Corps of Engineers (ACOE), as applicable. **Unavoidable wetland impacts may only be authorized for certain activities, including property access, internal traffic circulation, utility transmission and collection lines, pre-treated stormwater, mining and to allow for beneficial use.** Note that Polk County implements this policy, and wetland impacts are not commonly authorized unless impacts are approved before any development application to the County is made.

Chapter 5, § 507 (G) Habitat Protection requires that all applications for development shall submit a report documenting whether the property contains significant wildlife habitat. This report should be sufficient to support this requirement.

The Green Swamp ACSC are divided into three Special Protection Areas (SPA), in which each SPA has specific development standards. The Project Site is located within the Polk City SPA, with a Future Land Use of RSX. The table in **Exhibit A** outlines the density and dimensional regulations as well as what land uses are allowed, prohibited (P), or require conditional approval (C1, C2, C3, C4).

No disturbance of wetlands is allowed within the Green Swamp ACSC unless authorized or exempted from the regulation by SWFWMD, FDEP, and/or ACOE. No development is authorized to occur within 50-feet of the upland extent of a wetland. Surface water protection zones shall extend 200-feet from the Ordinary High Water Line of all lakes, cypress domes, sloughs, and watercourses. A Habitat Protection Plan is required when potential habitat for listed species will be affected by development.

Development within the Green Swamp Area of Critical State Concern is highly regulated and restricted by Polk County. It is recommended that the Client review all development standards and restrictions set forth in Chapter 5 of the County's LDC to ensure the proposed land uses can be permitted. It is also recommended that the Client discuss this information with the Project Engineer to ensure the proposed Site Plan can be consistent with these development restrictions.

WETLANDS AND MITIGATION

The Project Site contains wetlands and surface waters that are jurisdictional to the SWFWMD and Polk County. The onsite wetlands/surface waters do not appear to connect to any Waters of the U.S. (WOTUS) and therefore, federal permitting through the U.S. Army Corps of Engineers (ACOE) is not anticipated. However, the definition of WOTUS has changed multiple times over the past 5 years, and the agency regulating federal wetlands has also changed, and is anticipated to change again at some point in 2025. The potential for federal regulation should be considered again and reevaluated at the time of permitting.

Any site activities that could result in disturbance to wetlands or surface waters will require authorization from both agencies. In addition, any development related impacts to wetlands, will require compensatory mitigation in the form of preservation, restoration, enhancement, or wetland creation; or may be provided through the purchase of mitigation credits from an approved wetland mitigation bank whose service area includes the Project Site.

The Project Site is located within the Withlacoochee River Drainage Basin. There is only one bank within this same drainage basin with credits available. Credit pricing and availability is as follows:

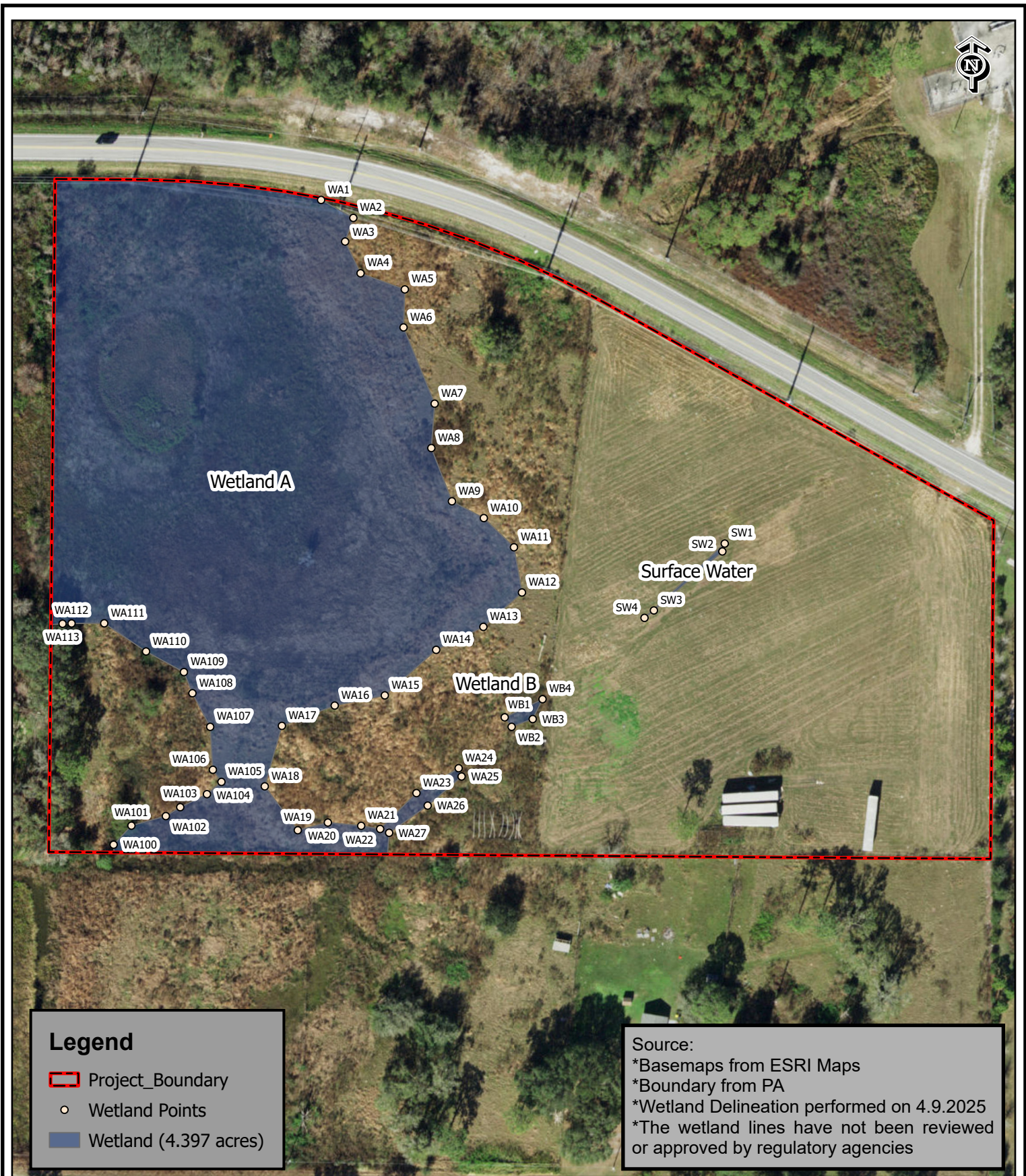
Boarshead: \$160,000/state herbaceous credit (0.25 credits available)

The onsite wetlands are herbaceous and therefore herbaceous wetland mitigation credits will be necessary. Green Swamp, Hilochee, Crooked River, Trails End, and Withlacoochee Mitigation Banks are all within the same basin; however, currently have no herbaceous credits available. Crooked River is expecting a release in June and credit pricing is \$155,000/state herbaceous credit. Hilochee is undergoing a modification in order to get a release of herbaceous credits and pricing will be \$200,000/state herbaceous credit.




During M&A's field review, sufficient information was collected to provide a preliminary estimate of the qualitative value of the onsite wetlands using UMAM. The wetlands are anticipated to have a UMAM score of between 0.57 and 0.60. Based on this scoring, mitigation can be assumed to cost between \$92,000.00 – \$96,500.00 per acre of wetland impact, for state-only wetland credits.

Mitigation credit pricing and availability based on information available at the time of this report and is subject to change. The preliminary UMAM scores have not been reviewed or approved by SWFWMD or Polk County.

FIGURE 1



Legend

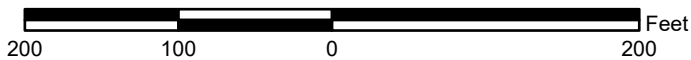
-  Project_Boundary
-  Wetland Points
-  Wetland (4.397 acres)

Source:

- *Basemaps from ESRI Maps
- *Boundary from PA
- *Wetland Delineation performed on 4.9.2025
- *The wetland lines have not been reviewed or approved by regulatory agencies

Old Polk City Road Project

Figure 4 - Wetland Map
 Section 10, T27S, R24E
 Polk County, Florida



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EXHIBIT A

	Polk City Special Protection Area														Rural Special I	
	CEX	LCCX 1	L/RX	RL- 1X	RL- 2X	RL- 3X	RSX	ROSX	INST- 1X	INST- 2-X	BPC- 1X	BPC- 2X	CCX	OCX	INST- 1X	INST- 2X
Residential Uses																
Duplex/Two- Family Attached						C3	C3									
Family Farm/Family Homestead							C1									
Fly-in Community																
Group Home, Small (6 or less residents)				C1	C1	C1	C1									
Group Home, Large (7-14 residents)							C3		C1	C1					C1	C1
Group Living Facility (15 or more residents)				C3	C3	C3	C3		C2	C2					C2	C2
Farm Worker Housing																
Mobile Home Park			C3	C3	C3	C3	C3									
Mobile Home Subdivision				C3	C3	C3	C3									
Mobile Homes, Individual				C1	C1	C1	C1									
Multi-Family						C3										
Recreation Active			C2	C3	C3	C3	C3	C2	C2	C2					C3	C2
Residential Infill Development				C2	C2	C2	C2									
Short -Term Rental Units			P	C3	C3	C3										
Single-Family Detached Home				P	P	P	P									
Suburban Planned Development (SPD)							C3									
Mixed-Uses																
Planned Development	C3	C3	C3	C3	C3	C3	C3	C3			C3	C3	C3	C3		
Residentially Based Mixed Development (RBMD)				C3	C3	C3										
All Other Uses																
Adult Day Care Center (7 or more clients)				C3	C3	C3	C3		C2	C2					C2	C2
Agricultural Support, On-site	P		P	P	P	P	P	P	P		P	P	P		P	

	Polk City Special Protection Area														Rural Special I	
	CEX	LCCX 1	L/RX	RL- 1X	RL- 2X	RL- 3X	RSX	ROSX	INST- 1X	INST- 2-X	BPC- 1X	BPC- 2X	CCX	OCX	INST- 1X	INST- 2X
Agricultural Support, Off-site		C2					C3									
Agriculture, Intensive							C3									
Airstrip, Private																
Alcohol Package Sales	C1	C1	C1								C1	C1	C1			
Animal Grazing	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
Bars, Lounges, and Taverns	C3	C3	C1								C1	C1				
Bed & Breakfast				C3	C3	C3	C3									
Breeding Facility, Wild or Exotic																
Cemetery									C2	C2						
Childcare Center	C2	C2		C3	C3	C3			P	P			P	C3		
Clinics & Medical Offices	C3	P							C2	C2			P	P		
Communication Towers, Guyed & Lattice				C3	C3	C3	C3	C3	C3	C2	C3	C2			C2	C2
Communication Towers, Monopole		C3	C3	C3	C3	C3	C3	C3	C2	C2	C2	C2			C2	C2
Community Center	C2	C2	C2	C3	C3	C3	C3	C2	C2	C2	C2	C2	C2	C2	C2	C2
Convenience Stores, Isolated							C3									
Correctional Facility										C4						C4
Cultural Facility	C2	C2	C2	C3	C3	C3	C3	C2	C2	C2	C2	C2	C2	C2	C2	C2
Emergency Shelter, Small (6 or less residents)				C1	C1	C1	C1									
Emergency Shelter, Medium (7-14 residents)							C3		C1	C1					C1	C1
Emergency Shelter, Large (15 or more residents)				C3	C3	C3	C3		C2	C2					C2	C2
Equipment Repair, Major												C2				
Farming, General	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
		C2														
Financial Institution	C2										C2	C2	P	C2		

	Polk City Special Protection Area														Rural Special I		
	CEX	LCCX 1	L/RX	RL- 1X	RL- 2X	RL- 3X	RSX	ROSX	INST- 1X	INST- 2-X	BPC- 1X	BPC- 2X	CCX	OCX	INST- 1X	INST- 2X	
Financial Institution, Drive-Thru	C2	C2									C2	C2	C2	C3			
Forestry Specialized Operations																	
Funeral Home & Related	C3	C2											P				
Gas Stations	C2	C2									C2	C2	C2				
Golf Course	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1			
Governmental Facilities	P	P	C3	C3	C3	C3	C3	C3	C3	P	P	P	P	P	C3	C3	C3
Heliports									C2	C2	C2	C2			C3	C3	
Helistops	C3	C2	C3	C3	C3	C3	C3	C3	C2	C2	C2	C2	C2	C3	C3	C3	
Hospitals									C3	C2				C3			
Hotels and Motels	C3										C2	C2					
Kennels, Boarding	C3	C3															
Kennels, Breeding							C3										
Lime Stabilization Facility	C3								C3	C3	C3	C3			C3	C3	
Livestock Sale/Auction																	
Lodges and Retreats			P				C3	C3	P	P							
Manufacturing, Light											C2	P					
Marina & Related Facilities	C1	C1	C1										C1				
Medical Marijuana Dispensaries	C2	C2	C2								C2	C2	C2	C3			
Mining, Non-phosphate	C3		C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3			
Motor Freight Operations	C3											P					
Nightclubs and Dance Halls		C3	C3								C1	C1					
Nurseries, Retail	C2	P											P				
Nurseries & Greenhouses	C2	P					C3						P				
Nursing Homes	C2	C2							C2	C2					C2	C2	
Offices	C2	P							C2	C2	P	P	P	P			
Personal Service	C1	C2									P	P	P	C2			

	Polk City Special Protection Area														Rural Special I	
	CEX	LCCX 1	L/RX	RL- 1X	RL- 2X	RL- 3X	RSX	ROSX	INST- 1X	INST- 2-X	BPC- 1X	BPC- 2X	CCX	OCX	INST- 1X	INST- 2X
Printing & Publishing		P									C2	C2		C3		
Recreation, High Intensity			C3	C3	C3	C3	C3	C2	C2	C2						
Recreation, Low-Intensity	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2					C3	C3
Recreation Passive	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
Recreation & Amusement, General	C3	C2	P										P	C3		
Recreation & Amusement - Intensive									C3	C3						
Recreational Camping			C2					C2								
Recreational Vehicle Park			C2													
Religious Institutions	C2	C2	C2	C3	C3	C3	C3	C2	C2	C2	C2	C2	C2	C2	C2	C2
Institutional Campgrounds			P				C3	C3								
Research & Development									C2	C2	P	P		C2	C2	C2
Residential Treatment facility									C4	C4						
Restaurant, Drive-through	C2	C2									C2	C2	C2			
Restaurant, Sit-down & Take-out	C2	C2	C2								C2	C2	C2			
Retail, Less than 5,000 square feet	P	P	C2								C2	C2	P	C3		
Retail, 5,000 - 49,999 square feet	C2	C2											C3			
Retail, Outdoor Sales/Display	C3	C2										P				
Riding Academies							C1	C1								
School, Leisure/Special Interest	C2	C2	C3					P	P	P	C2	C2	C2	C3		
School, Technical/Vocational/Trade/Training	C3	C3	C2						C3	P	C2	C2	C3	C2		
Self-storage facility	C2	C2									C2	C2				
Solar Electric-Power Generation Facility							C3		C2	C2	C2	C2			C2	C2
Stable/Riding Academy			P					P								
Studio, Artisan	P	P										P	P			

	Polk City Special Protection Area														Rural Special I	
	CEX	LCCX 1	L/RX	RL- 1X	RL- 2X	RL- 3X	RSX	ROSX	INST- 1X	INST- 2-X	BPC- 1X	BPC- 2X	CCX	OCX	INST- 1X	INST- 2X
Studio, Production	P	P							P	P	P	P		P	P	P
Transit, Commercial	C3	C3									C3	P				
Transit Facility	P	P							P	P	P	P			P	P
Utilities, Class I	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities, Class II	C1	P	C1	C1	C1	C1	C1	C1	P	P	C1	C1	C1	C1	P	P
Utilities, Class III	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3
Vehicle Repair, Auto body	C3	C3										P				
Vehicle Service, Mechanical	C3	C2										P	P			
Vehicle, Sales and Leasing	C2	C2														
Veterinary Services	C1	P											C1			
Warehousing/Distribution											P	P				

Rev. 7/11/17 - Ord. 17-036; 4/19/16 - Ord. 16-023; 11/4/14 - Ord. 14-066; 12/6/11 - Ord. 11-033; 12/06/11 - Ord. 11-032; 8/19/10 - Ord. 10-058; 2/3/10 - Ord. 09-073; 07/22/09 - Ord. 09-047; 02/16/05 - Ord. 05-05; Rev. 01/03/05 - Ord. 04-80; Rev. 12/08/03 - Ord. 03-67; Rev. 03/19/03 - Ord. 03-67; Rev. 10/23/02 - Ord. 02-68; Rev. 5/15/02 - Ord. 02-22; Rev. 2/11/02 - Ord. 02-04 - Ord. 02-06; Rev. 12/28/01 - Ord. 01-92; Rev. 7/25/01 - Ord. 01-57)

MEMORANDUM

Date: December 15, 2025

To: David Lasser (davidlasser@hotmail.com)
4610 Eagle Falls Place
Tampa, FL 33619
305-510-0341



From: Elaine Imbruglia (eca@modica.cc)

**Re: Old Polk City Road– Polk County, FL
Preliminary Wildlife Review**

Modica & Associates conducted a preliminary review for protected species of wildlife within the 11.29± acre Old Polk City Road project site (“Project Site”) on December 10, 2025. The Project Site is generally located south of Old Polk City Road and east of Tomkow Road in unincorporated Polk County, Florida. Specifically, the Project Site consists of one parcel identified by the Polk County Property Appraiser with Parcel Identification Number 24-27-10-000000-011020 (**Figures 1 & 2**).

The intent of the review was to preliminarily evaluate the existing conditions of the Project Site, evaluate on-site habitats and vegetative communities, and identify the presence or potential for presence of protected wildlife species. These findings reflect on-site conditions at the time of the investigation and do not preclude the possibility that conditions may change over time.

SOILS

The onsite soil types were classified according to the Soil Survey for Polk County, Florida (USDA, 1976), USDA Natural Resource Conservation Service (NRCS) (**Figure 3**). The following presents a brief description of each of the soil types mapped within the Project Site; the descriptions are excerpts from the Soil Survey.

Eaton mucky fine sand depressional (#6) is a poorly drained soil found in wet depressions on flatwood areas. This soil is ponded for 6 months or more a year. This soil type is severely limited for urban uses because of the ponding.

Lynne Sand (#9) is a poorly drained soil found in flatwood areas. The areas of this soil range from about 10 to 300 acres. Typically, this soil has a black sand surface

layer about 5 inches thick. This soil type has a seasonal high water within 12 inches of the surface for 1 to 4 months. This soil is well suited for pasture and hay crops.

Floridana mucky fine sand, depressional (#19) is very poorly drained soil in depressional areas mostly in flatwoods. Typically, this soil has a surface layer that is 15 inches thick. The upper part is black mucky fine sand and the lower part is black fine sand. This soil is ponded for more than 6 months during most years. Permeability is very slow or slow.

LAND USE TYPES & VEGETATIVE COMMUNITIES

The onsite land uses, and vegetative community types were classified according to the Florida Land Use, Cover and Forms Classification System (FLUCFCS; **Figure 4**). The following section provides a general description of all vegetative communities found on site.

190 –Open Land

This land use type covers the majority of Project Site. This area appears to be former pasture land. A small number of dilapidated transportation vehicles and outbuildings are present in this area. Vegetation consists predominately of bahia grass (*Paspalum notatum*) and other ruderal grasses. Dogfennel (*Eupatorium capillifolium*) and tropical soda apple (*Solanum viarum*) are present as well along with scattered specimens of slash pine (*Pinus elliottii*) and Brazilian pepper (*Schinus terebinthifolia*). The southwest portion of the open land in the Project Site contains red maple (*Acer rubrum*) and wax myrtle (*Morella cerifera*) bordering the adjacent wetlands.

640 – Vegetated Non-Forested Wetland

This land use type is present in the western portion of the Project Site, Vegetation present in these wetland areas includes: marsh pennywort (*Hydrocotyle* sp.), tall flat sedge (*Cyperus* sp.), dotted smartweed (*Persicaria punctata*) and pickerelweed (*Pontederia cordata*) as well as species of goldenrod (*Solidago* sp.), rush (*Juncus* sp.) and bluestem (*Andropogon* sp.).

WILDLIFE

A qualitative review of the site was conducted to determine if any wildlife species using the property are listed as protected by the U.S. Fish and Wildlife Service (USFWS) or the Florida Fish and Wildlife Conservation Commission (FWC). The potential for the presence of certain protected species was considered with more scrutiny because of increased input on project review by the FWC. The Water Management Districts provide a copy of all Environmental Resource Permit (ERP) applications to FWC for review and comment. The FWC has been issuing comment letters recommending conservation measures for an extensive list of wildlife species that could potentially occupy the site even though habitat is sub-optimal.

The following is a list of species that were observed on or near the Project Site during the December 10, 2025 site inspection.

Reptiles

Brown Anole (*Anolis sagrei*)

Birds

Blue-gray gnatcatcher (*Poliioptila caerulea*)

Black vulture (*Coragyps atratus*)

Belted kingfisher (*Megaceryle alcyon*)

Gray catbird (*Dumetella carolinensis*)

Loggerhead shrike (*Lanius ludovicianus*)

Northern house wren (*Troglodytes aedon*)

Turkey vulture (*Cathartes aura*)

Yellow-rumped warbler (*Setophaga coronata*)

No listed species of wildlife were observed on the Project Site during the December 10, 2025 site inspection.

The Florida Natural Areas Inventory (FNAI) Report for Biodiversity Matrix Unit 36027 (which encompasses the Project Site) was accessed to determine the potential for listed species of wildlife to exist within the habitat types present in the Project Site; this report is included as **Exhibit A** for reference. In addition, the USFWS Information for Planning and Consultation (IPaC) website was reviewed to determine which species listed under the Endangered Species Act may be found within the Project Site (**Exhibit B**).

Wildlife species with the potential to occur onsite based on USFWS Consultation Areas, geographic locale, habitat types present and presence of suitable soils or vegetative cover include the eastern indigo snake (*Drymarchon couperi*), Florida burrowing owl (*Athene cunicularia floridana*), Florida sandhill crane (*Antigone canadensis pratensis*), gopher tortoise (*Gopherus polyphemus*), sand skink (*Neoseps reynoldsi*) blue tailed mole skink (*Eumeces egregius lividus*), southeastern American kestrel (*Falco sparverius paulus*), wood stork (*Mycteria americana*), and bald eagle (*Haliaeetus leucocephalus*). Suitable habitat does not exist onsite for the crested caracara (*Caracara plancus*), Everglade snail kite (*Rostrhamus sociabilis*), eastern black rail (*Laterallus jamaicensis*), Florida scrub-jay (*Aphelocoma coerulescens*), red-cockaded woodpecker (*Leuconotopicus borealis*), tricolored heron (*Egretta tricolor*), and little blue heron (*Egretta caerulea*); therefore, these species are not further discussed below.

Audubon's Crested Caracara

The crested caracara is listed as "Threatened" by the USFWS, and is considered a wetland-dependent species by definition, in the ERP Applicant's Handbook. Caracara are typically found on privately-owned, large cattle ranches in areas of expansive open pasture (FWC, 2001). Caracara are monogamous and typically nest in the same tree every year. The optimal nest tree is typically a single, isolated cabbage palm, or a group of 3 to 10 trees (FWC, 2001). Primary nesting and breeding occur between November and April. The

USFWS's Draft Survey Protocol for Finding Caracara Nests recommends formal surveys for caracara be conducted between January and April (USFWS, 2004a). Per the USFWS's Species Conservation Guidelines, South Florida, Audubon's Crested Caracara ("Guidelines;" USFWS 2004b), home ranges of crested caracara are strongly associated with improved pasture and the presence of seasonal wetlands serves as foraging habitat.

The Project Site lacks caracara's preferred nesting habitat (cabbage palms), is too small to support a nesting pair of caracara and is surrounded by development and other land uses not suitable for the presence of caracara. A formal survey for crested caracara survey is not anticipated to be required.

Eastern Indigo Snake

The Eastern indigo snake is listed as "Threatened" by the USFWS. Indigo snakes are thick-bodied, glossy black snakes with iridescent blue highlights. Adult indigo snakes may be between 60 and 74 inches long (USFWS, 2016c). The USFWS routinely concurs that a project is "not likely to adversely affect" the indigo snake if the USFWS's Standard Protection Measures for the Eastern Indigo Snake ("Standard Protection Measures"; USFWS, 2004c) will be followed during project construction. The Standard Protection Measures require that an educational program be developed by the Applicant to inform all construction personnel of the potential presence of indigo snakes on the project site. This requires placement of posters on the project site, distribution of educational pamphlets and informational signs and videos. These educational documents have been prepared by USFWS and are readily available for use by the landowner.

Discussions with USFWS staff indicate that if a snake's presence on a property is "reasonably certain to occur", consultation will be required. The USFWS is defining "reasonably certain to occur" as recorded or known primary evidence of a snake's presence on or near a property (i.e. documented observation of an indigo snake, snake shed). The Project Site is surrounded by industrial and single-family development. The potential for presence of the indigo snake may be unlikely. Site development is not anticipated to have an adverse effect on the snake's movement or behavioral pattern. It is likely that the USFWS will concur that the project will not adversely affect the indigo snake. However, it is still recommended that the Standard Protection Measures be implemented during construction.

Florida Burrowing Owl

The Florida burrowing owl is listed by the FWC as a "Threatened" species. Burrowing owls are commonly found in open areas that have short groundcover. No burrowing owls or burrows were documented during the site inspection conducted by Modica & Associates on December 10, 2025 and it is unlikely that any will be documented as suitable habitat does not exist onsite; however, the comprehensive survey for gopher tortoises would also be comprehensive for the burrowing owl. This survey should be conducted at least 90 to 120 days prior to the anticipated start of construction to verify that owls are not present on the Project Site. This survey can be performed in conjunction with the 100% gopher tortoise survey.

Florida Sandhill Crane

The Florida sandhill crane is listed by the FWC as “Threatened”. Florida sandhill cranes prefer prairies, freshwater marshes, pasture lands and open grassy areas. They are indistinguishable from greater sandhill crane (*Antigone canadensis tabida/rowani*), which winters in Florida. Greater sandhill cranes generally arrive in Florida in October and leave in March, so the date observed, or definite evidence of reproduction may be used to differentiate the two species.

No sandhill cranes were observed on-site; however, a review of the wetland boundaries may need to be conducted prior to construction activities to ensure that no nesting sandhill cranes are found within the site. If nesting sandhill cranes are discovered on the Project Site, a buffer zone will need to be maintained if construction is planned to occur during nesting season and an active nest is present. Because sandhill cranes do not always nest in the same place, the buffer zone would be temporary during construction activities and would not be a permanent buffer or setback required for final project design.

Gopher Tortoise

The gopher tortoise is listed by the FWC as “Threatened”. Gopher tortoises are commonly found in areas occurring on well-drained sandy soils associated with xeric pine-oak hammock, scrub, pine flatwoods, pastures, citrus groves and a variety of other upland habitat types.

The FWC *Gopher Tortoise Permitting Guidelines* (“Guidelines”; FWC, April 2008, rev. April 2023) state that “because gopher tortoises and their burrows are protected from development activities by Florida law, regulatory compliance requires a comprehensive 100% burrow survey of all potential tortoise habitat proposed for development.” Modica & Associates conducted a preliminary survey for gopher tortoises on December 10, 2025 and documented no “potentially occupied” gopher tortoise burrows within the Project Site. No gopher tortoise burrows were documented during previous site inspections, either. However, this was only a preliminary survey. Additionally, the FWC Guidelines state that gopher tortoise surveys are considered valid for a period of 90 days.

FWC regulations prohibit development within a 25-foot radius of any potentially occupied gopher tortoise burrow. If any gopher tortoise burrows are documented on the Project Site, or within 25 feet of areas to be disturbed, a permit will need to be obtained from the FWC authorizing the relocation of tortoises prior to the initiation of any land clearing or construction activities (including equipment staging). This permit process typically takes 45 to 60 days to complete. The FWC will not authorize initiation of the relocation effort until written local government approvals have been obtained for land clearing, grading, or construction activities.

Costs associated with permitting and relocating gopher tortoises include surveying, permitting, FWC Mitigation Contribution Fees, physical excavation, and recipient site fees. Extrapolating results from a preliminary/partial survey can grossly underestimate or overestimate a tortoise population on a project site. Because gopher tortoise relocation and

recipient site fees can be costly, it is recommended that a comprehensive (100%) survey be conducted if the Client desires a budget for these costs.

Sand Skink

The sand skink is state and federally listed as “Threatened”. The sand skink is a small nearly legless lizard that spends its entire lifecycle beneath the surface of the sandy soils that are characteristic of Central Florida’s sandy ridges. Its presence on a property is detected by observing the sinusoidal tracks left in the sand due to the unique way this species moves through the substrate.

The USFWS updated the Sand skink and Bluetail mole skink survey protocol, Peninsular Florida (“Protocol”, USFWS 2020) in July 2020; this updated included a revision to the Consultation Area. The Project Site is located within the USFWS Sand Skink Consultation Area and contains the necessary elevation; however the Project Site lacks suitable soil types and suitable habitat (i.e. areas of open sand). A formal sand skink survey will not be required.

Southeastern American Kestrel

The Southeastern American kestrel (*Falco sparverius paulus*) is listed as Threatened by the FWC. This falcon species is a permanent and non-migratory resident of Florida. The population of Southeastern American kestrels in Central Florida has decreased by 82% from 1940’s to 1980’s. The population decline is due to loss of habitat caused by clearing of woodlands for agriculture and residential development. Cleared areas have reduced suitable nesting and foraging sites.

The Southeastern American kestrel is the smallest of the falcon species and is approximately the size of a robin. It grows to a length of 9 to 12 inches. The males have blue wings, cinnamon backs and dark spots on a white breast. The females have a cinnamon body color with dark streaks and a light tan breast with vertical brown streaks.

Kestrels prefer open habitats so they can hunt small terrestrial animals. Southeastern American kestrels typically nest in cavities excavated by woodpeckers and in artificial objects such as power poles, nesting boxes and buildings. They have a clutch of 3 to 5 eggs. American kestrel eggs are pinkish to beige with reddish-brown speckles and dark brown spots.

No kestrels were observed onsite during M&A’s site inspection. If any kestrels are documented onsite during subsequent surveys and construction is anticipated to take place during nesting season, a formal survey may be necessary to confirm if the threatened southeastern American kestrel is present on the Project Site. This survey should be completed between April and August, when the migratory American Kestrel is not present, in order to confirm if the threatened Southeastern American Kestrel is on the Project Site.

Wood Stork

The wood stork is listed as “Endangered” by the USFWS. The Project Site lies within the USFWS Consultation Area for wood stork and lies within a “Core Foraging Area” for the

wood stork. Wood storks nest in colonies and forage in freshwater wetlands. Good feeding habitat for wood storks typically consists of calm waters that do not have dense thickets of vegetation. The primary food of a stork's diet is small fish between 1 and 8 inches in length according to USFWS.

The USFWS will evaluate potential impacts a project may have to Suitable Foraging Habitat (SFH) of the wood stork. SFH is defined as follows:

“...wetlands that typically have shallow-open water areas that are relatively calm and have a permanent or seasonal water depth between 5 to 38cm (2 to 15 inches) deep. Other shallow non-wetland water bodies are also SFH. SFH supports and concentrates, or is capable of supporting and concentrating small fish, frogs, and other aquatic prey. Examples of SFH include, but are not limited to freshwater marshes, small ponds, shallow, seasonally flooded roadside or agricultural ditches, seasonally flooded pastures, narrow tidal creeks or shallow tidal pools, managed impoundments, and depressions in cypress heads and swamp sloughs.”

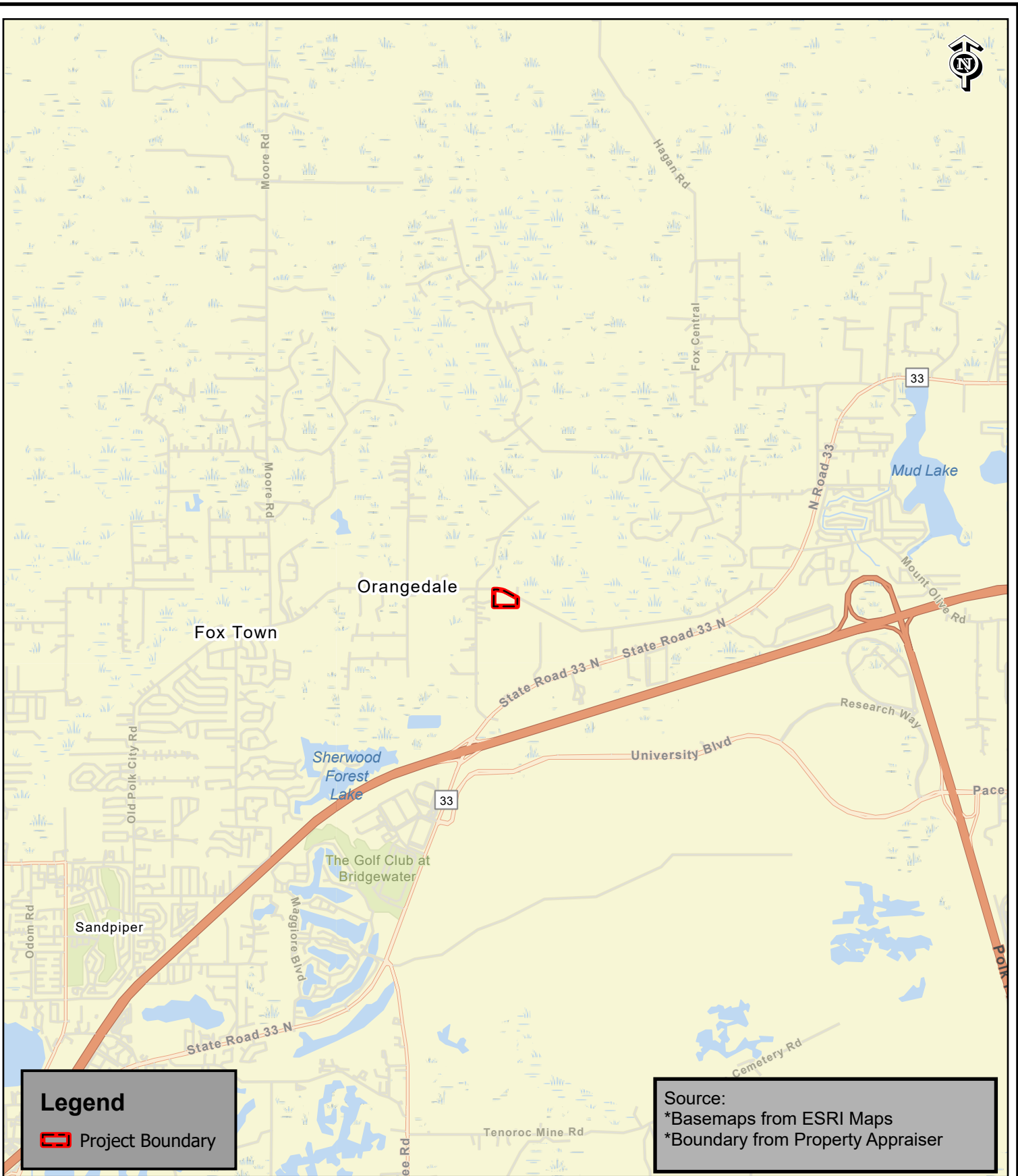
The Project Site is located within a Core Foraging Area, but the onsite wetlands would not be considered SFH. If impacts are proposed to the onsite wetlands, mitigation purchased to offset wetland impacts will also be sufficient to offset impacts to any perceived wood stork SFH. No additional mitigation should be needed.

American Bald Eagle

The bald eagle is no longer listed under the Endangered Species Act, but it is still afforded protection by the USFWS under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act.

A review of Florida Audubon's EagleWatch Nest Map was conducted prior to visiting the site to determine if there are any known bald eagle nests that could affect the development of the property. The database review revealed that the closest eagle nest (PO-309) is located 2.29 miles southwest of the Project Site (**Figure 5**). The Project Site is located outside of the 660-foot management zone for nest PO-160; therefore, coordination with USWFS is not anticipated for this species.

FIGURES



Legend

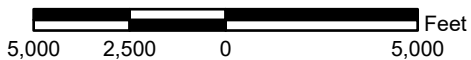
 Project Boundary

Source:

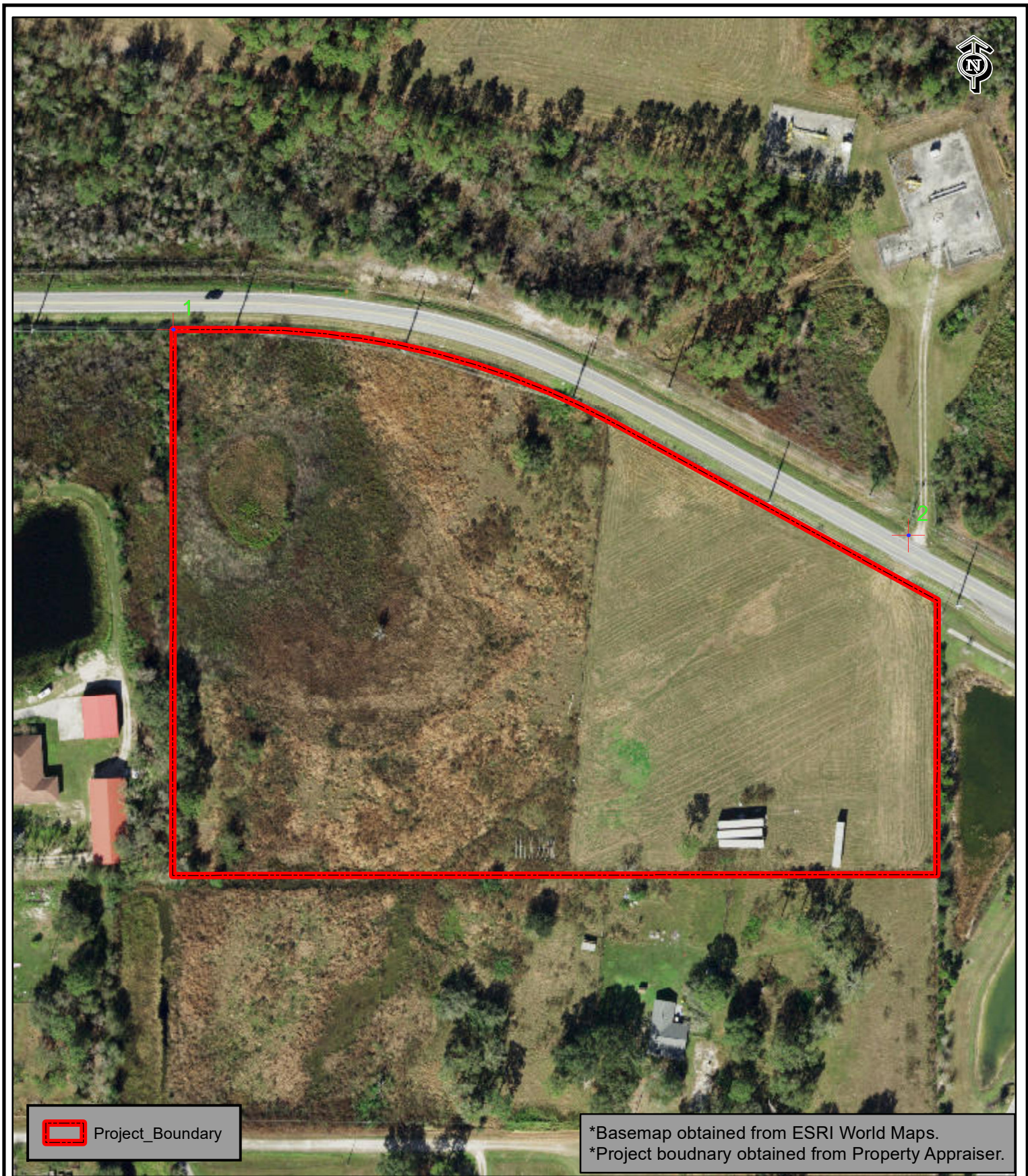
- *Basemaps from ESRI Maps
- *Boundary from Property Appraiser

Old Polk City Road Project Site

Figure 1 - Location Map
 Section 10, T27S, R24E
 Polk County, Florida



MODICA & ASSOCIATES
 302 Mohawk Road
 Clermont, Florida 34715
 P: (352) 394-2000
 F: (352) 394-1159
 Email: Environmental@Modica.cc
 www.ModicaAndAssociates.com



Old Polk City Road Project

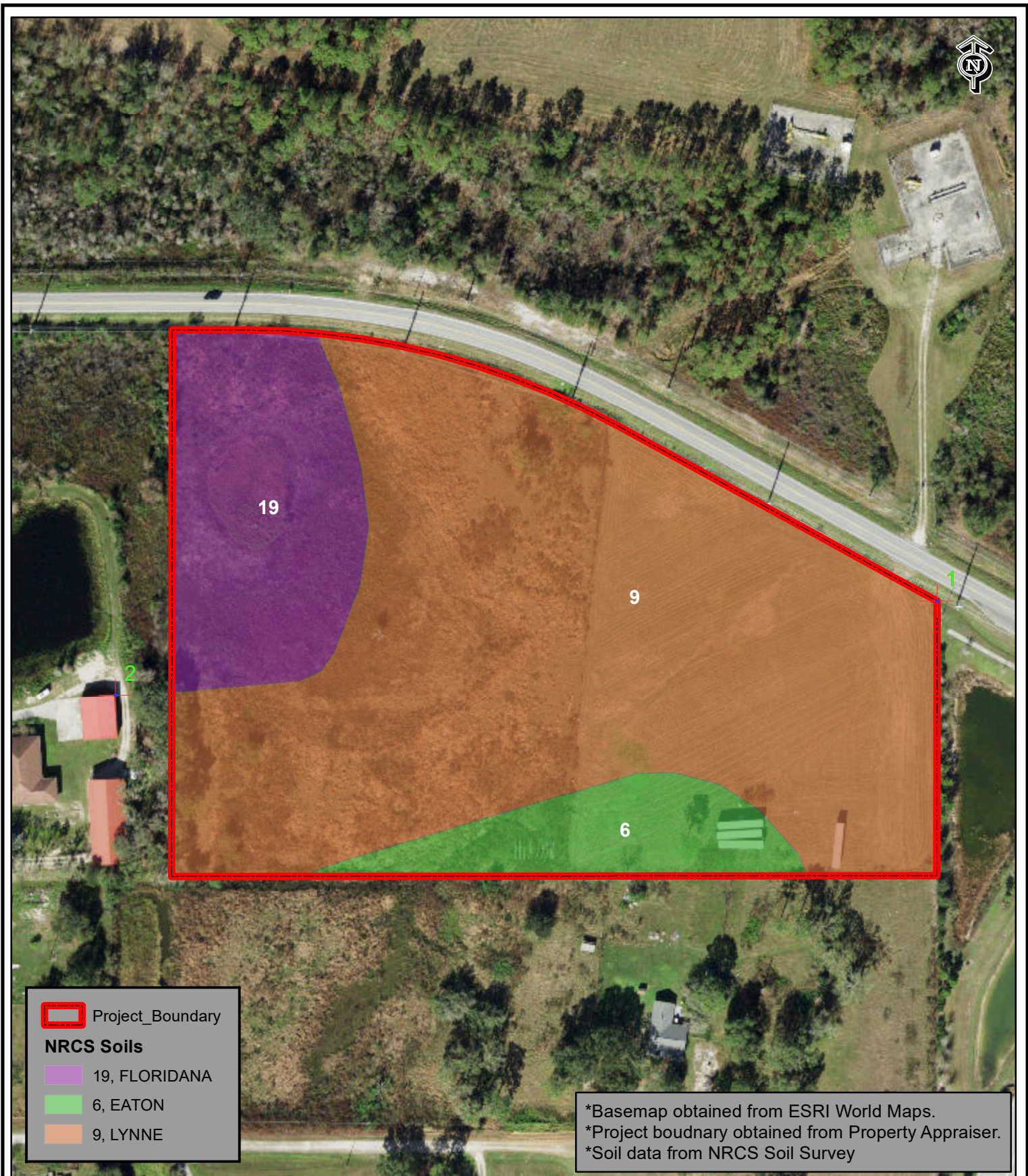
Figure 2 - Aerial Map
 Section 10, Township 27S Range 24E
 Polk County, Florida




*Basemap obtained from ESRI World Maps.
 *Project boundary obtained from Property Appraiser.





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 Project_Boundary

NRCS Soils

 19, FLORIDANA

 6, EATON

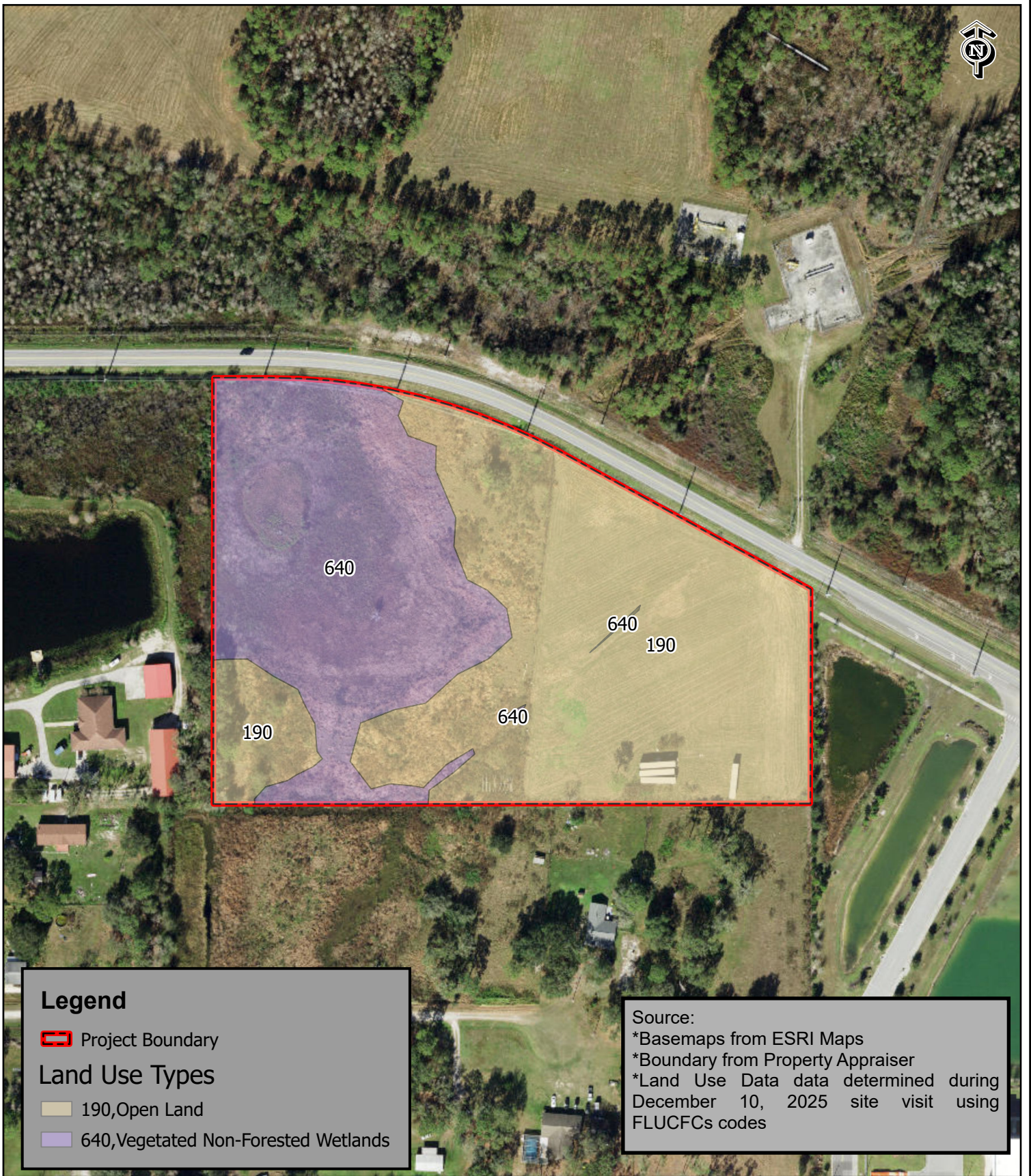
 9, LYNNE

*Basemap obtained from ESRI World Maps.
 *Project boundary obtained from Property Appraiser.
 *Soil data from NRCS Soil Survey

Old Polk City Road Project
 Figure 3 - Soils Map
 Section 10, Township 27S Range 24E
 Polk County, Florida




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Legend

 Project Boundary

Land Use Types

 190, Open Land

 640, Vegetated Non-Forested Wetlands

Source:

*Basemaps from ESRI Maps

*Boundary from Property Appraiser

*Land Use Data data determined during December 10, 2025 site visit using FLUCFCs codes

Old Polk City Road Project Site

Figure 4 - Land Use Map
Section 10, T27S, R24E
Polk County, Florida



MODICA & ASSOCIATES

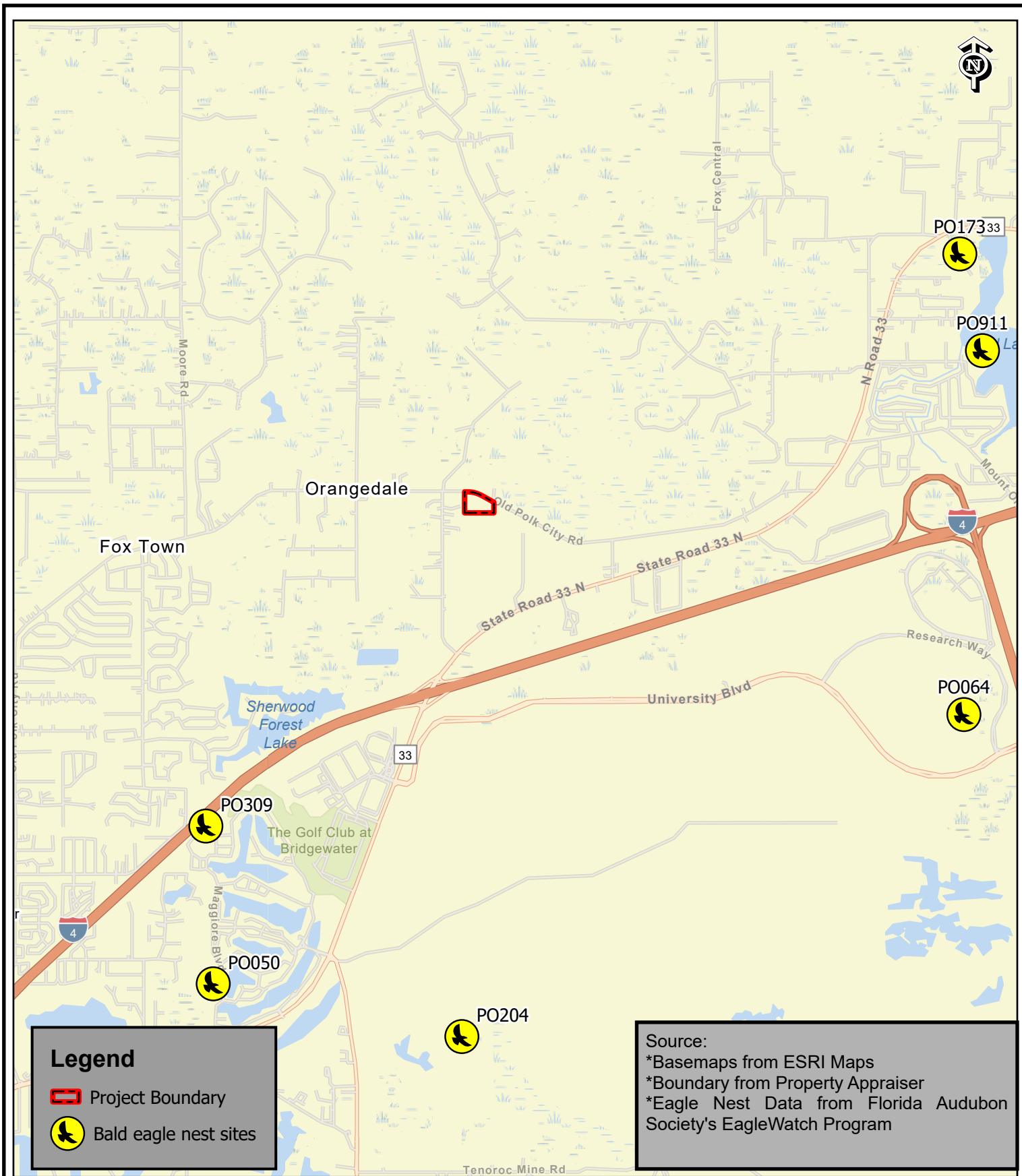
302 Mohawk Road
Clermont, Florida 34715

P: (352) 394-2000

F: (352) 394-1159

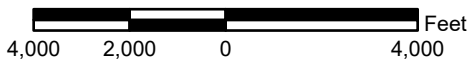
Email: Environmental@Modica.cc

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Old Polk City Road Project Site

Figure 5 - Bald eagle nest site Map
 Section 10, T27S, R24E
 Polk County, Florida



Source:
 *Basemaps from ESRI Maps
 *Boundary from Property Appraiser
 *Eagle Nest Data from Florida Audubon Society's EagleWatch Program



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EXHIBIT A



1018 Thomasville Road
 Suite 200-C
 Tallahassee, FL 32303
 850-224-8207
 850-681-9364 fax
 www.fnai.org

FLORIDA
Natural Areas
 INVENTORY

Florida Natural Areas Inventory

Biodiversity Matrix Query Results

UNOFFICIAL REPORT

Created 12/9/2025

(Contact the FNAI Data Services Coordinator at 850.224.8207 or
 kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 1 Matrix Unit: 36027

	<p>Descriptions</p> <p>DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.</p> <p>DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.</p> <p>LIKELY - The species or community is <i>known</i> to occur in this vicinity, and is considered likely within this Matrix Unit because:</p> <div style="border: 1px solid black; padding: 5px;"> <ol style="list-style-type: none"> 1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; <i>or</i> 2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit. </div> <p>POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.</p>
--	--

Matrix Unit ID: 36027

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

2 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Mesic flatwoods</i>	G4	S4	N	N
Mycteria americana Wood Stork	G4	S2	T	FT

Matrix Unit ID: 36027

39 **Potential** Elements for Matrix Unit 36027

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
-----------------------------	-------------	------------	----------------	---------------

<i>Antigone canadensis pratensis</i> Florida Sandhill Crane	G5T2	S2	N	ST
<i>Athene cunicularia floridana</i> Florida Burrowing Owl	G4T3	S3	N	ST
<i>Bonamia grandiflora</i> Florida bonamia	G3	S3	T	E
<i>Calamintha ashei</i> Ashe's savory	G3	S3	N	T
<i>Calopogon multiflorus</i> many-flowered grass-pink	G2G3	S2S3	N	T
<i>Carex chapmannii</i> Chapman's sedge	G3	S3	N	T
<i>Centrosema arenicola</i> sand butterfly pea	G2Q	S2	N	E
<i>Chionanthus pygmaeus</i> pygmy fringe tree	G2G3	S2S3	E	E
<i>Clitoria fragrans</i> scrub pigeon-wing	G2G3	S2	T	E
<i>Coleataenia abscissa</i> cutthroatgrass	G3	S3	N	E
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S2?	T	FT
<i>Dryobates borealis</i> Red-cockaded Woodpecker	G3	S2	E, PT	FE
<i>Eriogonum longifolium</i> var. <i>gnaphalifolium</i> scrub buckwheat	G4T3	S3	T	E
<i>Gopherus polyphemus</i> Gopher Tortoise	G3	S3	C	ST
<i>Gymnopogon chapmanianus</i> Chapman's skeletongrass	G3	S3	N	N
<i>Hartwrightia floridana</i> hartwrightia	G2	S2	N	T
<i>Heterodon simus</i> Southern Hognose Snake	G2	S2S3	N	N
<i>Illicium parviflorum</i> star anise	G2	S2	N	E
<i>Lechea cernua</i> nodding pinweed	G3	S3	N	T
<i>Lithobates capito</i> Gopher Frog	G2G3	S3	N	N
<i>Litsea aestivalis</i> pondspice	G3?	S2	N	E
<i>Matelea floridana</i> Florida spiny-pod	G2	S2	N	E
<i>Mustela frenata peninsulae</i> Florida Long-tailed Weasel	G5T3?	S3?	N	N
<i>Nemastylis floridana</i> celestial lily	G2	S2	N	E
<i>Neofiber alleni</i> Round-tailed Muskrat	G2	S2	N	N
<i>Nolina atopocarpa</i> Florida beargrass	G3	S3	N	T
<i>Nolina brittoniana</i> Britton's beargrass	G3	S3	E	E
<i>Paronychia chartacea</i> var. <i>chartacea</i> paper-like nailwort	G3T3	S3	T	E
<i>Peucaea aestivalis</i> Bachman's Sparrow	G3	S3	N	N
<i>Plestiodon egregius lividus</i> Blue-tailed Mole Skink	G5T2	S2	T	FT
<i>Podomys floridanus</i> Florida Mouse	G3	S3	N	N
<i>Polygala lewtonii</i> Lewton's polygala	G2	S2	E	E

Polygonella basiramia Florida jointweed	G3	S3	E	E
Pteroglossaspis ecristata giant orchid	G2G3	S2	N	T
Rostrhamus sociabilis Snail Kite	G4G5	S2	E	FE
Salix floridana Florida willow	G2G3	S2S3	N	E
Sciurus niger niger Southeastern Fox Squirrel	G5T5	S3	N	N
Ursus americanus floridanus Florida Black Bear	G5T4	S4	N	N
Warea carteri Carter's warea	G1	S1	E	E

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a [Standard Data Request](#) option for those needing certifiable data.

EXHIBIT B

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Polk County, Florida



Local office

Florida Ecological Services Field Office

☎ (352) 448-9151

📠 (772) 562-4288

✉ fw4flesregs@fws.gov

777 37th St

Suite D-101

Vero Beach, FL 32960-3559

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Florida Panther Puma (=Felis) concolor coryi Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1763	Endangered
Puma (=mountain Lion) Puma (=Felis) concolor (all subsp. except coryi) No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6049	SAT

Birds

NAME	STATUS
Crested Caracara (audubon's) [fl Dps] Caracara plancus audubonii No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8250	Threatened
Eastern Black Rail Laterallus jamaicensis ssp. jamaicensis Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10477	Threatened

Everglade Snail Kite *Rostrhamus sociabilis plumbeus* Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/7713>

Whooping Crane *Grus americana* [EXPN](#)

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/758>

Wood Stork *Mycteria americana* Threatened

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/8477>

Reptiles

NAME

STATUS

American Alligator *Alligator mississippiensis* SAT

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/776>

Blue-tailed Mole Skink *Eumeces egregius lividus* Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/2203>

Eastern Indigo Snake *Drymarchon couperi* Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/646>

Sand Skink *Neoseps reynoldsi* Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/4094>

Southern Hognose Snake *Heterodon simus* Proposed Threatened

Wherever found

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/3248>

Insects

NAME

STATUS

Monarch Butterfly *Danaus plexippus* Proposed Threatened

Wherever found

There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/9743>

Flowering Plants

NAME

STATUS

Avon Park Harebells *Crotalaria avonensis* Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/7093>

Carter's Mustard *Warea carteri* Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/5583>

Florida Ziziphus *Ziziphus celata* Endangered

No critical habitat has been designated for this species.

<https://ecos.fws.gov/ecp/species/2950>

Highlands Scrub Hypericum <i>Hypericum cumulicola</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2940	Endangered
Lewton's Polygala <i>Polygala lewtonii</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6688	Endangered
Papery Whitlow-wort <i>Paronychia chartacea</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1465	Threatened
Pigeon Wings <i>Clitoria fragrans</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/991	Threatened
Pygmy Fringe-tree <i>Chionanthus pygmaeus</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1084	Endangered
Sandlace <i>Polygonella myriophylla</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5745	Endangered
Scrub Blazingstar <i>Liatris ohlingerae</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/864	Endangered
Scrub Mint <i>Dicerandra frutescens</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/799	Endangered
Short-leaved Rosemary <i>Conradina brevifolia</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2929	Endangered
Wireweed <i>Polygonella basiramia</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1718	Endangered

Lichens

NAME	STATUS
Florida Perforate Cladonia <i>Cladonia perforata</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7516	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Sep 1 to Jul 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

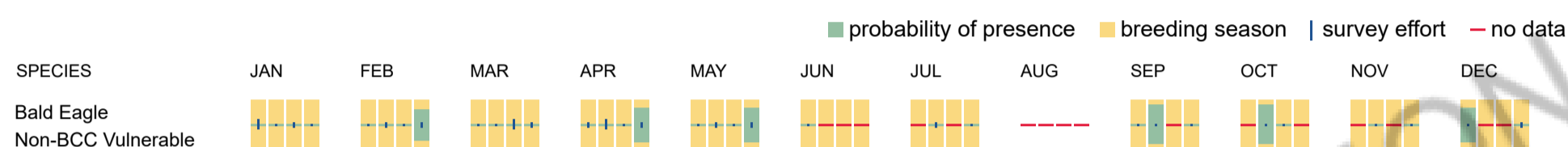
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases [birds of concern](#), including [Birds of Conservation Concern \(BCC\)](#), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the [Nationwide avoidance and minimization measures for birds](#) document, and any other project-specific avoidance and minimization measures suggested at the link [Measures for avoiding and minimizing impacts to birds](#) for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles document](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
<p>American Kestrel <i>Falco sparverius paulus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/9587</p>	Breeds Apr 1 to Aug 31
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p>	Breeds Sep 1 to Jul 31
<p>Chimney Swift <i>Chaetura pelagica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Mar 15 to Aug 25
<p>Great Blue Heron <i>Ardea herodias occidentalis</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds Jan 1 to Dec 31
<p>King Rail <i>Rallus elegans</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/8936</p>	Breeds May 1 to Sep 5

Lesser Yellowlegs *Tringa flavipes*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9679>

Breeds elsewhere

Prairie Warbler *Setophaga discolor*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

Red-headed Woodpecker *Melanerpes erythrocephalus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Swallow-tailed Kite *Elanoides forficatus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/8938>

Breeds Mar 10 to Jun 30

Worthington's Marsh Wren *Cistothorus palustris griseus*

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Apr 10 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Avoidance & Minimization Measures for Birds](#) describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the [Bald and Golden Eagle Protection Act](#) and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Bald and Golden Eagle Protection Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

Wildlife refuges and fish hatcheries

Refuge and fish hatchery information is not available at this time

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

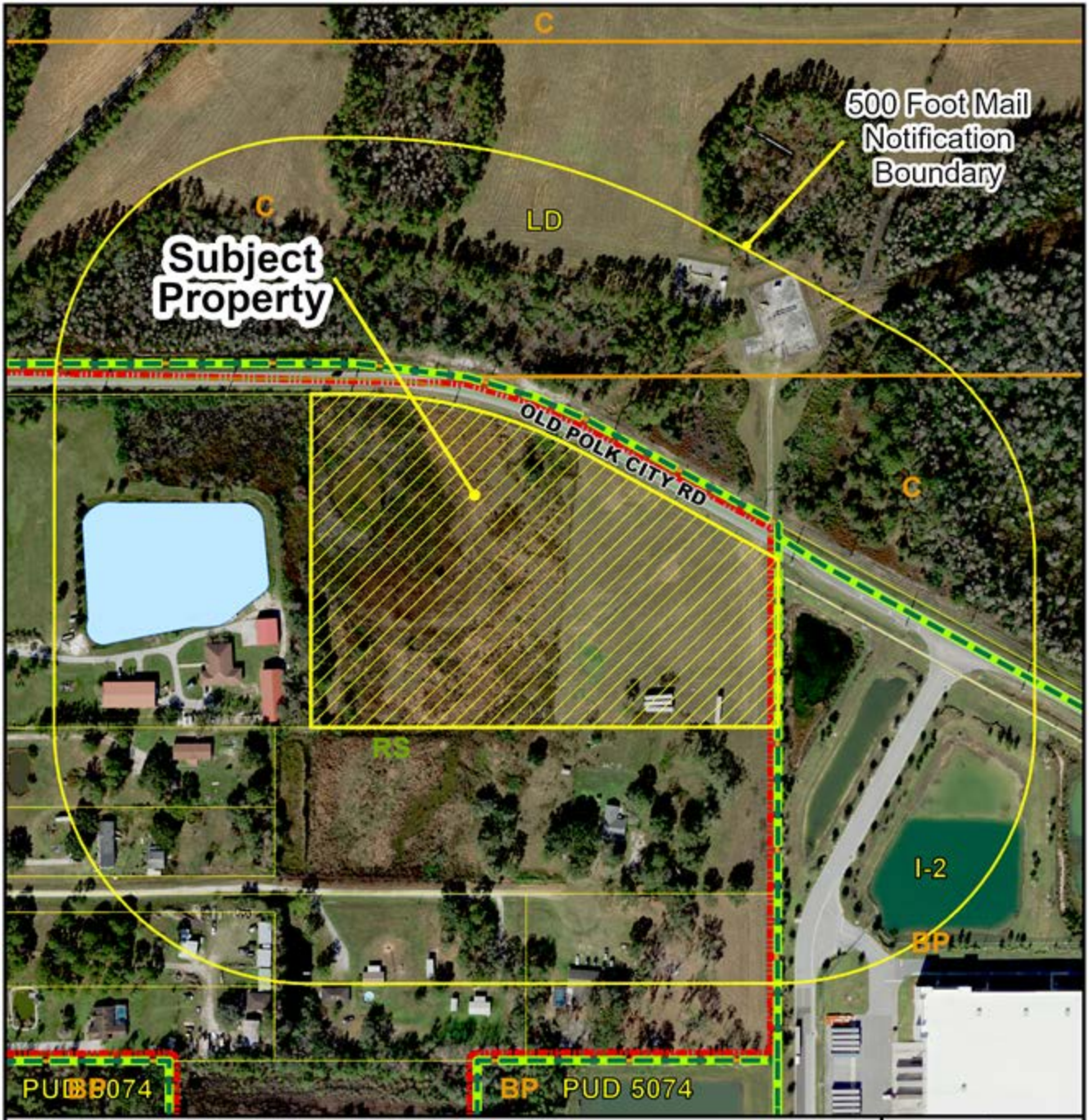
Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



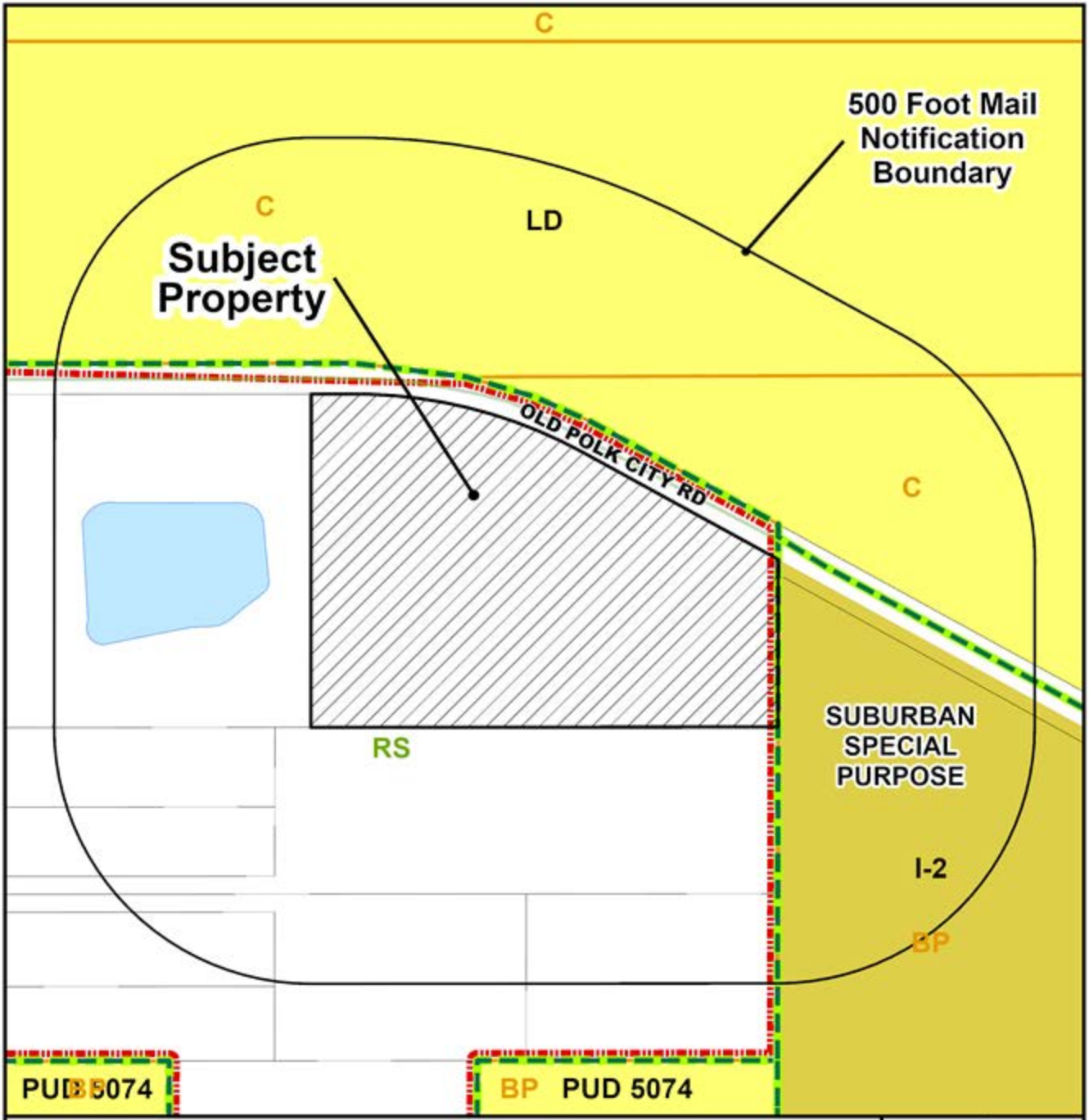
File Number: ANX26-001 LUL26-001
 ZON26-002 ZON26-003

Present Zoning: None
 Present Land Use: Polk County RS (11.28 AC+/-)
 Present Context: None
 Proposed Zoning: I-2
 Proposed Land Use: BP (11.28 AC+/-)
 Proposed Context: Suburban Special Purpose

- Subject Property
- 500 Foot Mail Notification Boundary
- Zoning
- Lakeland Future Land Use
- Polk Future Land Use
- 4567 Conditional Use
- Parcels
- City Limits
- Water Body
- SPI



April 2026



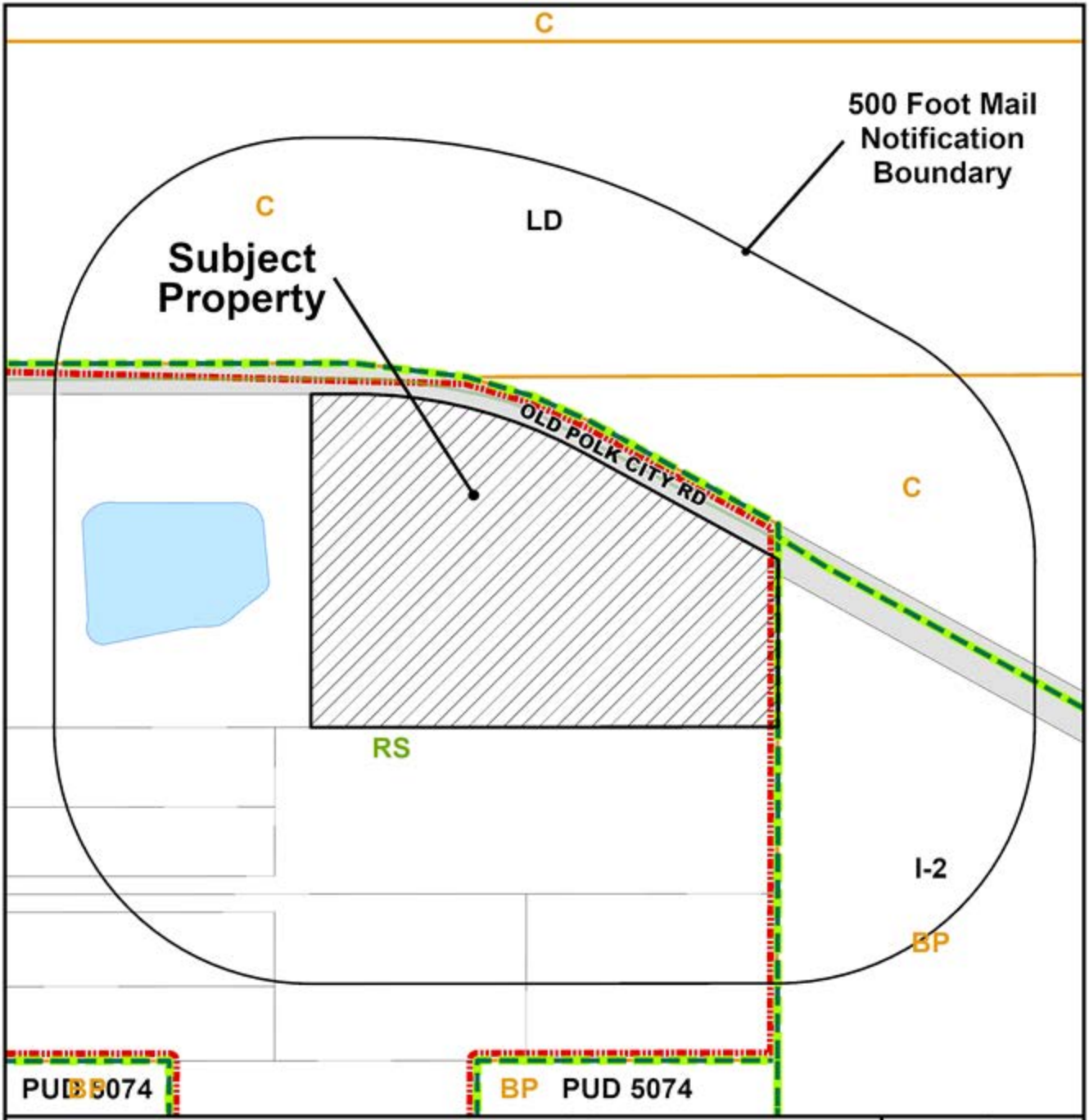
File Number: ANX26-001 LUL26-001
 ZON26-002 ZON26-003

Present Zoning: None
 Present Land Use: Polk County RS (11.28 AC+/-)
 Present Context: None
 Proposed Zoning: I-2
 Proposed Land Use: BP (11.28 AC+/-)
 Proposed Context: Suburban Special Purpose

April 2026

- Subject Property
- 500 Foot Mail Notification Boundary
- Zoning
- Lakeland Future Land Use
- Polk Future Land Use
- 4567 Conditional Use
- Parcels
- City Limits
- Water Body
- SPI





PUD 5074

BP PUD 5074

File Number: ANX26-001 LUL26-001
 ZON26-002 ZON26-003

Present Zoning: None
 Present Land Use: Polk County RS (11.28 AC+/-)
 Present Context: None
 Proposed Zoning: I-2
 Proposed Land Use: BP (11.28 AC+/-)
 Proposed Context: Suburban Special Purpose

April 2026

- Subject Property
- 500 Foot Mail Notification Boundary
- Zoning
- Lakeland Future Land Use
- Polk Future Land Use
- 4567 Conditional Use
- Parcels
- City Limits
- Water Body
- SPI
- Roadway/Railway





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

April 3, 2026

RE: Project No. ANX26-001/LUL26-001/ZON26-002/ZON26-003

Dear Property Owner:

This letter is to advise you that Kendra Andrews, Sloan Engineering Group, Inc., requests annexation, a large-scale land use map amendment to apply a future land use designation of Business Park (BP), and the application of I-2 (Medium Industrial) zoning, concurrent with a City-initiated application to apply a Suburban Special Purpose (SSP) context sub-district designation, on approximately 11.29 acres located south of Old Polk City Road, east of Tomkow Road, north and west of Centerstate Logistics Park Phase 2. The subject property is legally described as:

AN AREA OF LAND IN SECTION 3, TOWNSHIP 27 S, RANGE 24 E, IN THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER, BOUND BY OLD POLK CITY ROAD TO THE NORTH, PARCEL 242710000000013010 TO THE WEST, AND PARCEL 242710000000011040 TO THE EAST. (A COMPLETE LEGAL DESCRIPTION IS AVAILABLE IN THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT.)

The public hearing to consider this request will be held before the Lakeland Planning and Zoning Board at **8:30 a.m., on Tuesday, April 21, 2026**, in the City Commission Room, City Hall, 228 S. Massachusetts Avenue. As an owner of property within 500 feet of this request, as indicated on the attached map, you will be given an opportunity to express your opinion at the public hearing *or* you may submit your views to the Community Development Department, 863-834-6011 or planning@lakelandgov.net, prior to the April 21st 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. 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.

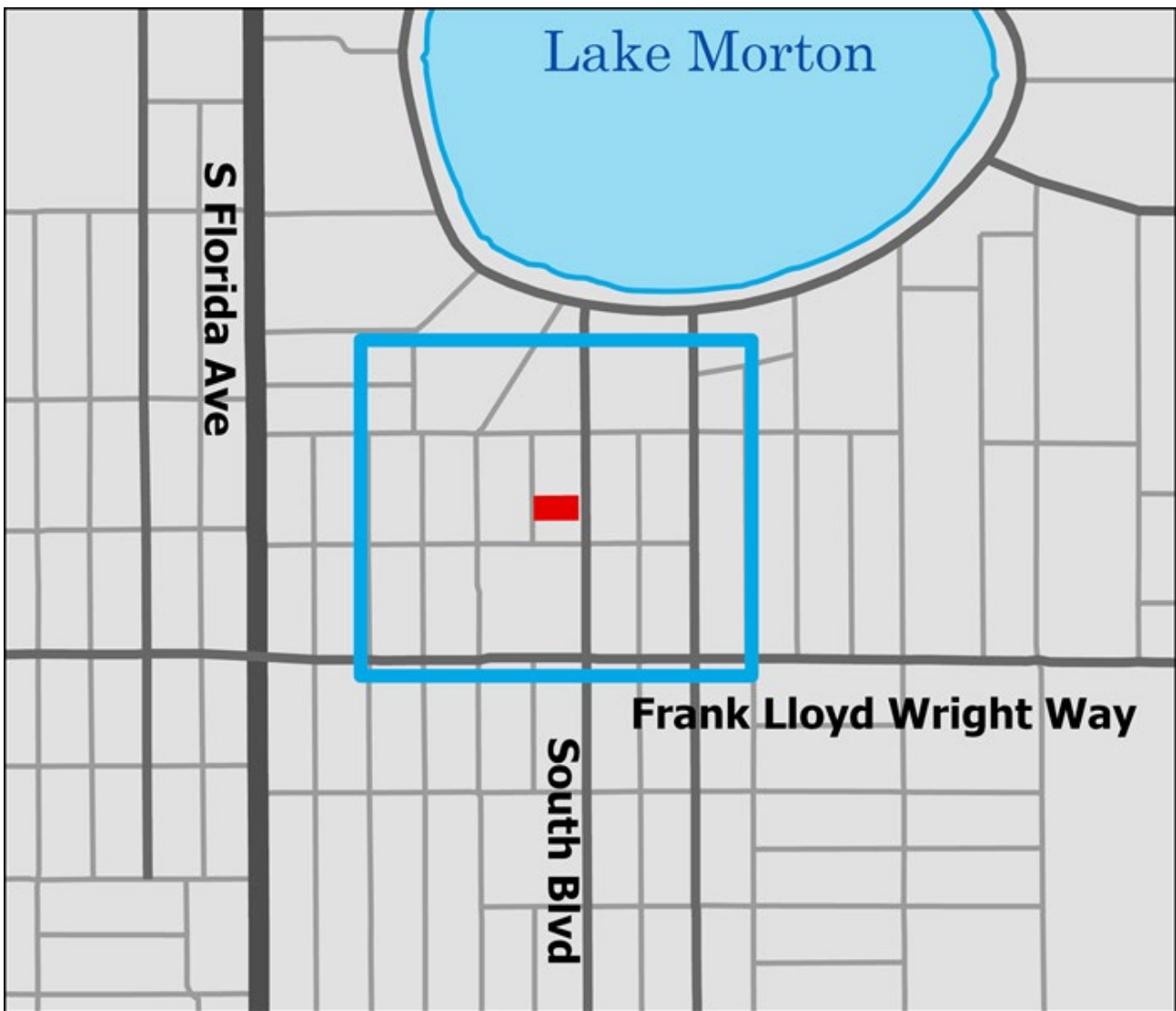
THIS IS A COURTESY LETTER NOT REQUIRED BY LAW



Community & Economic Development Staff Recommendation

Date:	April 21, 2026	Reviewer:	Audrey McGuire
Project No:	CUP25-016	Location:	817 South Boulevard
Owner:	Coy Properties, LLC		
Applicant:	Daniel Kovacs, Tract Engineering, LLC		
Current Zoning:	RA-4 (Single-Family Residential)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	March 17, 2026	P&Z Final Decision:	April 21, 2026
Request:	Conditional use to convert a nonconforming commercial lodging use to a six-unit multi-family residential use on property located at 817 South Boulevard.		

1.0 Location Maps





2.0 Background

2.1 Summary

Daniel Kovacs, Tract Engineering, LLC, on behalf of Coy Properties, LLC, requests a conditional use to convert a nonconforming commercial lodging use to a six-unit multi-family residential use on property located at 817 South Boulevard A map of the subject property is included as Attachment “B.”

2.2 Subject Property

Located in the South Lake Morton Historic and Special Public Interest (SPI) districts, the subject property is a 0.23-acre parcel located on the west side of South Boulevard, north of E. Ridgewood Street. The subject property is zoned RA-4 (Single-Family Residential), is located within the UNH (Urban Neighborhood) context district, and has a future land use designation of Residential Medium (RM).

The subject property contains a two-story dwelling constructed prior to 1915 which is divided into five units and a two-story accessory garage apartment (containing two units) constructed around 1940. Adjacent uses in the area are primarily single-family residential; however, the adjacent property to the south currently contains a two-family dwelling and the property to the east is divided into multiple units.

2.3 Project Background

The applicant requests a conditional use to convert an existing nonconforming commercial lodging use (containing seven dwelling units) to a six-unit multi-family use. A revised site plan and floor plan which shows the combination of two of the existing ground-floor units in the principal structure are included as Attachments “C” and “D.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	RA-4	UNH
South	Single-Family & Two-Family Residential	RM	RA-4	UNH
East	Single-Family & Multi-Family Residential	RM	RA-4	UNH
West	Vacant / Undeveloped	RM	RA-4	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Revised Site Development Plan

Attachment D: Floor Plans

3.0 Discussion

The subject property is comprised of a two-story dwelling constructed in 1915 which was divided into four units in 1928 and was known as the Tourist Rest Apartments. A two-story accessory garage apartment (containing two units) was constructed around 1940 and the name of the complex changed to the Boulevard Apartments. A seventh unit was added to the property in the 1960s. The property was converted into the Lake Morton Bed and Breakfast Inn in the late 1980s.

The current RA-4 zoning designation has been in place since 1994 when the subject property was downzoned from RA-5 to RA-4 as part of a broader City-wide zoning conformance action following the adoption of the 1993 Land Development Code. The use of the subject property for commercial lodging is nonconforming to the RA-4 (Single-Family Residential) zoning district. Although the subject property was previously used as multi-family prior to being converted to a bed & breakfast, multi-family residential uses are not permitted in RA-4 zoning districts. A change of use after the closure of the bed & breakfast would require the property to be brought into compliance with the current zoning requirements. Sub-Section 13.3.2.4, *Change of Nonconforming Use* of the Land Development Code provides a provision which allows for the conversion of an existing nonconforming use to another nonconforming use, provided that the extent, intensity or degree of nonconformity is reduced. The applicants are proposing to convert the former bed & breakfast back to multi-family. Through this process, they will be required to combine two of the ground-floor units in the principal structure, reducing the total number of units on the property from seven to six. Parking will be brought into compliance with current standards for multi-family through the removal of a portion of a nonconforming driveway, reconstruction of a new driveway on the north side of the principal structure, and additional parking spaces off the alley.

Prior to and during the March 17, 2026 meeting of the Planning and Zoning Board, members of the public expressed concern related to density, parking and the proposed driveway configuration which was for a 40 ft. long by 16 ft. wide driveway which would accommodate up to four vehicles. In accordance with the Land Development Code, multi-family uses require one parking space per one bedroom unit, plus 1.5 parking spaces for each unit with two or more bedrooms. With the proposed reduction in dwelling units from seven (7) to six (6), there will be a total of two (2) one-bedroom units and four (4) two-bedroom units on the property, requiring a minimum of eight parking spaces.

Following public comment during the public hearing on March 17, 2026, Condition F. was revised to reduce the driveway to a 40 ft. long by 10 ft. wide (tandem) driveway which can be reserved for use by one of the two-bedroom units in the principal structure, and an additional parking space was added off the alley. These revisions made during the public hearing are shown in the strikethrough/underline format in the proposed conditions but have not yet been reflected on the site plan. Additional public comment received concerned use of the alley, parking in the neighborhood, the number of proposed and existing dwelling units, potential for the property to be used as a sober living facility, and the prior use of the property.

3.1 Transportation and Concurrency

The proposed conversion of the commercial lodging use to a six-unit multi-family use is expected to have a de minimis impact on the surrounding street network.

3.1 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department and the Board reviewed this request and recommended approval of the conditional use. Letters of notification were mailed to 28 property owners within 250 feet of the subject property. Several comments were received prior to, during and following the public hearing as summarized above.

4.2 The Planning & Zoning Board

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

- A. Permitted Uses:
1. Multi-Family Residential as a legal nonconforming use.
 2. Total number of dwelling units on the subject property shall be reduced from seven (7) to six (6) through the combination of two ground-floor units in the principal building. A building permit, in which the kitchenette in the existing southwest unit and associated plumbing is removed, and a doorway separate the ground-floor units is eliminated, shall be required and a Certificate of Occupancy issued prior to the leasing of any of the ground-floor units in the principal building.
 3. Legal Nonconforming Status: It is the intent of this conditional use that the use of the property for multi-family residential purposes be allowed as a less intense nonconforming use than the previous nonconforming commercial lodging use. As a legal nonconforming use, no increase, expansion or intensification shall be permitted except as specified in Sub-Section 13.3.2.3 of the Land Development Code. If the use ceases for a period of 365 days or longer, or another conforming use is established, the use of the property for multi-family residential purposes shall not be reestablished.
- B. Maximum Intensity of Use: Six (6) Dwelling Units
- C. Site Development Plan: The project shall be developed in substantial accordance with the proposed site development plan, Attachment "C." with the approval of the Director of Community & Economic Development, minor changes may be made at the time of building permit review without requiring a modification of this conditional use.
- D. Floor Plan: The project shall be developed in substantial accordance with the floor plan included as Attachment "D." With the approval of the Director of Community & Economic Development minor adjustments may be made at the time of building permit review without requiring a modification of this conditional use.
- E. General Conditions for Approval:
1. The subject property shall be limited to a maximum of six (6) utility meters with no more than four (4) on the principal building and two (2) on the detached garage apartment building.
 2. Solid Waste and Recycling Collection Bins: Solid waste and recycling collection bins for both the principal building and the garage apartment shall be stored in a uniform manner, away from the alley, on days in which trash pickup is not scheduled.

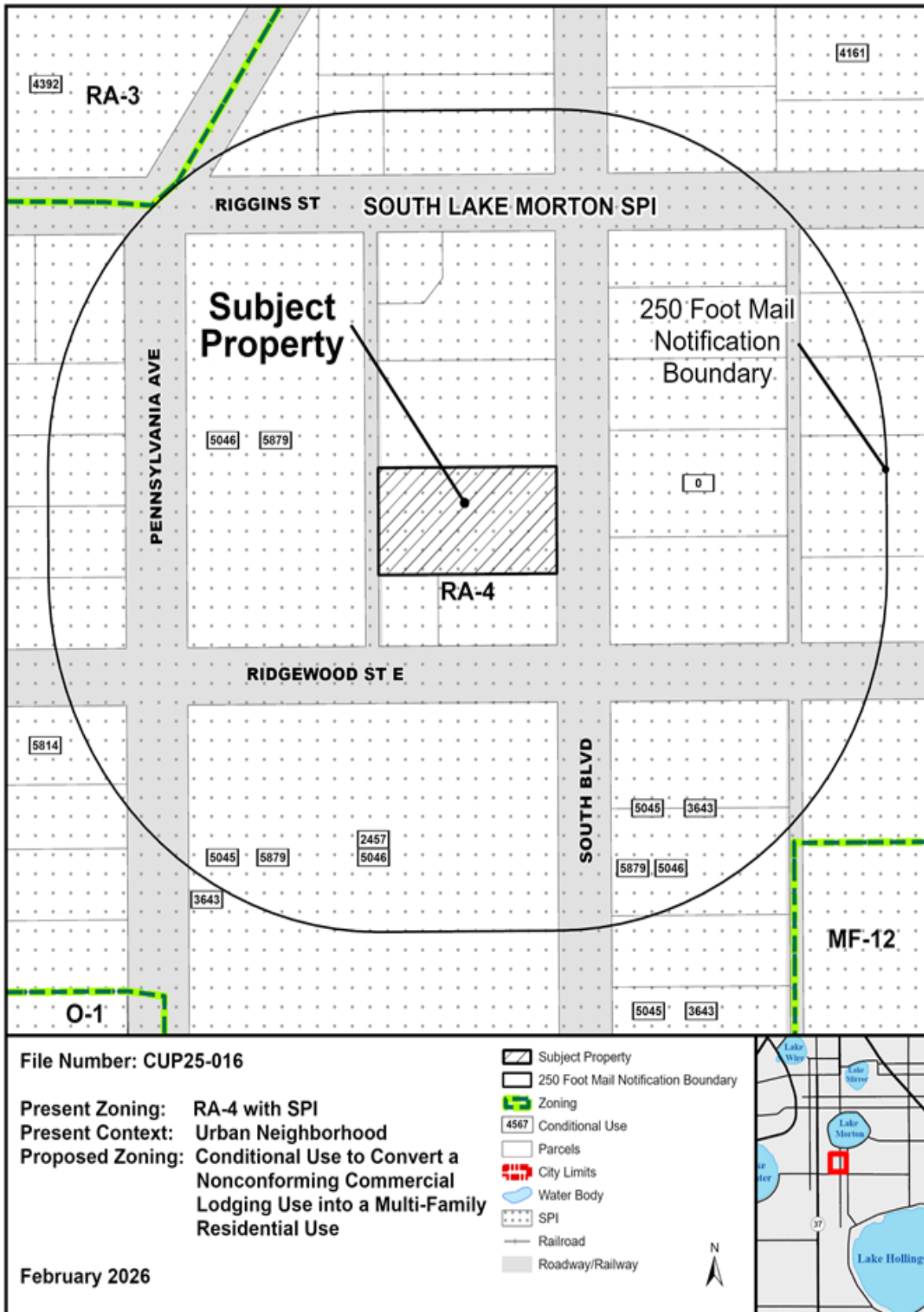
- F. Off-Street Parking Requirements: A minimum of ~~nine (9)~~ eight (8) parking spaces shall be provided in accordance with the following and as depicted on the site plan (Attachment "C.")
1. Subject to an approved driveway permit, ~~four (4)~~ two (2) tandem parking spaces shall be provided within a new 40 ft. long by ~~46-ft.~~ 10 ft. wide driveway on the north side of the principal structure; and
 2. Four (4) parking spaces shall be provided within the detached garage apartment building accessed from the alley to the west; and
 3. ~~One (1) additional~~ Two (2) off-street parking spaces shall be provided on the south side of the detached garage apartment building.
 4. The existing nonconforming driveway located along South Boulevard, south of the principal building, shall be removed and the curbline restored in accordance with the Public Works Engineering Standards Manual through an approved driveway permit.
- G. Historic Preservation Design Review: Any changes to the design of the structure or site shall not be made without first obtaining a Certificate of Review approved by the Historic Preservation Board's Design Review Committee (HPB-DRC) or its designee.
- H. Legal Nonconforming Status: It is the intent of this conditional use that the use of the property for multi-family residential purposes be allowed as a less intense nonconforming use than the previous nonconforming commercial lodging use. As a legal nonconforming use, no increase, expansion or intensification shall be permitted except as specified in Sub-Section 13.3.2.3 of the Land Development Code. If the use ceases for a period of 365 days or longer, or another conforming use is established, the use of the property for multi-family residential purposes shall not be reestablished.
- I. This conditional use, and the use specified herein, shall be for the benefit of the property owner (Coy Properties, LLC) only. The character or benefit of this conditional use shall not be changed or transferred without City Commission approval by resolution.

ATTACHMENT "A"

Legal Description

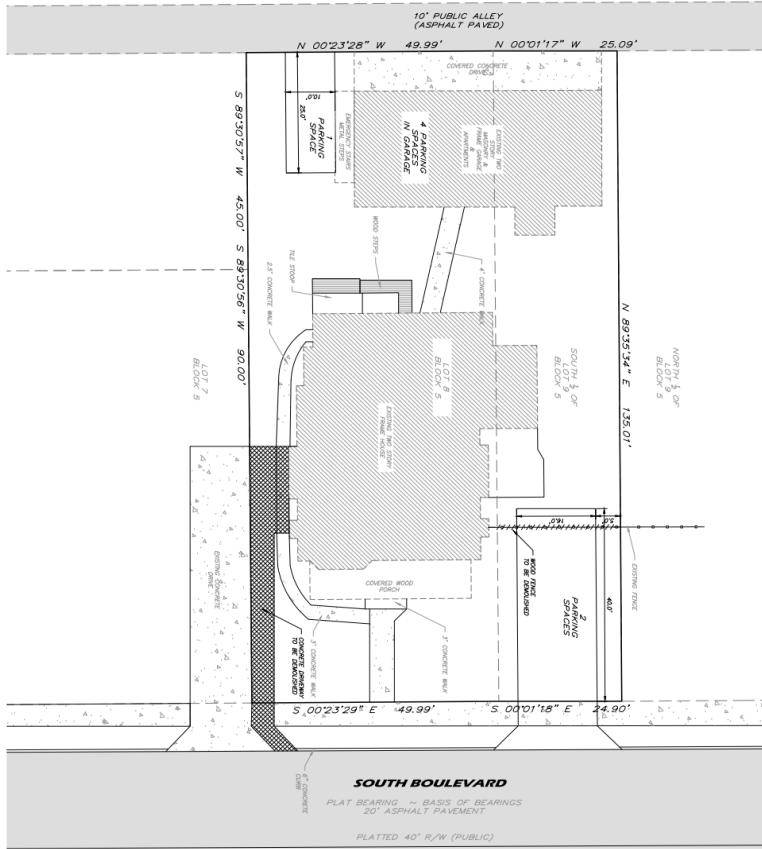
LOT 8 AND THE SOUTH 1/2 OF LOT 9, BLOCK 5, SCOTT'S LAKELAND HEIGHTS ADDITION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED AT DEED BOOK 75, PAGE 15, IN THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

ATTACHMENT "B"



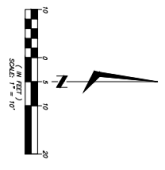
ATTACHMENT "C"

I:\My Drive\CAD PROJECT FILES\817 SOUTH BLDV\DWG\CONCEPT-PD\817 SOUTH BLDV - CONCEPT PLAN.dwg, 2/23/2026 9:08 AM, Benno Kutzendorf



SITE DATA

PROJECT NAME: 817 SOUTH BOULEVARD
 PROJECT ADDRESS: 817 SOUTH BOULEVARD, CITY OF LAKELAND - FL, 33859
 PROJECT PHONE: 407-949-1111
 PROJECT FAX: 407-949-1111
 PROJECT AGENCY: 817 SOUTH BOULEVARD
 PROJECT OWNER: 817 SOUTH BOULEVARD
 PROJECT DESIGNER: 817 SOUTH BOULEVARD
 PROJECT DATE: 817 SOUTH BOULEVARD



SCALE: AS SHOWN
 BEFORE YOU DO
 DUAL 817
 CUB 817

TRACT ENGINEERING
 FROM CONCEPTUAL TO COMPLETION
 3117 S. LAKELAND DR. SUITE 1
 LAKELAND, FL 33853
 PBA REGISTRATION NUMBER: 14343

**817
 SOUTH BLDV
 CITY OF LAKELAND, FL.**

**CONCEPT
 PLAN**

NOT CONSIDERED VALID UNLESS ALL AGENCY
 PERMITS AND APPROVALS ARE OBTAINED FOR
 THIS PROJECT. THIS PLAN IS NOT TO BE USED FOR
 ANY OTHER PURPOSES WITHOUT THE WRITTEN
 PERMISSION OF THE ENGINEER.
 STATE OF FLORIDA
 DANIEL P. KOVACS, P.E. 12345 DATE

DATE	NO.	REVISIONS	BY
11/18/25	01	ORIGINAL RELEASE	

This plan has been digitally signed and sealed by Daniel P. Kovacs on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

MINUTES

Planning & Zoning Board

City Commission Chambers

Tuesday, March 17, 2026

8:30 a.m.

The City of Lakeland Planning and Zoning Board met in Regular Session. Board Members, Terry Dennis, Bessie Reina, Jolián Rios, 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, Executive Planner; Todd Vargo, Senior Planner and Christelle Burrola, Board Secretary, were present. Assistant City Attorney Alex Landback was also present.

PUBLIC HEARING

ITEM 1: Conditional use to convert a nonconforming commercial lodging use to a six-unit multi-family residential use on property located at 817 South Boulevard. Owner: Coy Properties LLC. Applicant: Daniel P. Kovacs, Tract Engineering LLC. (CUP25-016)

Audrey McGuire stated the subject property, which is within the South Lake Morton Historic District, is located on the west side of South Boulevard, north of E. Ridgewood Street.. The subject property is comprised of a former two-story bed and breakfast which was originally constructed in 1915 as a single-family home. In 1928, the home was divided into four units known as the Tourist Rest Apartments. A two-story detached garage, which containing two multi-family dwelling units on the second floor, was constructed around 1940 when the name of the property was changed to the Boulevard Apartments. In the 1960s, a seventh unit was added to main apartment building. In the late 1980s, the property was converted into the Lake Morton Bed and Breakfast Inn. The subject property has been zoned RA-4 (Single-Family Residential) since 1994. The applicants are proposing to convert the former bed & breakfast back to a multi-family residential use. Through this process, they will be required to combine two of the ground-floor units in the principal structure, reducing the total number of units on the property from seven to six.

Ms. McGuire pointed to photos on the overhead screen of the subject property, surrounding areas, site plan and floor plans.

Ms. McGuire stated parking will be brought into compliance with the current standards for multi-family uses through the removal of a portion of a nonconforming driveway, reconstruction of a new driveway on the north side of the principal structure, and additional parking spaces off the alley.

Ms. McGuire stated staff received a substantial number of public comments regarding the proposed request.

Ms. McGuire summarized the emails and comments received from the public to the Board.

Daniel Kovacs, 5137 S. Lakeland Drive, provided an overview of the request.

In response to Jolián Rios, Mr. Kovacs stated there will be a total of six units with a total of nine parking spaces.

In response to Mr. Rios, Ms. McGuire stated there is no on-street parking dedicated to the subject property on the adjacent street.

Eva Briggs, 315 Riggins Street, stated she has concerns about the use of the alley which she lives next to, parking, and the potential for the property to be used as a sober living facility.

Joan Musser, 811 South Boulevard, stated she sent one of the letters opposed to the request that Ms. McGuire read to the Board. Ms. Musser stated she is concerned about traffic and noise impacts. She stated the home has never been full occupancy. She stated she is opposed to the request.

Denise Robson, 420 E. Ridgewood Street, stated she is concerned about the subject property being turned into housing for the students at Florida Southern College.

Travis Stepro, 815 Success Avenue, stated he is concerned about the intensity of the use and traffic safety.

Michael Dunn, 6116 Mountain Lake Drive, stated he is concerned about the potential for the property to be used as a sober living facility. He is also concerned about the parking on the north end of the property slated as being concrete.

Robert Munday, 814 South Boulevard, stated he is concerned about the logistics of the proposed driveway and potential impacts on South Boulevard. He stated he is also concerned about the potential for the property to be used as a sober living facility.

Terry Dennis stated Florida Southern College is not associated with the proposed request and recused himself from the vote for this item.

Ms. McGuire stated the request is not associated with Florida Southern College and a sober living facility is not a part of the request.

Matthew Lyons stated the RA-4 (Single-Family Residential) zoning would not allow for a sober living facility and if the applicant were to apply for it in the future, the use could not be considered.

Mr. Kovacs stated the owner of the property is not directly tied to Florida Southern College. The discussion was to possibly target residents attending Florida Southern College or those who have that similar aspect.

Mr. Kovacs stated a sober living facility is not a part of this request.

In response to Jeri Thom, Mr. Kovacs stated the property owner will not be living on the property.

Gail Holleran, 725 South Boulevard, read a letter in opposition to the Board. The letter mentioned safety and traffic concerns.

Mr. Kovacs stated to alleviate parking concerns, they can reduce the amount of off-street parking spaces.

Ms. McGuire presented the recommended conditions for approval.

A discussion ensued among the applicant, staff and Board regarding the conditions for approval.

Mr. Kovacs stated he agrees to staff's recommended conditions.

Susan Seitz made a motion for approval of staff's recommendation with the changes to the conditions as discussed. Bessie Reina seconded the motion and it failed. 1—4. Bessie Reina, Jolián Rios, Veronica Rountree and Jeri Thom voted against the motion.

A lengthy discussion ensued among the applicant, staff and Board regarding the parking, driveway configuration and other possible options for the applicant to reduce the intensity of the use.

Veronica Rountree made a motion to continue the item one month. Bessie Reina seconded the motion and it passed 5—0.

ITEM 2: Conditional use to convert a nonconforming two-family dwelling to a single-family dwelling and allow for the construction of a detached garage and addition to an existing single-family

home on property located at 708, 712 and 714 Frank Lloyd Wright Way. Owner: Matthew and Elizabeth Roush. Applicant: Thomas M. Stull, Esterline Construction, Inc. (CUP26-002)

Audrey McGuire stated the subject property, approximately 0.71-acres in area, is located at the northeast corner of Frank Lloyd Wright Way and S. Mississippi Avenue. The subject property is zoned RA-4 (Single-Family Residential) and is located within the South Lake Morton Historic District. The subject property is comprised of lots 24, 25 and 26 within Block A of the Orange Park Addition and is currently improved with a total of three dwelling units: a two-story single-family home constructed in 1949 and a one-story two-family (duplex) dwelling constructed in 1962. Both the single-family home and the duplex are listed as contributing structures to the South Lake Morton Historic District.

Ms. McGuire pointed to photos on the overhead screen of the site plan, elevations and subject property.

Tom Stull, Esterline Construction, Inc., summarized the proposed request.

Ms. McGuire stated staff did not receive any public comment in response to the request.

Ms. McGuire presented the recommended conditions for approval.

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

ITEM 3: Minor modification of PUD (Planned Unit Development) zoning for Lakeland Regional Health to allow a temporary modular office building on property located at 1324 Lakeland Hills Boulevard. Owner: Lakeland City of Lkld Regional Med Ctr. Applicant: Shelby Fuente, Stantec Consulting Services Inc. (PUD26-003)

Todd Vargo stated the subject property is zoned PUD (Planned Unit Development) and has a future land use designation of Regional Activity Center (RAC). The modular building will be used as medical office space before a permanent location can be constructed. Mr. Vargo pointed to photos on the overhead screen of the subject property, site plan and elevations.

Shelton Rice, 225 E. Lemon Street, representing the applicant, summarized the proposed request.

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

Mr. Vargo presented the recommended conditions for approval.

Jolián Rios made a motion for approval of staff's recommendation. Terry Dennis seconded the motion and it passed 6—0.

ITEM 4: Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and allow for the development of 112 multi-family dwelling units in lieu of 92 single-family attached (townhome) dwelling units, on approximately 10.56 acres generally located at the southeast corner of 10th Street and Saratoga Avenue. Owner: Housing Authority of Lakeland. Applicant: Catherine Coyle, Boggs Engineering, LLC. (PUD26-002)

Todd Vargo stated the subject property, annexed in 2023, has a Future Land Use designation of Residential Medium (RM) and PUD (Planned Unit Development) zoning which would allow for the development of a 92-unit single-family attached (townhome) community. The purpose of this request is to amend the PUD zoning to allow for the development of a 112-unit multi-family residential development in lieu of the previously approved plan for 92 single-family attached (townhome) dwelling units. For the 10.56-acre subject property, the proposed 112-unit multi-family residential development will have a gross density of 10.6 dwelling units per acre (10.6 DU/AC) which is below the maximum density allowed by the RM Future Land Use designation. Mr. Vargo pointed to photos on the overhead screen of the site plan, elevations and surrounding areas.

Catherine Coyle, 607 S. Alexander Street, Plant City, made a presentation that provided an overview of the proposed request.

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

Latevia Lowe, NW 9th Street, Mulberry, had questions regarding access to her property during construction from Saratoga Avenue.

In response to Ms. Lowe, Chuck Barmby stated everyone on Saratoga Avenue will continue to have access to their property.

Floyd Chrisman, 6652 Chrisman Lane, Middletown, Ohio, stated he has concerns about the visibility of the apartments from the properties along Saratoga Avenue. Mr. Chrisman stated he is opposed to the request.

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

GENERAL MEETING

ITEM 5: Review of minutes of the Planning & Zoning Board Member Workshop held on January 21, 2026.

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

ITEM 6: Review of February minutes.

Susan Seitz made a motion for approval of the minutes from the previous meeting. Veronica Rountree and Jolián Rios seconded the motion and it passed 6—0.

ITEM 7: 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 April hearing.

ITEM 8: Audience.

There were no comments from the audience.

ITEM 9: Adjourn.

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

Respectfully Submitted,

Jeri Thom, Chair

Bessie Reina, Secretary

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, V. TERRY DENNIS, hereby disclose that on MARCH 17 & APRIL 21, 2026:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of FLORIDA SOUTHERN COLLEGE, by whom I am retained; or EMPLOYED
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

ZONING CHANGE FOR PROPERTY NEAR PLACE OF BUSINESS, WHICH WAS MENTIONED BY ATTENDING PARTIES.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/17/26
Date Filed

V. Terry Dennis
Signature

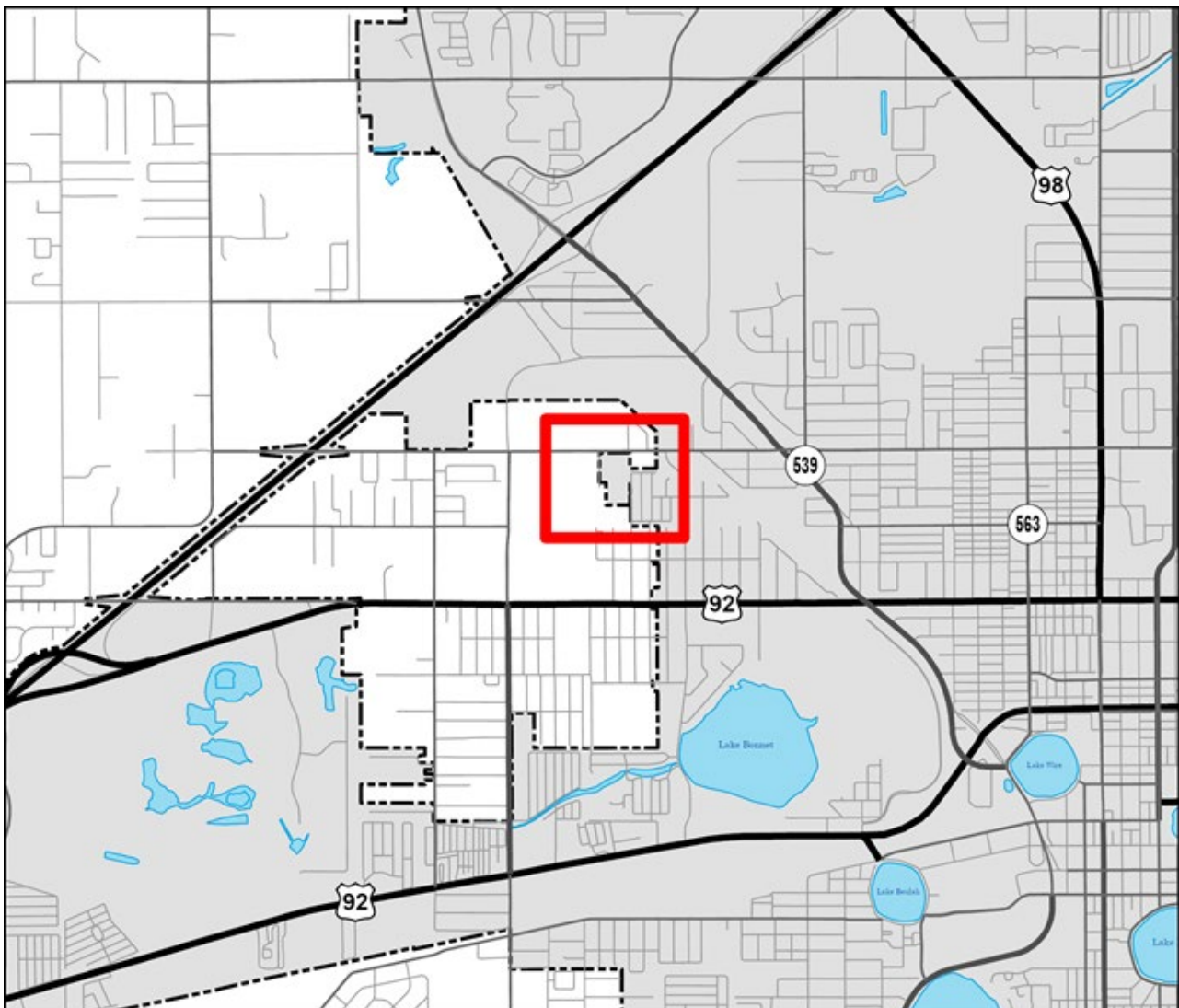
NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



Community & Economic Development Staff Recommendation

Date:	April 21, 2026	Reviewer:	Todd Vargo
Project No:	PUD26-002	Location:	SE Corner of W. 10 th Street and Saratoga Avenue
Owners:	Housing Authority of Lakeland		
Applicant:	Boggs Engineering, LLC		
Current Zoning:	PUD (Planned Unit Development) 5971	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	March 17, 2026	P&Z Final Decision:	April 21, 2026
Request:	Major modification of PUD (Planned Unit Development) zoning to adopt a new site development plan and allow for the development of 112 multi-family dwelling units in lieu of 92 single-family attached (townhome) dwelling units, on approximately 10.56 acres generally located at the southeast corner of 10th Street and Saratoga Avenue.		

1.0 Location Maps



2.0 Background

2.1 Summary

Boggs Engineering, on behalf of the Lakeland Housing Authority, requests a major modification of PUD (Planned Unit Development) zoning, to allow for the development of 112 multi-family residential units in lieu of 92 single-family attached dwelling units, on approximately 10.56 acres located at the southeast corner of W. 10th Street and Saratoga Avenue. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, annexed in 2023, has a Future Land Use designation of Residential Medium (RM) and PUD (Planned Unit Development) zoning which would allow for the development of a 92-unit single-family attached (townhome) community. Adjacent uses to the west, along the west side of Saratoga Avenue, consist of single-family detached dwellings that were developed in unincorporated Polk County. To the north, across W. 10th Street, the subject property abuts Colton Meadows Apartments which is owned and maintained by the Lakeland Housing Authority. To the east, the subject property abuts an undeveloped 3.16-acre tract land with a County RL-4 (Residential Low-4) Future Land Use designation and a mobile home park (Sherwood Manor MHP) which is located inside Lakeland’s corporate limits. To the south, the subject property abuts a heavily wooded, 7.74-acre tract of land under the jurisdiction of Polk County which has a FLU designation of RL-4 and is currently improved with one (1) manufactured home according to the Polk County Property Appraiser.

2.3 Project Background

The purpose of this request is to amend the PUD zoning to allow for the development of a 112-unit multi-family residential development in lieu of the previously approved plan for 92 single-family attached (townhome) dwelling units. The proposed multi-family residential development, which will have a maximum building height of three stores, includes an associated clubhouse and recreational open space as amenities for residents. A site development plan, which depicts the location of building footprints, off-street parking areas, solid waste collection facilities, driveways, stormwater retention areas, and recreational open space is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Multi-Family Residential	Polk County RL-4	NA	NA
South	Undeveloped	Polk County RL-4	NA	NA
East	Residential	Polk County RL-4 / City MH	City MH	UNH
West	Single-Family Residential	Polk County RL-4	NA	NA

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

Attachments D-1—D-3: Typical Building Elevations

3.0 Discussion

The Residential Medium (RM) Future Land Use designation allows for residential development with a maximum density of 12 dwelling units per acre. For the 10.56-acre subject property, the proposed 112-unit multi-family residential development will have a gross density of 10.6 dwelling units per acre (10.6 DU/AC) which is below the maximum density allowed by the RM Future Land Use designation.

The proposed multi-family development consists of a total of 14 two-story and three-story buildings: three (3) Type A buildings, four (4) Type B buildings and seven (7) Type C buildings. Building Type A consists of a two-story building with a total of four (4) dwelling units per building. Two of the units are designed as townhouse-style apartments with two bedrooms per unit. The two remaining units, which have one bedroom each, are arranged in a stacked flat configuration with one unit per floor. Building Type B consists of a two-story building with a total of four (4) dwelling units per building. All four units are designed as townhouse-style apartments with each building containing two (2), two-bedroom units and two (2) three-bedroom units. Building Type C consists of a three-story walk-up-style apartment building with a total of twelve (12) dwelling units per building. Each building will contain six (6) two-bedroom units and six (6) three-bedroom units.

As shown on the revised site plan, Attachment “C,” the two-story buildings are arranged along the north and east sides of the property with the three-story buildings clustered around a central open space. Along the north side of the development site, three of the buildings will be oriented towards W. 10th Street and provide a direct pedestrian connection from the sidewalk along W. 10th Street frontage to each of the units.

In terms of amenities, the proposed multi-family project includes a 5,017 sq. ft. clubhouse, a playground, and a walking trail around a stormwater retention pond located on the south side of the property. In addition, approximately two acres of civic open space will be provided in the form of the central open space and smaller areas of open space spread throughout the project. Adjacent to the east and west project boundaries, a buffer consisting of a six-foot high view blockage fence or wall and a minimum of 16 shrubs plus 4 B(Medium) trees and two A (Large) trees per 100 linear feet or fraction thereof will be required.

As discussed during the previous PUD approval, a portion of the road surface for Saratoga Avenue appears to partially encroach on the subject property. Because Saratoga Avenue serves as the sole means of access for homes located along the west side of the roadway, the developer of the apartment project will need to coordinate with Polk County to realign the road surface such that it no longer encroaches on the subject property.

At the March 17, 2026, meeting of the Planning and Zoning Board, two members of the public, both of whom own property on Saratoga Avenue, had questions regarding the proposed development. The first speaker was concerned about access to their property during construction from Saratoga Avenue,

which should not be impacted as the realignment will be overseen by Polk County. The second speaker was concerned about the visibility of the apartments from properties along Saratoga Avenue. The clustering of the three-story buildings internal to the site will also minimize visual impact with the two-story buildings along perimeter not unlike current approved plan. Also, as previously stated, to address any potential incompatibilities between the multi-family development and adjacent uses, along the east and west boundaries, the proposed development will be required to install a Type A buffer consisting of a minimum six-foot high view blockage fence or wall and a 7.5-foot landscape buffer consisting of Type B trees and shrubs. In terms of setbacks, the closest building will be approximately 67 feet from the right-of-way for Saratoga Avenue, with the average building setback being approximately 90 feet. With the Urban Neighborhood (UNH) context sub-district, the minimum setback for multi-family residential uses from local is typically 10 feet.

After the public hearing, staff met with the second speaker who expressed concerns about increased traffic, safety for the children in the neighborhood, property values being negatively affected by the proposed modification to the development, and privacy concerns from the three-story apartment buildings. The second speaker also would like a turning lane for the proposed modified development as vehicles speed on W 10th Street. Staff received two letters from residents on Saratoga Avenue and W 10th Street. The letters expressed concern about property values being negatively impacted by the proposed modification, increased traffic along W 10th Street, traffic negatively impacting safety for children getting on and off school buses, and privacy. The newly proposed plan shows an increase from 92 to 112 dwelling units, which the increase itself would not warrant a traffic study. The overall development being 112 dwelling units will require a major traffic study.

3.1 Transportation and Concurrency

The subject property fronts W. 10th Street, which is maintained and operated by Polk County. According to the Polk County Roadway Network Database (2025), W. 10th Street has a directional capacity of 790 trips. The roadway has a two-hour average volume of 108 trips eastbound and 113 westbound. The facility is currently operating at an acceptable Level-of-Service "C". The proposed 112 multi-family dwelling units will generate approximately 751 Daily and 61 P.M. Peak Hour (of Adjacent Street Traffic, 4 PM to 6PM) trips, using rates and equations published for Land Use Code 220 (Multifamily Housing (Low-Rise)) in the Institute of Transportation Engineers' Trip Generation Manual (12th Edition). A Binding Concurrency Determination and Major Traffic Study will be required at the time of site plan review and the driveway connection to W. 10th Street shall be permitted through Polk County. The original plan of 92 single-family-attached style dwellings only generated a rate of 604 daily trips and 47 P.M. Peak Hour trips. While the proposed use change represents an increase in trips, the current facilities are adequate to accommodate the change in use. Any turning lane modifications would be analyzed in the major traffic study as defined in Section 10.3.3 of the City's Land Development Code and as otherwise required by Polk County.

Fixed-route transit service is provided to the subject property via the Yellow Line as operated by the Lakeland Area Mass Transit District (LAMTD, known as the "Citrus Connection") and runs with hourly frequency connecting to The Pines, Kathleen High School and the Downtown Terminal. Polk County has recently constructed a new sidewalk along the north side of W. 10th Street between Colton Meadows and Brunnell Parkway, where the sidewalk previously terminated. With funding from the Florida Department of Transportation, the city also recently constructed sidewalk improvements along Brunnell Parkway. With these sidewalk projects and those constructed with the North Wabash Avenue Extension the area surrounding the subject property is becoming better connected to the larger Lakeland and Polk County bicycle and pedestrian network.

Access will be provided on W. 10th Street, a two-lane collector road. The project's entry road will be aligned with the existing entrance with Colton Meadows to the north side of the street. The internal loop road will be constructed, designed with accessible sidewalks throughout the project and along the W. 10th Street frontage. Visitor parking, community trash service and mail service will be provided near the clubhouse. Accessible pedestrian routes shall also be provided to the existing transit shelter on the subject property frontage as well as an improved transit stop on the north side of the street.

Saratoga Avenue is an unpaved County roadway that abuts the western property boundary; however, it appears that the road surface has meandered out of public right-of-way and onto the subject property over time. It will be important for the applicant to work with Polk County to ensure that Saratoga Avenue is reconstructed within the public right-of-way as part of the County permitting process.

3.1 Comprehensive Plan Compliance

The proposed density of 10.6 units per acre is well within the parameters and policies of the RM Future Land Use designation. The site is located approximately 1.2 miles from the I- 4/Kathleen Road interchange and falls within the Central City Transit Supportive Area of the City. The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Staff reviewed this request and recommends approval of the major modification to the PUD (Planned Unit Development) zoning. Letters of notification were mailed to fifty-one (51) property owners within 500 feet of the subject property. At the public hearing, comments were received from two nearby property owners as previously noted.

4.2 The Planning & Zoning Board

It is recommended that the request for a major modification to the PUD (Planned Unit Development) zoning on approximately 10.6 acres as described above and in Attachments "A", "B", "C", "D-1," "D-2," and "D-3" be approved subject to the following conditions:

- A. Permitted Uses: ~~Single-family attached~~ Multi-family residential dwellings with customary accessory uses such as a clubhouse, swimming pool and other similar recreation facilities.
- B. Maximum Intensity of Use: ~~92 Single-Family Attached~~ 112 Multi-family Dwelling Units
- C. Development Standards: In accordance with the MF-12/Urban Neighborhood (UNH) context sub-district standards ~~and the Single-Family Attached (SFA) special building type~~ except as provided herein and as shown in on the site development plan, Attachment "C."
- D. Site Development Plan and Typical Building Elevations: The project shall be developed in substantial accordance with the site development plan and typical building elevations as shown in Attachment "C," Attachments "C," "D-1," "D-2" and "D-3." With the approval of the Director of Community & Economic Development, minor changes may be made at the time of site plan review or building permit review without requiring a modification to the PUD.

- E Landscaping & Buffering: In accordance with the Land Development Code, except as follows.
- ~~1. Along the north project boundary, a Type A buffer consisting of a six-foot high view blockage fence or wall with four "B" trees and 16 shrubs per 100 linear feet or fraction thereof shall be constructed and maintained as a common area by a homeowners' association (HOA) or property owner's association.~~
 - ~~2. Along the eastern and western project boundaries, a buffer consisting of a six-foot high view blockage fence or wall and a minimum of 16 shrubs plus 4 B(Medium) trees and two A (Large) trees per 100 linear feet or fraction thereof shall be constructed and maintained as a common area by a homeowners' association (HOA) or property owner's association.~~
 - ~~3. The specific tree/shrub species used and width of the above buffers shall be subject to review and approval by the Parks & Recreation Department at the time of site plan review. The buffers shall be in place prior to the issuance of any Certificate of Occupancy.~~
 1. Along the east and west project boundaries, a buffer consisting of a six-foot high view blockage fence or wall and a minimum of 16 shrubs plus 4 B(Medium) trees and two A (Large) trees per 100 linear feet or fraction thereof shall be constructed and maintained.
 2. The specific tree/shrub species used and the width of the above buffers shall be subject to review and approval by the Parks & Recreation Department at the time of site plan review. Both buffers shall be in place prior to the issuance of any Certificate of Occupancy.
- F. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code
- G. Saratoga Avenue Relocation: The developer shall be responsible for the relocation of any portion of the road surface for Saratoga Avenue which encroaches onto the subject property. The relocation of the roadway surface shall be subject to review and approval by Polk County and completed prior to ~~final plat approval~~ issuance of the first Certificate of Occupancy (CO).
- H. Utility Relocation: At the time of subdivision review, the developer shall work with Lakeland Electric regarding the relocation of overhead powerlines located on the west side of the development site which currently serves residential properties located along the west side of Saratoga Avenue. The relocation of the power lines shall be subject to review and approval by Lakeland Electric and completed prior to issuance of the first Certificate of Occupancy (CO).
- ~~I. Property Owners Association: All open space, common areas, off street parking areas and stormwater retention areas shall be owned and maintained by an HOA or similar property owners association.~~
- J. I. Transportation
1. Binding Concurrency Determinations shall be made at the time of subdivision plat review and approval.
 2. An ADA-compliant pedestrian network is required between each residential building, on-site amenity and along the W. 10th Street frontage. Subject to Polk County approval, a pedestrian crosswalk shall be installed across W. 10th Street to enhance accessibility

to adjacent transit stops. This crosswalk shall be illuminated with appropriate street lighting as determined by Polk County.

3. The existing transit shelter on the subject property frontage shall be connected to the required W. 10th Street frontage sidewalk. An easement shall be dedicated for the portion of the existing transit shelter site that is located outside of public right-of-way. An ADA-compliant deployment and bench pad shall be constructed at the existing stop on the north side of W. 10th Street, subject to design approval by LAMTD.
4. Bicycle parking shall be provided at each on-site amenity in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.
5. The developer shall establish a student school bus stop at a location determined to be acceptable by the Polk County School District.
6. All internal roadways and drive aisles shall be privately maintained by a homeowner's association (HOA) or property owner's association.
7. The development shall comply with all Polk County permitting requirements.

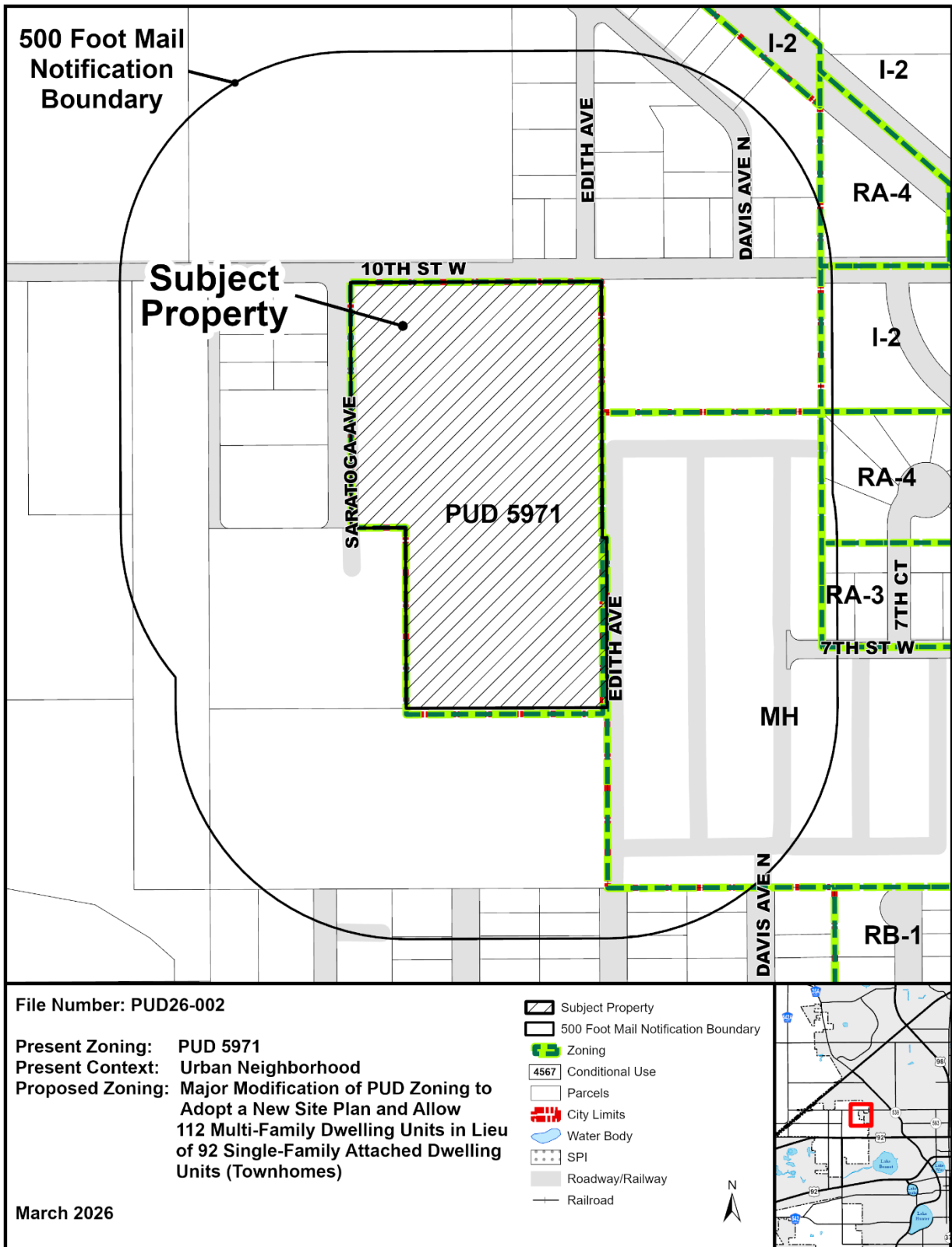
ATTACHMENT "A"

Legal Description

THAT PART OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 23 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$, RUN THENCE EAST ALONG THE NORTH LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 309.0 FEET. THENCE SOUTH AND PARALLEL WITH THE WEST LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 25.0 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION, RUN THENCE EAST AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 544.38 FEET, RUN THENCE SOUTH AND PARALLEL WITH THE WEST LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 936.47 FEET TO THE NORTH LINE OF THE SOUTH $\frac{1}{4}$ OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$, RUN THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 426.69 FEET, RUN THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 404.95 FEET TO THE SOUTH LINE OF THE NORTH $\frac{1}{4}$ OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$, RUN THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 117.69 FEET, RUN THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID NORTHEAST $\frac{1}{4}$ OF SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 532.04 FEET TO THE POINT OF BEGINNING.

ATTACHMENT "B"

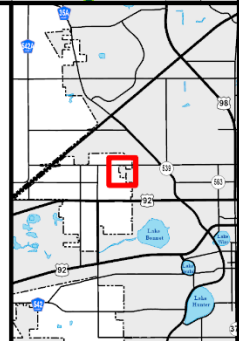


File Number: PUD26-002

Present Zoning: PUD 5971
 Present Context: Urban Neighborhood
 Proposed Zoning: Major Modification of PUD Zoning to Adopt a New Site Plan and Allow 112 Multi-Family Dwelling Units in Lieu of 92 Single-Family Attached Dwelling Units (Townhomes)

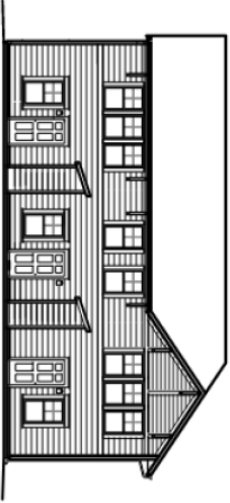
March 2026

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

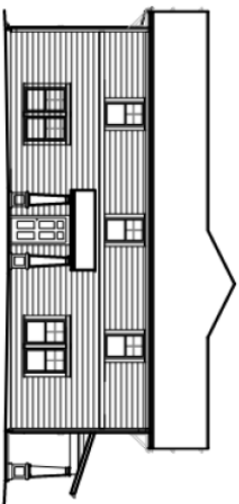


Building Type 'A'

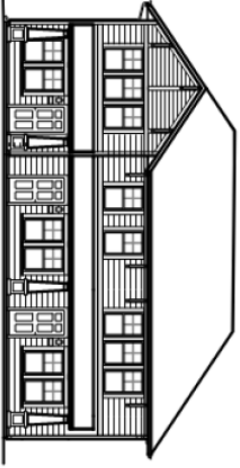
ATTACHMENT "D-1"



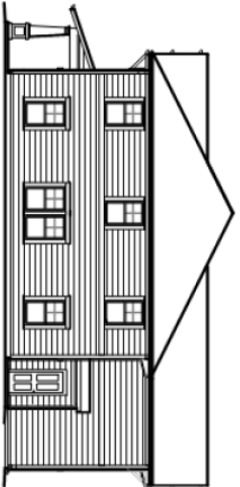
③ REAR ELEVATION
1/16" = 1'-0"



④ LEFT ELEVATION
1/16" = 1'-0"



① FRONT ELEVATION
1/16" = 1'-0"



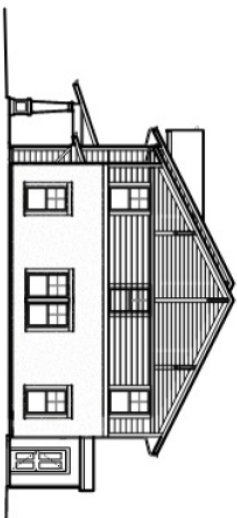
② RIGHT ELEVATION
1/16" = 1'-0"

Building Type 'B'

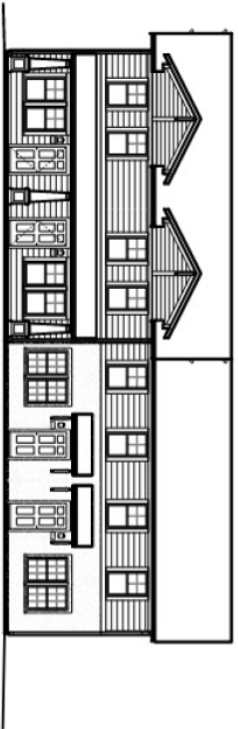
ATTACHMENT "D-2"



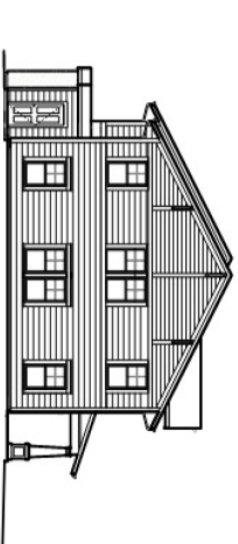
③ REAR ELEVATION
1/16" = 1'-0"



④ RIGHT SIDE ELEVATION
1/16" = 1'-0"



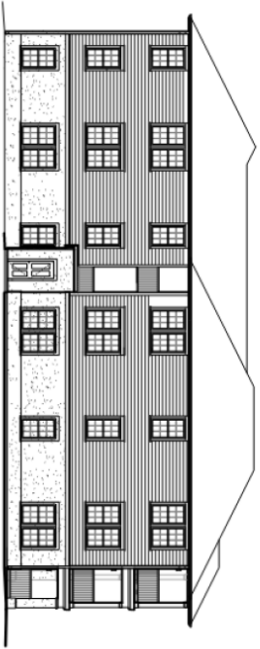
① FRONT ELEVATION
1/16" = 1'-0"



② LEFT SIDE ELEVATION
1/16" = 1'-0"

ATTACHMENT "D-3"

Building Type 'C'



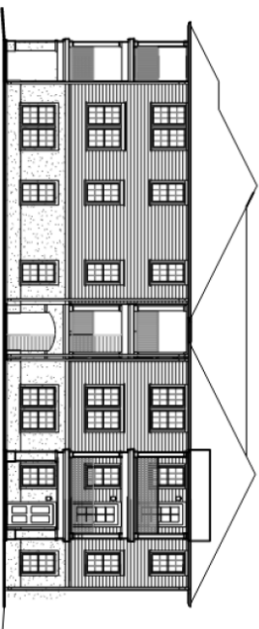
③ LEFT SIDE ELEVATION
1/16" = 1'-0"



④ REAR ELEVATION
1/16" = 1'-0"



① FRONT ELEVATION
1/16" = 1'-0"



② RIGHT SIDE ELEVATION



Report of City Commission Action on Planning and Zoning Board Recommendations

Tuesday, April 21, 2026

Meeting of April 6, 2026

Ordinances (First Reading)

Proposed 26-006; Approving a Conditional Use to Convert a Nonconforming Two-Family Dwelling to a Single-Family Dwelling and Allow for the Construction of a Detached Garage and Addition to an Existing Single-Family Home on Property Located at 708, 712 and 714 Frank Lloyd Wright Way. (CUP26-002)

Meeting of March 16, 2026

Ordinances (Second Reading)

Proposed 26-006; Amending Ordinance 3199; Major Modification of a Conditional Use for Blake Academy to Expand the Boundaries of the School Campus and Allow for the Construction of a New 15,291 sq. ft. Gymnasium with Associated Off-Street Parking on Property Located at 510 Hartsell Avenue. (CUP25-006) **Approved 6—0, Ordinance 6137**