

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 19-013

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE 5381; AMENDING AN EXISTING CONDITIONAL USE TO INCREASE THE MAXIMUM NUMBER OF ALLOWABLE STUDENTS AT AN EXISTING SCHOOL FROM 120 TO 185 AND TO ALLOW FOR THE CONSTRUCTION OF A NEW 4,500 SQUARE FOOT BUILDING TO SERVE AS CLASSROOM SPACE AND AS A MULTI-PURPOSE/SCIENCE ROOM ON APPROXIMATELY 5.7 ACRES LOCATED AT 1540 NEW JERSEY ROAD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 5381 was previously adopted to allow a public charter school on property located at 1540 New Jersey Road; and

WHEREAS, the applicant now seeks to modify the conditional use in order to increase the maximum number of allowable students at an existing school from 120 to 185 and to allow for the construction of a new 4,500 square foot building to serve as classroom space and as a multi-purpose/science room on approximately 5.7 acres located at 1540 New Jersey Road;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. The conditional use approval for that certain real property legally described on Attachment "A" and graphically depicted on Attachments "B" and "C," attached hereto and made a part hereof, is hereby amended, subject to the following conditions:

General Conditions:

1. Permitted Uses: A charter school, providing instruction to students in grades Pre-K through 8, and those accessory uses typically associated with a school of this grade level.
2. Maximum Enrollment: ~~420~~ 185 students.
3. Site Development Plan: The project shall be developed in substantial accordance with the proposed site development plan included as Attachment "C." With the approval of the Director of Community and Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification of this conditional use.
4. Parking: Off-street parking required shall be in accordance with the site development plan, Attachment "C"
5. Solid Waste Collection Bins: Should Public Works deem the existing dumpster inadequate to meet the projected solid waste stream, a new solid waste collection bin shall be required which shall be screened and sited on a pad in accordance with ~~Section 30.03.15.00~~ Article 4.10 of the Land Development ~~Regulations Code.~~
6. Sidewalks: In accordance with ~~Section 30.03.14.00~~ Article 4.7.2.1.b of the Land Development ~~Regulations Code,~~ should the aggregate cost of improvements to the existing education building exceed 50 percent of the assessed value of all structures on the church's property, a sidewalk shall be required along New Jersey Road running the full length of the front zoning parcel boundary. If a sidewalk is not required at the time of site plan submittal, an area to accommodate a future sidewalk shall be reserved through an easement that is approved by the City Public Works Department.
7. Landscaping: In accordance with ~~Section 33.03.00.00~~ Article 4.1.2.b.1(b) of the Land Development ~~Regulations Code,~~ should alterations to the existing building exceed 25 percent of the assessed value of all structures on the church's property, landscaping shall be provided.
8. Outdoor Noise: The use of outdoor public-address systems shall be prohibited.
9. Queuing: All queuing for the pick-up and drop-off of students shall occur on site. In no case shall vehicles be allowed to queue on public right-of-way or property not owned by Presbyterian Chapel in the Grove, Inc.
10. Student Drop-Off/Pick-Up:
 - a. During drop-off and pick-up times, the school shall utilize its School Resource Officer (SRO) or similar qualified individual to manage traffic flow and prevent delays impacting New Jersey Road.

- b. Drop-offs and pick-ups shall not occur within nearby public or private rights-of-way, including but not limited to New Jersey Road, Jae Place, Norton Street or Caldwell Street.

Transportation and Site Access:

1. A binding concurrency determination shall be made at the time of site plan submittal.
42. Pick-Up/Drop-Off Areas: Vehicle pick-up/drop-off locations shall be in accordance with the site development plan, Attachment "C." Vehicle queuing shall not impair the flow of through traffic on the internal drive. A time window with a minimum duration of 30 minutes shall be provided for drop-offs during the morning peak travel period.
23. Driveway Surfacing: The existing unpaved gravel drive may continue to be used for internal traffic circulation provided that it is maintained as a durable, dust free surface and stabilized in accordance with the city's engineering standards. Any paving or resurfacing of the driveway shall require Public Works Department approval and shall meet SWFWMD review/mitigation requirements.
34. Driveway Improvements: In accordance with the city's engineering standards, a new driveway apron shall be constructed for the south driveway on New Jersey Road.
45. Traffic Circulation: Traffic shall enter the site using the northernmost driveway on New Jersey Road and exit using the southernmost driveway. One-way traffic directional signs shall be placed at both driveways on New Jersey Road directing traffic into and out of the site. The one-way sign at the northern driveway shall include additional signage which restricts one-way travel to weekday school hours only. A stop sign shall be placed facing east where the southernmost driveway intersects New Jersey Road. To prevent traffic from entering from New Jersey Road, a Do Not Enter sign shall be placed on the reverse side of the Stop sign. Such signage shall be constructed and placed in accordance with the city's engineering standards.
56. In the event that traffic associated with the school creates a traffic safety hazard or an operational problem on any of the surrounding local streets, as determined by the City Traffic Engineer, the traffic pattern shall be reviewed by City staff to determine if student pick-up/drop-off activities must be relocated or modified. If so, the applicant shall relocate or modify the drop-off/pick-up activities subject to approval by the City Traffic Engineer. The school shall coordinate its drop-off and pick-up times with the nearby Geneva Academy to minimize overlap that could create adverse traffic congestion and operational impacts on the New Jersey Road corridor.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

SECTION 5. This ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 17th day of June, A.D. 2019.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY

ATTACHMENT "A"

Legal Description:

PARCELS OF LAND LYING WITHIN SECTION 29, TOWNSHIP 28 S, RANGE 24 E OF POLK COUNTY, FLORIDA BEING FURTHER DESCRIBED AS:

N 100 OF W 766 FT OF NW $\frac{1}{4}$ OF NE $\frac{1}{4}$

PARCEL ID # 242829-000000-013060

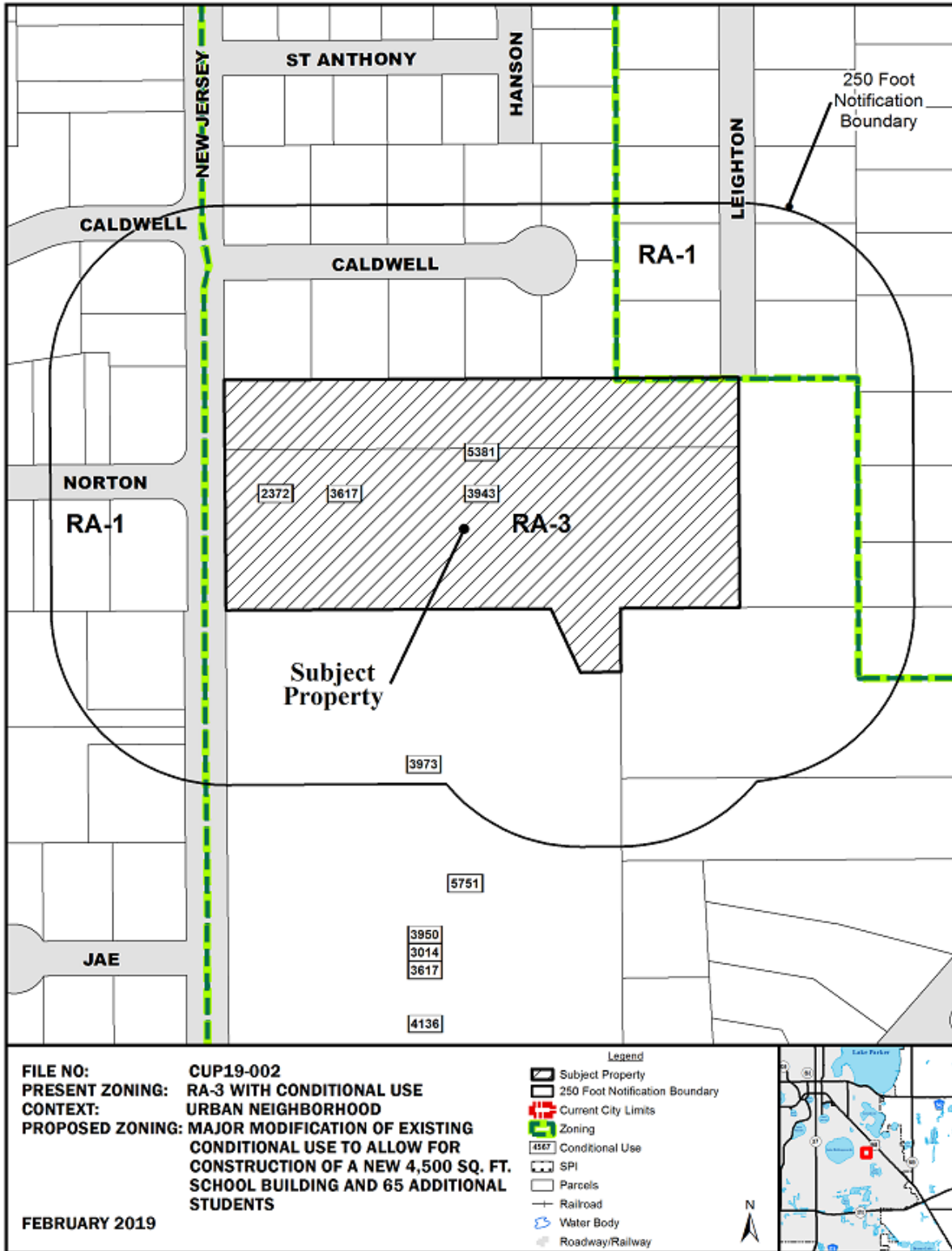
AND

S 230 FT OF W 766 FT OF NW $\frac{1}{4}$ OF NE $\frac{1}{4}$ & BEG 726 FT OF W OF SE COR OF NW $\frac{1}{4}$ OF NE $\frac{1}{4}$ RUN W 100 FT S 24 DEG E 100 FT E 58 FT N 91 FT TO BEG

PARCEL ID # 242829-000000-013030

SAID PARCELS CONTAINING 5.75 ACRES +/-

ATTACHMENT "B"



FILE NO: CUP19-002
PRESENT ZONING: RA-3 WITH CONDITIONAL USE
CONTEXT: URBAN NEIGHBORHOOD
PROPOSED ZONING: MAJOR MODIFICATION OF EXISTING
 CONDITIONAL USE TO ALLOW FOR
 CONSTRUCTION OF A NEW 4,500 SQ. FT.
 SCHOOL BUILDING AND 65 ADDITIONAL
 STUDENTS
FEBRUARY 2019

ATTACHMENT "C"

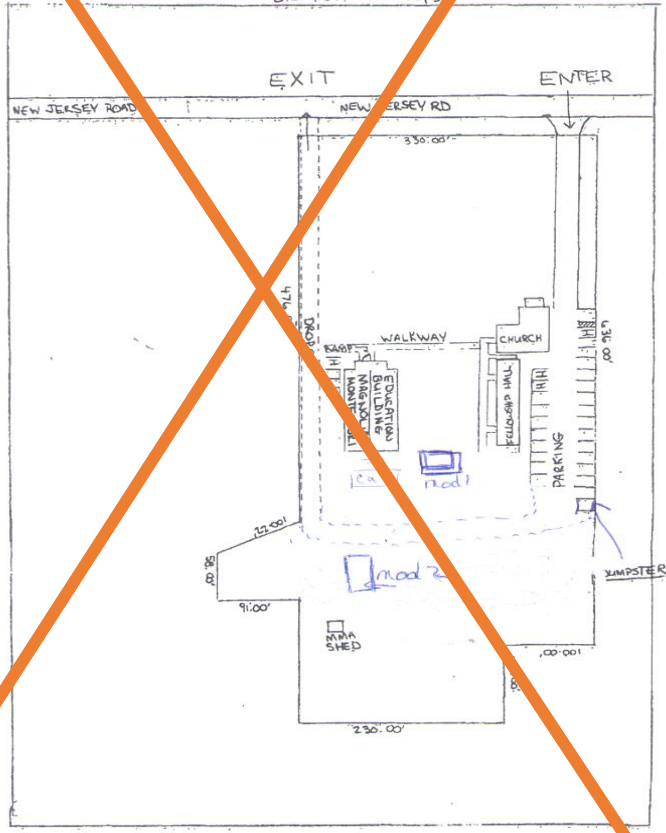
5381

ATTACHMENT "C"

SITE PLAN

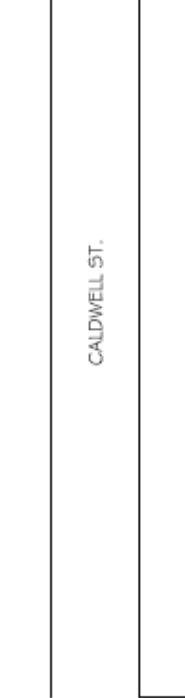
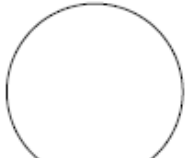
of employees = 13 (2013) - 15 (2016)
of students = 80 (2013) - 120 (2016)
of parking spaces = 36 (4 disabled spots)
Dumpster - D = 32 1/2"
H = 39 1/2"
W = 71"

Carline/Dropoff - parents enter drive at sign marked
'ENTER' + drive to lot of school (labeled
'DROPOFF' on map)



ATTACHMENT "C"

SITE DATA TABLE	
HC PARKING	23
EXIST. PARKING	2
PARKING LOT (A)	2
PARKING LOT (B)	1
HOURS OF OPERATION	
STUDENT DROP OFF	8:10 AM TO 8:30 AM
STUDENT PICKUP	2:45 PM TO 3:05 PM
BEFORE CARE	7:00 AM TO 8:10 AM
AFTER CARE	3:00 PM TO 4:00 PM
TEACHERS	15
MAXIMUM NO. STUDENTS	185
ACRES	5.8 ACRES



330' NEW JERSEY RD.

766'

100'

230'

100'

58'

100'

SCALE 1"=30'

CALDWELL ST.

PRESBYTERIAN CHAPEL IN THE GROVE INC.
1540 NEW JERSEY RD.
LAKELAND, FL 33603
242829000000 | 3060

PRESBYTERIAN CHAPEL IN THE GROVE INC.
1540 NEW JERSEY RD.
LAKELAND, FL 33603
242829000000 | 3030

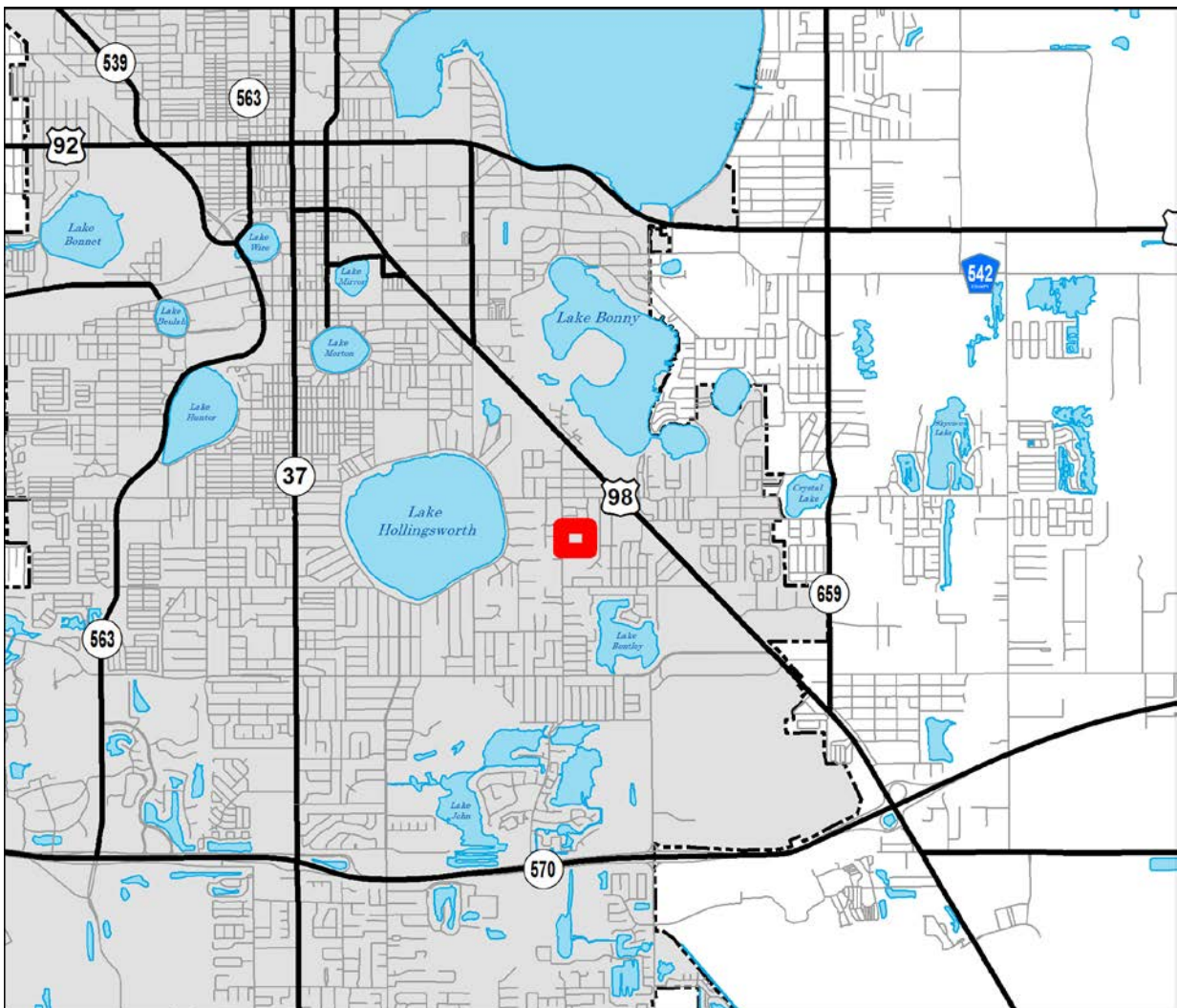
NORTON ST.

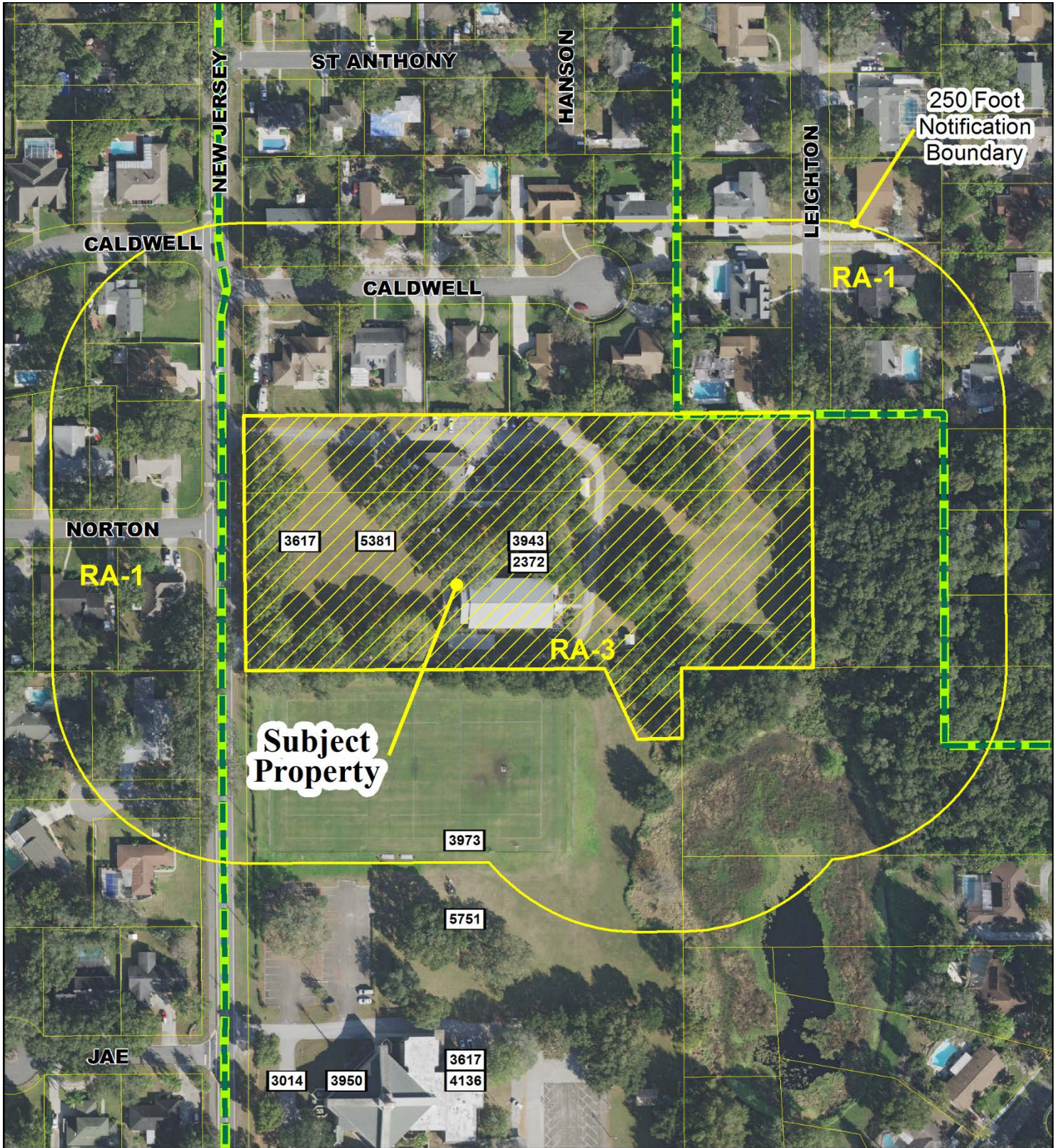


Planning & Zoning Board Recommendation

Date:	June 3, 2019	Reviewer:	Todd Vargo
Project No:	CUP19-002	Location:	1540 New Jersey Road
Owner:	Presbyterian Chapel in the Grove		
Applicant:	Tammi Crotteau, Magnolia Montessori Academy		
Current Zoning:	RA-3 (Single-Family)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	May 21, 2019	P&Z Final Decision:	May 21, 2019
Request:	Major modification of an existing conditional use to increase the maximum number of students from 120 to 185 and allow for the construction of a new 4,500 square foot building to serve as classroom space and as a multi-purpose/science room on approximately 5.7 acres located at 1540 New Jersey Road.		

1.0 Location Maps





2.0 Background

2.1 Summary

Tammi Crotteau of the Magnolia Montessori Academy requests a major modification to an existing conditional use to increase the maximum number students from 120 to 185 and allow for the construction of a new a 4,500 square foot building which will serve as classroom space and a multi-purpose/science room on 5.7 acres located at 1540 New Jersey Road. An aerial map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property is presently developed as a church campus for the Presbyterian Chapel in the Grove. Existing improvements consists of a church sanctuary and paved off-street parking area, along with a 4,500 square foot education building and two portable classroom buildings that are currently utilized by Magnolia Montessori Academy. The property is currently zoned RA-3 (single-family residential) with a Future Land Use designation of Residential Medium (RM). RA-3 zoning districts allow churches and schools if approved through a conditional use.

2.3 Project Background

The existing school operates through a conditional use that was approved by the City Commission in 2013 (Ordinance 5381). The existing approval allows for a maximum of 120 students in grades Pre-K through 8. As the school's reputation has grown, it has seen demand for additional enrollment. The proposed changes will increase the maximum enrollment from 120 to 185. To accommodate the additional students, it is estimated that up to five new staff and faculty positions will be created bringing the total number of employees to 15 once full enrollment is reached.

To accommodate the additional enrollment, a building will be constructed on the eastern half of the site. This building, primarily intended for additional classroom space, will function as a multi-purpose room and science lab when needed. Upon the completion of the building, two existing portable classrooms that were permitted through a minor modification in 2016 as a temporary use will be removed. A new site plan showing existing site conditions and the location of the proposed building is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-family residential	RM	RA-3	UNH
South	Outdoor recreation/school	RM	RA-3	UNH
East	Vacant/wooded land	RM	RA-1	UNH
West	Single-family residential	RM	RA-1	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Revised Site Development Plan

3.0 Discussion

Schools are generally low-impact uses which operate during daytime working hours. The primary impacts that must be managed are vehicular traffic and the queuing of vehicles during peak drop-off and pickup times. The new school building will be located on the eastern portion of the church campus, west of the existing internal access drive.

As shown on the site plan, Attachment "C," a total of 35 parking spaces serve the combined church/school campus. The majority of the parking is located on the north side of the property, in proximity to the proposed building location. If this proposed expansion is approved, traffic will enter from the northern driveway on New Jersey Road, proceed around the back of the church campus to drop off or pick up students at the main educational building (located along the southern drive) and then exit onto New Jersey Road using the southern driveway. The internal drive is approximately 1,100 feet long, with additional lane capacity on the north side of the property which will allow for double stacking of vehicles adjacent to the church sanctuary.

School traffic is generally limited to twice a day during drop-off and pick-up. Primarily student drop-off currently occurs during a twenty-minute period from 8:10 to 8:30 AM with a small number of students attending before-school care programs being dropped off beginning at 7:10 AM. Student pickup in the afternoon is from 2:45 to 3:05 PM with students attending after-school care programs being picked up from 3:00 to 4:00 PM. The morning drop-off period will not overlap with the adjacent Geneva Academy to the south which was approved as a private religious school with up to 250 students in 2018. In the afternoon, there is a twenty-minute time period, from 2:45 to 3:05 PM, when students from both schools will be picked up. Should traffic congestion become an issue, Magnolia Montessori Academy has stated that they are willing to push their afternoon pick-up time back so that it does not overlap with Geneva Academy's.

3.1 Transportation and Concurrency

The subject property is located on New Jersey Road, which is designated a Collector Road in Figure 3.3.1.1 of the City of Lakeland's Land Development Code. Per the Polk Transportation Planning Organization's 2017 Roadway Network Database, New Jersey Road carries approximately 8,100 annual average daily trips with 372 northbound and 357 southbound trips during the PM Peak Hour (4 p.m. – 6 p.m.). New Jersey Road operates at Highway Level-of-Service (LOS) "B", better than the "LOS E Average" standard that is applicable to this corridor due to its location within the Central City Transit Supportive Area as designated in the Lakeland Comprehensive Plan 2010-2020.

The applicant submitted a traffic impact analysis that was prepared by Christopher Hatton, P.E. with Kimley-Horn and Associates. The traffic study quantified the impacts of 70 additional Charter Elementary School students on New Jersey Road and the nearby New Jersey Road/Sylvester Road intersection. Based on the Institute of Transportation Engineers' Trip Generation Manual (10th Edition), the proposed expansion is expected to generate 47 additional A.M. Peak Hour and 11 P.M. Peak Hour Trips.

Under total traffic conditions with project traffic, the New Jersey/Sylvester intersection is expected to operate a LOS E during the A.M. Peak and LOS C during the P.M. Peak. The most problematic approach is the northbound approach, which is expected to operate at LOS F during the A.M. Peak. While only the one northbound approach is expected to operate at a failing level-of-service, concurrency mitigation requirements are not necessary per Comprehensive Plan Policy 4B which states that, "if two or more public access approaches are failing when subjected to the Highway

Capacity Analysis, the intersection will be deemed not to meet the adopted level-of-service.” The signal warrant analysis included in the traffic study concludes that the intersection will not meet the necessary criteria to approve the re-installation of a signal at this location per the Manual of Uniform Traffic Control Devices.

Based on the results of the operational analysis conducted at the northern site driveway (entrance), an exclusive southbound left-turn lane is not required on New Jersey Road at this location.

3.2 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommended approval of the modification of the conditional use. Letters of notification were mailed to 34 property owners within 250 feet of the subject property. One e-mail in objection and one letter in support were received.

4.2 The Planning & Zoning Board

This recommendation was approved by a 5 – 0 vote of the Board.

It is recommended that the request for a major modification of the conditional use (Ordinance No. 5381), as described above and in Attachments “A”, “B,” and “C” be approved, subject to the following conditions.

General Conditions:

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2. Maximum Enrollment: ~~420~~ 185 students.
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