

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 22-006

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS21-006 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMUNITY ACTIVITY CENTER (CAC) TO RESIDENTIAL HIGH (RH) ON APPROXIMATELY 0.97 ACRES LOCATED AT THE NORTHEAST CORNER OF RALSTON ROAD AND COUNTY LINE ROAD, COMMUNITY ACTIVITY CENTER (CAC) TO RESIDENTIAL HIGH (RH) ON APPROXIMATELY 0.21 ACRES AND RESIDENTIAL LOW (RL) TO RESIDENTIAL HIGH (RH) ON APPROXIMATELY 0.14 ACRES OF PROPERTY LOCATED AT THE SOUTHEAST CORNER OF RALSTON ROAD AND GRESHAM FARMS ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 19, 2021, the City Commission of the City of Lakeland, Florida, by Ordinance 5885, adopted the Lakeland Comprehensive Plan: Our Community 2030; and

WHEREAS, the Planning and Zoning Board held a public hearing on December 21, 2021 to consider a request for a small scale amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use designation from Community Activity Center (CAC) to Residential High (RH) approximately 0.97 acres located at the northeast corner of Ralston Road and County Line Road, Community Activity Center (CAC) to Residential High (RH) on approximately 0.21 acres and Residential Low (RL) to Residential High (RH) on approximately 0.14

acres of property located at the southeast corner of Ralston Road and Gresham Farms Road (the "Property"); and

WHEREAS, the Planning and Zoning Board, at its regular meeting on January 19, 2022, approved and recommended to the City Commission that said small scale amendment to the Future Land Use Map of the Comprehensive Plan be adopted;

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 Future Land Use Map of the Lakeland Comprehensive Plan: Our Community 2030 is amended to designate the Property as Residential High (RH), as more particularly described on Attachment "A" and graphically depicted on Attachment "B," attached hereto and made a part hereof.

SECTION 3. The effective date of this Plan Amendment shall be thirty-one days after its adoption.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. 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.

PASSED AND CERTIFIED AS TO PASSAGE this 21st day of February

A.D. 2022.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

ATTACHMENT "A"

PARCEL "A" OF THE PLAT OF GRESHAM FARMS AS RECORDED IN PLAT BOOK 182, PAGES 4-7 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS THE NORTH 196.49 FEET OF THE EAST 82.53 FEET, MORE OR LESS;

AND;

A PORTION OF OUTPARCEL 'D' OF GRESHAM FARMS COMMERCIAL AS RECORDED IN PLAT BOOK 182, PAGES 33-35 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS;

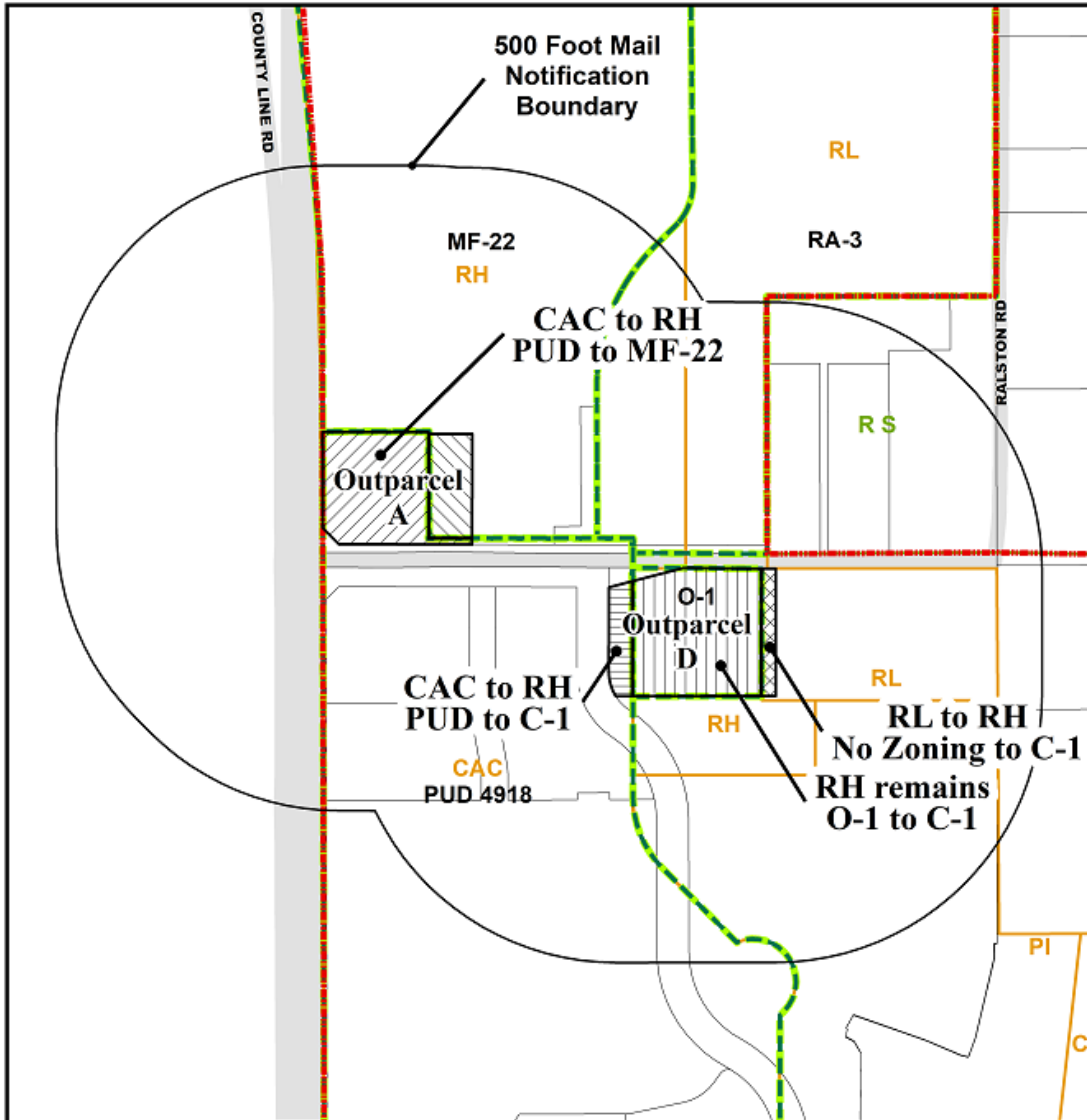
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ATTACHMENT "B"



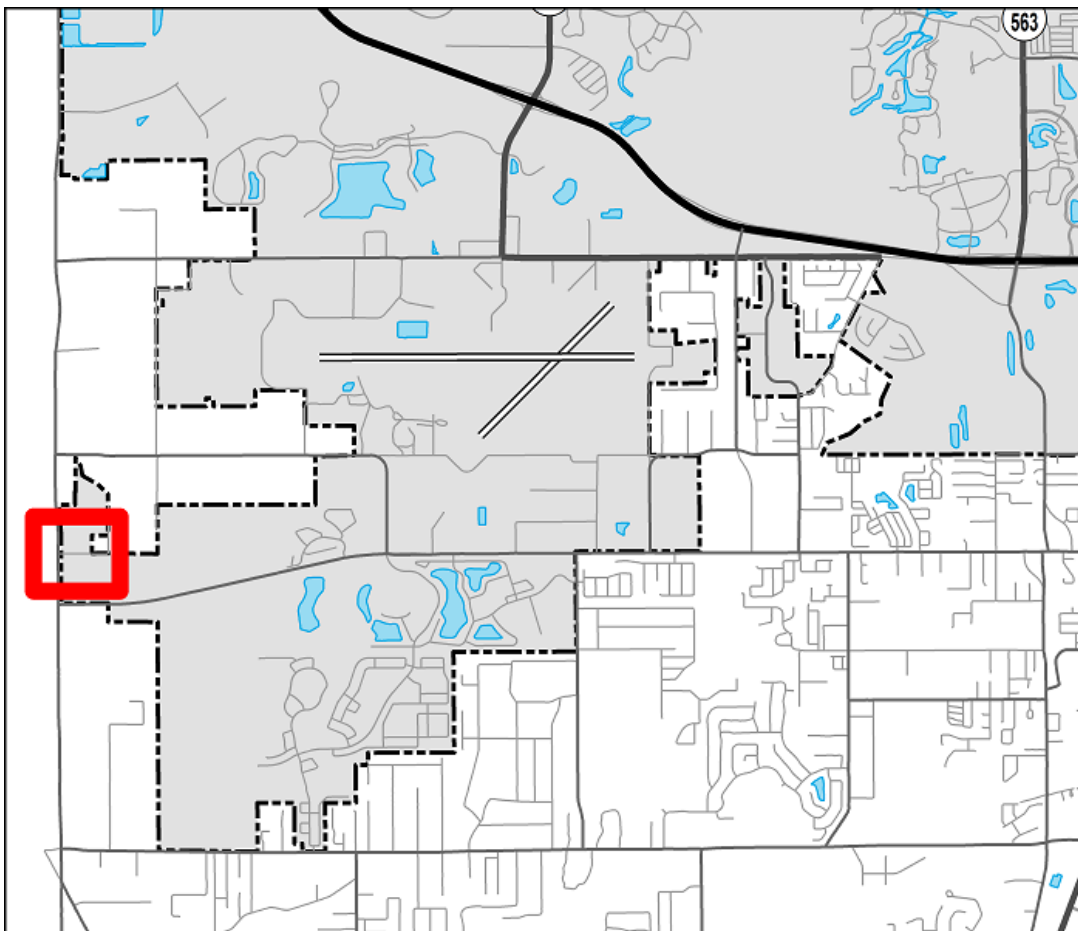
<p>File Number: LUS21-006 ZON21-009</p> <p>Present Zoning: O-1, PUD and None</p> <p>Present Land Use: CAC 1.18 AC +/-; RH 1.67 AC +/-; RL AC .14 +/-</p> <p>Present Context: Suburban Neighborhood</p> <p>Proposed Zoning: C-1 and MF-22</p> <p>Proposed Land Use: RH</p> <p>December 2021</p>	<table border="0"> <tr> <td></td> <td>CAC to RH - PUD to MF-22</td> <td></td> <td>500 ft Mail Notification Boundary</td> </tr> <tr> <td></td> <td>No Change</td> <td></td> <td>City Limits</td> </tr> <tr> <td></td> <td>CAC to RH - PUD to C-1</td> <td></td> <td>Zoning</td> </tr> <tr> <td></td> <td>RH remains - O-1 to C-1</td> <td></td> <td>Lakeland Future Land Use</td> </tr> <tr> <td></td> <td>RL to RH - none to C-1</td> <td></td> <td>Polk County Future Land Use</td> </tr> <tr> <td></td> <td></td> <td></td> <td>4967 Conditional Use</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Parcels</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Roadway/Railway</td> </tr> </table>		CAC to RH - PUD to MF-22		500 ft Mail Notification Boundary		No Change		City Limits		CAC to RH - PUD to C-1		Zoning		RH remains - O-1 to C-1		Lakeland Future Land Use		RL to RH - none to C-1		Polk County Future Land Use				4967 Conditional Use				Parcels				Roadway/Railway
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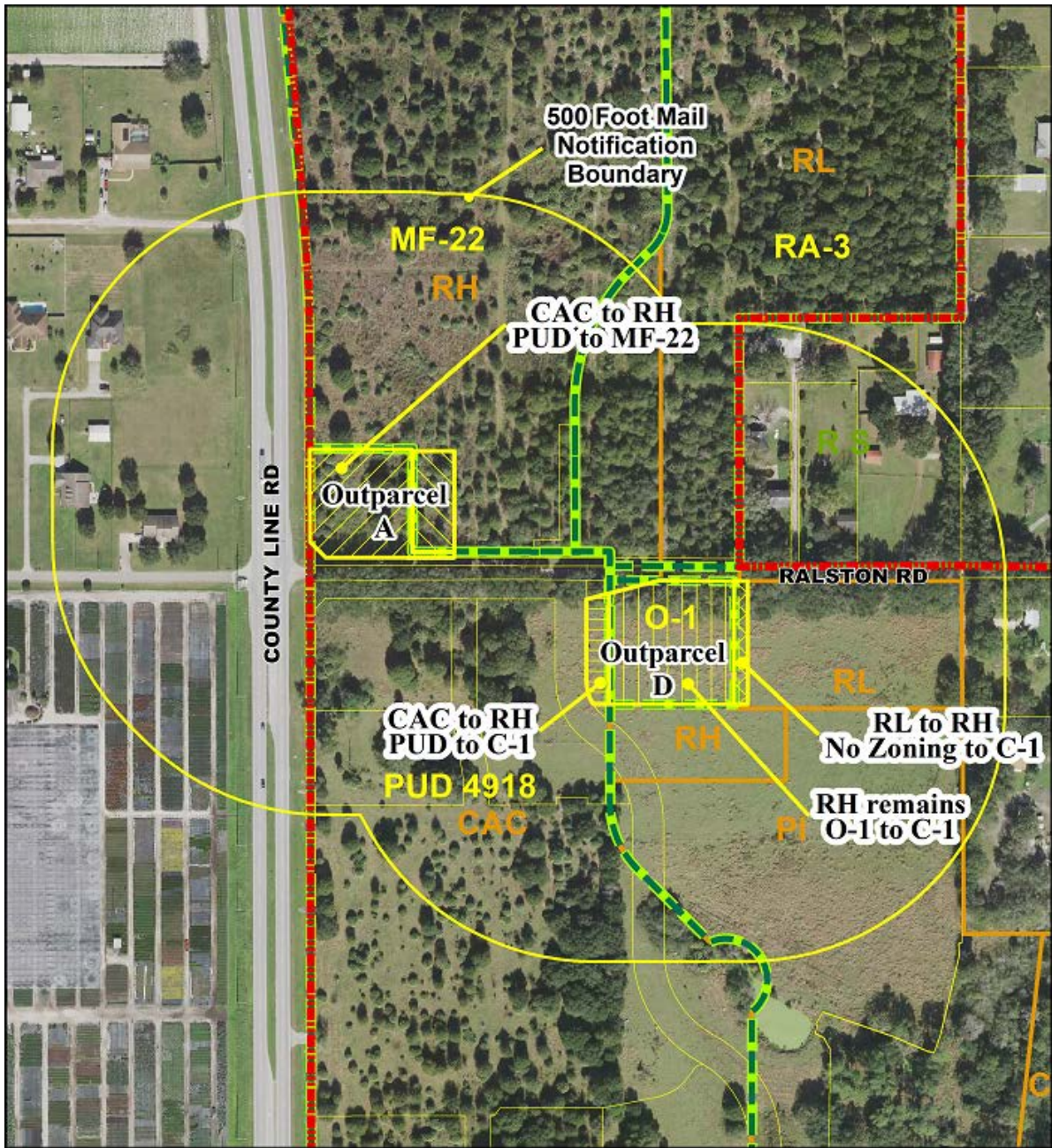


Planning & Zoning Board Recommendation

Date:	February 7, 2022	Reviewer:	Todd Vargo
Project No:	LUS21-006/ZON21-009	Location:	Northeast corner of Ralston Road and W. Pipkin Road
Owners:	Gresham Farms Development, LLC.		
Applicant:	Sarah Case, Next Level Polk		
Current Zoning:	MF-22 (Multi-Family)/ O-1 (Low Impact Office) PUD (Planned Unit Development) 4918	Future Land Use:	Community Activity Center (CAC)/ Residential High (RH)
Context District:	Suburban Neighborhood (SNH)		
P&Z Hearing:	December 21, 2021	P&Z Final Decision:	January 19, 2022
Request:	<ol style="list-style-type: none"> 1) A change in land use, from Community Activity Center (CAC) to Residential High (RH), and a change in zoning, from PUD (Planned Unit Development) to MF-22 (Multi-Family Residential), on approximately 0.97 acres located at the northeast corner of Ralston Road and County Line Road. 2) A change in land use from Community Activity Center (CAC) to Residential (RH), and a change in zoning from PUD (Planned Unit Development) to C-1 (Pedestrian Commercial), on approximately 0.21 acres; a change in zoning, from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial), on approximately 1.3 acres; and a change in land use, from Residential Low (RL) to Residential High (RH), and the application of C-1 (Pedestrian Commercial) zoning, on approximately 0.14 acres, on property located at the southeast corner of Ralston Road and Gresham Farms Road. 		

1.0 Location Maps





2.0 Background

2.1 Summary

Sarah Case, Next Level Polk, requests (1) a change in land use on Outparcel "A", from Community Activity Center (CAC) to Residential High (RH), and a change in zoning, from PUD (Planned Unit Development) to MF-22 (Multi-Family Residential), on approximately 0.97 acres located at the northeast corner of Ralston Road and County Line Road; and (2) A change in land use on Outparcel "D" from Community Activity Center (CAC) to Residential (RH), and a change in zoning from PUD (Planned Unit Development) to C-1 (Pedestrian Commercial), on approximately 0.21 acres; a change in zoning, from O-1 (Low Impact Office) to C-1 (Pedestrian Commercial), on approximately 1.3 acres; and a change in land use, from Residential Low (RL) to Residential High (RH), and the application of C-1 (Pedestrian Commercial) zoning, on approximately 0.14 acres, on property located at the southeast corner of Ralston Road and Gresham Farms Road. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property is part of a 126-acre tract between Medulla Road and West Pipkin Road that was annexed in 2006 and consists of two separate parcels, both currently vacant, that are adjacent to the Gresham Farms shopping center commercial development. Outparcel "A" is approximately 1.31 acres in area and located at the northeast corner of County Line Road and Ralston Road. Outparcel "D," is approximately 1.65 acres in area and is located on the south side of Ralston Road, east of Gresham Farms Road, approximately 270 feet east of Outparcel "A."

Outparcel "A" is zoned as part of the PUD zoning for the Gresham Farms shopping center (Ordinance 4918, as amended). Outparcel "D," while included as part of the plat for the shopping center, is zoned O-1 except for a small 0.21-acre portion of the property adjacent to Gresham Farms Road, which is zoned as part of the Gresham Farms PUD, and a 0.14 acre portion located along the east parcel boundary which is currently unzoned with a future land use designation of Residential Low (RL).

2.3 Project Background

The first portion of this request is for a land use amendment and zoning change to allow for the development of multi-family residential uses on Outparcel "A" as part of a larger multi-family development in lieu of the retail commercial uses allowed under the current PUD zoning. Concurrent with this request, the applicant is also requesting a minor modification to the Gresham Farms PUD to remove Outparcel "A."

The second portion of this request is for a land use amendment and zoning change on Outparcel "D" to allow for development of limited C-1 commercial uses outside of the Gresham Farms PUD. Outparcel "D" currently has three different land use designations, two zoning classifications and a 0.14-acre portion with no zoning. As proposed by the applicant, the proposed changes will apply Residential High (RH) future land use and C-1 zoning uniformly to the entire property. No new development is proposed as this time.

Existing Uses of Adjacent Properties

Outparcel "A"

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Vacant/Wooded	RH	MF-22	SNH
South	Restaurant, Very High Turn Over	CAC	PUD4918	SNH
East	Vacant	RH	MF-22	SNH
West	County Line Road/Hillsborough County	N/A	N/A	N/A

Outparcel "D"

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RH and RL	RA-3	SNH
South	Vacant	RH	N/A	SNH
East	Vacant	RL	N/A	SNH
West	Vacant	CAC	PUD4918	SNH

2.4 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Properties

3.0 Discussion

At the time of annexation in 2006, the 126-acre parent tract was originally conceived as a large, mixed-use development that would include office, commercial and residential uses. The original development group, however, decided not to proceed with the project and shortly thereafter sold the property to a different developer, Watkins Retail Group. The new owner had no interest in pursuing the mixed-use vision of the previous developer and in 2007 presented scaled-back plans for a conventional 185,000 sq. ft. shopping center on a 22.74-acre portion of the property located at the northeast corner County Line Road and W. Pipkin Road.

The resulting PUD was approved by the City Commission on October 15, 2007. Development of the property, however, was delayed for many years due to the economic downturn that began in 2008. In 2019, as part of Ordinance 4918, the City Commission approved the application of MF-22 (Multi-Family Residential) zoning on approximately 17.57 acres located immediately north and east of Outparcel "A" and O-1 (Low Impact Office) zoning on approximately 1.3 acres of what is now Outparcel "D". Final plat approval for the Gresham Farms shopping center, however, did not occur until January 2021.

The proposed land use and zoning changes are in response to the 2019 zoning application and changes to parcel boundaries that occurred as part of the recording of the plat for Gresham Farms in 2021. With a development application pending for a new 330-unit apartment complex on the 17.57

acres zoned MF-22, development of Outparcel “A” for more intense retail commercial uses is no longer appropriate due to the impacts on adjacent multi-family residential uses. The proposed land use amendment and zoning change will allow for Outparcel “A” to be incorporated into the development of the new apartment complex.

While most of Outparcel “D” already has a Residential High (RH) future land use designation, the proposed land use amendment will apply RH uniformly to the entire parcel consistent with the recorded plat. The O-1 classification on a 1.3-acre portion of Outparcel “D”, as applied in 2019, envisioned the development of professional office type uses. Due to reconfiguration of the parcel that occurred during the platting process for Gresham Farms, increased visibility from County Line Road, and access from Gresham Farms Road, the applicant is requesting the application C-1 (Pedestrian Commercial) zoning to the entire 1.65-acre parcel in lieu of the current O-1 entitlements.

The intent of the C-1 zoning district is “to provide for office uses and a limited range of retail uses primarily oriented toward the pedestrian.” Uses permitted within the C-1 zoning district include, but are not limited to office uses, barber shops and hair salons, exercise and dance studios, pet grooming and pet daycare, antique shops, artisan-oriented retail, medical marijuana dispensing facilities, and low turn-over restaurants. High turn-over restaurants without drive-thru facilities, may be considered through the Conditional Use process.

3.1 Transportation and Concurrency

The subject properties are located on the east side of County Line Road, north of West Pipkin Road and immediately adjacent to the Publix at County Line Road (Gresham Farms) shopping center that opened in 2021. Per the Polk Transportation Planning Organization’s Roadway Network Database (Dated March 16, 2020), County Line Road between West Pipkin Road and Interstate 4 had an Annual Average Daily Traffic (AADT) volume of 26,200 vehicles, with a two-hour average volume during the P.M. Peak of 1,203 northbound vehicles and 1,155 southbound vehicles.

County Line Road is currently operating at an acceptable level-of-service (LOS B). For West Pipkin Road (County Line Road to Medulla Road), the Roadway Network Database shows an AADT of 5,800 vehicles, with a two-hour average volume during the P.M. Peak of 256 eastbound and 266 westbound vehicles. This segment of West Pipkin Road also currently operates at an acceptable level of service (LOS B). Due to the amount of freight traffic utilizing County Line Road and since West Pipkin Road provides access to the south side of Lakeland Linder International Airport, both are designated Type I roadways by the City Land Development Code.

The Type I designation requires controlled access and enhanced cross-connectivity for new development activity to maintain safe and efficient operations of both corridors. It should be noted that County Line Road and Ralston Road are operated by Polk County, which is the permitting authority for driveway connections and other improvements within its right-of-way. To further control access to County Line Road, Polk County adopted its County Line Road Access Management Plan in November 2015, with required spacing standards to maintain the viability of this regionally-significant north-south corridor.

PUD Ordinance 4918 requires the construction of a backage road and multi-modal transportation infrastructure to improve connectivity between the shopping center and surrounding residential uses. With the shopping center project, Ralston Road was improved to accommodate commercial traffic and “Gresham Farms Road” was constructed parallel to County Line Road between Ralston Road and West Pipkin Road to better distribute traffic to the surrounding network. Publix funded the installation of a new traffic signal at the County Line Road/Ralston Road intersection that became operational in 2020. Access rights to Outparcel A and the MF-22 tract north of Ralston Road is formalized through a 40-foot wide easement (included in Gresham Farms plat, Plat Book 182, Pages 4-7 as recorded on

January 8, 2021), aligning with the main north-south drive aisle within the shopping center to better separate this access point from the signalized County Line Road/Ralston Road intersection.

The subject properties are served by regularly-scheduled fixed-route transit service via Red Line 1 and 2 as operated by the Lakeland Area Mass Transit District (LAMTD, doing business as the Citrus Connection). An on-site transit shelter has been installed within the shopping center, with access rights and maintenance responsibilities formalized through an Easement Agreement between LAMTD and Publix Super Markets recorded on July 2, 2021 (OR Book 11787, Pages 1158-1178). The subject properties were annexed into LAMTD in 2021 and are subject to a half-mill ad valorem tax for transit services within the Lakeland area.

The proposed land use and zoning changes are expected to have a de minimis impact on the surrounding transportation system. In fact, the assignment of a MF-22 zoning designation on what is now designated "Outparcel A" in the northeast quadrant of the County Line Road/Ralston Road intersection is expected to reduce the estimated P.M. Peak Hour trip generation from 59 to 10 trips, utilizing equations published in the Institute of Transportation Engineers' Trip Generation Manual (10th Edition).

3.2 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends the approval of the land use and zoning changes and the application of C-1 zoning. Letters of notification were mailed to 11 property owners within 500 feet of the subject property. No letters, phone calls or e-mails were received. No citizens spoke at either of the Planning & Zoning Board Hearings.

4.2 The Planning & Zoning Board

The motion to approve the staff recommendation for LUS21-006/ZON21-009 was approved by a 4—0 vote of the Board.

It is recommended that the request for a change in land use from CAC to RH, a change in land use from RL to RH, a change in zoning from PUD to MF-22, a change in zoning from PUD to C-1, a change in zoning from O-1 to C-1, and the application of C-1 zoning as described above and in Attachments "A" and "B," be approved.

ATTACHMENT "A"

PARCEL "A" OF THE PLAT OF GRESHAM FARMS AS RECORDED IN PLAT BOOK 182, PAGES 4-7 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS THE NORTH 196.49 FEET OF THE EAST 82.53 FEET, MORE OR LESS;

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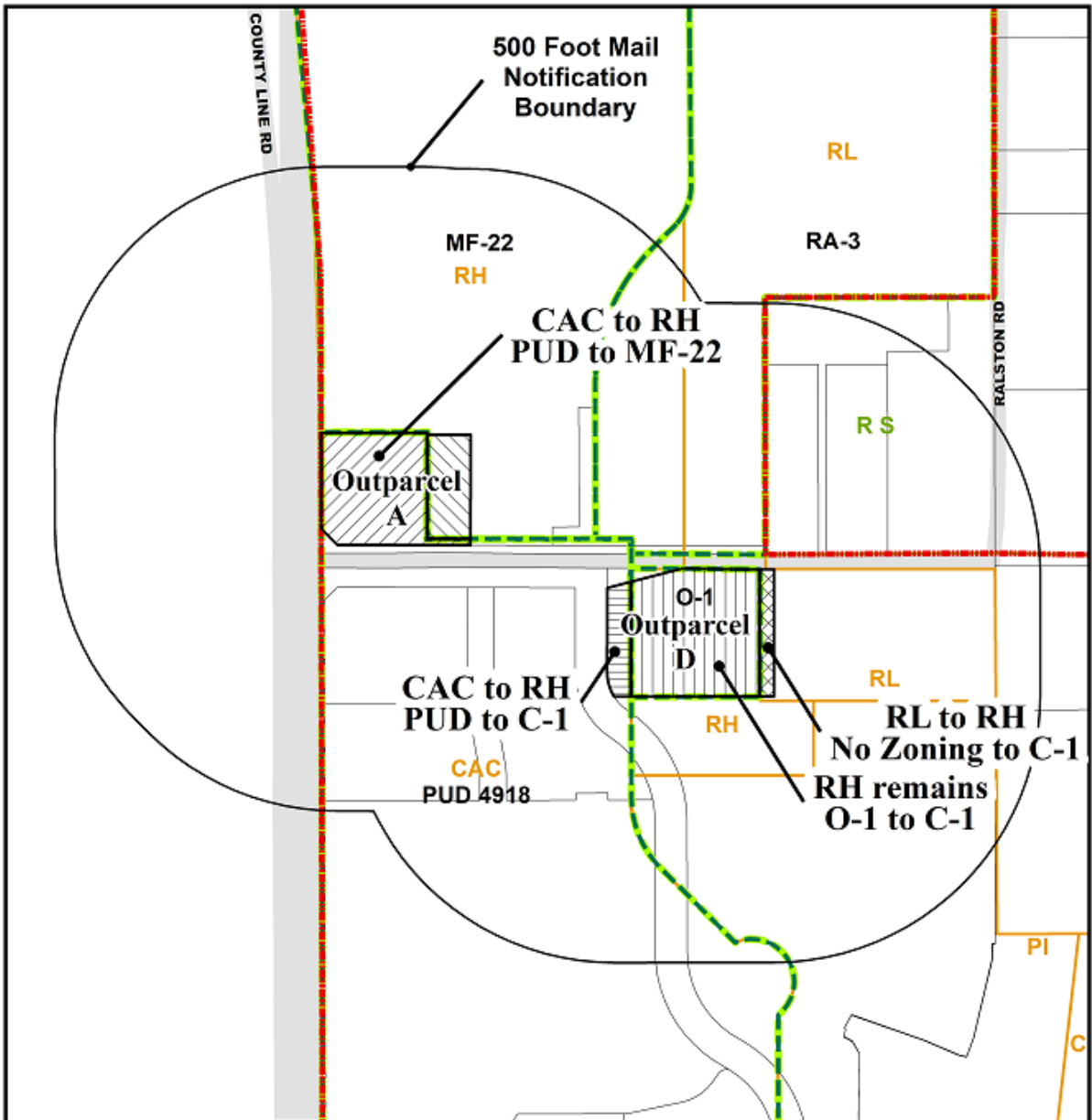
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ATTACHMENT "B"



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