

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 24-015

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; MAKING FINDINGS; PROVIDING FOR SMALL SCALE AMENDMENT #LUS24-001 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP OF THE LAKELAND COMPREHENSIVE PLAN: OUR COMMUNITY 2030; CHANGING THE FUTURE LAND USE DESIGNATION ON APPROXIMATELY 4.96 ACRES LOCATED NORTHWEST OF THE INTERSECTION OF W. 5TH STREET AND PROVIDENCE ROAD FROM BUSINESS PARK (BP) TO RESIDENTIAL MEDIUM (RM); 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 April 16, 2024 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 on approximately 4.96 acres located northwest of the intersection of W. 5th Street and Providence Road (the "Property") from Business Park (BP) to Residential Medium (RM); and

WHEREAS, the Planning and Zoning Board, at its regular meeting on May 21, 2024, approved and recommended to the City Commission that said small scale amendment to the Future Land Use Map of the Comprehensive Plan be adopted; and

WHEREAS, the City Commission, after conducting a duly-advertised public hearing at which all interested persons were afforded the opportunity to be heard, finds that the requested 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 Medium (RM), 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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 17th day of June A.D.

2024.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

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

ATTACHMENT "A"

Legal Description:

A PARCEL OF LAND BEING A PORTION OF SECTION 11 AND SECTION 12, TOWNSHIP 28 SOUTH, RANGE 23 EAST AND BLOCK "H" OF FRUIT GROWERS EXPRESS CO. PLAT, BEING RECORDED IN PLAT BOOK 29, PAGE 29 AND 29 A, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS;

Townhouse Site:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 11 FOR THE POINT OF BEGINNING; THENCE SOUTH 25°32'47" EAST, ALONG THE NORTH LINE OF SAID BLOCK "H", A DISTANCE OF 44 FEET, MORE OR LESS TO THE NORTH LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 9654, PAGE 0118, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG THE NORTH AND WEST LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES; (1) THENCE SOUTH 89°46'42" WEST, 344 FEET, MORE OR LESS; (2) THENCE SOUTH 02°22'38" EAST, 182 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF CSX RAILROAD; THENCE NORTH 48°52'19" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 675 FEET, MORE OR LESS TO THE WEST LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 6343, PAGE 0079, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 00°11'36" WEST, ALONG THE WEST LINE OF SAID PARCEL, 126 FEET, MORE OR LESS TO THE NORTH LINE OF SAID PARCEL; THENCE NORTH 89°46'27" EAST, LONG SAID NORTH LINE, 160 FEET, MORE OR LESS TO THE WEST LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 6119, PAGE 1425, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 00°10'33" WEST, ALONG SAID WEST LINE, 158 FEET, MORE OR LESS TO THE NORTH LINE OF SAID PARCEL; THENCE SOUTH 49°23'53" EAST, ALONG SAID NORTH LINE, 776 FEET, MORE OR LESS TO THE SOUTH LINE OF AFORESAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 23 EAST; THENCE NORTH 89°46'42" EAST, ALONG SAID SOUTH LINE, 78 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 5 ACRES, MORE OR LESS;

AND PARCELS OF LAND BEING A PORTION OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 23 EAST, BEING DESCRIBED AS FOLLOWS;

S 118.85 FT OF N 324.85 FT OF E 160 FT OF SW1/4 OF NE1/4 OF SE1/4;

AND;

BEG NW COR OF SE1/4 OF NE1/4 OF SE1/4 RUN S 147 FT E 665.4 FT S 522.65 FT W 78.1 FT N 49 DEG W 777.77 FT N TO BEG LESS S 120 FT OF N 497 FT OF THE EAST 130 FT;

AND;

N1/2 OF S 120 FT OF N 497 FT OF W 120 FT OF E 135 FT OF SE1/4 OF NE1/4 OF SE1/4 LESS E 10 FT FOR RD R/W;

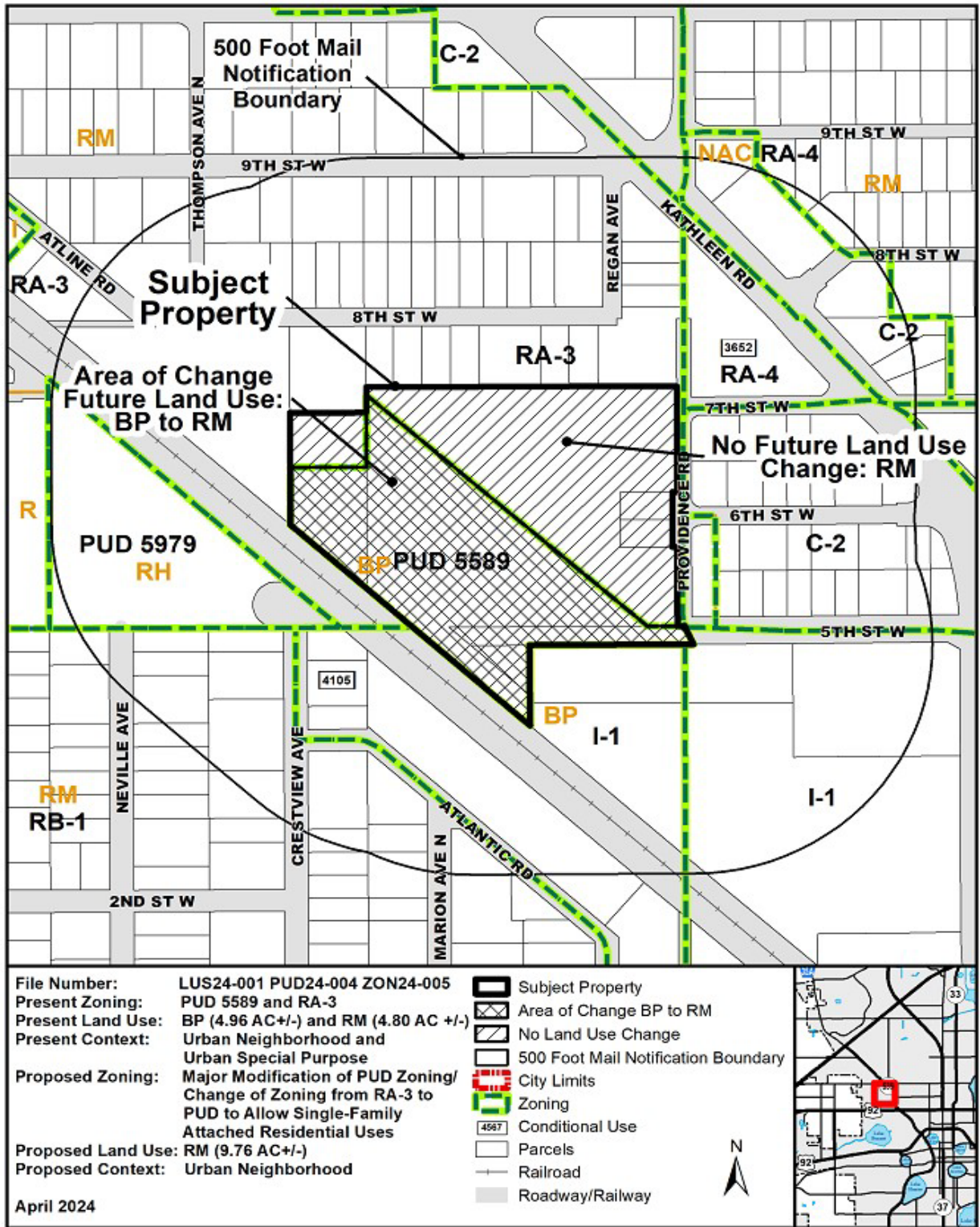
AND;

S1/2 OF S 120 FT OF N 497 FT OF W 120 FT OF E 135 FT OF SE1/4 OF NE1/4 OF SE1/4 LESS E 10 FT FOR RD R/W

Existing Cellular Tower Site:

COMM NE COR OF SE1/4 OF SE1/4 OF SEC 11 RUN S21-03-00E 42.86 FT S89-42-00W 343.85 FT TO POB S00-18-00E 113.85 FT N48-45-58W 171.7 FT N89-42-00E 128.53 FT TO POB.

ATTACHMENT "B"

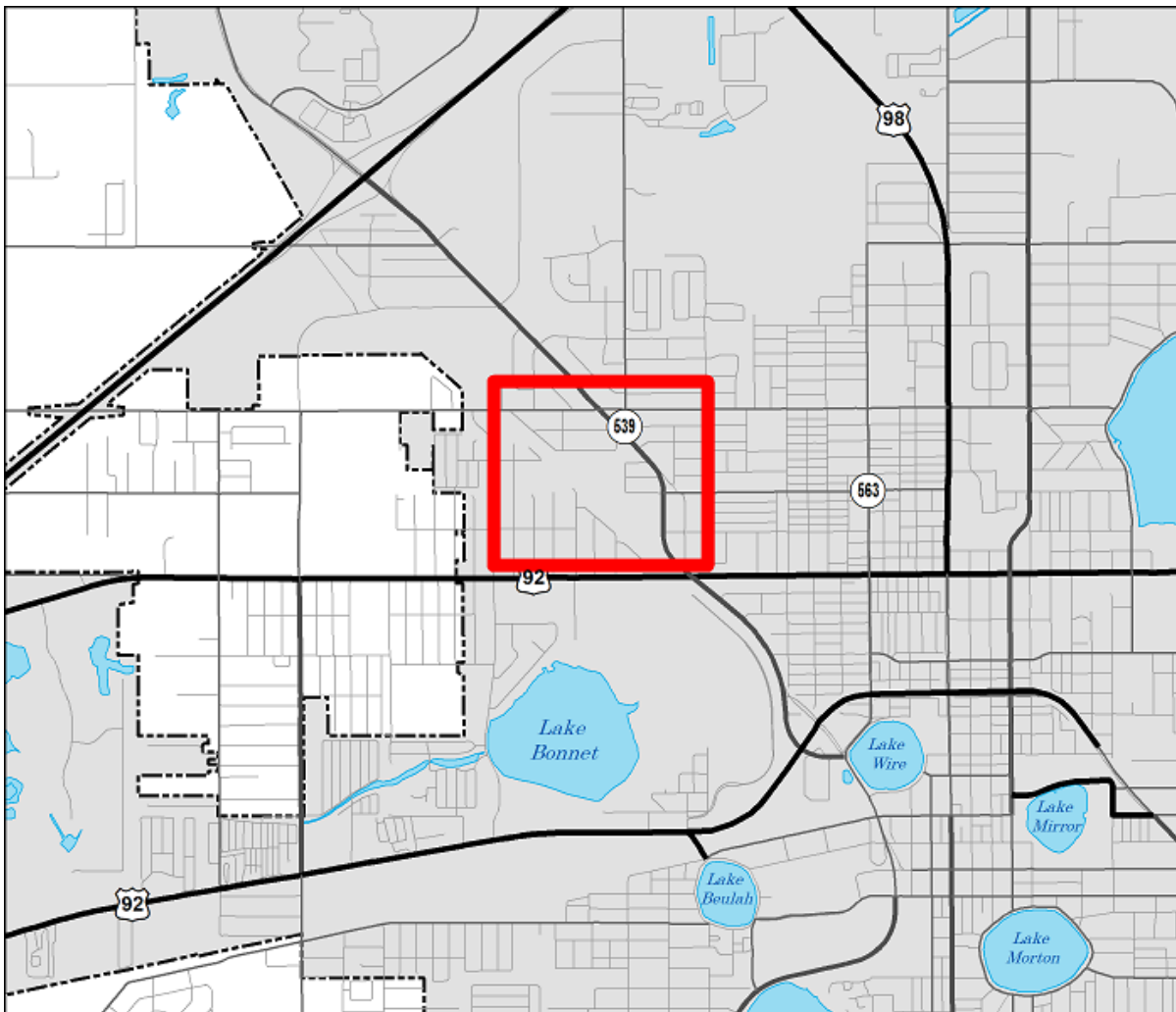


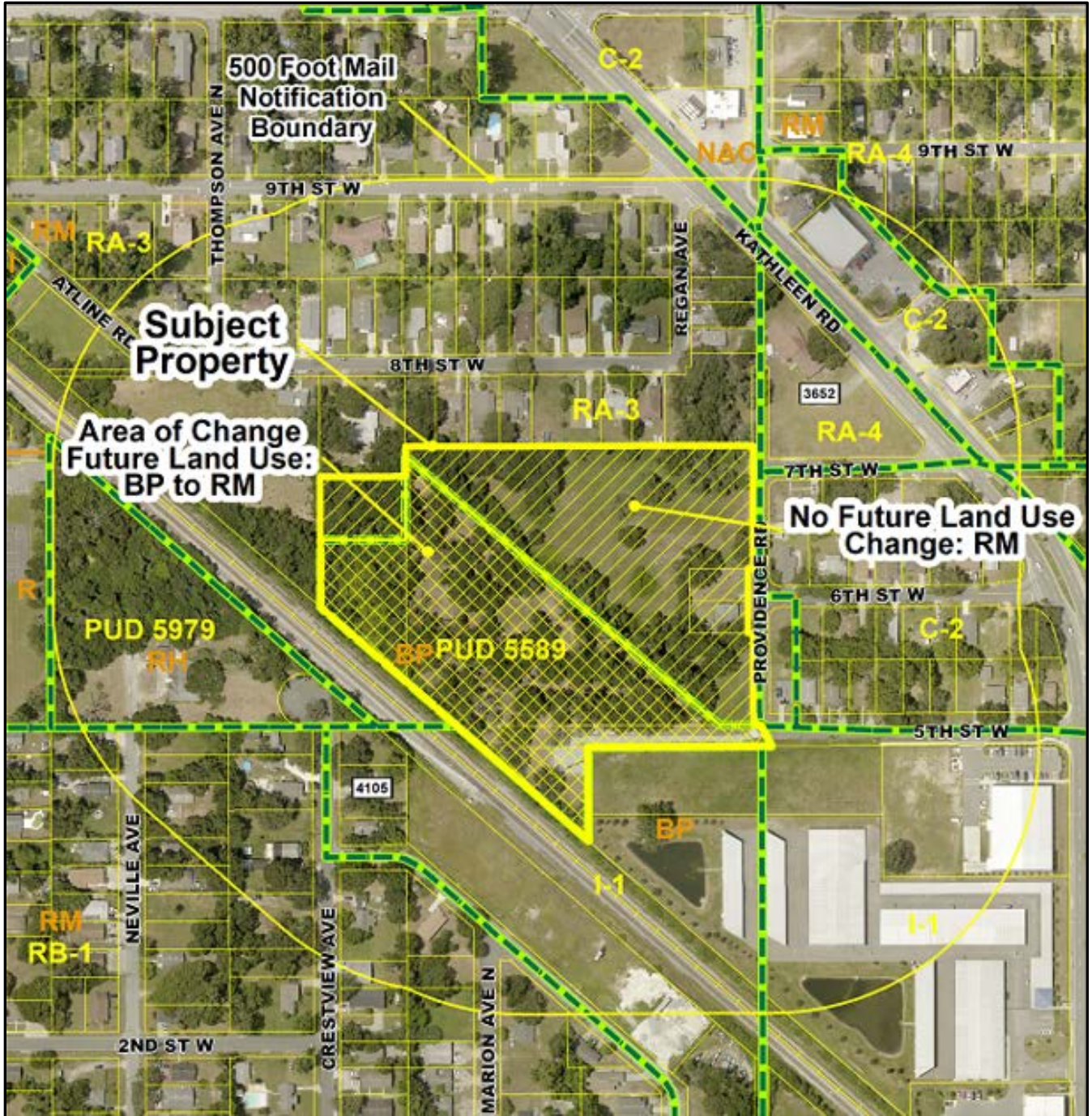


Planning and Zoning Board Recommendation

Date:	June 3, 2024	Reviewer:	Phillip Searce
Project No:	LUS24-001/ PUD24-004/ZON24-005	Location:	1175 W. 5th Street
Owner:	Providence Townhomes LLC		
Applicant:	Vasu Persaud		
Current Zoning:	PUD (Planned Unit Development) 5589	Future Land Use:	Business Park (BP)
Context District:	Urban Special Purpose (USP)		
P&Z Hearing:	April 16, 2024	P&Z Final Decision:	May 21, 2024
Request:	<p>Small-scale land use map amendment, to change the future land use designation from Business Park (BP) to Residential Medium (RM), and a major modification of PUD (Planned Unit Development) zoning concurrent with a City-initiated application to change the context sub-district from Urban Special Purpose (USP) to Urban Neighborhood (UNH), on approximately 4.96 acres; and a change in zoning from RA-3 (Single-Family Residential) to PUD on approximately 4.80 acres to allow for the development of an 87-unit single-family attached (townhome) subdivision on approximately 9.76 acres located northwest of the intersection of W. 5th Street and Providence Road.</p>		

1.0 Location Maps





2.0 Background

2.1 Summary

Vasu Persaud requests a small-scale land use map amendment, to change the future land use designation from Business Park (BP) to Residential Medium (RM), and a major modification of PUD (Planned Unit Development) zoning concurrent with a City-initiated application to change the context sub-district from Urban Special Purpose (USP) to Urban Neighborhood (UNH), on approximately 4.96 acres; and a change in zoning from RA-3 (Single-Family Residential) to PUD on approximately 4.80 acres to allow for the development of an 87-unit single-family attached (townhome) subdivision on approximately 9.76 acres located northwest of the intersection of W. 5th Street and Providence Road (1175 W. 5th Street). A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, located in the Gladys Leggett neighborhood, is approximately 9.76 acres in area and located along the west side of Providence Road between W. 5th Street and W. 7th Street , approximately 500 feet west of Kathleen Road. To the north and east, the subject property abuts single-family residential uses. To the south the subject property abuts a parcel zoned for I-1 (Light Industrial-Limited Commercial) uses which is currently improved as a self-storage facility. To the west the property abuts CSX Transportation’s Vitis Subdivision, a freight rail line which serves as a connection between the CSX S Line (the former Seaboard Air Line Railroad Main Line) and the CSX A Line (the former Atlantic Coast Line Railroad Main Line).

The subject property consists of multiple parcels with two different land use and zoning classifications. Approximately 4.8 acres of the subject property has a future land use designation of Residential Medium (RM) with RA-3 (Single-Family Residential) zoning classification and an Urban Neighborhood (UNH) context sub-district designation. The remainder of the property, approximately 4.96 acres in area, has a future land use designation of Business Park (BP) with a PUD (Planned Unit Development) zoning classification and an Urban Special Purpose (USP) context sub-district designation.

The 4.8-acre portion of the property with RA-3 zoning is largely vacant and undeveloped with the exception of a 1,714 sq. ft. single-family detached home located at 1214 Providence Road which was constructed in 1969 according to the Polk County Property Appraiser. If the request for a land amendment and rezoning is approved, the single-family home will be demolished and the underlying land incorporated as part of the townhome project.

The remainder of the property with PUD zoning (Ordinance 5589, as amended) has entitlements which would allow for the development of office uses, both medical and non-medical, and warehousing and motor freight transportation uses, Levels I and II. In 2018, the PUD zoning was amended through a minor modification to allow for the development of a ground-mount personal wireless service facility (cell tower) with a maximum height of 135 feet in the southernmost portion of the property adjacent to the CSX rail line. With the exception of the cell tower, which was constructed in 2020, the portion of the property with PUD zoning remains vacant and undeveloped.

2.3 Project Background

The purpose of this request is to obtain land use and zoning to allow for the development of an 87-lot single-family attached (townhouse) subdivision. An overall site development plan which depicts the design of the proposed townhome subdivision including off-street parking, internal streets, and stormwater retention facilities 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	Industrial	BP	I-1	USP
East	Single-family Residential	RM	C-2	UCO
West	Multi-Family Residential	RH	PUD	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

Attachment C-1: Previously Approved Site Development Plan for Existing Cell Tower

Attachment D: Architectural Elevations, Front-Loaded Townhomes

Attachment E: Architectural Elevations, Rear-Loaded Townhomes

3.0 Discussion

A single-family attached dwelling unit is defined by the Land Development Code as “a building containing a one-family dwelling on its own lot or parcel attached by common vertical walls to one or more other one-family dwellings located on other lots or parcels.” Each single-family attached dwelling unit has at least one or more at-grade entrances and at least 40% of its living area at grade. Single-family attached dwelling units, unlike rental apartments, are intended for fee simple ownership in which each unit is constructed on its own platted lot or parcel and can be bought or sold individually. As such, they serve as an affordable way for first time homebuyers to buy a home and build equity similar to conventional single-family detached dwellings.

According to the applicant, the development will be marketed as environmentally sustainable “workforce-affordable” housing with the target market being a middle-income price point rather than low income or luxury. Each dwelling unit will be two-stories in height with a minimum of 1,280 sq. ft. of living area and finished in a modern, contemporary style as shown on the architectural elevations, Attachments “D” and “E.”

To accommodate the proposed development the applicant has applied for a small-scale future land use map amendment for the 4.49-acre portion of the site designated Business Park (BP) to change the future land use designation to Residential Medium (RM) consistent with the remainder of the site. The residential Medium (RM) land use designation allows for residential development at densities ranging from 5.01 to 12 dwelling units per acre (DU/AC). For the 9.3-acre development site, the proposed 87-unit townhome project translates to a gross density of 9.35 dwelling units per acre which is well below the maximum density of 12 DU/acre allowed under the Comprehensive Plan.

The proposed single-family attached subdivision is designed to be integrated as part of the surrounding neighborhood. A total of 15 single-family attached units, located along the easternmost portion of the site, will be oriented towards Providence Road with parking located in the rear and

accessed via a privately maintained alley. Another 48 units will be oriented towards a system of courtyard common areas with parking located in the rear and accessed via a private-maintained alley. The courtyard areas, through the dedication of a landscape maintenance easement, will be required to have uniform landscaping, consisting of ornamental trees and a small hedge, which is irrigated and maintained by an HOA, property management company or other similar entity. The remaining 24 units will be oriented towards the internal street system with parking located either in front with direct street access or in the rear with access from a private alley.

To address the civic open space requirements in the Land Development Code, the site development plan shows an area set aside for a 14,900 sq. ft. mini park. The specific park amenities and site features such as walkways and landscaping will need to be addressed at the time of subdivision construction plan review. Additional parking for visitors, contractors and delivery services is provided through parallel parking spaces located on internal streets and the perimeter of the development. ADA-accessible sidewalks will provide pedestrian connectivity for both visitor and residents.

To address adjacent single-family residential land uses to the north, a Type A buffer consisting of a six-foot-high view blockage fence or wall with a minimum of four B (Medium) trees and 16 shrubs per 100 linear feet of length will be required along the north project boundary. To mitigate impacts from the adjacent CSX Transportation rail line to the west, a Type A buffer will be required consisting of an eight-foot-high precast concrete fence or wall with a minimum of four B (Medium) trees and 16 shrubs per 100 linear feet. In lieu of precast concrete, alternative noise barrier system comprised of different materials may be considered at the time of site plan review.

As previously discussed, a small portion of the property is currently improved with an existing 135-foot cell tower located in the southern corner of the site. Through the placement of the stormwater retention area in the southern portion of the site, the developer of the townhome project will be able to maintain a minimum horizontal separation distance from any single-family attached dwelling units consistent with the development standard for personal wireless services facilities.

At the public hearing neighboring residents expressed concerns about existing traffic and inquired about whether traffic calming measures could be installed along W. 8th Street. Staff stated that they would provide assistance to the residents if they wished to pursue applying for any traffic calming measures which may be available through Public Works. There were also questions and concerns regarding the existing C-2 zoning applied to adjacent residential properties located to the east between W. 5th and W. 7th Streets. Staff advised the Board that they are open to a City-initiated application to downzone the area from commercial to residential uses provided that there is sufficient support from existing property owners. The proposed land use amendment and zoning change for the townhome project, however, will not impact the current zoning designation of those properties. Other concerns addressed by staff include buffering along the northern property line and adjacent to the CSX rail right-of-way.

3.1 Transportation and Concurrency

The subject property is accessed from adjacent local neighborhood streets operated by the City of Lakeland extending west of State Road 539/Kathleen Road, including 7th, 6th and 5th Streets and a short road segment called "Providence Road" that is not connected to the collector road with the same name between Kathleen Road and Griffin Road. The internal streets within the proposed development align with 7th and 6th Streets, with an emergency access point aligning with 5th Street that is shared with an existing cell tower located near the southwest corner of the adjacent property. The streets used for ingress and egress only provide direct access to Kathleen Road. The traffic impact analysis provided by the applicant from Premier Traffic Group estimates that the proposed 87 units will generate 633 Daily, 58 PM Peak and 50 AM Peak Hour Trips based on data published for Land Use Code 220

(Multi-Family, Low-Rise) in the Institute of Transportation Engineers' *Trip Generation Manual*, 11th Edition.

Per the Polk Transportation Planning Organization's 2023 Roadway Network Database, published on October 13, 2023, the nearby segment of Kathleen Road between State Road 563/Dr. Martin Luther King Jr. Avenue and Interstate 4 has an Annual Average Daily Traffic Volume of 30,500 vehicles, operating at an acceptable Level-of-Service (LOS) "C" during the PM Peak with a two-hour average volume of 1,108 northbound and 1,065 southbound vehicles. The applicant's traffic impact analysis estimates that with project traffic in a 2025 buildout year, service volume (capacity) of the Kathleen Road will exceed available capacity with the addition of project traffic.

The development site is located within the Central City Transit Supportive Area (CCTSA) and is within a one-quarter mile buffer from a Transit Oriented Corridor as defined in the Comprehensive Plan, which allows segment volumes to exceed capacity with provisions for multi-modal mitigation. The closest transit route operated by the Citrus Connection is Blue Line 1, approximately one quarter mile to the east on Webster Avenue (across Kathleen Road) via 5th Street. The development site is approximately 2,000 feet from the Blue Line 1 and Yellow Line in the vicinity of the Kathleen Road/10th Street intersection. Sidewalks do not currently exist along 6th or 7th Streets and only exist along the south side of 5th Street on the frontage of a warehouse development approaching the Kathleen Road intersection.

Traffic safety is a major concern in the Kathleen Road corridor, particularly at the 5th and 7th Street full median openings due to the vehicular volumes, speeds and roadway curves adjacent to these intersections. A median opening does not exist at 6th Street, restricting access at this intersection to right-in/right-out movements. In 2022, the Florida Department of Transportation conducted a safety study of these locations, which resulted in recommendations for median modifications to restrict left turns from the side streets. The draft transportation mitigation conditions are intended to also help address safety needs along this portion of Kathleen Road.

Schools: In terms of School Concurrency, on April 15, 2024 the Polk County School District issued a non-binding determination confirming that capacity is currently available at the zoned elementary, middle and high schools to serve the proposed 87-unit townhome project.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with the Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan. Actual construction is subject to final concurrency determinations at the time of subdivision plat and construction plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community & Economic Development Department reviewed this request and recommends approval of the change in future land use designation from Business Park (BP) to Residential Medium (RM), and a major modification of PUD (Planned Unit Development) zoning concurrent with a City-initiated application to change the context sub-district from Urban Special Purpose (USP) to Urban Neighborhood (UNH), on approximately 4.96 acres; and change in zoning from RA-3 (Single-Family Residential) to PUD on approximately 4.80 acres. Letters of notification were mailed to 111 property owners within 500 feet of the subject property. There were no calls or emails received in objection of the request.

4.2 Recommendation

This recommendation was approved by a 7—0 vote of the Board.

Recommendation

It is recommended that the request for a small-scale land use map amendment, to change the future land use designation from Business Park (BP) to Residential Medium (RM), and a major modification of PUD zoning concurrent with a City-initiated application to change the context sub-district from Urban Special Purpose (USP) to Urban Neighborhood (UNH), on approximately 4.49 acres; and a change in zoning from RA-3 (Single-Family Residential) to PUD on approximately 4.80 acres to allow for the development of an 87-unit single-family attached (townhome) subdivision as described above and in Attachments “A”, “B,” “C,” “C-1,” “D,” and “E” be approved subject to the following conditions.

Ordinance 5589, as amended.

- A. ~~Permitted Uses: Office Uses, Warehousing and Motor Freight Transportation Uses, Levels I and II; Ground and Structure Mounted Personal Wireless Service Facilities.~~
- B. ~~Development Standards: In accordance with the I-2/Urban Special Purpose sub-district standards, and Section 5.18 of the Land Development Code unless otherwise provided by this Ordinance.~~
- C. ~~Landscape and Buffering: In addition to the requirements of the Land Development Code, the developer of any warehousing and motor freight transportation uses shall construct a Type “C” landscape buffer along the perimeter property boundary when abutting parcels that are zoned for residential development, as shown on Attachment “C.”~~
- D. ~~Truck Parking and Loading Bays: Buildings shall be designed such that truck parking and loading bays are located facing away from adjacent residential parcels. Building footprints shall be placed such that they act as an additional buffer between truck parking/loading areas and residentially zoned properties to the north and east.~~
- F. ~~Outdoor Lighting: In accordance with the Land Development Code.~~
- G. ~~Site Access: In accordance with Attachment “C,” access to the site will be limited to a single drive located at the intersection of W. 5th Street and Providence Road.~~
- H. ~~Maximum Height for Ground-Mounted Personal Wireless Service Facilities: 135 feet.~~
- I. ~~Transportation:~~
 - 1. ~~Binding Concurrence determinations will be made at the time of each site plan submittal for the project site.~~
 - 2. ~~Prior to the first site plan submittal, the owner shall dedicate sufficient right-of-way along the site’s 5th Street/Providence Road frontage to include the existing street and required frontage sidewalk at the project driveway.~~
 - 3. ~~The project driveway shall include an ADA-compliant sidewalk connection between the public right-of-way and each principal building on the project site.~~
 - 4. ~~Bicycle parking shall be installed in accordance with the City’s Land Development Code and Engineering Standards Manual.~~
 - 5. ~~The project driveway shall include signage requiring exiting traffic to turn left onto Providence Road to access SR 539/Kathleen Road via 7th Street. Exiting traffic~~

shall not be allowed to access SR 539/Kathleen Road via 5th Street.

~~6. An apron shall be installed at the site's connection to 5th Street/Providence Road, accommodating the future larger access road to the PUD and to minimize the off-tracking of gravel into the public right-of-way. This apron shall be reviewed and approved by the City Public Works Department.~~

A. Permitted Uses: Single-family attached dwellings and one (1) ground-mounted personal wireless service facility.

B. Maximum Intensity of Use:

1. Single-Family Attached Dwellings: 87 dwelling units

2. Ground-Mounted Personal Wireless Service Facility: Maximum height of 135 feet

C. Development Standards: In accordance with the Single-Family Attached Special Building Type Standards as specified within Table 3.4-11 of the Land Development Code, except as follows.

1. Front-Loaded Townhomes

Lot Width: 19 feet

Lot Depth: 80 feet

Front Setback: 25 feet

Rear Setback: 15 feet

Driveway Width: 10 feet

Off-Street Parking: One-Car Front-Loaded Garage/10-Foot-Wide Driveway

Building Height: Two-Stories

Min. Living Area: 1,280 sq. ft.

Entrance Feature: Porch or Stoop

2. Rear-Loaded Townhomes (Providence Road or Internal Streets)

Lot Width: 19 feet

Lot Depth: 72 feet

Front Setback: 10 feet from Providence Road right-of-way

Rear Setback: 22 feet

Driveway Width: 15 feet

Off-Street Parking: One-Car Rear-Loaded Garage/15-Foot-Wide Driveway

Building Height: Two-Stories

Min. Living Area: 1,280 sq. ft.

Entrance Feature: Porch or Stoop

3. Rear-loaded Townhomes (Courtyard)

Lot Width: 19 feet

Lot Depth: 80 feet

Front Setback: 18 feet*

Rear Setback: 22 feet

Driveway Width: 15 feet

Off-Street Parking: One-Car Rear-Loaded Garage/15-Foot-Wide Driveway

Building Height: Two-Stories
Min. Living Area: 1,280 sq. ft.
Entrance Feature: Porch or Stoop

*Front yards of units oriented towards the courtyard common areas shall be subject to a landscape maintenance easement as specified below.

- D. Architectural Design: The exterior design of the front-loaded and rear-loaded townhome units shall be in substantial accordance with the architectural elevations included as Attachments "D" and "E." With the approval off the Director of Community & Economic Development, minor changes may be made at the time of building plan review without requiring a modification to the PUD.
- E. Subdivision Plan: The project shall be developed in substantial accordance with the subdivision plan shown in Attachment "C." With the approval off the Director of Community & Economic Development, minor changes may be made at the time of subdivision review without requiring a modification to the PUD.
- F. Landscaping & Buffering: In accordance with the Land Development Code, except as follows.
1. Adjacent to the northern project boundary, a Type A buffer shall be constructed consisting of a six-foot high view blockage fence or wall with a minimum of four B (Medium) trees and 16 shrubs per 100 linear feet or fraction thereof.
 2. Adjacent to the CSX Transportation right-of-way, a Type A buffer shall be constructed consisting of an eight-foot high precast concrete fence or wall with a minimum of four B (Medium) trees and 16 shrubs per 100 linear feet or fraction thereof. In lieu of precast concrete, noise barrier systems constructed from alternative materials such a preserved treated wood (e.g. Plywall) may be considered at the time of site plan review.
 3. The lift station shown on Attachment "C" shall be screened from public view through the construction of a Type A buffer consisting of a six-foot high view blockage fence or wall with a minimum of four B (Medium) trees and 16 shrubs per 100 linear feet or fraction thereof.
 4. 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. The buffers shall be in place prior to the issuance of any Certificate of Occupancy. All fences, walls and landscaping within the buffers shall be maintained by an homeowners association, property management company or other similar entity.
 5. At the time of subdivision review, a landscape maintenance easement shall be dedicated for the front yard of those dwelling units in which the front of the building is oriented towards either a courtyard common area or any adjacent public or private streets. This easement, which shall be dedicated to an HOA, property management company or other similar entity, shall be planted, irrigated and maintained with uniform landscaping consisting of a minimum of five C (Small) trees per 100 linear feet or fraction thereof and a Type A hedge with the specific tree and hedge plantings identified on a landscaping plan at the time of subdivision review. Maintenance of landscaping within the easement shall be the responsibility of the HOA, property management company, or other similar entity.

- G. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code.
- H. Maintenance Provisions: All open space, common areas, amenities, fences, walls, landscape buffers, off-street parking and stormwater retention areas shall be maintained by a homeowner association (HOA), property management company or other similar entity.
- I. Accessory Structures: The construction and placement of accessory structures and appurtenances such as detached garages, carports, sheds, pergolas, playground equipment, screen rooms, sunrooms and screen enclosures on individual townhome lots shall be prohibited.
- J. Fences and Walls: The construction and placement of fences or walls on individual townhome lots shall be prohibited.
- K. Garage Conversions: The conversion of attached garages integral to the single-family attached dwelling units to living area or uses other than vehicle parking shall be prohibited.
- L Civic Open Space: In accordance with Section 3.4.6 of the Land Development Code.
- M. Railroad Agreement: Prior to first plat submittal for the project, the developer shall sign a railroad agreement with the City of Lakeland with respect to the neighboring railroad right-of-way owned by CSX Transportation and operating adjacent to the subject property. Developer shall record the agreement in the public records of Polk County and provide a copy of the recorded agreement to the City prior to the issuance of a first building permit for the project.
- N. Transportation
1. Binding Concurrency Determinations shall be made at the time of subdivision plat submittal.
 2. In addition to complying with all Florida Department of Transportation permitting requirements, the following intersection modifications shall be completed on State Road 539/Kathleen Road prior to first Certificate of Occupancy issuance:
 - a. The existing full median opening at 5th Street shall be modified to allow only northbound and southbound left turns. The northbound left turn lane shall be extended to comply with FDOT requirements.
 - b. The existing full median opening at 7th Street shall be modified to allow only northbound left turns, with a new turn lane being constructed in compliance with FDOT requirements.
 3. All internal roadways and drive aisles shall be privately maintained by a shall be constructed and maintained by a property management company or property owner association or similar entity.
 4. A sidewalk shall be constructed along the site's Providence Road frontage. Sidewalks shall be constructed along each internal private roadway as depicted in Attachment "C".
 5. An ADA-compliant pedestrian network is required between each residential building, on-site amenity and shall connect to each internal roadway and Providence Road. These sidewalk connections shall facilitate future sidewalk extensions along 7th and 5th Streets.

6. 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.
7. The developer shall establish a student school bus stop at a location determined to be acceptable by the Polk County School District.
8. The existing driveway apron and gravel driveway located at the intersection of W. 5th Street and Providence Road shall be paved east of Road E and may be operated as an emergency access point with a fully operational sidewalk connection. This driveway shall allow for access to and maintenance of the existing cell tower, formalized through a recorded cross-access easement agreement in the public records of Polk County.

ATTACHMENT "A"

Legal Description:

A PARCEL OF LAND BEING A PORTION OF SECTION 11 AND SECTION 12, TOWNSHIP 28 SOUTH, RANGE 23 EAST AND BLOCK "H" OF FRUIT GROWERS EXPRESS CO. PLAT, BEING RECORDED IN PLAT BOOK 29, PAGE 29 AND 29 A, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS;

Townhouse Site:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SOUTHEAST 1/4 OF SECTION 11 FOR THE POINT OF BEGINNING; THENCE SOUTH 25°32'47" EAST, ALONG THE NORTH LINE OF SAID BLOCK "H", A DISTANCE OF 44 FEET, MORE OR LESS TO THE NORTH LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 9654, PAGE 0118, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG THE NORTH AND WEST LINES OF SAID PARCEL THE FOLLOWING TWO (2) COURSES; (1) THENCE SOUTH 89°46'42" WEST, 344 FEET, MORE OR LESS; (2) THENCE SOUTH 02°22'38" EAST, 182 FEET, MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF CSX RAILROAD; THENCE NORTH 48°52'19" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 675 FEET, MORE OR LESS TO THE WEST LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 6343, PAGE 0079, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 00°11'36" WEST, ALONG THE WEST LINE OF SAID PARCEL, 126 FEET, MORE OR LESS TO THE NORTH LINE OF SAID PARCEL; THENCE NORTH 89°46'27" EAST, LONG SAID NORTH LINE, 160 FEET, MORE OR LESS TO THE WEST LINE OF A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 6119, PAGE 1425, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 00°10'33" WEST, ALONG SAID WEST LINE, 158 FEET, MORE OR LESS TO THE NORTH LINE OF SAID PARCEL; THENCE SOUTH 49°23'53" EAST, ALONG SAID NORTH LINE, 776 FEET, MORE OR LESS TO THE SOUTH LINE OF AFORESAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 23 EAST; THENCE NORTH 89°46'42" EAST, ALONG SAID SOUTH LINE, 78 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 5 ACRES, MORE OR LESS;

AND PARCELS OF LAND BEING A PORTION OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 23 EAST, BEING DESCRIBED AS FOLLOWS;

S 118.85 FT OF N 324.85 FT OF E 160 FT OF SW1/4 OF NE1/4 OF SE1/4;

AND;

BEG NW COR OF SE1/4 OF NE1/4 OF SE1/4 RUN S 147 FT E 665.4 FT S 522.65 FT W 78.1 FT N 49 DEG W 777.77 FT N TO BEG LESS S 120 FT OF N 497 FT OF THE EAST 130 FT;

AND;

N1/2 OF S 120 FT OF N 497 FT OF W 120 FT OF E 135 FT OF SE1/4 OF NE1/4 OF SE1/4 LESS E 10 FT FOR RD R/W;

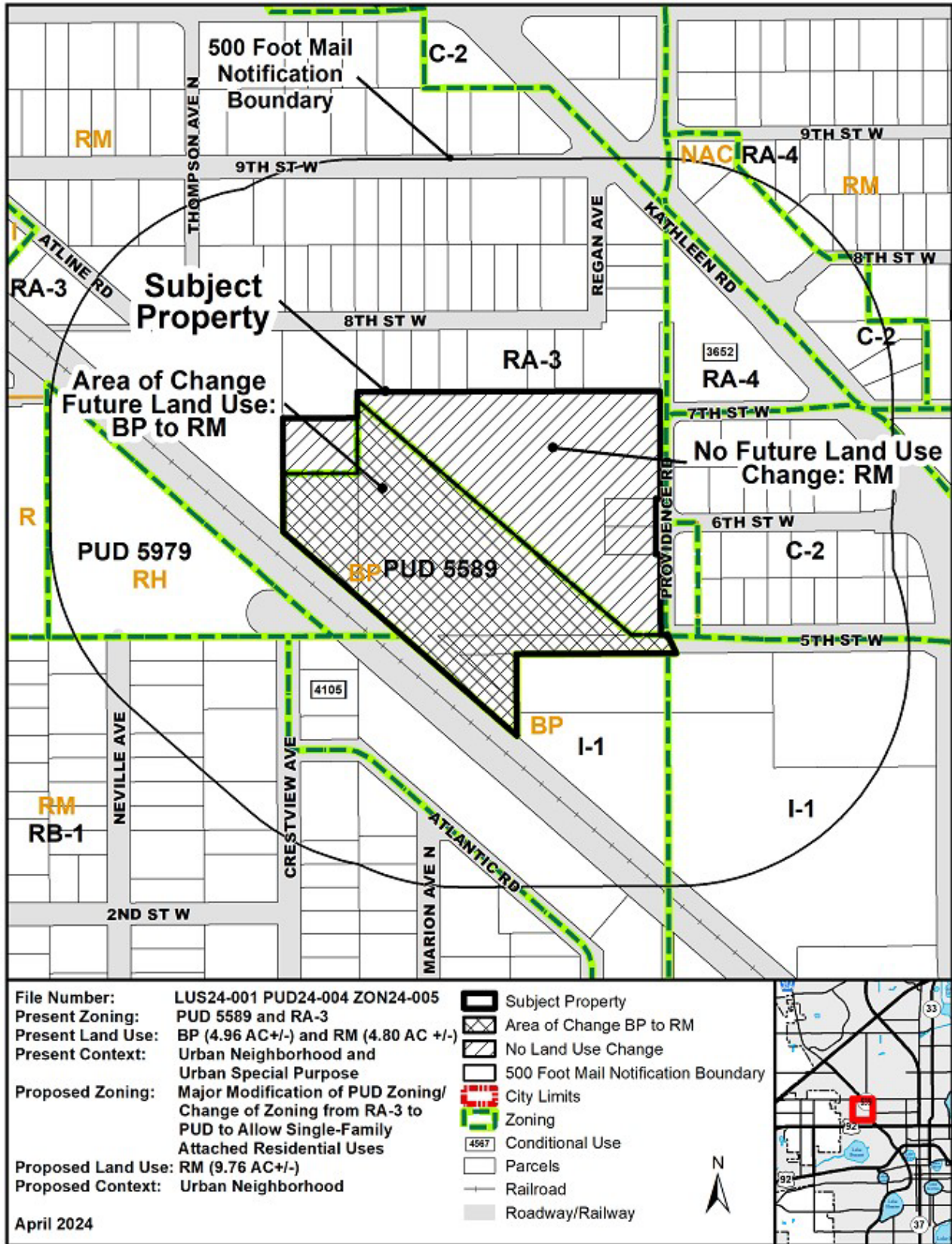
AND;

S1/2 OF S 120 FT OF N 497 FT OF W 120 FT OF E 135 FT OF SE1/4 OF NE1/4 OF SE1/4 LESS E 10 FT FOR RD R/W

Existing Cellular Tower Site:

COMM NE COR OF SE1/4 OF SE1/4 OF SEC 11 RUN S21-03-00E 42.86 FT S89-42-00W 343.85 FT TO POB S00-18-00E 113.85 FT N48-45-58W 171.7 FT N89-42-00E 128.53 FT TO POB.

ATTACHMENT "B"



ATTACHMENT "C"



PRELIMINARY LAYOUT
 Preliminary Layout is Subject to Final Topographic and Boundary Survey, Engineering and Approval by City and State Agencies

VICINITY MAP
 N.T.S.
 SECTION 15, TOWNSHIP 28 S, RANGE 23 E

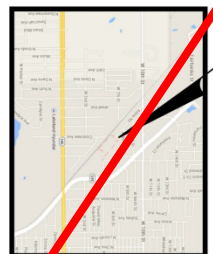
SITE DATA

PARCEL INFORMATION
 232811-000000-021040
 PARCEL ID: 232812-04700-008003
 232811-000000-021190

DEVELOPMENT INFORMATION
 PROJECT AREA: 4.98 ± ACRES
 PROPOSED USE: COMMERCIAL

UTILITY SUPPLIERS
 WATER: SEMPER
 CABLE TV: BRIGHTHOUSE
 ELECTRIC: CITY OF LAKELAND

CITY OF LAKELAND
 VERIZON
 BRIGHTHOUSE
 CITY OF LAKELAND



PROJECT LOCATION

SHEET NUMBER
C-100

NOT FOR CONSTRUCTION

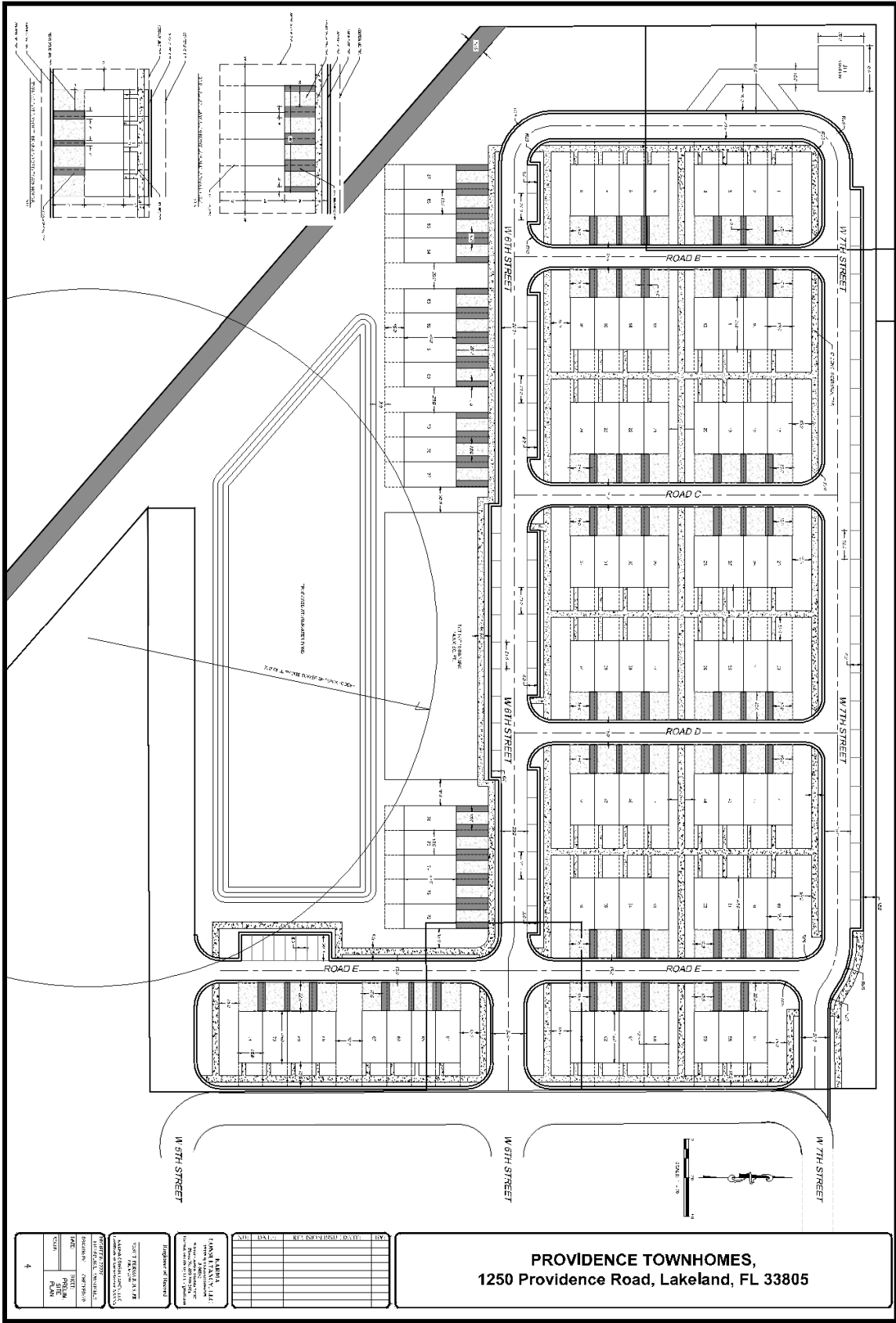
CONCEPTUAL LAYOUT

USK CONSULTING
 ENGINEERS, LAND PLANNERS
 CONSTRUCTION MANAGERS

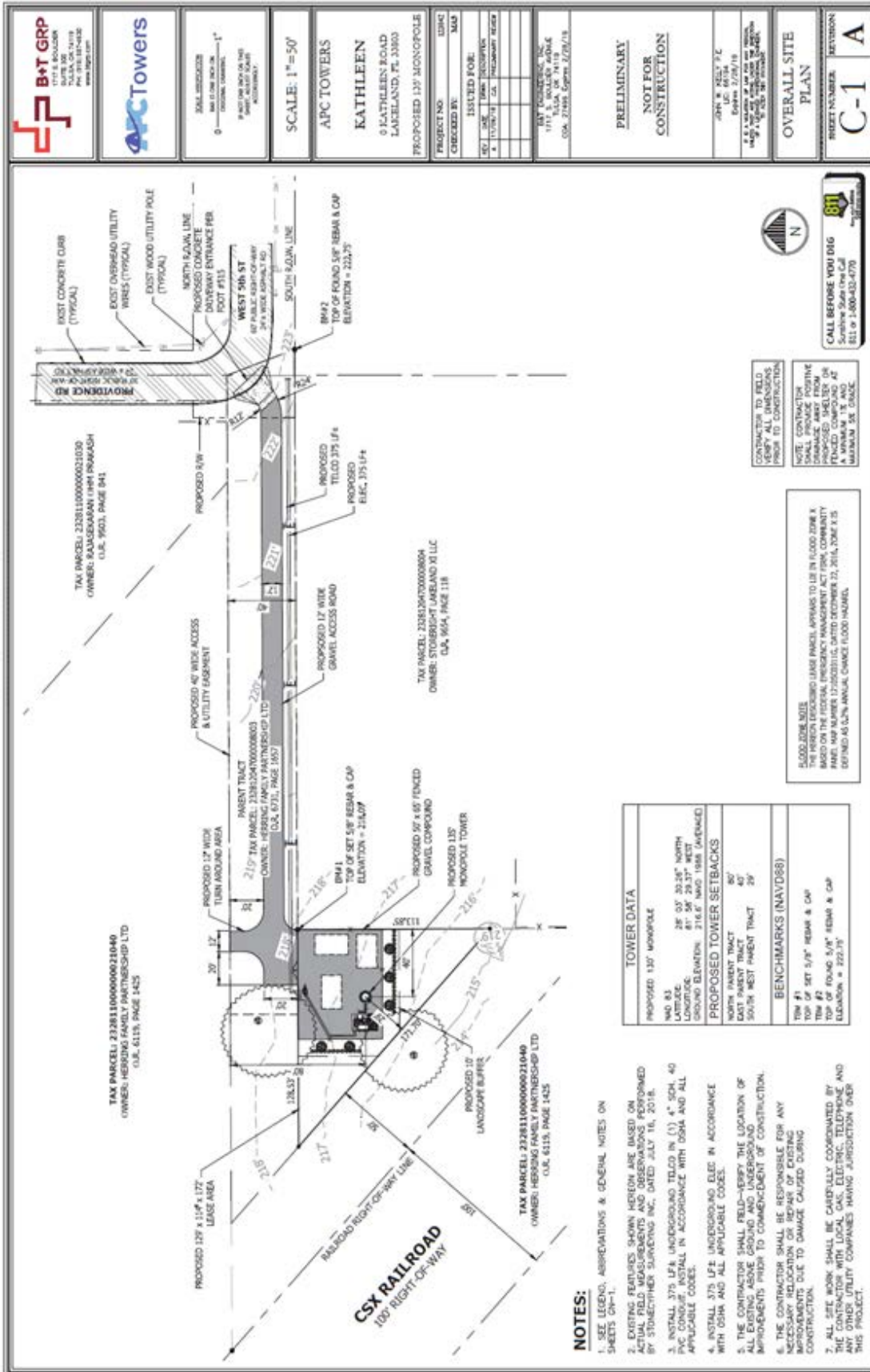
3909 Hillside Heights Drive
 Lakeland, Florida 33812
 Phone: (863) 654-6332
 Fax: (863) 654-6050
 Certificate of Accreditation No. 20952
 www.usk-consulting.com

DESIGNED BY:	DATE:	Jun 06, 2016
DRAFTED BY:	JOB NO.:	
CHECKED BY:	NO.	DATE
	1	
	2	
	3	
	4	
	5	
	6	

ATTACHMENT "C"



PROVIDENCE TOWNHOMES,
 1250 Providence Road, Lakeland, FL 33805



B+T GRP
 10000 W. 100th Ave
 Suite 300
 Centennial, CO 80112
 Phone: 303.751.1000
 www.btg.com

APC Towers

SCALE: 1" = 50'
 ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
 DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

APC TOWERS
 KATHLEEN
 0 KATHLEEN ROAD
 LAKELAND, FL 33603

PROPOSED 137' MONOPOLE
 PROJECT NO: 137M
 CHECKED BY: []
 ISSUED FOR: []
 DATE: []
 DRAWN BY: []
 DATE: []
 PREPARED BY: []

DAY FOUNDRIES, INC.
 1111 S. WALKER AVENUE
 SUITE 100
 COVINGTON, LA 70011
 (504) 234-0911

PRELIMINARY
 NOT FOR
 CONSTRUCTION

JPH & KELLY P.C.
 ENGINEERS
 L.C. 6814
 1100 W. 100th Ave, Suite 300
 Centennial, CO 80112
 (303) 751-1000

OVERALL SITE PLAN
 SHEET NUMBER: []
 C-1 A

811
 CALL BEFORE YOU DIG
 Sunshine State One Call
 811 or 1-800-433-4779

CONTRACTOR TO FIELD
 VERIFY ALL DIMENSIONS
 PRIOR TO CONSTRUCTION

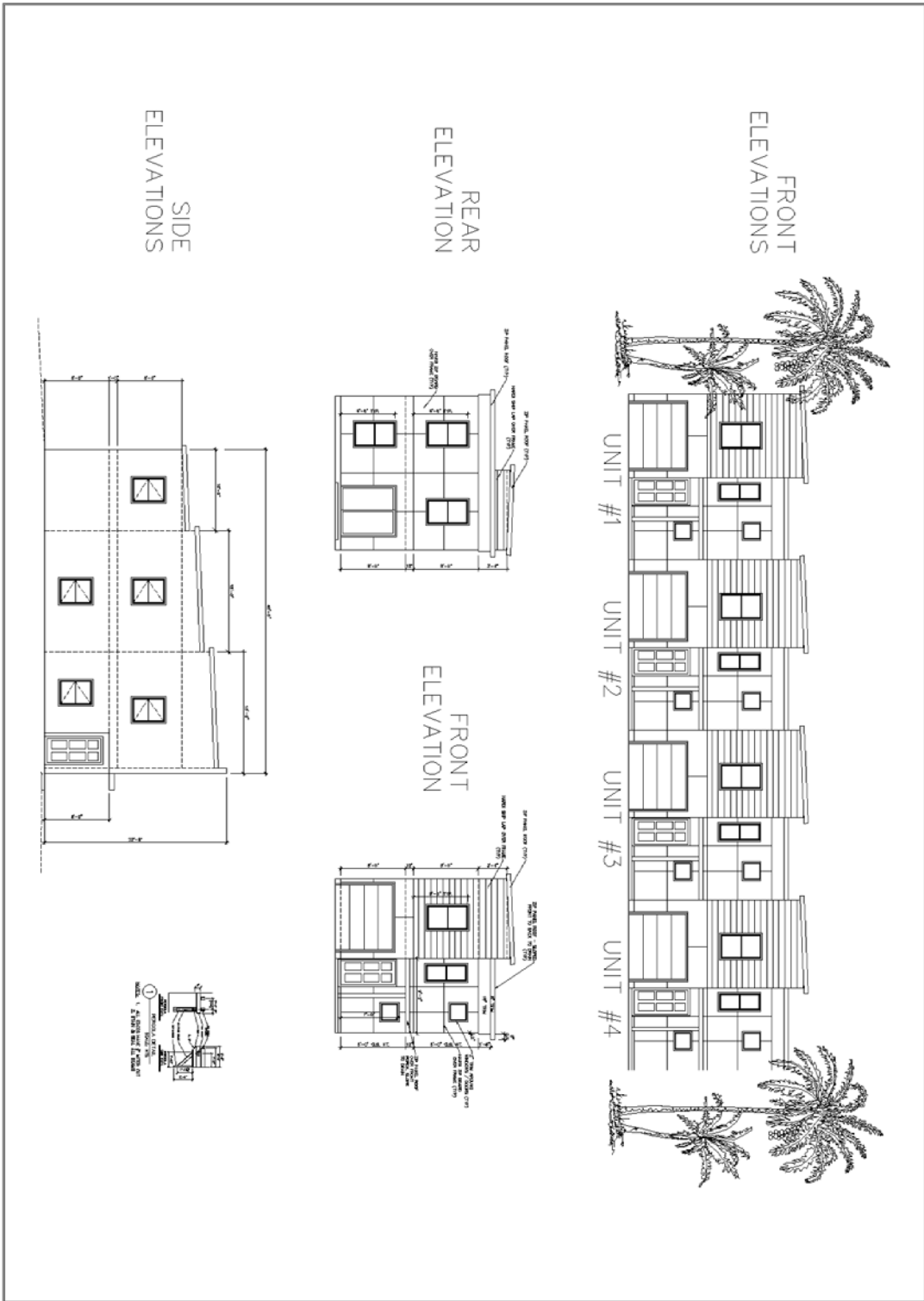
NOTE: CONTRACTOR SHALL
 MAINTAIN PROTECTIVE
 BARRIERS AROUND ALL
 EXISTING UTILITIES AND
 STRUCTURES THROUGHOUT
 THE PROJECT.

5,000-ZONE SITE
 THE PROPOSED MONOPOLE APPEARS TO BE IN 5,000-ZONE X
 BASED ON MAP NUMBER 171502010L DATED DECEMBER 10, 2014, ZONE 1 IS
 DEFINED AS 0.2% ANNUAL CHANCE FLOOD HAZARD.

TOWER DATA	
PROPOSED 137' MONOPOLE	
NAD 83	28° 03' 30.36" NORTH
LATITUDE	81° 58' 28.37" WEST
LONGITUDE	216.6' MAG 1588' ADVANCED
GROUND ELEVATION	216.6'
PROPOSED TOWER SETBACKS	
NORTH PARENT TRACT	80'
EAST PARENT TRACT	45'
50/75% WEST PARENT TRACT	25'
BENCHMARKS (NAVD88)	
TRM #1	SET 5/8" REBAR & CAP
TRM #2	SET 5/8" REBAR & CAP
TOP OF FOUND 5/8" REBAR & CAP	
ELEVATION	= 222.7'

- NOTES:**
- SEE LEGENDS, ABBREVIATIONS & GENERAL NOTES ON SHEETS C9-1.
 - EXISTING FEATURES SHOWN HEREON ARE BASED ON ACTUAL FIELD MEASUREMENTS AND OBSERVATIONS PERFORMED BY STONECIPHER SURVEYING INC. DATED JULY 16, 2018.
 - INSTALL 375 LBS UNDERGROUND TIE ROD IN (1) 4" OSH, 40' FROM TOWER BASE IN ACCORDANCE WITH OSHA AND ALL APPLICABLE CODES.
 - INSTALL 375 LBS UNDERGROUND ELEC IN ACCORDANCE WITH OSHA AND ALL APPLICABLE CODES.
 - THE CONTRACTOR SHALL FIELD-VERIFY THE LOCATION OF ALL EXISTING ABOVE GROUND AND UNDERGROUND IMPEDIMENTS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY NECESSARY RELOCATION OR REPAIR OF EXISTING IMPEDIMENTS DUE TO DAMAGE CAUSED DURING CONSTRUCTION.
 - ALL SITE WORK SHALL BE CAREFULLY COORDINATED BY THE CONTRACTOR WITH LOCAL, GAS, ELECTRIC, TELEPHONE AND UTILITY COMPANIES HAVING JURISDICTION OVER THIS PROJECT.

ATTACHMENT "D"



<p>DATE: 11/11/11</p> <p>SCALE: AS SHOWN</p> <p>PROJECT: 1250 PROVIDENCE ROAD, LAKELAND, FL 33805</p> <p>ALTB</p>		<p>1</p> <p>2</p> <p>3</p> <p>4</p>
<p>SHEET TITLE: ELEVATIONS (FRONT LOADED TOWNHOMES)</p> <p>ADDRESS: 1250 PROVIDENCE ROAD, LAKELAND, FL 33805</p>		

