

**ORDINANCE NO. \_\_\_\_\_**

**PROPOSED ORDINANCE NO. 24-054**

**AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; AMENDING ORDINANCE 5658; PROVIDING FOR A CHANGE IN ZONING FROM I-2 (MEDIUM INDUSTRIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING ON APPROXIMATELY 65.50 ACRES, THE APPLICATION OF PUD ZONING ON APPROXIMATELY 16.9 ACRES, AND A MODIFICATION TO PUD ZONING IN ORDER TO INCORPORATE ADDITIONAL ACREAGE AND ALLOW FOR A MIX OF OFFICE, COMMERCIAL AND INDUSTRIAL USES ON APPROXIMATELY 127.38 ACRES GENERALLY LOCATED NORTH OF W. PIPKIN ROAD AND EAST OF AIRSIDE CENTER DRIVE; CHANGING THE CONTEXT SUB-DISTRICT ON APPROXIMATELY 7.97 ACRES OF SAID PROPERTY TO SUBURBAN CENTER (SCT); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Planning and Zoning Board held a public hearing on June 18, 2024 to consider the request of John B. Allen, Peterson & Myers, P.A., on behalf of RRL Airpark, LLC, to change the zoning from I-2 (Medium Industrial) to PUD (Planned Unit Development) on approximately 65.50 acres, apply PUD zoning on approximately 16.9 acres of property, and to modify PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive, as more particularly described on Attachment “A” and graphically depicted on Attachment “B” (the “Property”); and

**WHEREAS**, the City proposes to change the Context Sub-District for approximately 7.97 acres (Parcel A1) of the Property from Suburban Special Purpose (SSP) to Suburban Center (SCT); and

**WHEREAS**, the Planning and Zoning Board, at its regular meeting on September 17, 2024, approved and recommended the requested zoning modifications and change to the Suburban Center (SCT) Context District on the Property to the City Commission; and

**WHEREAS**, the City Commission, after due public notice and a public hearing affording all persons the opportunity to be heard, finds that the Property should be classified or zoned as recommended by the Planning and Zoning Board;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE LAND, FLORIDA:**

**SECTION 1.** The PUD zoning for the Property is hereby modified as provided herein and changed to Context Sub-District Suburban Center (SCT), as set forth in Attachment "C," subject to the following amended conditions:

A. Permitted Uses

1. Parcel P04 "A1"

Uses shall include those permitted by right within the C-4 (Community Center Commercial) zoning district, subject to the following modifications:

a. Parcel "A1" shall be limited to no more than one (1) "fast-food" restaurant with drive-through facilities and one (1) "fast-casual" restaurant.

b. Parcel "A1" shall be limited to no more than one (1) minor motor vehicle fuel sales use, as defined by Section 2.6 of the Land Development Code. Major motor vehicle fuel sales shall be prohibited.

~~Banks, credit unions and savings and loan associations~~

~~Convenience stores with motor vehicle fuel sales~~

~~Office uses, government and non-government~~

~~Office support retail uses~~

~~Restaurants, low turnover, sandwich shops and snack bars~~

2. Parcels P04 "A2," "A3," "B1," "B2" and "D"

Uses shall include those permitted by right within the I-2 (Medium Industrial) zoning district, subject to the following modifications:

a. The following additional uses shall be permitted:

~~Bathroom and kitchen contractor showrooms~~

~~Interior decorator showrooms~~

~~Lighting fixture showrooms~~

~~Mini-warehouses~~

~~Office uses, government and non-government~~

Office Uses, Medical and Non-Medical

Office-Type Research and Development Facilities

Blood Banks and Plasma Collection Facilities

Hospitals and Emergency Rooms

~~Other uses whose operating characteristics are similar to the above and are deemed compatible with surrounding land uses, as determined by the Director of Community Development.~~

3. Pods Parcel "C" and "D"

Uses shall include those permitted by right in the O-3 (Moderate Impact Office) zoning district, subject to the following modification(s):

a. Restaurants, high turnover and low turnover, may be permitted but limited to only one (1) "pick-up/carry-out" window for mobile and online ordering. This provision shall not be construed to permit drive-through uses and drive-through facility equipment such as, but not limited to, kiosks, call boxes, and menu boards, which shall be prohibited.

~~Bathroom and kitchen contractor showrooms~~

~~Carpet and flooring stores~~

~~General warehousing and storage~~

~~Industrial uses, Level I~~

~~Industrial service uses, Level I, but not automobile towing services~~

~~Interior decorator showrooms~~

~~Mini-warehouses~~

~~Office uses, government and non-government~~

~~Office type research and development facilities~~

~~Retail building materials sales, Level I~~

~~Upholstering, but not furniture stripping~~

~~Wholesale trade uses, Level I~~

~~Other uses whose operating characteristics are similar to the above and are deemed compatible with surrounding land uses, as determined by the Community and Economic Development Director.~~

B. Site Development Plan: The project shall be developed in substantial accordance with the conceptual site development plan, Attachment "C." With the approval of the Director of Community and Economic Development, minor modifications may be made at the time of site plan review without requiring a modification of this PUD.

C. Development Regulations:

1. ~~Pods Parcel "A1" and "B":~~ In accordance with the C-4 / Suburban Center O-3/Suburban Corridor sub-district standards.

2. Parcels "A2," "A3," "B1," "B2" and "D": In accordance with the I-2 / Suburban Special Purpose sub-district standards.

23. ~~Pod Parcel "C":~~ In accordance with the O-3/Suburban Corridor I-2/Suburban Special Purpose sub-district standards.

3. ~~Pod "D":~~ In accordance with the I-2/Suburban Special Purpose sub-district standards ~~except any building elevations visible from Old Medulla Road shall be subject to the architectural materials and façade variation requirements specified by Sections 3.4.7.3 and 3.4.7.5 of the Land Development Code.~~

D. Parking, Landscaping and Buffering: In accordance with the Land Development Code and the following:

1. Along the eastern boundary of Parcels "B2" and "D," a minimum 12 ft. wide buffer consisting of an 8-foot high opaque fence, and a double row of trees, each row having three trees for every 100 linear feet, shall be installed when the adjacent property is used as a residence; however, this shall not apply to areas where stormwater ponds are adjacent to the property line. Existing trees that are preserved may be used to meet the minimum number required by this condition.

E. Outdoor Storage: There shall be no outdoor storage of goods or materials in ~~Pods~~ Parcels "A1," "C" and "B" "D." Outdoor storage shall be permitted in ~~Pods "C" and "D"~~ Parcels "A2," "A3," "B1" and "B2" provided:

1. The height of materials stored outside shall not exceed ten (10) feet;
2. No outside storage of materials over six (6) feet in height may be located within fifty (50) feet of any property line of a residentially zoned or used lot;
3. All areas of outside storage shall be kept in a neat, orderly condition, free of weeds, litter and debris, odor and vermin;
4. No movement or arranging of materials stored outside shall occur between the hours of 10:00 p.m. and 6:00 a.m.;

5. No outside storage of materials shall occur forward of the front wall of a principal building facing any public street.
- F. Building Service Areas: Loading docks, service bays and loading/unloading areas shall be prohibited along building facades that face a public roadway right-of-way. any property used for residential purposes. Within Parcels "B2" and "D," where adjacent to residential uses, loading docks shall be set back not less than 150 feet from the property boundary line abutting the residential use.
- G. Transportation & Site Access:
1. Binding concurrency determinations shall be made at the time of each final site plan submittal. Concurrency determinations shall be based on the cumulative trip generation of allowed uses on the subject property, with amount of new external trips not exceeding 8,624 Daily, 887 A.M. Peak Hour (523 Enter/364 Exit) and 691 P.M. Peak Hour (292 Enter/399 Exit). As an option to the standard concurrency determination process and duration allowed by the City's Concurrency Management Ordinance, the developer may enter into a multi-modal Development Agreement or Proportionate-Share Agreement, as provided in Chapter 163.3180(5), Florida Statutes, to address transportation concurrency failures where the ultimate development program on the subject property has a significant and adverse impact. The Development Agreement will also address other off-site traffic signal or operational mitigation projects that are expected to be needed through development buildout. Based on the scale of development activity, cumulative external trip generation, and adjacent roadway level-of-service deficiencies at the time of development, the City may require transportation demand management mitigation measures as provided for in Section 10.4.2.2 of the Land Development Code in order to issue a Certificate of Concurrency.
  2. Prior to the first site plan or preliminary plat submittal, whichever occurs first, the applicant shall submit a petition to annex the entire subject property into the Lakeland Area Mass Transit District Boundaries.
  - ~~3. In conjunction with nearby landowners and developers, the applicant and future site developers shall participate in any City or County task force that is established to plan and fund public-private transit partnerships in the southwestern Lakeland area to mitigate areawide transportation impacts generated by on-going residential and employment center activity in the vicinity of Lakeland-Linder Regional Airport.~~
  - ~~4. Transportation Demand Management: Depending on the timing and scale of development activity on the subject property and adjacent roadway level-of-service deficiencies at the time of this development, the following measures may be required of specific end users, including but not limited to:
 
    - ~~a. Staggered work hours that prevent shift changes from occurring between 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m.;~~
    - ~~b. Shower and employee changing facilities for the first 40,000 square feet of office uses within each building with one additional facility being required for each additional 100,000 square feet of office space per building; and/or~~
    - ~~c. Employer purchase of transit passes for employees.~~~~

35. Off-Site Traffic Mitigation

- a. ~~At the time of final site plan approval for the phase generating a cumulative 113 total PM Peak Hour external trips, the applicant shall signalize the Waring Road/Old Medulla Road intersection, subject to the submittal of a signal warrant and other operational analyses determined to be acceptable by Polk County. In the event that a signal is not determined to be warranted at that time, subsequent site plan submittals shall include updated warrant analyses until the signal is approved by Polk County and installed by the applicant. At the time that the Waring Road/Old Medulla Road intersection is signalized, the eastbound (western) intersection approach may be restriped to achieve a shared through /left turn lane and right turn lane configuration. Polk County will have final approval authority regarding turn lane configuration. Prior to first site plan submittal, the applicant shall complete a signal warrant analysis for the Old Medulla Road/Waring Road intersection. If a traffic signal is warranted or expected to be warranted by buildout, the applicant shall execute a Proportionate-Share Funding Agreement, as provided in Chapter 163.3180(5), Florida Statutes, with the City and/or County for design and installation of the signal to ensure that it is operational prior to development on subject property being significant on this intersection. Polk County will have final approval authority regarding final improvement package at this intersection as operator of Waring and Old Medulla Roads.~~
- b. Prior to the final site plan approval representing a cumulative 50% of project buildout (~~299~~ 346 PM Peak Hour external trips), the applicant shall fund one additional hour of service for ~~Route #58~~ Coral Line between 5 p.m. and 6 p.m. as operated by the Lakeland Area Mass Transit District (LAMTD) or other equivalent service improvement that is approved by LAMTD. This service is intended to ensure that at least 60-minute route frequencies are available in the vicinity of the subject property during the entire PM Peak Period in support of the adopted level-of-service standards for the Urban Development Area.
- c. ~~Prior to final site plan approval for the project phase generating a cumulative 460 total PM Peak Hour external trips, the ultimate State Road 572 (Drane Field Road) / Waring Road intersection improvement package shall be funded in the first three years of a State or local Capital Improvement Program. In the event that this intersection capacity improvement is not committed at that time, the applicant may propose alternative mitigation improvements to allow for a favorable concurrency determination.~~

46. Site Access and Design

- a. Access points to the subject property shall be generally located as depicted in Attachment "C." Subject to final determinations and approval by Polk County at the time of permitting, the following access points will be allowed on West Pipkin and Old Medulla Roads:
  - i. West Pipkin Road at Pod "B" Spine Road east of Parcel A1: A signalized full-movement intersection, with eastbound left- and westbound right-turn lanes being required on West Pipkin Road as constructed with four-lane widening project;

- ii. West Pipkin Road at Pod "A" Parcel C: A right-in/right-out driveway opposite Forestgreen Drive, subject to appropriate geometric modifications at median opening to prevent entering and exiting left-turns at this location at the far east end of Pod "A," with a westbound right turn lane being required on West Pipkin Road to accommodate allowable uses at this location provided that this access point is allowable by Polk County and sufficient right-of-way is available to accommodate any required right-turn lane at this location;
  - iii. West Pipkin Road at Parcel D: A right-in/right-out driveway in event that parcel is not used for stormwater retention;
  - ~~iii. Old Medulla Road at Pod "A": A right in/right out driveway;~~
  - iv. Old Medulla Road immediately north of Pod "A" at Aviation Drive Extension: A full-movement intersection that is coordinated with any access point constructed on the west side of Old Medulla Road aligns with drive aisle running north of Parcel C; and
  - v. Old Medulla Road at Parcels B1 and B2: A full-movement access with east- and westbound approaches in alignment;
  - vi. Old Medulla Road at Parcel B2: A full-movement driveway that shall align with Windee Avenue; and
  - ~~vii. Old Medulla Road at Pod "D" Parcel B2 : A full movement access point with a westbound left turn lane. This access Access shall align be either aligned with Clements Road or shifted west of Clements Road, subject to approval by unless Polk County determines that such alignment is not possible or feasible.~~
- b. The internal road system shall be designed to City public road standards and be approved by the City Public Works Department. These roads shall be designed to structurally support commercial vehicles expected with a typical warehousing and business park development. Internal and external cross-access routes and connections depicted in Attachment "C" shall be formalized through easement agreements that are recorded with the Polk County Clerk of the Circuit Court. Proposed driveway connections to Airside Center Drive shall also be formalized through an agreement with Lakeland International Airport.
- ~~c. A minimum 12-foot wide multi-use trail shall be incorporated into the site design for all development activity fronting West Pipkin Road.~~
- cd. Sidewalks shall be constructed along the subject property's Old Medulla Road and Airside Center Drive frontages and along both sides of all internal roads. Americans with Disabilities Act-compliant pedestrian routes shall be constructed between each principal building entrance and each frontage and internal road sidewalk.
- d.e. Street lighting meeting Lakeland Electric standards shall be installed along the internal roads to City of Lakeland standards, and Lighting along Old

Medulla and West Pipkin Road project frontages shall be located at connections to Old Medulla and West Pipkin Roads and as otherwise required by Polk County.

~~e.f.~~ ADA-compliant transit stops, consisting of wheelchair deployment and bench pads, shall be constructed at locations ~~along the internal road system and at locations~~ determined to be acceptable by LAMTD or successor transit agency. A maximum of two transit shelters shall be required at locations ~~along the subject property's Old Medulla Road frontages and locations~~ determined to be acceptable by the transit agency and Polk County and subject to Building Permit issuance by the City Building Division. These transit stops may be installed concurrent with adjacent sidewalk construction.

~~f.g.~~ Bike parking shall be provided in close proximity to each principal building entrance in compliance with Land Development Code Section 4.11.6 and Index 900 of the City Engineering Standards Manual. Uncovered bike parking shall be provided for non-commercial (industrial, business park, office) portions of the Planned Unit Development.

~~g.h.~~ Avigation Agreement: Prior to first site plan submittal, the developer/property owner shall sign an Avigation Agreement prepared by the City of Lakeland that is recorded with the Polk County Clerk of the Circuit Court.

**SECTION 2.** The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5885.

**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 the effective date of Small-Scale Amendment #LUS24-005 to the Future Land Use Map, as provided in Ordinance No. \_\_\_\_.

**PASSED AND CERTIFIED AS TO PASSAGE** this 21st day of October, 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:

#### WEST PARCEL

A portion of the Northeast 1/4 of Section 9, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 9; thence S.89°53'28"W., 63.00 feet along the Northerly boundary line of the Northeast 1/4 of Section 9 to the Westerly right-of-way line of OLD MEDULLA ROAD and the POINT OF BEGINNING; thence along said Westerly right-of-way line the following three courses: S.00°27'32"E., 35.00 feet; thence N.89°53'28"E., 13.00 feet; thence S.00°27'27"E., 901.14 feet to the Northeast corner of the property described in Official Records Book 9961, Page 1369 of the Public Records of Polk County, Florida; thence S.89°30'27"W., 607.79 feet along the Northerly boundary line of said property described in Official Records Book 9961, Page 1369 to the Northwest corner thereof; thence S.00°28'11"E. 430.27 feet along the Westerly boundary line of property described in Official Records Book 9961, Page 1369 to the Southwest corner thereof; thence N.89°30'23"E., 207.65 feet along the Southerly boundary line of property described in Official Records Book 9961, Page 1369 to the Northwest corner of property described in Official Records Book 2938, Page 679 of the Public Records of Polk County, Florida; thence S.00°26'40"E., 399.68 feet along the Westerly boundary line of said property described in Official Records Book 2938, Page 679 to the Southwest corner thereof; thence N.89°31'48"E., 400.19 feet along the Southerly boundary line of said property described in Official Records Book 2938, Page 679 to the Southeast corner thereof, said point being on the Westerly right-of-way line of OLD MEDULLA ROAD; thence along said Westerly right-of-way line the following course and curve: S.00°28'07"E., 515.62 feet to the beginning of a non-tangent curve concave to the Northwest having a radius of 359.26 feet; thence Southwesterly, 277.17 feet along said curve through a central angle of 44°12'16" (chord bears S.29°59'10"W., 270.35 feet) to the Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly boundary line the following three courses: S.89°47'16"W., 253.21 feet; thence S.88°47'16"W., 213.33 feet; thence S.88°48'12"W., 708.27 feet to the Westerly boundary line of the property described in Official Records Book 10426, Page 2001 of the Public Records of Polk County, Florida; thence N.00°04'00"W., 2533.74 feet along the Westerly boundary line of said property described in Official Records Book 10426, Page 2001 to the Northwest corner thereof, said point also being on the Northerly boundary line of the Northeast 1/4 of said Section 9; thence N.89°53'28"E., 1281.30 feet along the Northerly boundary line of said property described in Official Records Book 10426, Page 2001 and said Northerly boundary line of the Northeast 1/4 of said Section 9 to the POINT OF BEGINNING.

Containing 65.50 Acres, more or less

#### EAST PARCEL

A portion of the Northwest 1/4 of Section 10, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 10; thence N.89°50'01"E., 1338.89 feet along the Northerly boundary line of the Northwest 1/4 of said Section 10 to the Northeast corner of the West 1/2 of the Northwest 1/4 of said Section 10; thence along the Easterly boundary line of said West 1/2 the following two courses: S.00°24'39"E., 25.00 feet to the Southerly right-of-way line of MEDULLA ROAD and the POINT OF BEGINNING; thence continue S.00°24'39"E., 2512.75 feet to the Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly right-of-way line the following two courses: S.89°54'02"W., 198.02 feet; thence N.86°37'50"W., 102.63 feet to the Westerly boundary line of the property described in Official Records Book 10429, Page 1752 of the Public Records of Polk County, Florida; thence N.00°21'56"W., 539.80 feet along said Westerly boundary line to the Northwest corner of said property described in Official Records Book 10429, Page 1752; thence S.89°54'02"W., 200.44 feet to the Northeast corner of property described in Official Records Book 4055, Page 200, of the Public Records of Polk County, Florida; thence S.00°22'01"E., 535.00 feet along the Easterly boundary line of said property described in Official Records Book 4055, Page 200 to the said Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly right-of-way line the following six courses: S.89°54'02"W., 14.39 feet; thence S.52°47'57"W., 43.10 feet; thence S.89°54'02"W., 138.00 feet; thence N.53°08'07"W., 36.46 feet; thence N.89°10'05"W., 547.10 feet; thence N.37°10'32"W., 38.61 feet to the Easterly right-of-way line of OLD MEDULLA ROAD; thence N.00°27'27"W., 590.61 feet along said Easterly right-of-way line to the Southwest corner of property described in Official Records Book 4386, Page 319 of the Public Records of Polk County, Florida; thence N.89°53'50"E., 400.01 feet along the Southerly boundary line of said property described in Official Records Book 4386, Page 319 to the Southeast corner thereof; thence N.00°27'27"W., 1059.44 feet along the Easterly boundary line of said property described in Official Records Book 4386, Page 319 to the Northeast corner thereof; thence S.89°50'01"W., 400.01 feet along the Northerly boundary line of said property described in Official Records Book 4386, Page 319 to the Northwest corner thereof, said point also being the said Easterly right-of-way line of OLD MEDULLA ROAD; thence along said Easterly right-of-way line the following two courses: N.00°27'27"W., 765.79 feet; thence N.44°45'13"E. 69.51 feet to the said Southerly right-of-way line of MEDULLA ROAD; thence N.89°50'01"E., 1239.54 feet along said Southerly right-of-way line to the POINT OF BEGINNING.

Containing 61.88 Acres, more or less

Future Land Use Change BP to NAC

LEGAL DESCRIPTION: (Parcel A1)

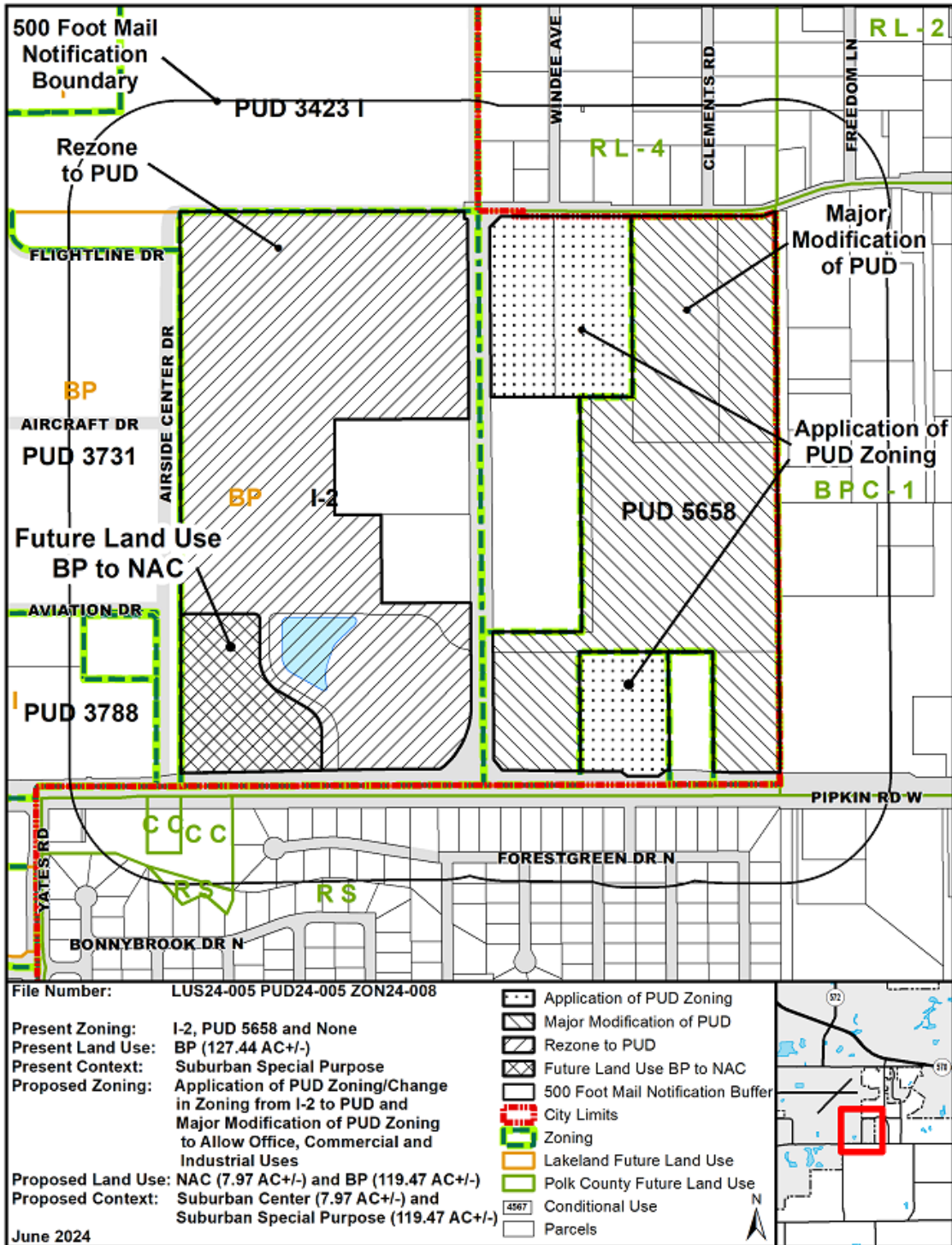
A portion of the Northeast 1/4 of Section 9, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of the said Northeast 1/4 of said Section 9; thence S.89°47'16"W., 726.32 feet along the Southerly boundary line of the Northeast 1/4 of said Section 9; thence N.00°04'00"W., 120.51 feet to the Northerly right-of-way line of PIPKIN ROAD and the POINT OF BEGINNING; thence S.88°48'12"W., 636.12 feet along said Northerly right-of-way line to the Westerly boundary line of property described in Official Records Book 10429, Page 2001, of the Public Records of Polk County, Florida; thence N.00°4'00"W., 694.03 feet along said Westerly boundary line to the beginning of a curve

concave to the Southeast having a radius of 25.00 feet; thence Northeasterly, 39.27 feet along said curve through a central angle of 90°00'00" (chord bears N.44°56'00"E., 35.36 feet); thence N.89°56'00"E., 307.00 feet to the beginning of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly, 39.27 feet along said curve through a central angle of 90°00'00" (chord bears S.45°4'00"E., 35.36 feet); thence S.00°04'00"E., 175.25 feet to the beginning of a curve concave to the Northeast having a radius of 175.00 feet; thence Southeasterly, 181.34 feet along said curve through a central angle of 59°22'23" (chord bears S.29°45'11"E., 173.34 feet); thence S.59°26'23"E., 152.07 feet to the beginning of a curve concave to the Southwest having a radius of 127.00 feet; thence Southeasterly, 131.60 feet along said curve through a central angle of 59°22'23" (chord bears S.29°45'11"E., 125.79 feet); thence S.00°04'00"E., 168.89 feet to the POINT OF BEGINNING.

Containing 7.97 Acres (347051.20 Square Feet), more or less.

ATTACHMENT "B"





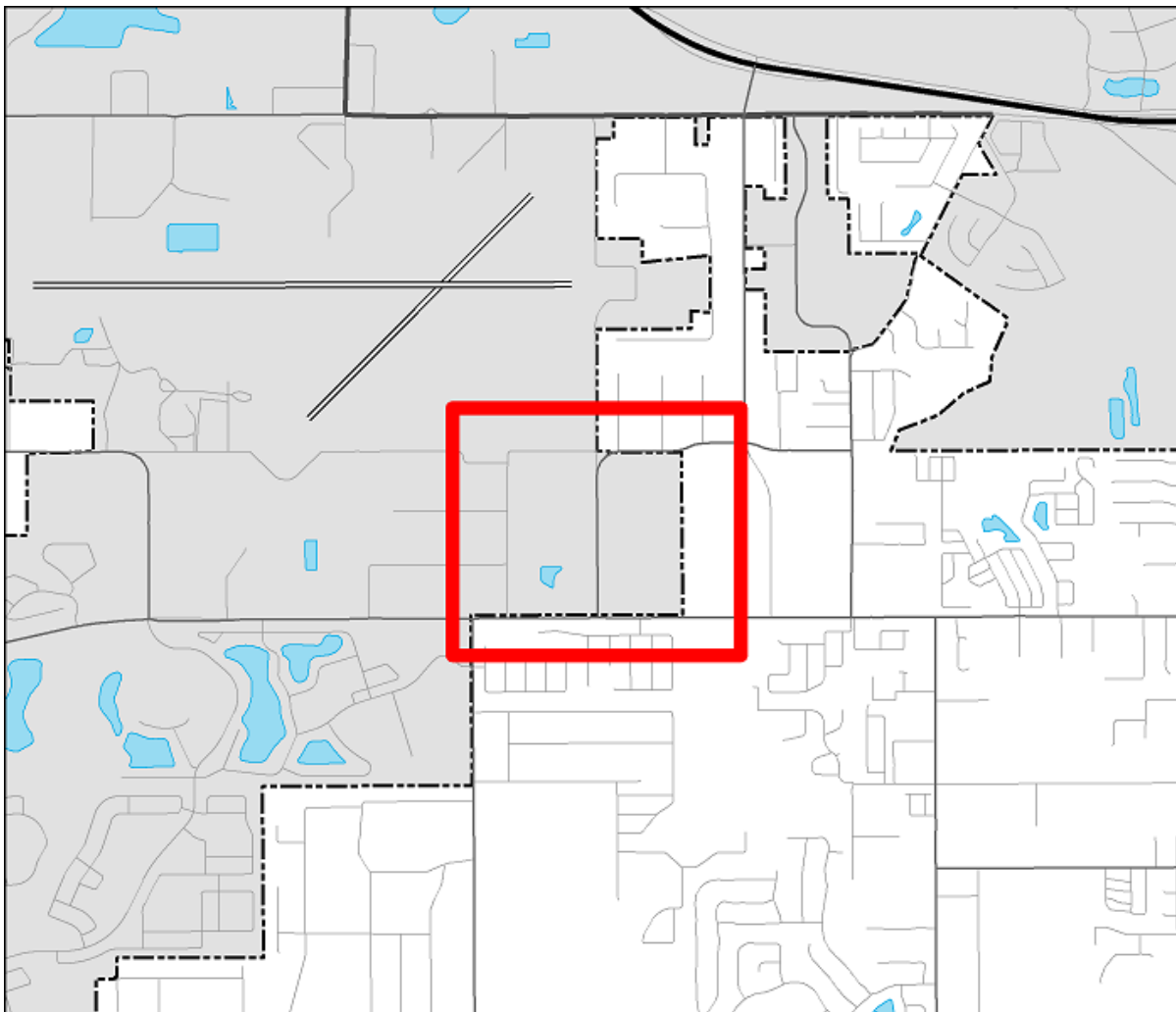


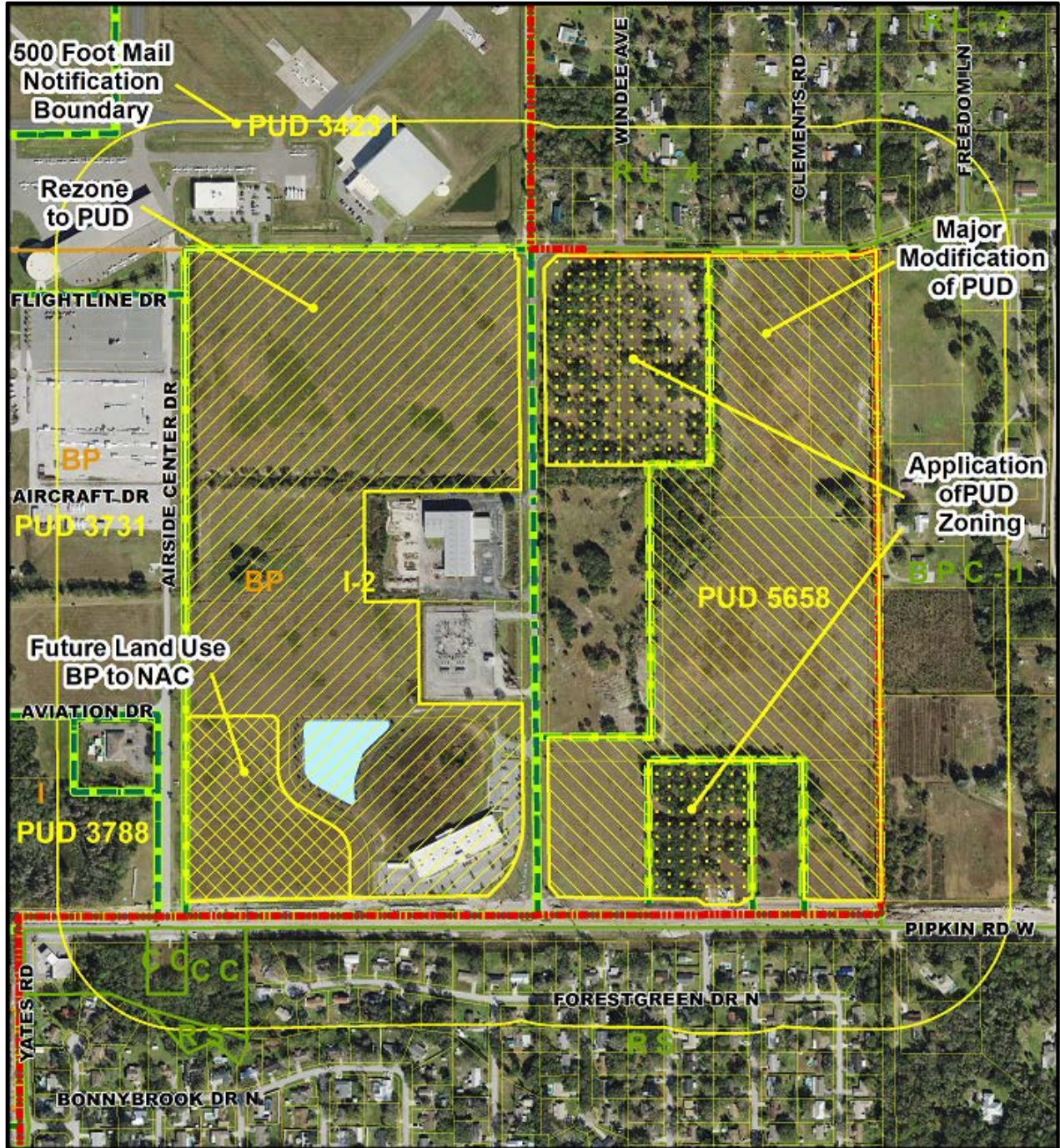


# Planning & Zoning Board Recommendation

Date:	October 7, 2024	Reviewer:	Audrey McGuire
Project No:	LUS24-005 PUD24-005 ZON24-008	Location:	3130 Airside Center Drive
Owner:	RRL Airpark, LLC		
Applicant:	John B. Allen, Peterson & Myers, P.A.		
Current Zoning:	I-2 (Medium Industrial)	Future Land Use:	Business Park (BP)
Context District:	Suburban Special Purpose (SSP)		
P&Z Hearing:	June 18, 2024	P&Z Final Decision:	September 17, 2024
Request:	<p>A small-scale land use amendment to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres (Parcel A1); a change of zoning on approximately 65.50 acres from I-2 (Medium Industrial) to PUD (Planned Unit Development); application of PUD (Planned Unit Development) zoning on approximately 16.9 acres of unzoned property; and a major modification of PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive.</p>		

## 1.0 Location Maps





## 2.0 Background

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### 2.1 Summary

John B. Allen, Peterson & Myers, P.A., requests a small-scale land use amendment, to change the future land use designation from Business Park (BP) to Neighborhood Activity Center (NAC), concurrent with a City-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres (Parcel A1); a change of zoning on approximately 65.50 acres from I-2 (Medium Industrial) to PUD (Planned Unit Development); application of PUD (Planned Unit Development) zoning on approximately 16.9 acres of unzoned property; and a major modification of PUD zoning to incorporate additional acreage and allow for a mix of office, commercial and industrial uses on approximately 127.38 acres generally located north of W. Pipkin Road and east of Airside Center Drive. A map of the subject property is included as Attachment "B."

### 2.2 Subject Property

The subject property is approximately 127.38 acres in area and generally located north of W. Pipkin Road, east of Airside Center Drive and Old Medulla Road, and southeast of Lakeland-Linder International Airport. The subject property is comprised of multiple parcels with a Future Land Use designation of Business Park (BP) and a Suburban Special Purpose (SSP) context sub-district designation, but different or no zoning designations. Adjacent parcels to the east are within unincorporated Polk County and consists of a mixture of single-family and agricultural uses with a County Business Park Center-1 (BPC-1) land use designation. The subject property is bounded by County single-family residential uses to the north across Old Medulla Road, east and south across West Pipkin Road.

Approximately 65.5 acres of the subject property, generally east of Airside Center Drive and west of Old Medulla Road, is zoned I-2 (Medium Industrial) and is largely undeveloped except for a 37,858 square-foot industrial office constructed in 2019 on approximately 11.48 acres located at 3111 W. Pipkin Road.

Three separate parcels, approximately 16.9 acres in area, located on the east side of Old Medulla Road do not currently have City zoning. These parcels were annexed in 2009, assigned a Future Land Use classification of BP in 2010, and as part of the 2013 update to the Land Development Code were assigned a SSP context sub-district designation. These parcels were not assigned zoning at the time due to the lack of a specific development proposal.

The remainder of the subject property is zoned Planned Unit Development (Ordinance 5658, as amended) and has entitlements which would allow for the development of an industrial office park with limited commercial uses. Adjacent parcels to the east are within unincorporated Polk County and consists of a mixture of single-family and agricultural uses with a County Business Park Center-1 (BPC-1) land use designation.

### 2.3 Project Background

The purpose of this request is to amend and expand the boundaries of the existing PUD to allow for future development as a mixed-use industrial office park and commercial center. A conceptual site development plan which shows proposed access points, and the location of various development parcels is included as Attachment "C."

## 2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Lakeland Linder International Airport / Single-Family Residential	I / County RL-4	PUD	SSP
South	Single-Family Residential	County RS	N/A	N/A
East	Single-family Residential	County BPC-1	N/A	N/A
West	Lakeland Linder International Airport / Industrial	BP / I	PUD	SSP

## 2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Revised Conceptual Site Development Plan

## 3.0 Discussion

In 2008 the subject property was identified for future development of Business Park uses as part of the 2008 Southwest Lakeland Sector Plan. Currently, the entire subject property has a Future Land Use designation of BP (Business Park). Per the policies of the Lakeland Comprehensive Plan: *Our Community 2030*, the BP land use designation is intended for major employment centers and does not support general retail commercial uses. Retail uses are limited to 15 percent of the BP land use area and should be considered only where supportive of primary businesses and employers in the area.

The current PUD zoning (Ordinance 5658) was approved in 2017 and includes approximately 44.98 acres east of Old Medulla Road and north of West Pipkin Road. This PUD allows for a mix of industrial and office uses with limited commercial uses confined to the northeast corner of Old Medulla Road and West Pipkin Road (a portion of Parcel C). The proposed PUD modification will expand the existing boundaries of the PUD to allow for the expansion of a mixed-industrial commercial office park, incorporating additional land totaling 82.4 acres of land – 16.9 acres of unzoned property east of Old Medulla Road, and 65.5 acres of land proposed to be rezoned from I-2 (Medium Industrial) to PUD west of Old Medulla Road.

The subject property remains largely undeveloped except for an 11.48-acre parcel at the northwest corner of Old Medulla Road and West Pipkin Road (Parcel A3). This parcel was developed under the I-2 (Medium Industrial) zoning regulations in 2019 and, per the Polk County Property Appraiser, contains a 37,858 square-foot industrial office building. The 11.48-acre parcel is included within the 65.5 acres west of Old Medulla Road to be rezoned from I-2 to PUD, and the proposed PUD modification will preserve existing I-2 land use entitlements for this parcel.

To account for a lack of retail and service uses in the area, a 7.97-acre tract at the northeast corner of Airside Center Drive and West Pipkin Road is proposed to be reserved for commercial uses (Parcel A1). This tract is included within the 65.5 acres west of Old Medulla Road to be rezoned from I-2 to PUD and the proposed PUD modification will allow for C-4 (Community Commercial Center) uses. However, as commercial retail uses are not supported by the BP land use classification, a Future Land Use amendment from BP to Neighborhood Activity Center (NAC) is proposed concurrent with a city-initiated context sub-district change from Suburban Special Purpose (SSP) to Suburban Center (SCT) for the 7.97-acre tract.

The existing PUD limits commercial uses to a 5.24-acre tract (4.74 acres today) at the northeast corner of Old Medulla Road and West Pipkin Road to minimize impacts to adjacent residential uses. Under the proposed PUD modification, this tract and the adjacent 5.02-acre parcel to the east (Parcel C) will be reserved for O-3 (Moderate Impact Office District) uses. While primarily intended for professional office and medical office, O-3 also allows for office-support-type commercial uses such as hotels, high-turnover and low-turnover restaurants, and limited retail and personal services uses. The proposed O-3 uses are intended to support industry and business in the area and will account for approximately 8.18 percent of the remaining BP land use area within the modified PUD consistent with the policies of the Comprehensive Plan.

The remainder of the subject property (Parcels A2, B1, B2 and D) will be reserved for industrial and limited office uses within the PUD. To mitigate compatibility concerns and potential impacts to adjacent residential land uses, the proposed PUD modification includes conditions pertaining to the location of outdoor storage and loading docks, service bays, and loading/unloading areas; landscape buffering; and architectural material and façade variation requirements for industrial and office uses.

### **3.1 Transportation and Concurrency**

#### *Comprehensive Plan and LDC Standards; Background Conditions*

The requested land use and zoning actions will significantly expand the PUD beyond the limits of the City Commission's 2017 approval through Ordinance No. 5658. The subject property is located within the Urban Development Area as designated in the Comprehensive Plan, with a Level of Service (LOS) "E" Roadway Standard subject to multi-modal conditions being required for transportation concurrency approval, including transit service with at least 60-minute frequencies, availability of transit shelters, multi-use trail linkages and internal grid network requirements.

It is acknowledged that sufficient retail does not exist in southwestern Lakeland to support the employment centers that have historically characterized the area and the significant amount of residential development that has continued over the past 20 years. The proposed Neighborhood Activity Center is intended to address this retail deficit and provide more proximate shopping and dining opportunities with the Publix at County Line retail center located at the West Pipkin Road/County Line Road intersection, approximately 2.6 miles to the west. The Comprehensive Plan describes the Neighborhood Activity Center (NAC) as intended to accommodate the shopping needs of persons living within the immediate surrounding neighborhoods with uses including grocery store, drug store, few other small retail and office uses in a contiguous building or on outparcels. The Comprehensive Plan further goes on to state that the NAC future land use is intended to promote walkable neighborhoods with access to healthy foods, exceptions may be made to the general characteristics for Convenience Center site size, gross leasable area and/or separation distance where found compatible with surrounding uses and proposing a neighborhood level grocery as the primary use; the site shall be governed by PUD zoning, employ site design that maximizes walkability and compatibility, and exclude uses that are primarily auto-oriented. The introduction of limited auto-oriented uses within Parcel A1 (NAC land use) is being balanced with other employment and smaller-scale retail uses that are permitted in the BP portions of the larger development site and to prevent turning West Pipkin Road into a linear (strip) commercial corridor following Polk County's transportation improvement investment in excess of \$55 million.

Most of the surrounding road network is operated by Polk County, including West Pipkin Road, Old Medulla Road, Waring Road and Yates Road. Airside Center Drive along the western and northern boundary of the subject property is a private roadway owned by Lakeland International Airport. Per the 2023 Roadway Network Database as published by the Polk Transportation Planning Organization on October 13, 2023, West Pipkin Road has an Annual Average Daily Traffic (AADT) volume of 10,400 vehicles, with a two-hour average of 363 eastbound and 378 westbound vehicles. During the P.M.

Peak, this segment operates at an acceptable Level of Service (LOS) “C” assuming a four-lane capacity. Old Medulla Road has an AADT of only 600 vehicles, with a two-hour average of 21 eastbound and 22 westbound vehicles during the P.M. Peak, operating at an acceptable LOS “C”. Waring Road between Old Medulla Road and State Road 570 (Polk Parkway) has an AADT of 10,900 vehicles, with a two-hour average of 481 northbound and 500 southbound vehicles during the P.M. Peak.

### Binding Concurrency Determinations

For binding concurrency determinations, Concurrency Management Ordinance No. 5293 states that a Certificate of Concurrency shall be issued for a development approval and remain in effect for the same period of time as the development approval with which it is issued. The LDC defines Development Approvals as final subdivision plat approval, final site plan approval and building permit. Transportation concurrency certificates shall be valid for 36 months, with an additional one-year extension available through administrative approval by the Director of Community & Economic Development. For commercial subdivisions, development activity receives concurrency approval at individual site plan approval. For large, multi-phased developments, extended concurrency approvals with on- and off-site mitigation is allowed through Development Agreements such as those executed for Riverstone, Hawthorne Ranch and Lakeside Preserve/Prose Lakeland in compliance with the Florida Local Government Development Agreement Act, Sections 163.3220 – 163.3243, *Florida Statutes*.

### Committed Transportation Projects and Mitigation from Nearby Development Activity

To accommodate growth within southwest Lakeland, several key transportation projects have been undertaken by public agencies or required through PUD zoning approvals and/or Development Agreements with the private sector. Polk County is currently reconstructing West Pipkin Road between State Road 37 (S. Florida Avenue) and Medulla Road, including a four-lane widening between Harden Boulevard and Medulla Road and a three-lane reconstruction east of Harden Boulevard. These corridor improvements are expected to be completed in Fall 2024. In Fall 2024, the Florida Department of Transportation is expected to begin construction of a roundabout at the State Road 572 (Drane Field Road)/Waring Road intersection, which will replace the existing traffic signal at this location that operates at an unacceptable level-of-service. The roundabout has been designed to support the four-lane widening of Waring Road between Drane Field and West Pipkin Roads, which is classified as a Cost-Feasible Project in the TPO’s *Momentum 2045* long-range transportation and for which a cross-section and alignment were recommended in the City’s Waring Road Alignment Study completed in 2003. To date, no subsequent project phases for the Waring Road corridor have been programmed in a City, County or FDOT Work Program.

The nearby Riverstone, Hawthorne Ranch, Prose Lakeland Apartments and Lakeside Preserve developments are subject to executed Development Agreements with the City Commission requiring payments for road widening, intersection improvement, transit capital and transit operation mitigation measures to address projected multi-modal level-of-service deficiencies. Riverstone has extended Medulla Road from West Pipkin Road to its shared western boundary with Hawthorne Ranch, whose developer is required to complete the extension to a new north-south collector roadway it is constructing between West Pipkin Road and Ewell Road called “Peachleaf Street”. Riverstone has recently completed installation of a traffic signal at the Medulla Road/West Pipkin Road intersection while Hawthorne Ranch is required to conduct signal warrant analysis at the West Pipkin Road/Peachleaf Street and Ewell Road/Peachleaf Street intersections. Neither Riverstone nor Hawthorne Ranch have been granted City Transportation Impact Fee Credits for their portions of Medulla Road or Peachleaf Street. To address its impacts on Waring Road, Riverstone’s developer and the City Commission executed a Proportionate-Share Agreement (Recorded on July 22, 2020, Book 11307/Pages 838-853) through which it paid and received City Transportation Impact Fee

credits totaling \$1,402,465 for its share of the cost to widen Waring Road north of Old Medulla Road as well as improvements to the Drane Field Road/Waring Road intersection.

The subject property is served with fixed-route transit service via the Lakeland Area Mass Transit District's (Citrus Connection) Coral Line, with 90-minute frequencies from the Wal-Mart at Imperial Boulevard transfer point to Lakeside Village, Airside Center/GEICO, Riverstone and County Line Road Publix (Gresham Village). Developments on properties not included within LAMTD's boundaries, within which a half-mill ad valorem tax is granted for transit services within the Lakeland area, are required to submit annexation petitions to the LAMTD Board of Directors for action and if approved, provided to the City Commission for ratification. Development approvals for GEICO's expansion project on Aviation Drive, County Line Publix, Mosaic SOLA apartment community and Prose Lakeland apartment community have included transit shelter installation and depending on location, bus bay installation. As required by Riverstone's Development Agreement with the City of Lakeland, a separate Funding Agreement has been executed with LAMTD (Recorded on July 2, 2021, Book 11787/Pages 1127-1129) through which the developer is providing \$100,000 per year for five years for operating costs of expanded transit service for what has become the Coral Line. As required by the Hawthorne Development Agreement with the City, a separate Funding Agreement was executed with LAMTD (Recorded on August 23, 2022, Book 12390/Pages 1961-1965) through which the developer will pay for the purchase of a bus over a three-year period in exchange for City Transportation Impact Fee Credits.

Adjacent to the subject property, West Pipkin Road is part of a Proposed Pathways Corridor linking southwest Lakeland with the Lake-to-Lake Bikeway and Downtown Lakeland. Sidewalks and bicycle lanes are being incorporated into the on-going West Pipkin Road four-lane widening project west of the Old Highway 37/Harden Boulevard intersection. The Medulla Road Extension and Peachleaf Street projects constructed through Riverstone and Hawthorne Ranch include a ten-foot-wide pathway on one side of the street, a sidewalk on the opposite side of the street and four-foot-wide paved shoulders. A ten-foot-wide pathway segment has also been constructed with nearby development including the GEICO Expansion project on Aviation Drive.

#### Access Management

Section 4.2.4 of the LDC includes West Pipkin Road as a Type I roadway between Old Highway 37 and County Line Road. Type I roadways are of particular significance for freight movement and high-capacity connectivity to Lakeland's urban core. To minimize local traffic and improve corridor efficiency and safety, the LDC requires that access to development sites on Type I roadways be controlled, with cross-access and/or service roads to adjacent properties and improvements to adjacent corridors. As a recent example, the County Line Publix retail center project that opened in 2021 includes a backage road parallel to County Line Road between West Pipkin Road to Ralston Road called "Gresham Farms Road", which minimizes driveway connections to both significant roadways and distributes traffic around the West Pipkin Road/County Line Road intersection. No City Transportation Impact Fee Credits have been granted for this access road.

The subject PUD project area includes two internal access roads that are currently under construction by the property owner/developer. An east-west road extends Aviation Drive between Airside Center Drive and Old Medulla Road and a north-south road connects the Aviation Drive Extension to West Pipkin Road along the east side of Parcel A1. During the right-of-way acquisition phase for the West Pipkin Road four-lane widening project, the developer and County coordinated the design and installation of a new traffic signal on West Pipkin Road at the north-south spine road. With this new signalized intersection, the West Pipkin Road design includes a full median at Old Medulla Road, restricting that intersection to right-in/right-out operations. At the property owner's/developer's request, these two internal access roads will be dedicated to the City of Lakeland as public right-of-way upon completion and acceptance by the City.

### Lakeland Airpark Traffic Analysis

The original Lakeland Airpark traffic study prepared by Raysor Transportation Consulting, LLC in May 2017 was based on a development program containing 320,000 square feet of light industrial, 150,000 square feet of general office and 25,000 square feet of specialty retail uses. This development program was expected to generate 4,916 Daily, 592 AM Peak Hour (501 Enter/91 Exit) and 598 PM Peak Hour (103 Enter/495 Exit) trips. As the development area has expanded and evolved, subsequent analyses were conducted to evaluate turn lane needs for the development area on West Pipkin and Old Medulla Roads.

For the current expanded land use and zoning requests, an initial traffic study was conducted in 2023 and submitted with a Major Traffic Study Supplement prepared by Michael Raysor, P.E., Raysor Transportation Consulting, dated March 11, 2024. This analysis and supplement evaluated a revised development program of uses proposed by the property owner/developer:

- Code 150 (Warehouse): 942,450 sf
- Code 180 (Special Trade Contractor): 22, 500 sf
- Code 710 (General Office): 21,700 sf
- Code 934 (Fast-Food w/ Drive-Through): 5,000 sf
- Code 937 (Coffee/Donuts w/ Drive-Through): 3,000 sf
- Code 937 (Coffee/Donuts w/ Drive-Through): 3,000 sf
- Code 821 (Commercial, 40-150 ksf): 40,000 sf

City staff views these proposed uses as representing a conservative development program for trip generation purposes only since auto-oriented uses are not generally supported by the NAC definition in the Comprehensive Plan. This assumed development program is estimated to generate a total driveway volume of 10,294 Daily, 1,027 A.M. Peak Hour (593 Enter/434 Exit) and 841 P.M. Peak Hour (367 Enter/474 Exit) trips. With application of pass-by capture rates (estimated traffic that is already on adjacent roadways) for Codes 934, 937 and 821, the estimated *new* external volume of the proposed development is 8,624 Daily, 887 A.M. Peak Hour (523 Enter/364 Exit) and 691 P.M. Peak Hour (292 Enter/399 Exit) trips. The 2023 analysis and 2024 Supplement evaluate a 2026 horizon year with vested trips from Hawthorne, Lakeside Preserve/Prose Lakeland and Mosaic SOLA Apartments (Riverstone was considered substantially built-out) and a two-percent annual growth rate.

Based on the conclusions of this traffic study, the post-development generalized volume-to-capacity ratio on Waring Road (Old Medulla Road to Drane Field Road) during the P.M. Peak Period is expected to be 1.03 and 1.16 in the northbound and southbound directions, respectively. Since the planning-level capacity analysis projects a level-of-service failure, Section 10.3.3 (Major Traffic Study Review Requirements) of the LDC requires that a more detailed arterial segment analysis be conducted. The 2023 analysis prepared by Mr. Raysor includes a more detailed segment analysis for this portion of Waring Road, which concludes that the corridor is operating at LOS "B". At the Waring Road/Old Medulla Road intersection, located approximately 1,000 feet east of the eastern boundary for Parcel B2, the eastbound approach operates at LOS "F" in the background (without subject development traffic) and post-development conditions; however, the approach delay increases from 54.6 seconds to 173.3 seconds. While the traffic study evaluates the performance of a traffic signal and roundabout at this location from a level-of-service standpoint, a formal signal warrant analysis will be necessary prior to first site plan approval with coordination with the property owner and County regarding timing and funding of any signal that is warranted. Additional segment analyses will also be necessary for West Pipkin Road between Harden Boulevard and State Road 37 (S. Florida Avenue) since the development is "significant" (consuming more than five percent of the directional capacity) in the westbound direction on the sub-segment west of Old Highway 37 (Bonefish Grill) while the eastbound direction was completely closed for construction from January 2022 to March 2024. The

purpose of this analysis is to confirm the expected eastbound background and post-development level-of-service and whether the proposed development would have an “adverse” impact that would require mitigation.

### City Staff Comparison of Existing and Proposed Land Uses for Parcel A1

City staff has prepared a trip generation comparison between the maximum potential uses in the existing Business Park (BP) and Neighborhood Activity Center (NAC) land uses. For the BP land use, approximately 174,000 square feet of Land Use Code 770 (Business Park) as defined in the Institute of Transportation Engineers’ (ITE) *Trip Generation Manual, 11<sup>th</sup> Edition* was evaluated, assuming a maximum .5 Floor Area Ratio (FAR) on 7.97 acres (347,173 square feet) as stated in the Comprehensive Plan. Daily trip generation is estimated to range between 2,165 and 2,564 vehicles. The A.M. Peak Hour of Adjacent Street Traffic (7 A.M. to 9 A.M.) trip generation is estimated to range from 230 to 235 vehicles. The P.M. Peak Hour of Adjacent Street Traffic (4 P.M. to 6 P.M.) trip generation is estimated to range from 212 to 237 vehicles.

For NAC, ITE Land Use Code 821 (Shopping Plaza (40-150K) w/o Supermarket) formed the basis of a hypothetical trip generation analysis. The maximum .75 FAR contained in the Comprehensive Plan would allow 260,380 square feet of retail uses; however, NAC description in Comprehensive Plan includes Gross Leasable Area (GLA) range of 10,000 square feet to 150,000 square feet. Based on maximum 150,000 GLA, this retail land use could generate 10,128 Daily trips; 260 A.M. Peak Hour of Adjacent Street Traffic (7 A.M. to 9 A.M.) trips and 779 P.M. Peak Hour of Adjacent Street Traffic (4 P.M. to 6 P.M.) trips. While a potential NAC development program would generate more trips than BP land use, the PUD would limit the total amount of new external trips that would be generated for concurrency purposes, with total driveway trips, including pass-by capture trips, being evaluated at the time of site plan submittal.

## **3.2 Comprehensive Plan Compliance**

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

## **4.0 Recommendation**

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

The Community & Economic Development Department reviewed this request and recommends approval of the change in Future Land Use classification from Business Park (BP) to Neighborhood Activity Center (NAC) concurrent with a City initiated application to change to context sub-district from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres; a change in zoning from I-2 (Medium Industrial) to PUD on approximately 65.5 acres; application of PUD zoning on approximately 16.9 acres of unzoned property; and a major modification of Planned Unit Development (PUD) zoning to incorporate an additional 82.4 acres and allow for a mix of office, commercial and industrial uses. Letters of notification were mailed to 101 property owners within 500 feet of the subject property. No calls or emails were received in objection of this request.

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

The recommendation was approved by a 5—0 vote of the Board.

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 Neighborhood Activity Center (NAC), concurrent with

a City-initiated application to change the context sub-district from Suburban Special Purpose (SSP) to Suburban Center (SCT) on approximately 7.97 acres; change in zoning from I-2 (Medium Industrial) to Planned Unit Development (PUD) on approximately 65.5 acres; application of PUD zoning on approximately 16.9 acres of unzoned property; and major modification of PUD zoning to incorporate an additional 82.4 acres and allow for a mix of office, commercial and industrial uses as described above and in Attachments “A,” “B” and “C” be approved subject to the following conditions:

*Ordinance 5658 as amended:*

A. Permitted Uses

1. Parcel Pcd “A1”

Uses shall include those permitted by right within the C-4 (Community Center Commercial) zoning district, subject to the following modifications:

- a. Parcel “A1” shall be limited to no more than one (1) “fast-food” restaurant with drive-through facilities and one (1) “fast-casual” restaurant.
- b. Parcel “A1” shall be limited to no more than one (1) minor motor vehicle fuel sales use, as defined by Section 2.6 of the Land Development Code. Major motor vehicle fuel sales shall be prohibited.

~~Banks, credit unions and savings and loan associations~~

~~Convenience stores with motor vehicle fuel sales~~

~~Office uses, government and non-government~~

~~Office support retail uses~~

~~Restaurants, low turnover, sandwich shops and snack bars~~

2. Parcels Pcd “A2,” “A3,” “B1,” “B2” and “D”

Uses shall include those permitted by right within the I-2 (Medium Industrial) zoning district, subject to the following modifications:

- a. The following additional uses shall be permitted:

~~Bathroom and kitchen contractor showrooms~~

~~Interior decorator showrooms~~

~~Lighting fixture showrooms~~

~~Mini-warehouses~~

~~Office uses, government and non-government~~

Office Uses, Medical and Non-Medical

Office-Type Research and Development Facilities

Blood Banks and Plasma Collection Facilities

Hospitals and Emergency Rooms

~~Other uses whose operating characteristics are similar to the above and are deemed compatible with surrounding land uses, as determined by the Director of Community Development.~~

3. Pods Parcel "C" and "D"

Uses shall include those permitted by right in the O-3 (Moderate Impact Office) zoning district, subject to the following modification(s):

- a. Restaurants, high turnover and low turnover, may be permitted but limited to only one (1) "pick-up/carry-out" window for mobile and online ordering. This provision shall not be construed to permit drive-through uses and drive-through facility equipment such as, but not limited to, kiosks, call boxes, and menu boards, which shall be prohibited.

~~Bathroom and kitchen contractor showrooms~~

~~Carpet and flooring stores~~

~~General warehousing and storage~~

~~Industrial uses, Level I~~

~~Industrial service uses, Level I, but not automobile towing services~~

~~Interior decorator showrooms~~

~~Mini-warehouses~~

~~Office uses, government and non-government~~

~~Office-type research and development facilities~~

~~Retail building materials sales, Level I~~

~~Upholstering, but not furniture stripping~~

~~Wholesale trade uses, Level I~~

~~Other uses whose operating characteristics are similar to the above and are deemed compatible with surrounding land uses, as determined by the Community and Economic Development Director.~~

- B. Site Development Plan: The project shall be developed in substantial accordance with the conceptual site development plan, Attachment "C." With the approval of the Director of Community and Economic Development, minor modifications may be made at the time of site plan review without requiring a modification of this PUD.

C. Development Regulations:

1. Pods Parcel "A1" and "B": In accordance with the C-4 / Suburban Center O-3/Suburban Corridor sub-district standards.
2. Parcels "A2," "A3," "B1," "B2" and "D": In accordance with the I-2 / Suburban Special Purpose sub-district standards.

~~23. Pod Parcel "C": In accordance with the O-3/Suburban Corridor I-2/Suburban Special Purpose sub-district standards.~~

~~3. Pod "D": In accordance with the I-2/Suburban Special Purpose sub-district standards except any building elevations visible from Old Medulla Road shall be subject to the architectural materials and façade variation requirements specified by Sections 3.4.7.3 and 3.4.7.5 of the Land Development Code.~~

D. Parking, Landscaping and Buffering: In accordance with the Land Development Code and the following:

1. Along the eastern boundary of Parcels "B2" and "D," a minimum 12 ft. wide buffer consisting of an 8-foot high opaque fence, and a double row of trees, each row having three trees for every 100 linear feet, shall be installed when the adjacent property is used as a residence; however, this shall not apply to areas where stormwater ponds are adjacent to the property line. Existing trees that are preserved may be used to meet the minimum number required by this condition.

E. Outdoor Storage: There shall be no outdoor storage of goods or materials in ~~Pods~~ Parcels "A1," "C" and "B" "D." Outdoor storage shall be permitted in ~~Pods "C" and "D"~~ Parcels "A2," "A3," "B1" and "B2" provided:

1. The height of materials stored outside shall not exceed ten (10) feet;
2. No outside storage of materials over six (6) feet in height may be located within fifty (50) feet of any property line of a residentially zoned or used lot;
3. All areas of outside storage shall be kept in a neat, orderly condition, free of weeds, litter and debris, odor and vermin;
4. No movement or arranging of materials stored outside shall occur between the hours of 10:00 p.m. and 6:00 a.m.;
5. No outside storage of materials shall occur forward of the front wall of a principal building facing any public street.

F. Building Service Areas: Loading docks, service bays and loading/unloading areas shall be prohibited along building facades that face a public roadway right-of-way. ~~any property used for residential purposes.~~ Within Parcels "B2" and "D," where adjacent to residential uses, loading docks shall be set back not less than 150 feet from the property boundary line abutting the residential use.

G. Transportation & Site Access:

1. Binding concurrency determinations shall be made at the time of each final site plan submittal. Concurrency determinations shall be based on the cumulative trip generation of allowed uses on the subject property, with amount of new external trips not exceeding 8,624 Daily, 887 A.M. Peak Hour (523 Enter/364 Exit) and 691 P.M. Peak Hour (292 Enter/399 Exit). As an option to the standard concurrency determination process and duration allowed by the City's Concurrency Management Ordinance, the developer may enter into a multi-modal Development Agreement or Proportionate-Share Agreement, as provided in Chapter 163.3180(5), Florida Statutes, to address transportation concurrency failures where the ultimate development program on the subject property has a significant and adverse impact. The Development Agreement will also address other off-site traffic signal or operational mitigation projects that are expected to be needed through development buildout. Based on the scale of development activity, cumulative external trip generation, and adjacent roadway

level-of-service deficiencies at the time of development, the City may require transportation demand management mitigation measures as provided for in Section 10.4.2.2 of the Land Development Code in order to issue a Certificate of Concurrence.

2. Prior to the first site plan or preliminary plat submittal, whichever occurs first, the applicant shall submit a petition to annex the entire subject property into the Lakeland Area Mass Transit District Boundaries.
3. ~~In conjunction with nearby landowners and developers, the applicant and future site developers shall participate in any City or County task force that is established to plan and fund public-private transit partnerships in the southwestern Lakeland area to mitigate areawide transportation impacts generated by on-going residential and employment center activity in the vicinity of Lakeland-Linder Regional Airport.~~
4. ~~Transportation Demand Management: Depending on the timing and scale of development activity on the subject property and adjacent roadway level-of-service deficiencies at the time of this development, the following measures may be required of specific end users, including but not limited to:~~
  - a. ~~Staggered work hours that prevent shift changes from occurring between 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m.;~~
  - b. ~~Shower and employee changing facilities for the first 40,000 square feet of office uses within each building with one additional facility being required for each additional 100,000 square feet of office space per building; and/or~~
  - c. ~~Employer purchase of transit passes for employees.~~

### 35. Off-Site Traffic Mitigation

- a. ~~At the time of final site plan approval for the phase generating a cumulative 113 total PM Peak Hour external trips, the applicant shall signalize the Waring Road/Old Medulla Road intersection, subject to the submittal of a signal warrant and other operational analyses determined to be acceptable by Polk County. In the event that a signal is not determined to be warranted at that time, subsequent site plan submittals shall include updated warrant analyses until the signal is approved by Polk County and installed by the applicant. At the time that the Waring Road/Old Medulla Road intersection is signalized, the eastbound (western) intersection approach may be restriped to achieve a shared through-/left-turn lane and right-turn lane configuration. Polk County will have final approval authority regarding turn lane configuration. Prior to first site plan submittal, the applicant shall complete a signal warrant analysis for the Old Medulla Road/Waring Road intersection. If a traffic signal is warranted or expected to be warranted by buildout, the applicant shall execute a Proportionate-Share Funding Agreement, as provided in Chapter 163.3180(5), Florida Statutes, with the City and/or County for design and installation of the signal to ensure that it is operational prior to development on subject property being significant on this intersection. Polk County will have final approval authority regarding final improvement package at this intersection as operator of Waring and Old Medulla Roads.~~
- b. Prior to the final site plan approval representing a cumulative 50% of project buildout (299 346 PM Peak Hour external trips), the applicant shall fund one additional hour of service for Route #58 Coral Line between 5 p.m. and 6 p.m. as operated by the Lakeland Area Mass Transit District (LAMTD) or other equivalent service improvement that is approved by LAMTD. This service is intended to ensure that at least 60-minute route frequencies are

available in the vicinity of the subject property during the entire PM Peak Period in support of the adopted level-of-service standards for the Urban Development Area.

- ~~e. Prior to final site plan approval for the project phase generating a cumulative 460 total PM Peak Hour external trips, the ultimate State Road 572 (Drane Field Road) / Waring Road intersection improvement package shall be funded in the first three years of a State or local Capital Improvement Program. In the event that this intersection capacity improvement is not committed at that time, the applicant may propose alternative mitigation improvements to allow for a favorable concurrency determination.~~

#### 46. Site Access and Design

- a. Access points to the subject property shall be generally located as depicted in Attachment "C." Subject to final determinations and approval by Polk County at the time of permitting, the following access points will be allowed on West Pipkin and Old Medulla Roads:
- i. West Pipkin Road at ~~Pod "B"~~ Spine Road east of Parcel A1: A signalized full-movement intersection, with eastbound left- and westbound right-turn lanes being required on West Pipkin Road as constructed with four-lane widening project;
  - ii. West Pipkin Road at ~~Pod "A"~~ Parcel C: A right-in/right-out driveway opposite Forestgreen Drive, subject to appropriate geometric modifications at median opening to prevent entering and exiting left-turns at this location at the far east end of Pod "A," with a westbound right-turn lane being required on West Pipkin Road to accommodate allowable uses at this location provided that this access point is allowable by Polk County and sufficient right-of-way is available to accommodate any required right-turn lane at this location;
  - iii. West Pipkin Road at Parcel D: A right-in/right-out driveway in event that parcel is not used for stormwater retention;
  - iii. ~~Old Medulla Road at Pod "A": A right-in/right-out driveway~~;
  - iv. Old Medulla Road immediately north of Pod "A" at Aviation Drive Extension: A full-movement intersection that ~~is coordinated with any access point constructed on the west side of Old Medulla Road~~ aligns with drive aisle running north of Parcel C; and
  - v. Old Medulla Road at Parcels B1 and B2: A full-movement access with east- and westbound approaches in alignment;
  - vi. Old Medulla Road at Parcel B2: A full-movement driveway that shall align with Windee Avenue; and
  - vii. ~~Old Medulla Road at Pod "D" Parcel B2 : A full-movement access point with a westbound left-turn lane. This access Access shall align be either aligned with Clements Road or shifted west of Clements Road, subject to approval by unless Polk County determines that such alignment is not possible or feasible.~~
- b. The internal road system shall be designed to City public road standards and be approved by the City Public Works Department. These roads shall be designed to structurally support commercial vehicles expected with a typical warehousing and business park development. Internal and external cross-access routes and connections depicted in Attachment "C" shall be formalized through easement agreements that are recorded with the Polk County Clerk of the Circuit Court. Proposed driveway connections to Airside Center Drive shall also be formalized through an agreement with Lakeland International Airport.

- ~~c.~~ A minimum 12-foot wide multi-use trail shall be incorporated into the site design for all development activity fronting West Pipkin Road.
- ~~cd.~~ Sidewalks shall be constructed along the subject property's Old Medulla Road and Airside Center Drive frontages and along both sides of all internal roads. Americans with Disabilities Act-compliant pedestrian routes shall be constructed between each principal building entrance and each frontage and internal road sidewalk.
- ~~d.e.~~ Street lighting meeting Lakeland Electric standards shall be installed along the internal roads to City of Lakeland standards. and Lighting along Old Medulla and West Pipkin Road project frontages shall be located at connections to Old Medulla and West Pipkin Roads and as otherwise required by Polk County.
- ~~e.f.~~ ADA-compliant transit stops, consisting of wheelchair deployment and bench pads, shall be constructed at locations along the internal road system and at locations determined to be acceptable by LAMTD or successor transit agency. A maximum of two transit shelters shall be required at locations along the subject property's Old Medulla Road frontages and locations determined to be acceptable by the transit agency and Polk County and subject to Building Permit issuance by the City Building Division. These transit stops may be installed concurrent with adjacent sidewalk construction.
- ~~f.g.~~ Bike parking shall be provided in close proximity to each principal building entrance in compliance with Land Development Code Section 4.11.6 and Index 900 of the City Engineering Standards Manual. Uncovered bike parking shall be provided for non-commercial (industrial, business park, office) portions of the Planned Unit Development.
- ~~g.h.~~ Avigation Agreement: Prior to first site plan submittal, the developer/property owner shall sign an Avigation Agreement prepared by the City of Lakeland that is recorded with the Polk County Clerk of the Circuit Court.

## ATTACHMENT "A"

### Legal Description:

#### WEST PARCEL

A portion of the Northeast 1/4 of Section 9, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 9; thence S.89°53'28"W., 63.00 feet along the Northerly boundary line of the Northeast 1/4 of Section 9 to the Westerly right-of-way line of OLD MEDULLA ROAD and the POINT OF BEGINNING; thence along said Westerly right-of-way line the following three courses: S.00°27'32"E., 35.00 feet; thence N.89°53'28"E., 13.00 feet; thence S.00°27'27"E., 901.14 feet to the Northeast corner of the property described in Official Records Book 9961, Page 1369 of the Public Records of Polk County, Florida; thence S.89°30'27"W., 607.79 feet along the Northerly boundary line of said property described in Official Records Book 9961, Page 1369 to the Northwest corner thereof; thence S.00°28'11"E. 430.27 feet along the Westerly boundary line of property described in Official Records Book 9961, Page 1369 to the Southwest corner thereof; thence N.89°30'23"E., 207.65 feet along the Southerly boundary line of property described in Official Records Book 9961, Page 1369 to the Northwest corner of property described in Official Records Book 2938, Page 679 of the Public Records of Polk County, Florida; thence S.00°26'40"E., 399.68 feet along the Westerly boundary line of said property described in Official Records Book 2938, Page 679 to the Southwest corner thereof; thence N.89°31'48"E., 400.19 feet along the Southerly boundary line of said property described in Official Records Book 2938, Page 679 to the Southeast corner thereof, said point being on the Westerly right-of-way line of OLD MEDULLA ROAD; thence along said Westerly right-of-way line the following course and curve: S.00°28'07"E., 515.62 feet to the beginning of a non-tangent curve concave to the Northwest having a radius of 359.26 feet; thence Southwesterly, 277.17 feet along said curve through a central angle of 44°12'16" (chord bears S.29°59'10"W., 270.35 feet) to the Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly boundary line the following three courses: S.89°47'16"W., 253.21 feet; thence S.88°47'16"W., 213.33 feet; thence S.88°48'12"W., 708.27 feet to the Westerly boundary line of the property described in Official Records Book 10426, Page 2001 of the Public Records of Polk County, Florida; thence N.00°04'00"W., 2533.74 feet along the Westerly boundary line of said property described in Official Records Book 10426, Page 2001 to the Northwest corner thereof, said point also being on the Northerly boundary line of the Northeast 1/4 of said Section 9; thence N.89°53'28"E., 1281.30 feet along the Northerly boundary line of said property described in Official Records Book 10426, Page 2001 and said Northerly boundary line of the Northeast 1/4 of said Section 9 to the POINT OF BEGINNING.

Containing 65.50 Acres, more or less

#### EAST PARCEL

A portion of the Northwest 1/4 of Section 10, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 10; thence N.89°50'01"E., 1338.89 feet along the Northerly boundary line of the Northwest 1/4 of said Section 10 to the Northeast corner of the West 1/2 of the Northwest 1/4 of said Section 10; thence along the Easterly boundary line of said West 1/2 the following two courses: S.00°24'39"E., 25.00 feet to the Southerly right-of-way line of MEDULLA ROAD and the POINT OF BEGINNING; thence continue S.00°24'39"E., 2512.75 feet to the Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly right-of-way line the following two courses: S.89°54'02"W., 198.02 feet; thence N.86°37'50"W., 102.63 feet to the Westerly boundary line of the property described in Official Records Book 10429, Page 1752 of the Public Records of Polk County, Florida; thence N.00°21'56"W., 539.80 feet along said Westerly boundary line to the Northwest corner of said property described in Official Records Book 10429, Page 1752; thence S.89°54'02"W., 200.44

feet to the Northeast corner of property described in Official Records Book 4055, Page 200, of the Public Records of Polk County, Florida; thence S.00°22'01"E., 535.00 feet along the Easterly boundary line of said property described in Official Records Book 4055, Page 200 to the said Northerly right-of-way line of PIPKIN ROAD; thence along said Northerly right-of-way line the following six courses: S.89°54'02"W., 14.39 feet; thence S.52°47'57"W., 43.10 feet; thence S.89°54'02"W., 138.00 feet; thence N.53°08'07"W., 36.46 feet; thence N.89°10'05"W., 547.10 feet; thence N.37°10'32"W., 38.61 feet to the Easterly right-of-way line of OLD MEDULLA ROAD; thence N.00°27'27"W., 590.61 feet along said Easterly right-of-way line to the Southwest corner of property described in Official Records Book 4386, Page 319 of the Public Records of Polk County, Florida; thence N.89°53'50"E., 400.01 feet along the Southerly boundary line of said property described in Official Records Book 4386, Page 319 to the Southeast corner thereof; thence N.00°27'27"W., 1059.44 feet along the Easterly boundary line of said property described in Official Records Book 4386, Page 319 to the Northeast corner thereof; thence S.89°50'01"W., 400.01 feet along the Northerly boundary line of said property described in Official Records Book 4386, Page 319 to the Northwest corner thereof, said point also being the said Easterly right-of-way line of OLD MEDULLA ROAD; thence along said Easterly right-of-way line the following two courses: N.00°27'27"W., 765.79 feet; thence N.44°45'13"E. 69.51 feet to the said Southerly right-of-way line of MEDULLA ROAD; thence N.89°50'01"E., 1239.54 feet along said Southerly right-of-way line to the POINT OF BEGINNING.

Containing 61.88 Acres, more or less

Future Land Use Change BP to NAC

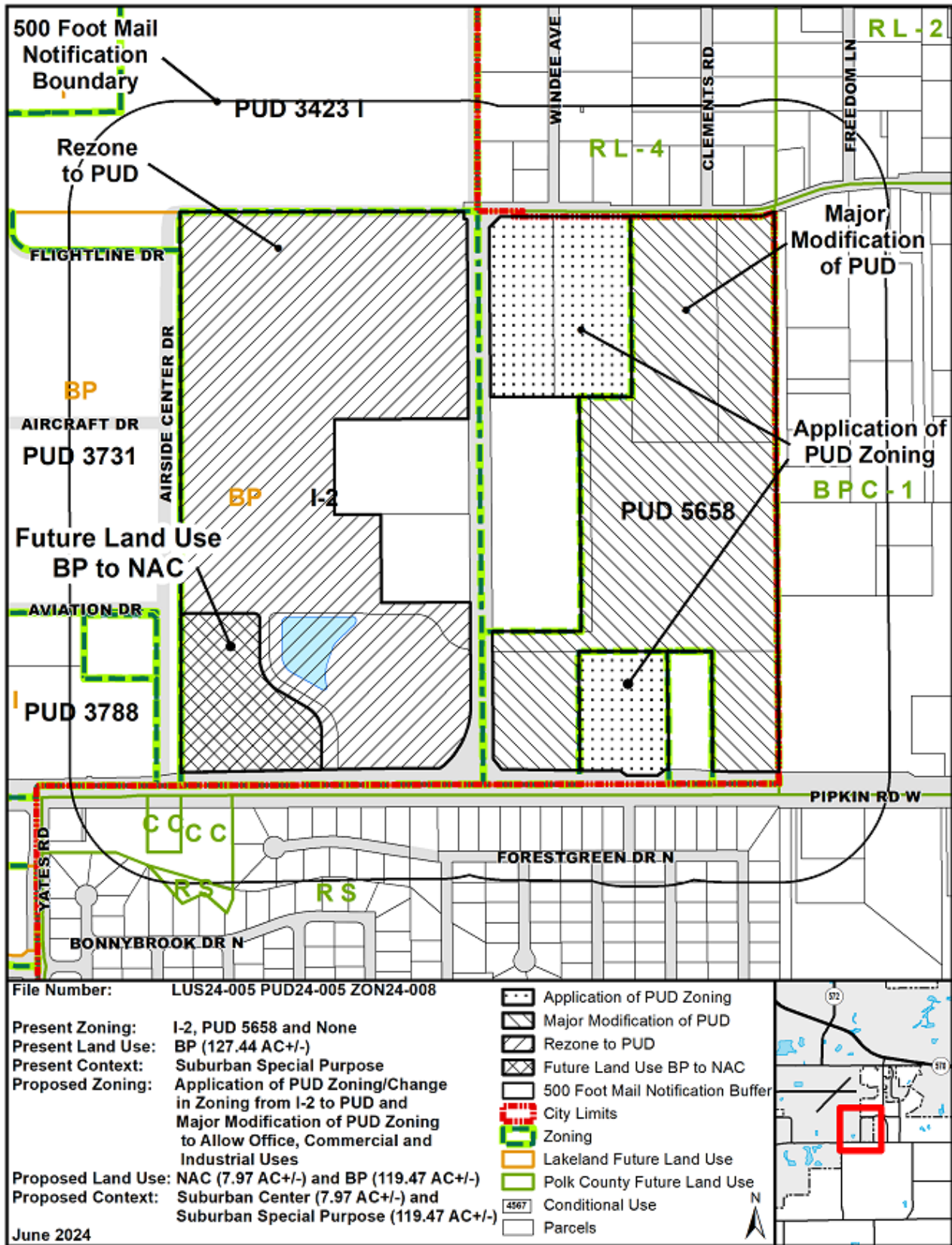
LEGAL DESCRIPTION: (Parcel A1)

A portion of the Northeast 1/4 of Section 9, Township 29 South, Range 23 East, Polk County, Florida, being more particularly described as follows:

COMMENCE at the Southeast corner of the said Northeast 1/4 of said Section 9; thence S.89°47'16"W., 726.32 feet along the Southerly boundary line of the Northeast 1/4 of said Section 9; thence N.00°04'00"W., 120.51 feet to the Northerly right-of-way line of PIPKIN ROAD and the POINT OF BEGINNING; thence S.88°48'12"W., 636.12 feet along said Northerly right-of-way line to the Westerly boundary line of property described in Official Records Book 10429, Page 2001, of the Public Records of Polk County, Florida; thence N.00°4'00"W., 694.03 feet along said Westerly boundary line to the beginning of a curve concave to the Southeast having a radius of 25.00 feet; thence Northeasterly, 39.27 feet along said curve through a central angle of 90°00'00" (chord bears N.44°56'00"E., 35.36 feet); thence N.89°56'00"E., 307.00 feet to the beginning of a curve concave to the Southwest having a radius of 25.00 feet; thence Southeasterly, 39.27 feet along said curve through a central angle of 90°00'00" (chord bears S.45°4'00"E., 35.36 feet); thence S.00°04'00"E., 175.25 feet to the beginning of a curve concave to the Northeast having a radius of 175.00 feet; thence Southeasterly, 181.34 feet along said curve through a central angle of 59°22'23" (chord bears S.29°45'11"E., 173.34 feet); thence S.59°26'23"E., 152.07 feet to the beginning of a curve concave to the Southwest having a radius of 127.00 feet; thence Southeasterly, 131.60 feet along said curve through a central angle of 59°22'23" (chord bears S.29°45'11"E., 125.79 feet); thence S.00°04'00"E., 168.89 feet to the POINT OF BEGINNING.

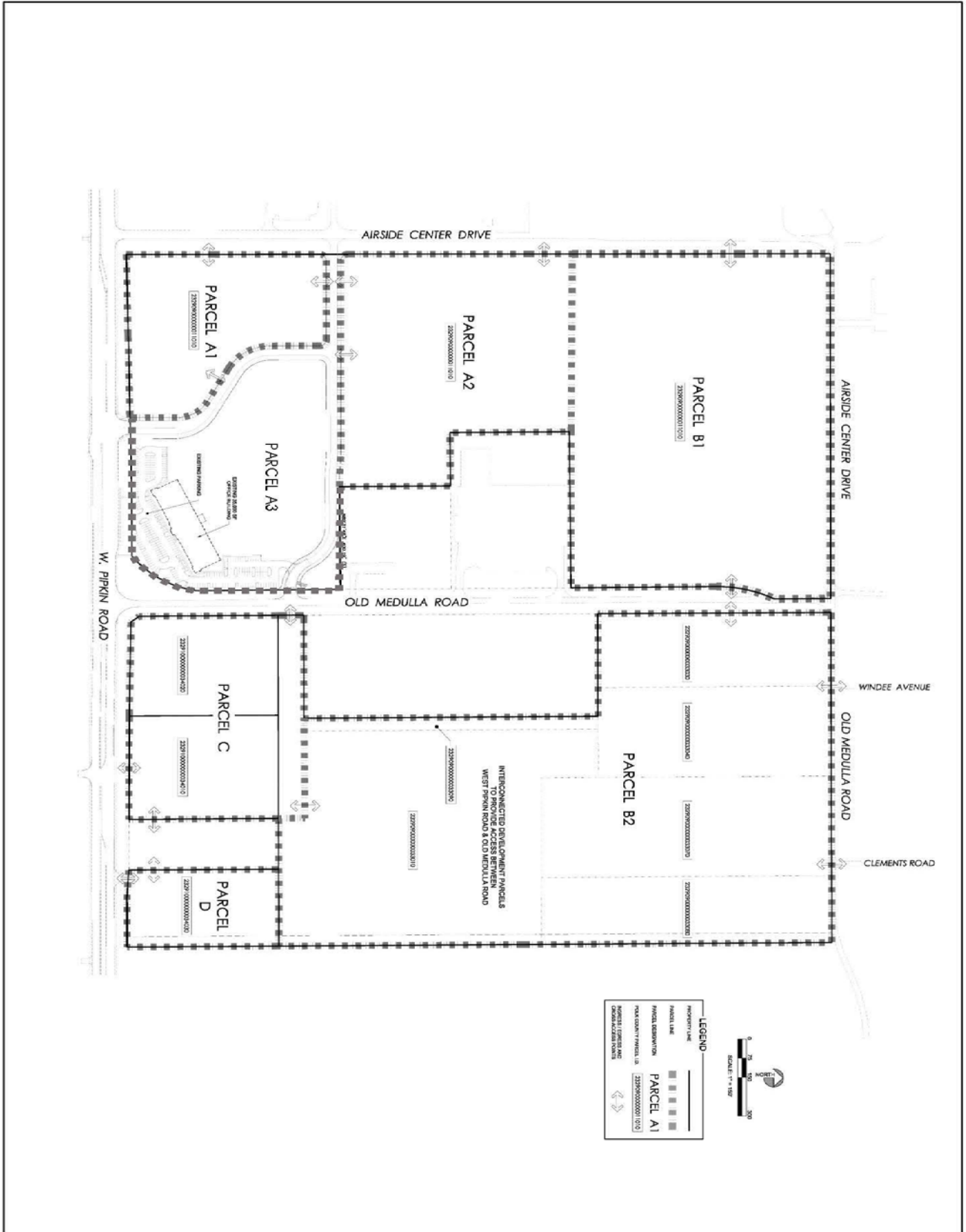
Containing 7.97 Acres (347051.20 Square Feet), more or less.

ATTACHMENT "B"





ATTACHMENT "C"



1  1	<p>8515 Palm River Road (813) 621-2541 www.lssc.com</p> <p>Tampa, Florida 33610 (813) 621-6761 (fax) C.A. # 52014</p>	<p><b>CENTRAL FLORIDA DEVELOPMENT</b> P.O. BOX 230 HENRIETTA, NY 14467-0230 PHONE (877) 523-1647</p>	<p><b>AIR PARK SITE</b> CITY OF LAKELAND, FLORIDA</p>	<p>DATE: 2024-09-24</p> <p>BY: JEF</p> <p>FOR: EDM</p>	<p>Drawings based on: NORTH AMERICAN VERTICAL DATUM 1988 (NAVD83) Conversion from NAD83 to NAVD83 = +0.86 feet</p>	<p>E. EVERETT MORROW No. 52653 PROFESSIONAL ENGINEER</p>
			<p>REZONING PLAN</p>	<p>222060</p>		