

ORDINANCE NO. ____

PROPOSED ORDINANCE NO. 25-028

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; PROVIDING FOR A CHANGE IN ZONING FROM MF-12 (MULTI-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ZONING TO ALLOW A 100-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT FOR THE ELDERLY ON APPROXIMATELY 3.16 ACRES LOCATED AT THE NORTHEAST CORNER OF W. 10TH STREET AND KETTLES AVENUE; 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 17, 2025 to consider the request of Susan Swift, Boggs Engineering, LLC, on behalf of owner Dakota Park Limited Partnership, to change the zoning from MF-12 (Multi-Family Residential) to PUD (Planned Unit Development) on approximately 3.16 acres located at the northeast corner of W. 10th Street and Kettles Avenue, as more particularly described on Attachment “A” and graphically depicted on Attachment “B” (the “Property”), to allow a 100-unit multi-family residential development for the elderly; and

WHEREAS, the Planning and Zoning Board approved the requested zoning change on July 15, 2025 and recommended said change to the City Commission; and

WHEREAS, the City Commission of the City of Lakeland, after due public notice and a public hearing at which all interested persons were provided the opportunity to be heard, finds that it is in furtherance of the public health, safety and

welfare for the Property to 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 Property is hereby zoned PUD (Planned Unit Development) as provided herein, subject to the following conditions:

- A. Permitted Uses: Multi-Family Residential for the Elderly, as defined under Section 2.6 of the Land Development Code.
- B. Maximum Intensity of Use: 100 dwelling units.
- C. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment "C." With the approval of the Director of Community & Economic Development, minor modifications may be made to the site development plan at the time of site plan review without requiring a modification of this PUD.
- D. Architectural Design: The project shall be designed in substantial accordance with the architectural elevations provided as Attachment "D." With the approval of the Director of Community & Economic Development, minor modifications may be made at the time of building permit review without requiring a modification of this PUD.
- E. Development Regulations: In accordance with the MF-12/Urban Neighborhood context sub-district standards, except as otherwise provided herein.
 - 1. Maximum Building Height: Three (3) stories.
- F. Landscape & Buffering: In accordance with Section 4.5 of the Land Development Code and the following:
 - 1. A 10-foot-wide Type A buffer, which consists of a six-foot high view blockage fence or wall and four "B" trees and 16 shrubs per 100 lineal feet or fraction thereof, shall be constructed and maintained along the north and east property boundaries.
 - 2. A four-foot-high decorative knee wall shall be constructed between Kettles Avenue and the stormwater pond, beginning on the north side of the driveway entrance and extending north to the northern property boundary line. A five-foot-wide frontage buffer, as specified for Option 1 under Table 4.5-1 of the Land Development Code, shall be planted and maintained on the west side of the wall.
- G. Civic Open Space: In accordance with Sub-Section 3.4.6 of the Land Development Code.

- H. Stormwater Pond(s): Any wet retention stormwater ponds shall be designed as a water feature amenity with a natural appearance and shape. The use of fencing shall be minimized, but if fencing is required, fence materials shall consist of either black or green vinyl chain link or decorative metal picket fencing. Any landscaping shall be located on the outside of such fencing. Any dry detention pond shall function as an open space feature for residents with ADA-compliant access from the principal residential building.
- I. Transportation:
1. Binding Concurrency Determinations shall be made at the time of site plan approval.
 2. ADA compliant pedestrian routes shall be provided throughout the development, connecting to on-site amenities, mail kiosks, parking lots and adjacent public sidewalk system on Kettles Avenue and W. 10th Street.
 3. Prior to Certificate of Occupancy (CO) issuance, a transit stop easement along the W. 10th Street frontage shall be dedicated to the Lakeland Area Mass Transit District (Citrus Connection) to accommodate a future transit shelter at a location that is approved by the Citrus Connection. If a fair-share funding agreement for the purchase and installation of this transit shelter cannot be executed prior to building permit issuance, a transit deployment and bench pad shall be installed at the transit stop location.
 4. The applicant / property owner shall cooperate with the City to ensure that the W. 10th Street frontage can accommodate the proposed future cross-section of a street reconstruction project that is the subject of a Federal Safe Streets for All funding request in 2025, which replaces existing on-road bicycle lanes with a 10-foot wide shared-use pathway along the north side of the street, to implement the Vision Zero Action Plan.

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. 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 4. This Ordinance shall take effect immediately upon the effective date of Small-Scale Amendment #LUS25-004 to the Future Land Use Map, as provided in Ordinance No. ____.

PASSED AND CERTIFIED AS TO PASSAGE this 18th day of August, A.D. 2025.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

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

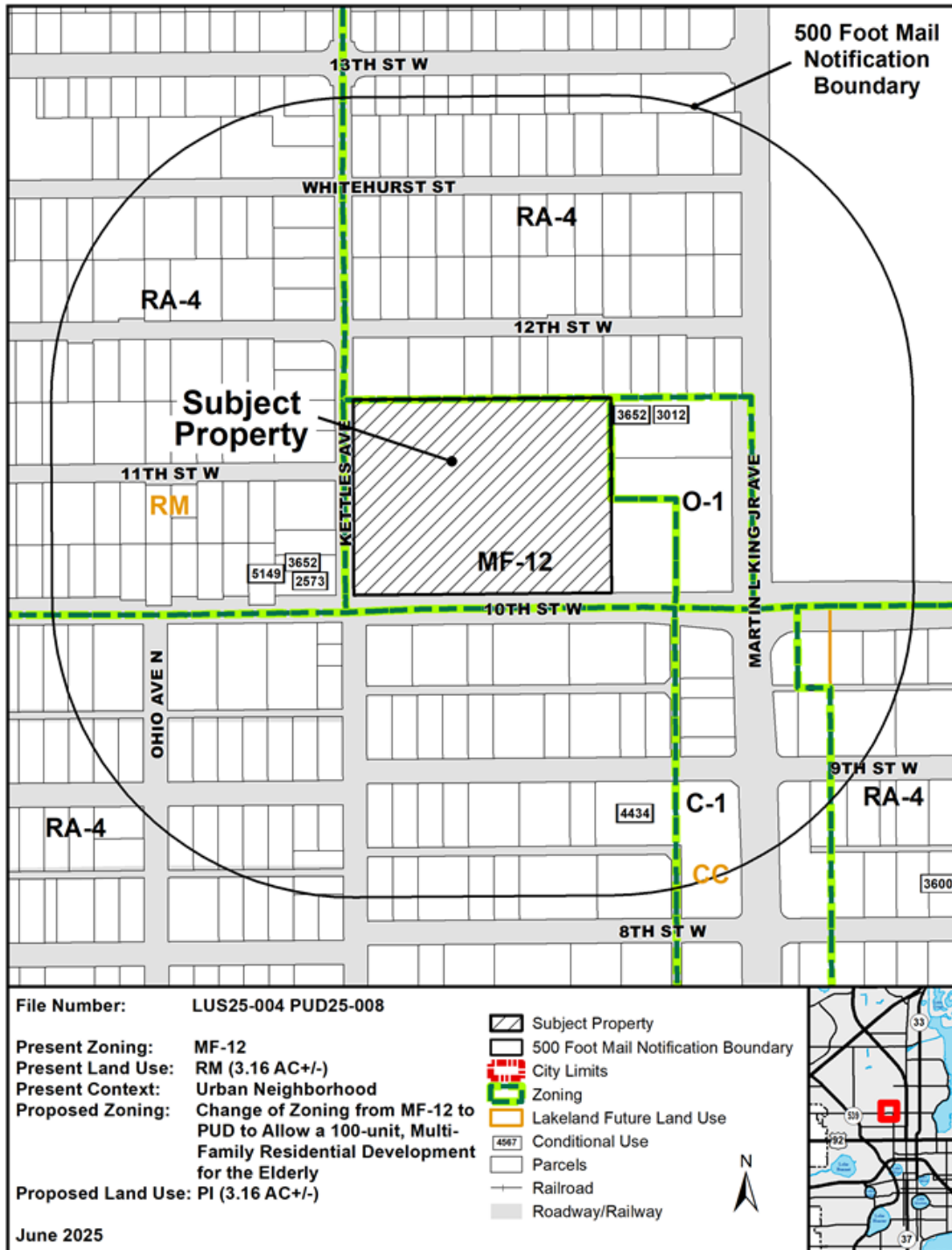
ATTACHMENT "A"

Legal Description:

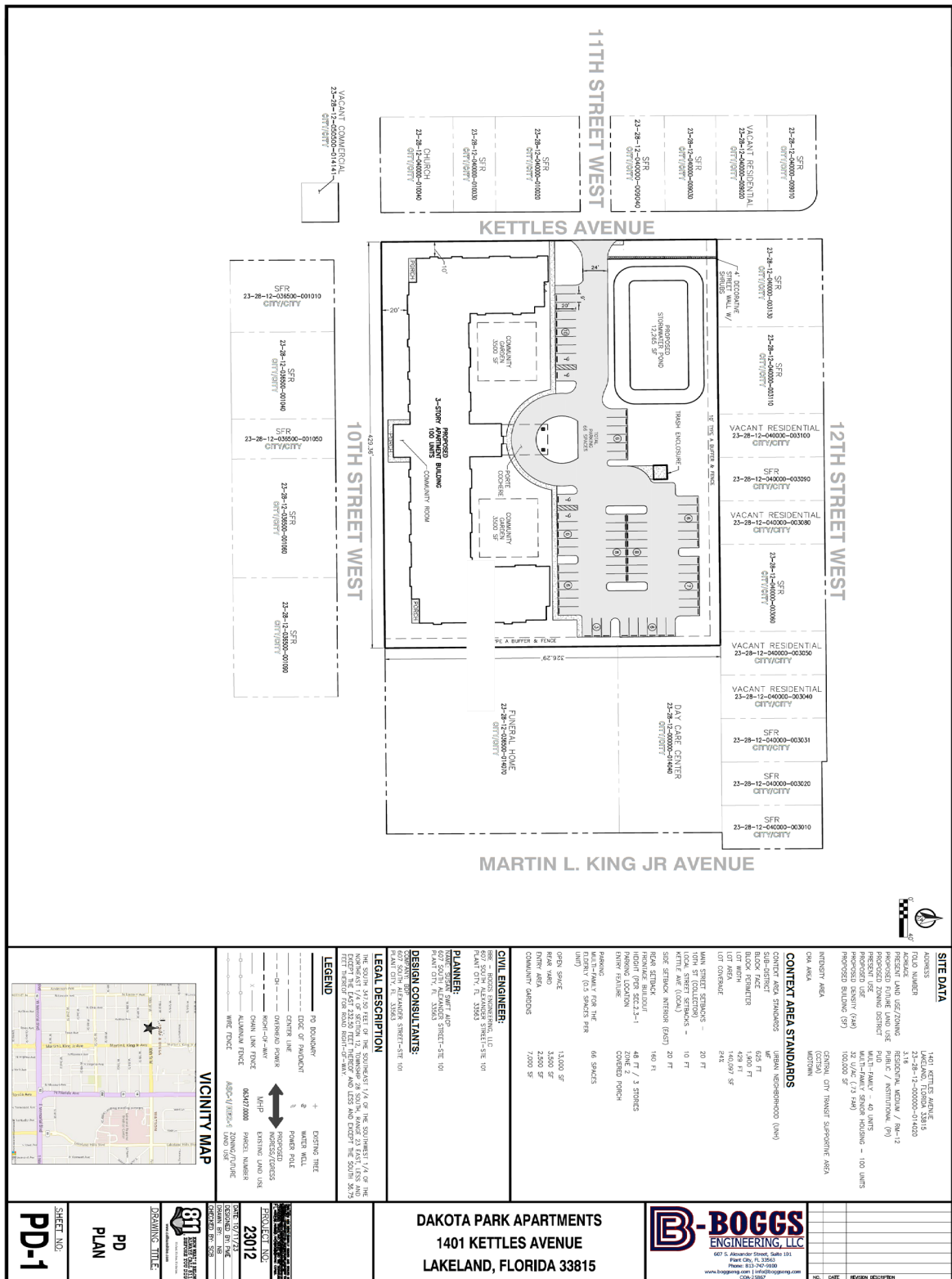
S1/2 OF SE1/4 OF SW1/4 OF NE1/4 LESS E 232.5 FT & LESS R/W ON 10TH S

The South 347.50 feet of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 12, Township 28 south, Range 23 East, LESS AND EXCEPT the East 232.50 feet thereof and LESS AND EXCPET the South 36.75 feet thereof for road right of way.

ATTACHMENT "B"



7



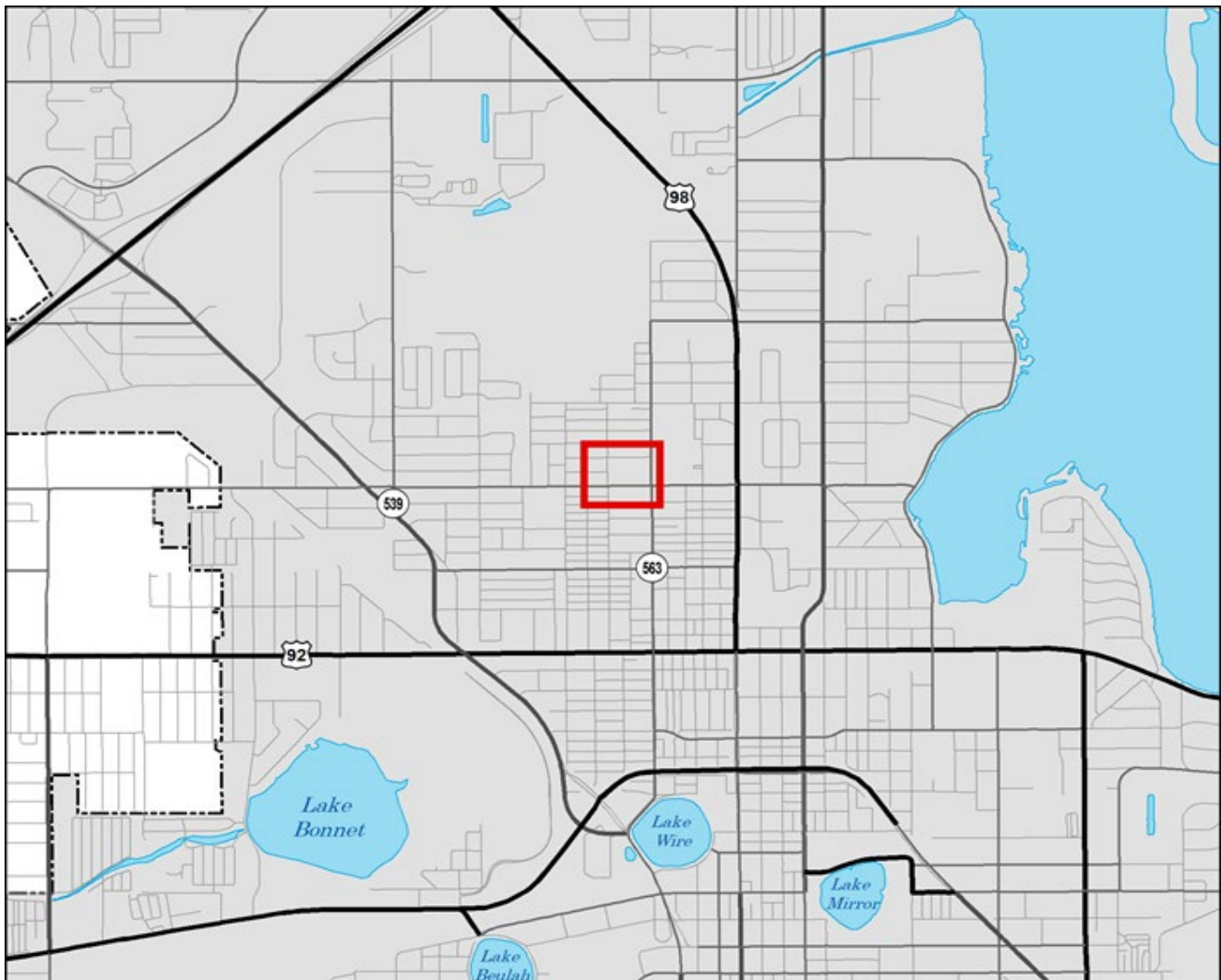
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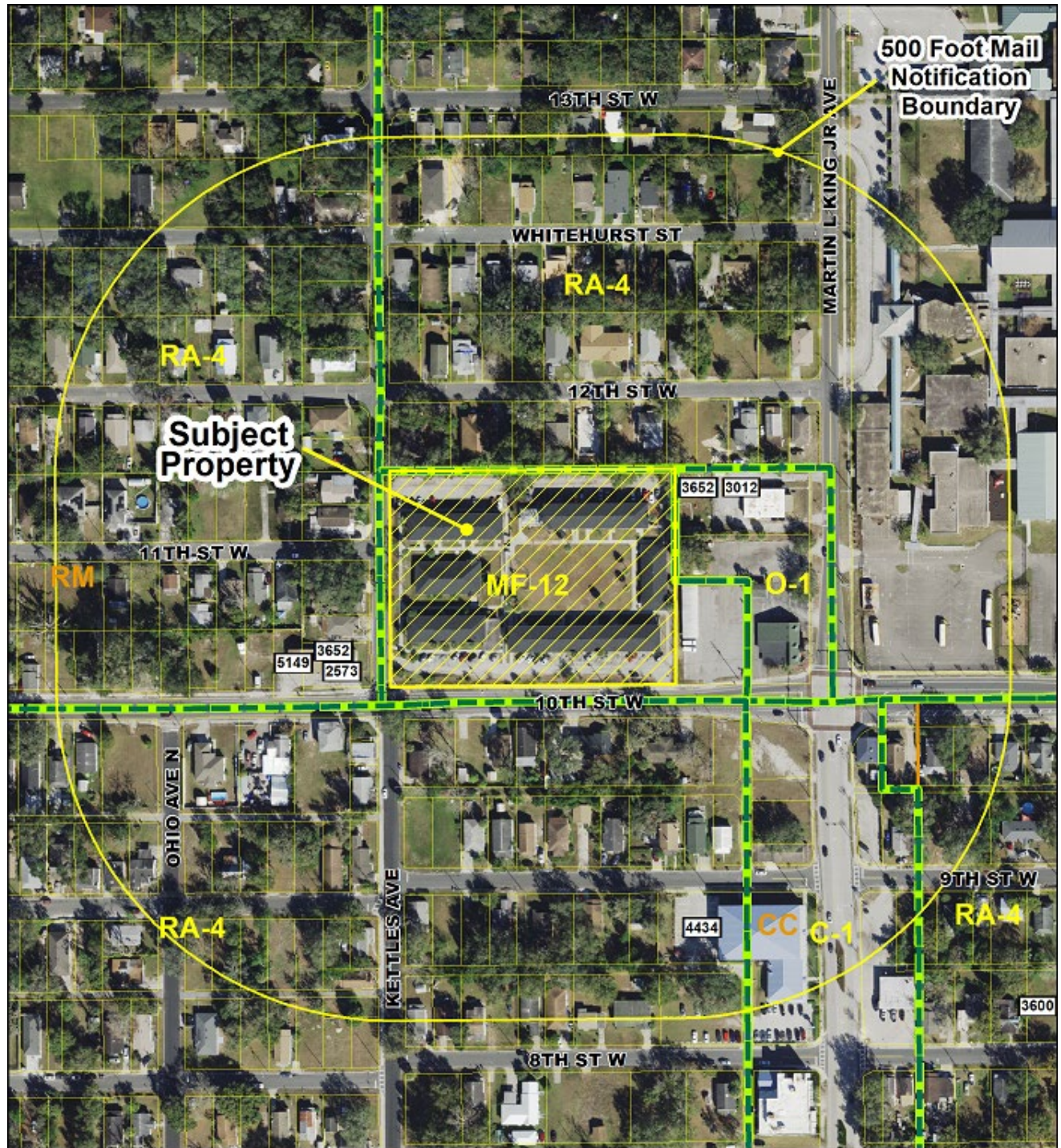


Planning & Zoning Board Recommendation

Date:	August 4, 2025	Reviewer:	Audrey McGuire
Project No:	LUS25-004 PUD25-008	Location:	1401 Kettles Avenue
Owner:	Dakota Park Limited Partnership (Housing Authority of Lakeland)		
Applicant:	Susan Swift, Boggs Engineering, LLC		
Current Zoning:	MF-12 (Multi-Family Residential)	Future Land Use:	Residential Medium (RM)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	June 17, 2025	P&Z Final Decision:	July 15, 2025
Request:	Small-scale land use amendment to change the future land use designation from Residential Medium (RM) to Public Buildings/Grounds/Institutional (PI); and a change in zoning from MF-12 (Multi-Family Residential) to PUD (Planned Unit Development), to allow a 100-unit, multi-family residential development for the elderly on approximately 3.16 acres located at the northeast corner of W. 10th Street and Kettles Avenue (1401 Kettles Avenue).		

1.0 Location Maps





2.0 Background

2.1 Summary

Susan Swift, Boggs Engineering, LLC on behalf of the Housing Authority of Lakeland, requests a small-scale land use map amendment to change the future land use designation from Residential Medium (RM) to Public Grounds / Buildings / Institutional (PI) and a change in zoning from MF-12 (Multi-Family Residential) to PUD (Planned Unit Development) to allow a 100-unit multi-family residential development for the elderly on approximately 3.16 acres generally located at the northeast corner of Kettles Avenue and W. 10th Street. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, approximately 3.16 acres in area, is located north of W. 10th Street, east of Kettles Avenue and west of Martin L. King Jr. Avenue. The subject property has a future land use designation of Residential Medium (RM) and is zoned MF-12 (Multi-Family Residential) within the Urban Neighborhood (UNH) context sub-district. The subject property is currently improved with a two-story, 40-unit apartment complex which is owned and operated by the Lakeland Housing Authority.

The subject property is bound by single-family residential properties to the north, south and west. To the east, the subject property abuts commercial properties which are zoned O-1 (Low Impact Office) and currently being used as a day care and funeral home.

2.3 Project Background

The purpose of this request is to change the future land use designation and zoning to allow for the development of a 100-unit multi-family residential development for the elderly. If approved by the City Commission, the existing 40-unit apartment complex will be demolished prior to redevelopment. A site development plan which shows the footprint of the proposed apartment building, off-street parking, driveways, stormwater retention and open space 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-4	UNH
South	Single-Family Residential	RM	RA-4	UNH
East	Office	RM	O-1	UCO
West	Single-Family Residential / Church	RM	RA-4	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

Attachment D: Architectural Elevations

3.0 Discussion

The proposed multi-family residential project is intended to provide affordable housing and active living for senior citizens, similar to a senior independent living community. Unlike group homes, congregate living facilities, and assisted living facilities, multi-family residential uses for the elderly do not provide personal care, supervision or medical services. According to the applicant, 100 percent of the units will be rented as affordable housing. In accordance with s.420.0004(3), F.S., the term “affordable” is defined as “housing in which monthly rents or mortgage payments, including taxes, utilities and insurance, do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross income of the Lakeland-Winter Haven Metropolitan Statistical Area (MSA.)”

The subject property has a Future Land Use designation of Residential Medium (RM). Per the policies of the Lakeland Comprehensive Plan: *Our Community 2030*, the RM land use is intended for medium-density residential (between 5 and 12 dwelling units per acre.) The proposed Public Grounds, Buildings and Institutional (PI) land use designation is intended for a variety of public and private institutional uses. The area surrounding the subject property consists of a mix of single-family residential, office and pedestrian commercial uses, including Rochelle School of the Arts across Martin L. King Jr. Avenue. While the proposed project will be developed at a higher density and height than the existing apartments, the proposed three-story building is compatible with surrounding uses as it located along a collector roadway and setback a minimum of 150 feet from adjacent single-family uses to the north.

Furthermore, the proposed affordable housing project aligns with the goals, objectives and policies set forth within the Housing Element of the City’s Comprehensive Plan which promotes the development of affordable housing. These goals, objectives and policies include:

- **Housing GOAL 1:** *Promote the provision of adequate, safe and affordable housing for existing and future populations including those with special housing needs.*
- **Objective HOU-1.3:** *Support efforts of public and private organizations to develop and implement innovative housing programs which increase housing availability to very low, low, and moderate income households; in particular, programs which locate such housing within mixed income, stable neighborhoods.*
- **Policy HOU-1.3B:** *The City of Lakeland will coordinate the development of any applicable affordable rental and owner-occupied housing programs with the Lakeland Housing Authority, Polk County, the Polk County Builders Association, lending institutions, and other public and private agencies.*
- **Objective NHP-1.3:** *Develop and revitalize communities that enable residents to live active, healthy lives by providing convenient access to recreational opportunities, safe active transportation opportunities.*

The proposed multi-family project consists of one, three-story building, with a mean roof height of approximately 44 feet. Within Urban Neighborhood context sub-district, the maximum height for multi-

family residential uses is 55 feet. As shown on the site plan Attachment “C,” the proposed apartments will be oriented towards W. 10th Street with off-street parking located to the rear. In accordance with Table 4.11-1 of the Land Development Code, a minimum of 50 off-street parking spaces are required to support the use which requires 0.5 parking space per dwelling unit. The proposed site development plan depicts a total of 66 off-street parking spaces. As amenities for residents, the proposed apartments include a community room and two outdoor community garden areas.

The proposed PUD zoning will limit the use of the subject property to multi-family residential uses for the elderly. In accordance with Section 2.6. of the Land Development Code, this means the apartments will be restricted to occupancy by the elderly, with the term “elderly” meaning all persons who are age 62 years or older plus all persons in a household in which either the head of the household is age 62 or older or at least half the members of the household are age 62 or older.

The recommended conditions of approval include landscape and buffering to address adjacent residential uses to the north and non-residential uses to the east of the subject property, landscaping and buffering to screen the stormwater pond from public view along Kettles Avenue, and a requirement that the stormwater pond be designed to function as a water feature amenity which has a natural appearance and shape.

3.1 Transportation and Concurrency

The subject property lies on the north side of W. 10th Street, just west of Dr. Martin L. King (MLK) Jr. Avenue. Both streets are two-lane Urban Collectors operated by the City of Lakeland are currently operating at an acceptable Level of Service (LOS) C. Per the Polk Transportation Planning Organization's 2025 Roadway Network Database, the two-hour average volume during the PM Peak Period for the segment of W. 10th Street between Dr. MLK Avenue and State Road 539 (Kathleen Road) is 227 eastbound and 236 westbound vehicles, well within the directional capacity of 790 vehicles.

The subject property is located within the Central City Transit Supportive Area as designated in the Comprehensive Plan within which central water, central sewer, urban level public safety, an urban road network, and other facilities and services normally associated with urban development can be expected. The Lakeland Area Mass Transit District (Citrus Connection) operates two routes nearby, including the Yellow Line along the W. 10th Street frontage with 60-minute frequencies and connectivity to the Downtown Terminal, and Blue 1 line on Dr. MLK Jr. Avenue provides 60-minute service to the Downtown Terminal and Gow Fields Park and Ride. Additionally, the Blue 1 is one of few routes providing Saturday service and will be an aide to the residents of this community. A sidewalk exists along the Kettles Avenue and W.10th Street frontages providing meaningful pedestrian connections in the neighborhood. Bicycle lanes exist on both sides of W. 10th Street, accommodating bicycle trips to Dr. MLK Jr. Avenue and US Highway 98 (Florida Avenue). The City also has a pending funding request to assist in the redesign of W. 10th Street to narrow travel lanes allowing for wider sidewalks and including high visibility crosswalks. These treatments will allow for a safer approach to how vehicles, pedestrians, and cyclists travel 10th Street, implementing the City's Vision Zero Action Plan.

The existing 30 affordable multi-family units on the subject property generates an estimated 251 Daily, 20 AM Peak (of Adjacent Street Traffic, 7-9 AM) and 22 PM Peak (of Adjacent Street Traffic, 4-6 PM) trips, based on data provided for Land Use Code 223 (Affordable Housing) in the Institute of Transportation Engineers' *Trip Generation Manual*, 11th Edition. The proposed 100 Senior Adult Housing (Multi-Family) units (Land Use Code 252) would generate an estimated 314 Daily, 20 AM Peak (7-9 AM) and 25 PM Peak (4-6 PM) trips, a de minimis daily traffic increase and almost identical AM Peak and PM Peak trip generation relative to the existing development. The subject property shall

comply with the transportation conditions set forth with this PUD, ensuring compliance with current design standards.

3.2 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends approval of the small-scale land use map amendment, to change the future land use designation from RM to PI, and a change in zoning, from MF-12 to PUD. Letters of notification were mailed to 174 property owners within 500 feet of the subject property and no objections were received.

4.2 Planning & Zoning Board

The recommendation was approved by a 7—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 RM (Residential Medium) to PI (Public Grounds / Buildings / Institutional) and a change in zoning from MF-12 (Multi-Family) to PUD (Planned Unit Development) to allow a 100-unit multi-family residential development for the elderly on approximately 3.16 acres as described above and in Attachments “A,” “B,” “C,” and “D” be approved subject to the following conditions:

- A. Permitted Uses: Multi-Family Residential for the Elderly, as defined under Section 2.6 of the Land Development Code.
- B. Maximum Intensity of Use: 100 dwelling units.
- C. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment “C.” With the approval of the Director of Community & Economic Development, minor modifications may be made to the site development plan at the time of site plan review without requiring a modification of this PUD.
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 - 1. Maximum Building Height: Three (3) stories.
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2. A four-foot-high decorative knee wall shall be constructed between Kettles Avenue and the stormwater pond, beginning on the north side of the driveway entrance and extending north to the northern property boundary line. A five-foot-wide frontage buffer, as specified for Option 1 under Table 4.5-1 of the Land Development Code, shall be planted and maintained on the west side of the wall.
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ATTACHMENT "A"

Legal Description

S1/2 OF SE1/4 OF SW1/4 OF NE1/4 LESS E 232.5 FT & LESS R/W ON 10TH S

The South 347.50 feet of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 12, Township 28 south, Range 23 East, LESS AND EXCEPT the East 232.50 feet thereof and LESS AND EXCEPT the South 36.75 feet thereof for road right of way.

ATTACHMENT "B"

