DATE: September 7, 2011

PROJECT / ACTION: Preliminary Development Plan (PDP) for Lakeland Commons, a commercial and residential (mixed use) development on approximately 41.7 acres.

OWNER: Lakeland Commons, LP

SITE INFORMATION & PLANNING DEPT. OVERVIEW

EXISTING ZONING & USE:
- Site: AG – Vacant, Single-family
- North: AG – Vacant
- South: AG – Vacant
- East: AG – Vacant
- West: AG – Single-family

COMPREHENSIVE PLAN RECOMMENDATION:
- Site: Residential Support Center
- North: Suburban Neighborhood
- South: Suburban Neighborhood, Conservation Overlay, TND Overlay
- East: Mixed Use
- West: Open Space, Estate Residential

LAND USE / LOCATION MAP
Description

The project lies next to vacant and/or forest or agricultural land on the north, east, and south. To the west is Scotts Creek, and on the west side of that, several estate home lots. The site lies about 1/4 mile from City Hall, and about 1/2 mile from Lakeland Elementary School. The site lies within the Central Zone of Lakeland, which is likely to eventually to have up to 60% of Lakeland’s ultimate population. This is due to the fact that the developable land area in this zone is larger than the North and South Zones, while at this time, much of the Central Zone has better road and sewer access than other areas. The Central Zone likely has a current population of 5,500 to 6,000 people (approximately 1,900 to 2,000 households.) The site is 4 to 5 miles or more from any similarly sized and classified shopping center.

Recent development approvals which abut Highway 70 nearby include Harding Academy’s 100-acre campus immediately North, Kensington Manor PD, and Evergreen Square PD (none as yet under construction). Other nearby PD’s not yet under construction include The Meadows, Evergreen, Arcadia, and Equestria. PD’s in the nearby vicinity that are under construction are Winstead Farms, Ivy Creek, Evergreen Hills, and The Grove.

The request complies with the Comprehensive Plan as to the proposed commercial land uses and transportation. It does not comply currently as to the residential land use. However, it is anticipated that similar sites will be allowed to introduce residential land uses in the future, per a pending new development code and future Comprehensive Plan updates. The residential use is part of an overall mix which was influenced by traffic targets and other objectives for the development.

The proposed single-family residential lots comprise less than seven acres of the 41.7 acre site, and no more than 35 lots. This is indicated as “Phase D” on Outline Plan, Sheet 3 of 7. Lots are proposed as alley loaded (garage in back) with minimum lot sizes of 4,000 sq. ft. The CCR’s indicate a minimum house size of 2,000 sq. ft. The residential area is buffered by a 150-foot stream buffer adjacent within the subject site, and the remainder of the stream offsite to the West, a fence, landscape yard, and streetscape on the East along the new N-S connector road, and a fence, evergreen tree screen, and deciduous tree buffer within a 50-foot conservation easement on Memphis Arlington Road.

The Comprehensive Plan includes a bike-pedestrian facility at Memphis Arlington Rd. After evaluation and consultation with City staff, the applicant is not offering this. It may be appropriate to look at a trail on the other side of the road, or an in-street facility, in the future. Any facility comes with implications for the scenic corridor.

The proposed commercial development is noted as multiple phases on the Outline Plan, Sheet 3 of 7. The commercial area comprises at least three phases, Phases A, B, and C, totaling less than 30 acres, inclusive of interior streets. In these areas, a specified mix of commercial service, retail, and office uses my occur, totaling no more than 125,500 square feet, with no user exceeding 60,000 square feet.
In about 2009, the City updated its transportation plan, part of the Comprehensive Plan, naming a formerly omitted portion of Memphis Arlington Road a Scenic Corridor. This means that 100% of Memphis-Arlington is now designated that way. All of Seed Tick Rd. has already received this designation. The proposal is consistent with this, except to note that where turn lanes are required, some interruption may be needed. This was minimized in the plan. Also, a safe signaled intersection at Seed Tick & Hwy 70 requires it to be realigned, which will interrupt the typical scenic corridor section in that area as well.

Some “viewshed” sheets are given. The views along the scenic corridors are of concern. Some of the views from Seed Tick Road will be of a partially hidden main building, as it is “sunken” below the adjacent road.

**Unified character**

The plan requires the development to have a unified character. Design elements including construction materials, architecture, signage, fencing, landscaping, streetscapes, site furnishings, and site lighting shall be of a consistent nature as provided thru many detailed commitments in the PDP.

**Prohibited land uses**

The Planning overview, above, describes the general land uses permitted. This section provides excluded land uses, or limitation on land uses.

There are several prohibited commercial uses listed including automobile sales and service or repair, golf course, greenhouse or nursery-commercial, independent automobile service station as a standalone tenant, wireless transmission facilities, radio/TV stations, or any offensive or noxious use. This list of exclusions is typical or other PD’s approved for commercial development in the area. The number of commercial lots that can have menu boards is capped at one in the entire development.

Outside storage and display is prohibited.

Other restrictions on commercial include the specific total footprint and mix of retail, service, office, and commercial, due to the related traffic targets that must be met. This was described above.

**Zoning & development standards**

Planned developments are expressly allowed to alter subdivision and zoning standards. The development must meet the cumulative requirements of the entire PDP document, and the most restrictive requirement where they conflict. The standards are similar to standards provided for in the Lakeland Zoning Ordinance for conventional zoning or other Planned Developments in Lakeland, and often exceed conventional requirements.
Buildings, architecture, & materials

The PDP contains design, architectural, and building materials standards for both the commercial and residential components. These include renderings and detailed standards for commercial buildings, and renderings, detailed standards, and types of lot layouts for residential buildings.

Freestanding signs

Signs would be subject to future DRC detailed review requirements, and the Lakeland sign code. To limit the proliferation of ground signs, the maximum number of ground signs on Highway 70 east of the new N-S road is two. Normal standards apply to other areas and lots.

Lighting

Typical private commercial lighting would of course be allowed. Street lighting is not proposed. Lighting detail occurs with future approval steps.

Open space

The open spaces in this development include the Scotts Creek stream buffer, to be dedicated with the applicable phase, a privately maintained space at the corner of Memphis Arlington and Seed Tick, conservation easements along Memphis Arlington and part of Seed Tick to be publicly maintained, and a few other private maintained spaces west of the new N-S road and east of the creek. These add to greater than 10 acres. This does not include street tree lawns and landscape areas noted below.

Streetscape, landscaping, and corridor buffers

Minimum 9-foot tree lawns are provided in the road rights-of-way, except for the portion on Hwy 70 and except part of Seed Tick and all of Memphis Arlington. Sidewalks are also provided in these areas.

The south part of Seed Tick, and all of Memphis Arlington will have roadway buffers for natural planting areas, that are significantly wider than street tree lawns in other parts of the development. (See the street descriptions below).

Landscape plantings are provided on private property along roadways, to specified levels. The landscape levels along roads meet, and usually exceed, any level which has occurred in a past development plan in Lakeland. Taken together with the adjacent streetscape, this is a heavy design treatment.
Traffic, infrastructure, & public facilities

**Drainage:** As with other recent approved plans, the site would be designed to a 25-year storm event standard. The site is touched by the Garner Lake dam breach area as indicated in the grading plan. The layout considered minimizing breach impacts, according to the applicant’s engineer.

**Traffic:** The area’s roads operate below capacity today, and would operate at acceptable levels of service in the future, according to the traffic study. Significant commitments have been made to provide for enhancing existing roads, as indicated below. New roadways are also being added. See the City Engineers comments, the SRC traffic study, the City’s traffic study review by James Collins of Kimley Horn, and street layouts and section drawings.

A major feature of this plan is that the traffic levels on the scenic corridors are more controlled than in the prior submission that was denied in 2008, by developing specific methods to do so. While two-lane roads might theoretically support a build-out traffic level of up to 12,000 vehicles a day, the question was asked” “What traffic level is commensurate with a scenic corridor status for both Memphis-Arlington Rod, and Seed Tick Road?” Kimley Horn was hired by the City to develop a traffic target for that. The answer is just over 7,000 vehicles per day. In addition, we sought to maintain a 2-lane section as much as was possible along the applicable frontages. The land use mix and footprints were adjusted to meet the requirements.

**Hwy 70:** The applicant dedicates the typical half-right-of-way for a full section of the highway to develop in the future, provides for lane improvements in the highway, a realigned intersection at Seed Tick Rod, and a traffic signal at Seed Tick Road, with the applicable phases. Sidewalks are not included.

**Seed Tick Rd:** The intersection at Hwy 70 would be realigned, a turn lane added at the North end, and a traffic signal provided, with the applicable phase. The portion South of the Twin Oaks down to Memphis-Arlington would be left in the current state, as a two-lane section. Sidewalks are included for the North area only. Although money is being contributed toward a share of the realignment of the intersection at Seed Tick Road, for the City to have access to for up to 10 years, this intersection realignment is not part of the project. The traffic analysis says that this intersection does not have to be realigned with this development.

**Memphis Arlington Rd:** This road would have some new turn lanes along part of the corridor. This was minimized, to leave most of the corridor in its existing 2-lane status. A 50-foot conservation easement will be provided, as described earlier in this report. Sidewalks are not included. The Comprehensive Plan includes a bike-pedestrian facility for this road. After evaluation and consultation with City staff, the applicant is not offering this. It may be appropriate to look at a trail on the other side of the road, or an in-street facility, in the future. Any facility comes with implications for the scenic corridor.
**New Roadways:** The extent of new roads are shown on the plan sheets, Sheets # 3 of 7 and 5 of 7. These would be new public roads with sidewalks and street trees.

**Electrical:** MLGW provided a preliminary feasibility letter that is part of the PDP, indicating existing utility arrangements in the area to serve the site. It appears that an extension of 3-phase power is needed along Memphis-Arlington Rd. Discussion of alternatives may need to take place in the future.

**Sewer:** Sewer is in the nearby area and can be extended. The Board of Sewerage Commissioners has not yet heard a related request. The City Engineer advises that monitoring of available sewer capacity is needed in Lakeland due to system constraints, not at the plant level, but in some of the pipes and outfalls. Preliminarily, there is enough available capacity. See further comments by the City Engineer, below.

**Parks:** The proposal includes payment in lieu for a small amount of parkland dedication, since there is a small residential component.

**Parking**

The applicant provided parking standards similar to those in the Lakeland zoning ordinance, with specific parking to be revisited via future site plan approvals.

**Phasing & termination**

There are a number of possible ways the order of this development could be phased, as indicated in the documents. An important issue with this phasing is to tie the necessary improvements to any phase option that occurs. This has been accomplished, with specific requirements for timing which road lanes, intersection changes, and the traffic signal are required, according to the need generated by the phase. For instance, a small phase consisting of one lot would not trigger an intersection realignment or traffic signal, but when larger areas develop, it does.

**Approval processes**

The process which would occur in the future to finish approving plans before construction would be altered somewhat from the normal process for PD’s. The specifics are given in the Outline Plan Conditions. The development requires a preliminary plat, site plans, and construction plans to move forward.
STAFF DEPARTMENTAL COMMENTS

The Planning Dept. comments are included in the above sections. The comments of the Natural Resources and Engineering Departments follow.

Natural Resources Dept.

Natural Resources Inventory/Site Description: The NRI identifies a forested stand of Oak-Hickory on the eastern portion of the site, highly productive Memphis soils, steep slopes in association with the forest stands and Scott’s Creek as the major natural resources on the site. Due to the size of the forested stand and the lack of connectivity with other stands, the forest stand was classified as canopied with high levels of human impact. The site also shows evidence of grazing impacts. The understory is lacking in advanced regeneration. This means that when the overstory is lost to disturbance, non-native invasive plants that were found on site would overtake all disturbed areas. Non-native invasive species present included high numbers of Japanese Honeysuckle, Oriental Privet, Japanese Stilt Grass, and Mimosa. This upland stand was noted as being present and immature on the 1937 aerial photographs. The Memphis soil association found on this site has high fertility, permeability, and is well suited for differing types of recreation. This soil association would allow for some degree of forest restoration if active management was pursued. The steep slopes on the eastern portion of the site correspond with the forested areas. These slopes were likely too steep for traditional agriculture and were therefore managed for timber and grazing. Over 1/3 of this eastern area have slopes over 15% and there is approximately 60 feet of fall from Seed Tick Road to Scott’s Creek. The western half of the property is open grasslands leading to Scott’s Creek which is one of the few remaining unimpaired waterways in Lakeland. Along Scott’s Creek, the NRI also identifies a riparian forest stand which serves as a travel corridor for wildlife. This riparian stand was noted as being a two structure Elm, Ash, Cottonwood forest stand group. Many “wolf trees” were found on the banks of the stream reaching 30-40” DBH and heights of 70-80 feet. This stand was noted as being present and mature in aerial photos dated from 1937.

Due to the sparse nature of the woods and higher human impacts this property was not located within the conservation overlay of the comprehensive plan.

Tree Management Ordinance: The tree survey is not part of this packet. There are, however, indications of tree removal and retention based on review of the Grading & Drainage Plans and aerial photos. It is clear that grading will remove the majority of the upland wooded areas on the site while the majority of the bottomland forested areas along Scott’s Creek will remain undisturbed. There are also tree save areas proposed along the southeastern corner of the project as well as some efforts to retain some of the canopy trees along Memphis-Arlington Road. The effectiveness of these tree retention efforts cannot be evaluated until the Tree Survey is submitted. The application does provide a commitment to meeting or exceeding the minimum density requirements of the Tree Management Ordinance. Also, if the elevated level of landscape plantings results in density higher than the required minimums then these higher levels are required. In certain areas, if tree retention is not achievable through the current plan, the grading may be revised or a high level of landscaping will be required.
Scenic Corridors/Road Frontages – This proposal provides a buffer along Seed Tick with plantings near the northern terminus and tree retention along the southern stretch. Staff worked with the applicant to provide the landscape standards in this area. The planting level is heavy and the species mix is diverse. This proposal also provides a 50’ conservation easement with tree plantings to develop a scenic corridor along Memphis-Arlington Road and the southern portion of Seed Tick Road. Within this conservation easement the planting level is significant. Credit for some planting will be given for successful tree retention of valuable existing trees. The planting scheme is native, diverse, and exceeds that of some other planned developments in recent years. Soil compaction mitigation will be provided where necessary to assist in plant establishment and survival. It should be noted that the invasive species privet is proposed for removal in these buffers which will cause an immediate impact to the roadscape. However, the landscaping in these buffers is significant and will replace the privet screen with a future forest canopy. Management will be necessary though to keep the privet at bay. Consistent with other scenic corridor treatments from planned developments in recent years, the City will be responsible for this maintenance.

Street Trees: The Street Tree Plan and the Street Sections show that street trees are being provided on the public roadways within an appropriate tree lawn. The applicant has also agreed to mitigate soil compaction in the tree planting sites which will greatly improve tree survivability and health. Details on the use of tree grates have been requested with the appropriate phase. The main concern will be providing enough rooting volume to allow substantial tree growth and canopy development. As proposed the maintenance of all street trees on public roadways within this development will be the responsibility of the City. This is consistent with some other PD approvals from recent years and the pending new development regulations.

Water: The site has one major stream and two small wetlands. The major stream is Scott’s Creek which is a second order watercourse and therefore requires dedication of the stream buffer to the City. The applicant is proposing this stream buffer and dedication in conformance with the City’s regulations.

A wetlands analysis revealed wetlands in the northern portion of the site. This wetland is proposed for removal. The applicant will be required to supply an approved ARAP for this wetlands removal.

Slopes/Soils: The property consists of steep slope areas (over 20%) over much of the eastern portion of the property. The remainder of the property is very level. The steep topography does present a challenge to the applicant and is a significant factor contributing to the heavy grading proposed. These slopes will be removed with this proposal.
The Engineering Department has reviewed issues covering wastewater, stormwater, traffic and municipal utilities.

**Wastewater:** Wastewater from the site will flow by gravity to the Scotts Creek Interceptor. No lift station is required. The applicant must receive authorization from the Board of Sewerage Commissioners to connect to the public sewer system. This will follow approval of the development contract. The Scotts Creek Interceptor has the capacity for this development. Sewage flows from Lakeland Commons is anticipated to be approximately 112,000 gallons per day. The capacity of the Scotts Creek Interceptor is two million gallons per day. Current sewer flows into the wastewater treatment plant have been measured between 450,000 and 1,500,000 gallons per day. The plant is rated at 2.5 million gallons per day. At the present time, we estimate that the flows are evenly split between the Scotts Creek Interceptor and the Clear Creek Interceptor.

**Stormwater:** Storm water runoff from the development site will be into two detention ponds. These ponds will reduce outflow storm water flows from exceeding historic flows. These are located in the northwest and southwest corner of the development. Water will be released from the storm water ponds below the historical rates at the hundred year twenty-four hour rainfall event. The applicant also plans to install a bio retention area alongside the westerly edge of the development site to capture any additional flows from the residential properties. The purpose of the bioswale is to improve surface water quality and reduce flow volumes during precipitation events.

**Traffic**

**Traffic Volumes:** The applicant has submitted a traffic study in accordance with subdivision regulations. The study was reviewed with recommendation incorporated by Kimley-Horn and Associates. As a result of the traffic study, the following intersections and corridors will be improved.

**Memphis Arlington at Residential Street:** Memphis Arlington will be one lane each way. Stop control will be on the residential street only. The residential street can be either one or two lanes outbound and one lane inbound.

**Memphis Arlington at NS Collector:** Memphis Arlington will be widened to include a left turn lane for both approaches. The NS Collector will also be a three lane section – one lane each way with a left turn lane at the intersection. The sketches show the left turn lane only at the intersections. This intersection will be 4 way stop controlled.

**Memphis Arlington at Seed Tick:** One lane in each direction with a dedicated left turn lane will be constructed. This intersection will be a 4 way stop.
Seed Tick at EW Collector: Both the Collector and Seed Tick are to have one through lane in each direction and a left turn lane. The Collector will be stop controlled and Seed Tick will remain free flow.

Seed Tick at US 70: Seed Tick will be improved to one lane in each direction with a center left turn lane that extends from US 70 to the EW Collector. Seed Tick will be realigned to intersect US 70 at a 90 degree angle. US 70 will be improved to provide 5 lanes west of Seed Tick. The eastbound right hand lane will become a right turn only lane at the Seed Tick intersection. Some modifications will have to be made east of the intersection to provide two westbound lanes, a left turn lane and a eastbound thru lane, including some right-of-way acquisition. Two thru lanes eastbound shall be maintained and right-of-way must be secured to facilitate this design. The developer will provide a traffic signal at this intersection. If only one EB thru lane is maintained, a protected left turn phase will be required for the west bound left turn.

NS Collector at US 70: US 70 will be improved to provide two thru lanes in each direction and a continuous center turn lane from Seed Tick to the west property line – and then transition to the existing 4 lane section west of the property line. The NS Collector will require 4 lanes as follows: a NB right turn lane, a NB left turn lane, a SB thru lane and a SB left turn lane – 4 lanes wide. This is due to the potential for the left turns from the NB Collector at US 70 backing up to the intersection of the NS Collector with the EW Collector. The NS Collector will be stop controlled at US 70 and US 70 will remain free flow.

NS Collector at EW Collector: The laneage for the NS Collector will be as noted above. The EW Collector will have one thru lane in each direction and a center left turn lane from the NS Collector to Seed Tick Road. This intersection will be a 4 way stop, with the driveway to the corner outparcel west of the NS Collector being part of this intersection.

MLGW Utilities: The applicant has submitted a letter to the City of Lakeland written by Memphis Light Gas and Water Division stating that existing utilities are adjacent the site and will be used to service the retail shops.
MOTION

If the MPC believes that the BOC should approve the proposed PDP (part of a legal settlement), the motion below could be made:

“I move that the Planning Commission recommend approval of the Preliminary Development Plan (PDP) for Lakeland Commons.”
Memorandum

To: Nathan Bicks, David Lakin, J. Higbee

From: James F. Collins, P.E.

Date: February 16, 2011

Subject: Lakeland Commons Traffic Study Review

I have completed by review of the SR Consulting traffic study for the Lakeland Commons development dated February 2, 2011. I have also discussed my findings with Mr. Bob Sweeney.

Through a combination of Mr. Sweeney’s revised report (dated 2/2/11) and my own analyses of the intersections, I agree with the improvements that are shown on the sketches included with the report with a couple of exceptions. Mr. Sweeney and I have talked about the exceptions and we came up with solutions to those exceptions that we both agree will function properly from a traffic perspective. I understand that Mr. Sweeney is going to take those changes to the developer and recommend the developer concurs with the changes.

I think maybe the best way to convey the required improvements is to list all of the improvements identified in the report, as I understand them, and the exceptions.

**Memphis Arlington at Residential Street** – Memphis Arlington will be one lane each way. Stop control will be on the residential street only. The residential street can be either one or two lanes outbound and one lane inbound.

**Memphis Arlington at NS Collector** – Memphis Arlington will be widened to include a left turn lane for both approaches. The NS Collector will also be a three lane section – one lane each way with a left turn lane at the intersection. The sketches show the left turn lane only at the intersections. The City may want to consider having the left turn lane on the NS Collector being continuous to serve the private drives. This intersection will be 4 way stop controlled.

**Memphis Arlington at Seed Tick** – It appears like this will function well with just one lane in each direction for all approaches. There may need to be some alignment adjustments, but there is not enough detail on the site plans I have seen to determine that. This intersection will be a 4 way stop.
Seed Tick at EW Collector – Both the Collector and Seed Tick are to have one through lane in each direction and a left turn lane. The Collector will be stop controlled and Seed Tick will remain free flow.

Seed Tick at US 70 – Seed Tick will be improved to one lane in each direction with a center left turn lane that extends from US 70 to the EW Collector. Seed Tick will be realigned to intersect US 70 at a 90 degree angle. US 70 will be improved to provide 5 lanes west of Seed Tick. The eastbound right hand lane can become a right turn only lane at the Seed Tick intersection. Some modifications will have to be made east of the intersection to provide two westbound lanes, a left turn lane and a eastbound thru lane, including some right-of-way acquisition. If the City desires to maintain two thru lanes eastbound, that will require more right-of-way to be acquired. The developer will provide a traffic signal at this intersection. If only one EB thru lane is maintained, a protected left turn phase will be required for the west bound left turn. (This is one of the intersections that will require some additional improvements beyond what is noted in the traffic study).

NS Collector at US 70 – US 70 will be improved to provide two thru lanes in each direction and a continuous center turn lane from Seed Tick to the west property line – and then transition to the existing 4 lane section west of the property line. The NS Collector will require 4 lanes from US 70 to the EW Collector as follows: a NB right turn lane, a NB left turn lane, a SB thru lane and a SB left turn lane – 4 lanes wide. This is due to the potential for the left turns from the NB Collector at US 70 backing up to the intersection of the NS Collector with the EW Collector. The City may want to consider requesting this 4 lane section be provided from US 70 to beyond the residential road – maybe even to Memphis Arlington. This four lane improvement from US 70 to the EW Collector is one of the changes from the study. The NS Collector will be stop controlled at US 70 and US 70 will remain free flow.

NS Collector at EW Collector – The laneage for the NS Collector will be as noted above. The EW Collector will have one thru lane in each direction and a continuous center left turn lane from the NS Collector to Seed Tick Road. This intersection will be a 4 way stop, with the driveway to the corner outparcel west of the NS Collector being part of this intersection.

If there is any consideration of putting the traffic signal at the US 70/ NS Collector intersection instead of at Seed Tick and US 70, the operation and laneage for the NS Collector will need to be re-examined.

Please let me know if you have any questions.