



BROOKS STREET – COMPREHENSIVE PLAN AMENDMENT  
RL-4 to BPC

**DEMONSTRATION OF NEED**

Address the following statements with regard to the proposed land use amendment:

1. Could the proposed amendment promote substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need?

**The proposed CPA will provide for infill development of adjacent uses.**

2. Will passage of the proposed amendment allow a significant amount of urban development to occur in rural areas?

**The subject property is not considered existing rural.**

3. Does the proposed amendment create or encourage urban development in radial, strip, isolated, or ribbon patterns emanating from existing urban development?

**The subject amendment request will allow for non-residential development consistent with surrounding exiting uses.**

4. Does the proposed amendment fail to adequately protect adjacent agriculture areas?

**The property is not adjacent to agricultural areas.**

5. Could the proposed amendment fail to maximize existing public facilities and services?



**The proposed Land Use will allow the development to utilize public water, access to arterial roadways, and is located in close proximity to Sheriff, Ambulance, and Fire Services.**

6. Could the proposed amendment fail to minimize the need for future public facilities and services?

**No, the current site will not generate enough development to make an intense impact, that would require future public facilities and services.**

7. Will the proposed amendment allow development patterns that will disproportionately increase the cost of providing public facilities and services?

**No, the requested amendment will not; any cost would be at the developer's expense.**

8. Does the proposed amendment fail to provide clear separation between urban and rural uses?

**The existing property is not located in a rural area, and the surrounding properties are developed.**

9. Will the proposed amendment discourage infill development or redevelopment of existing neighborhoods?

**The proposed amendment is for infill of non-residential development.**

10. Does the proposed amendment fail to encourage an attractive and functional mixture of land uses?

**The request for BPC is consistent with surrounding property development, that can coexist in harmony with the existing mix of non-residential and residential.**



11. Could the proposed amendment result in poor accessibility among linked or related land uses?

**The subject site is positioned to access an existing roadway network used by similar adjacent uses.**

12. As a result of approval of this amendment, how much open space will be lost?

**The entire area proposed for amendment is unimproved. The proposed development will be required to provide open space consisting of pond, landscape buffers, and grassed areas.**

### ***Land and Neighborhood Characteristics***

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses? **The area proposed for amendment is in the proximity of other similar uses (directly across the street). And, the property to the west separating the subject property from additional BPC-1X, is RL-4X but is a nonconforming trailer park. Additionally, the properties immediately across Brooks St., facing this property, have historically operated at a much higher intensity. This proposal allows for a transition between these properties and the residential to the North.**
2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses? **The applicant is only requesting a portion of the property (south) to be amended to the BPC-1X land use while preserving the north part as residential (RL-1X). Buffers will be provided in accordance with LDC.**
3. How will the request influence future development of the area? **No immediate influence can be anticipated. Should the trailer park immediately west of the property cease to exist, it would may request the same BPC-1X to be contiguous with the surrounding.**

### *Access to Roads and Highways*

Assess the impact of the proposed development on the existing, planned and programmed road system. At a minimum, address the following specific questions in your response:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed<sup>1</sup> methodology and calculations. **Please see attached Minor Traffic Study.**
2. What modifications to the present transportation system will be required as a result of the proposed development? **Road widening can be anticipated as required by the LDC.**

<sup>1</sup>A minor traffic study will suffice for a detailed methodology and calculations for most applications.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land Development Code? **To be determined from finished building size, according to Section 708 of the Land Development Code.**
4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)? **Access would be proposed to Brooks Street to the South.**

### *Sewage*

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? *(Response may be based on Section 703.F of the LDC)*  
**This is to be determined based on the end user.**
2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage? **It is anticipated that on-site septic system(s) would be utilized as no public sewer is within the area.**
3. If offsite treatment, who is the service provider? **N/A. Site would utilize septic.**
4. Where is the nearest sewer line (in feet) to the proposed development *(Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of-way under certain conditions listed in Section 702E.3 of the Land Development Code)* **Approximately 1 mi., on Edgewood Drive South (per City of Lakeland)**
5. What is the provider's general capacity at the time of application? **Connection not anticipated.**
6. What is the anticipated date of connection? **Connection not anticipated**
7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc. )*?  
**Connection not anticipated.**

### ***Water Supply***

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider?  
**Anticipated water connection would be to a 6" City of Lakeland water main located along Brooks St.**
2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*) **This to be determined once an end user is determined**
3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line? **Water is adjacent to the south. There is no re-claimed within the area.**
4. Who is the service provider? **City of Lakeland**
5. What is the anticipated date of connection? **Not known at this time**
6. What is the provider's general capacity at the time of application? **This will be determined at the time of connection.**
7. Is there an existing well on the property(ies)?  
**NO**

***Surface Water Management and Drainage***

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues); **In general, surface water sheet flows from NE to SW. No known flooding issues exist.**
2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project? **No alterations are anticipated. The developed site would likely propose a stormwater pond at the SW corner of the property.**



### ***Environmental Analysis***

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

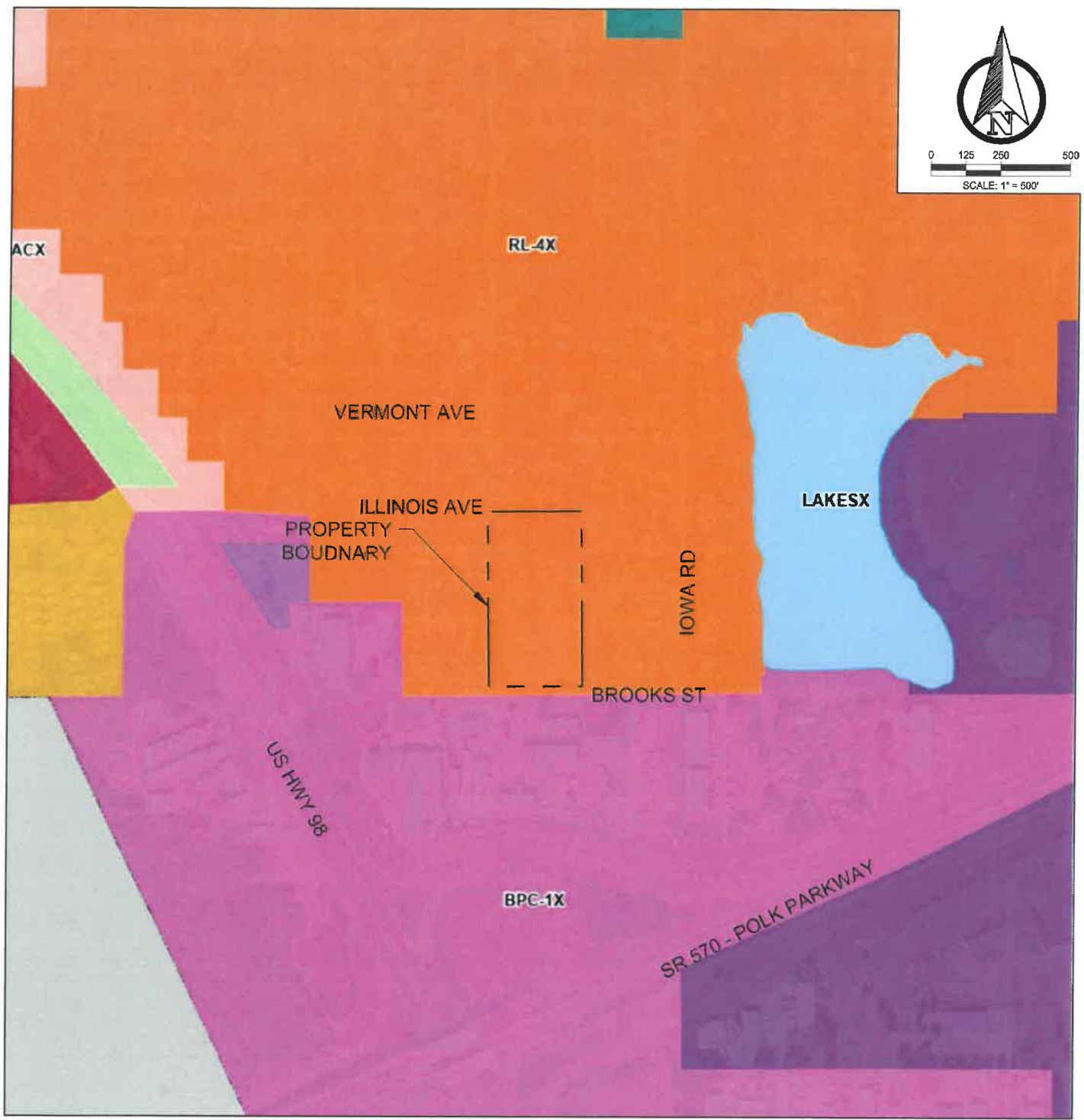
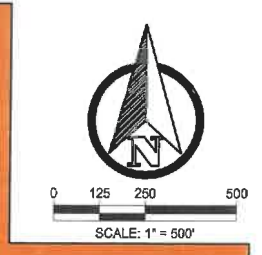
1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties. **The site is vacant (grassed) and surrounded by developed property. No local environmentally sensitive are known.**
2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site. **None**
3. Discuss location of potable water supplies, private wells, public well fields (*discuss the location, address potential impacts*), and; **None**
4. Discuss the location of Airport Buffer Zones (if any) (*discuss the location and address, potential impacts*). **None**
5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development. **The site is mostly Tavares sands. Please refer to attached Soils Map.**

### ***Infrastructure Impact Information***

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation; **Holloway Park, +/- 1 mi., 2402 Holloway Park Dr.**
2. Educational Facilities (e.g., preschool, elementary, middle school, high school);
  - **Pre-School: Little Einstein +/- 0.5 mi.**
  - **Elementary: Oscar J. Pope +/- 0.9 mi.**
  - **Middle: Crystal Lake +/-2.1 mi.**
  - **High School: George Jenkins +/- 5.0 mi.**
3. Health Care (e.g., emergency, hospital); **Lakeland Regional +/- 5.3 mi.**
4. Fire Protection; **Polk County +/-3.3 mi**
5. Police Protection and Security; **Polk County Sheriff +/-1.4 mi.,**
6. Emergency Medical Services (EMS); **Polk EMS station +/- 1mi.**
7. Solid Waste (collection and waste generation); and **Polk County**
8. How may this request contribute to neighborhood needs? **The proposed amendment will provide new business locations and employment opportunities to the neighboring area along with improving previously undeveloped “infill” property.**

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PARCEL ID# 24-28-34-264500-002800



**GADD  
& ASSOCIATES**  
CIVIL ENGINEERING & CONSULTING  
4685 E COUNTY ROAD 540A  
LAKELAND, FL 33813  
PHONE: (863) 940-9979  
Certificate of Authorization #30194  
[www.GaddCivil.com](http://www.GaddCivil.com)

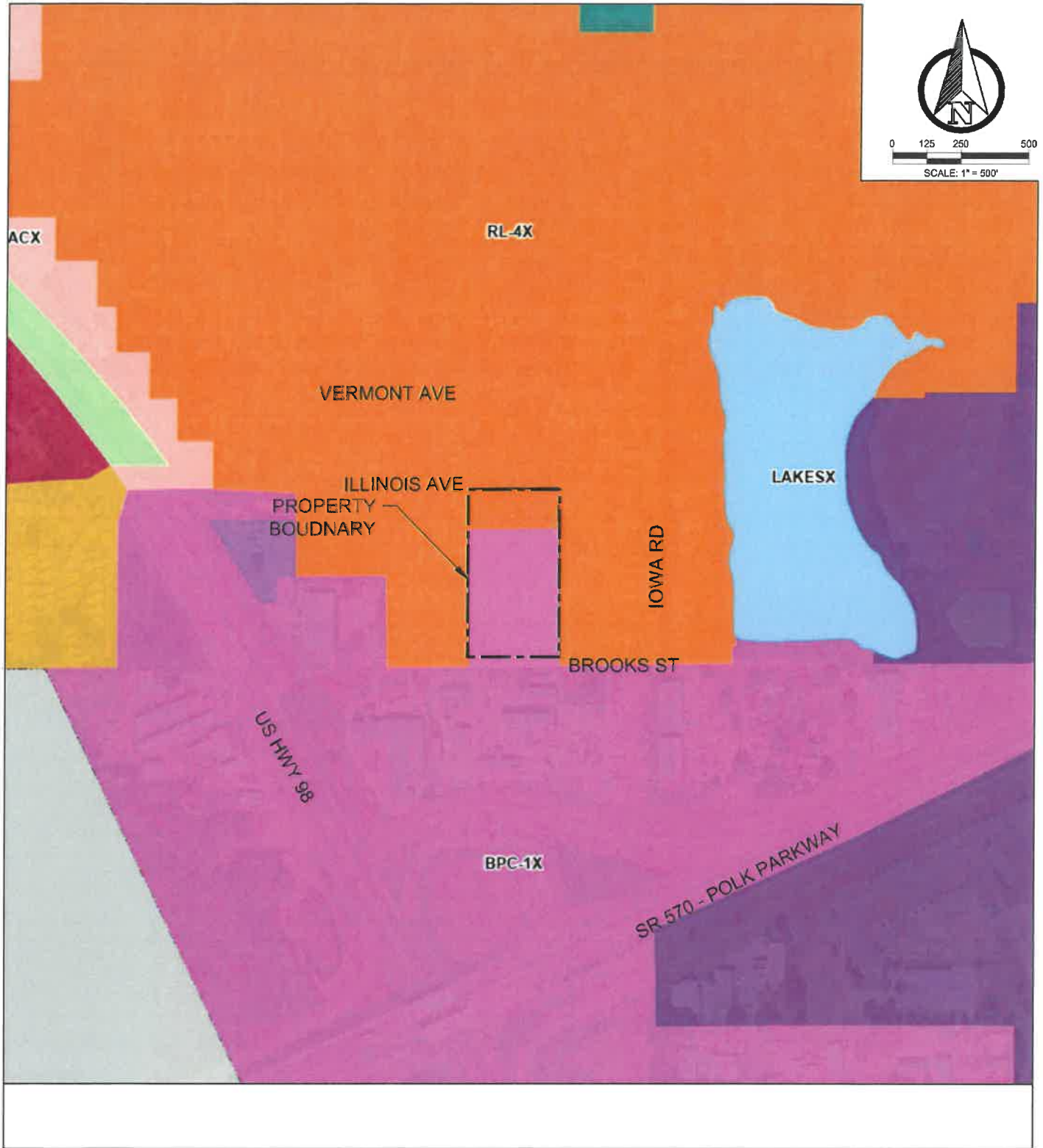
**LDCPAS-2025-7**

**BROOKS STREET CPA**

**Existing Land Use**

**EXHIBIT B**

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**LDCPAS-2025-7**

**BROOKS STREET CPA**

**Proposed Land Use**

**EXHIBIT C**

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**LDCPAS-2025-7**

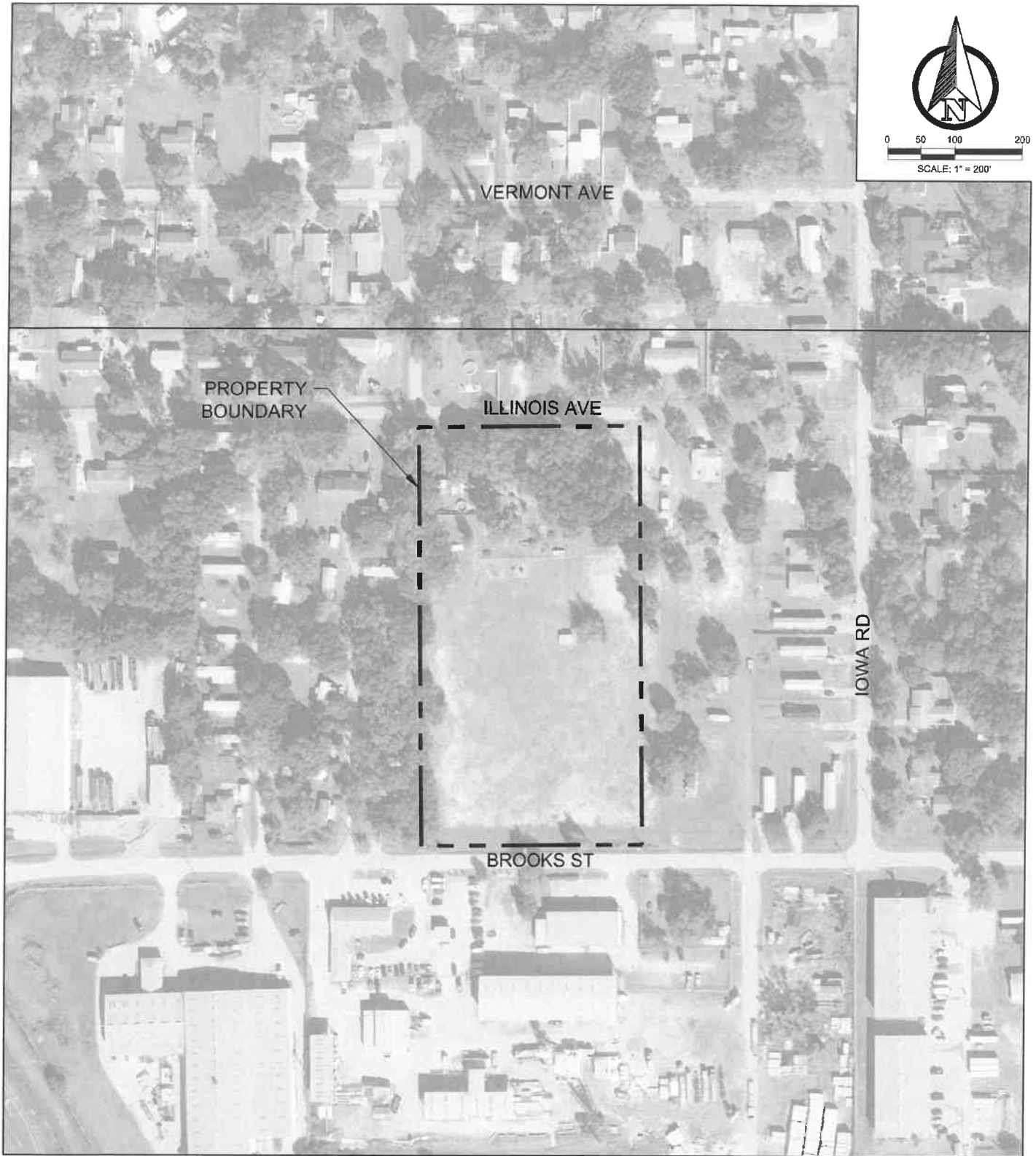
**BROOKS STREET CPA**

**Location Map**

**EXHIBIT D**



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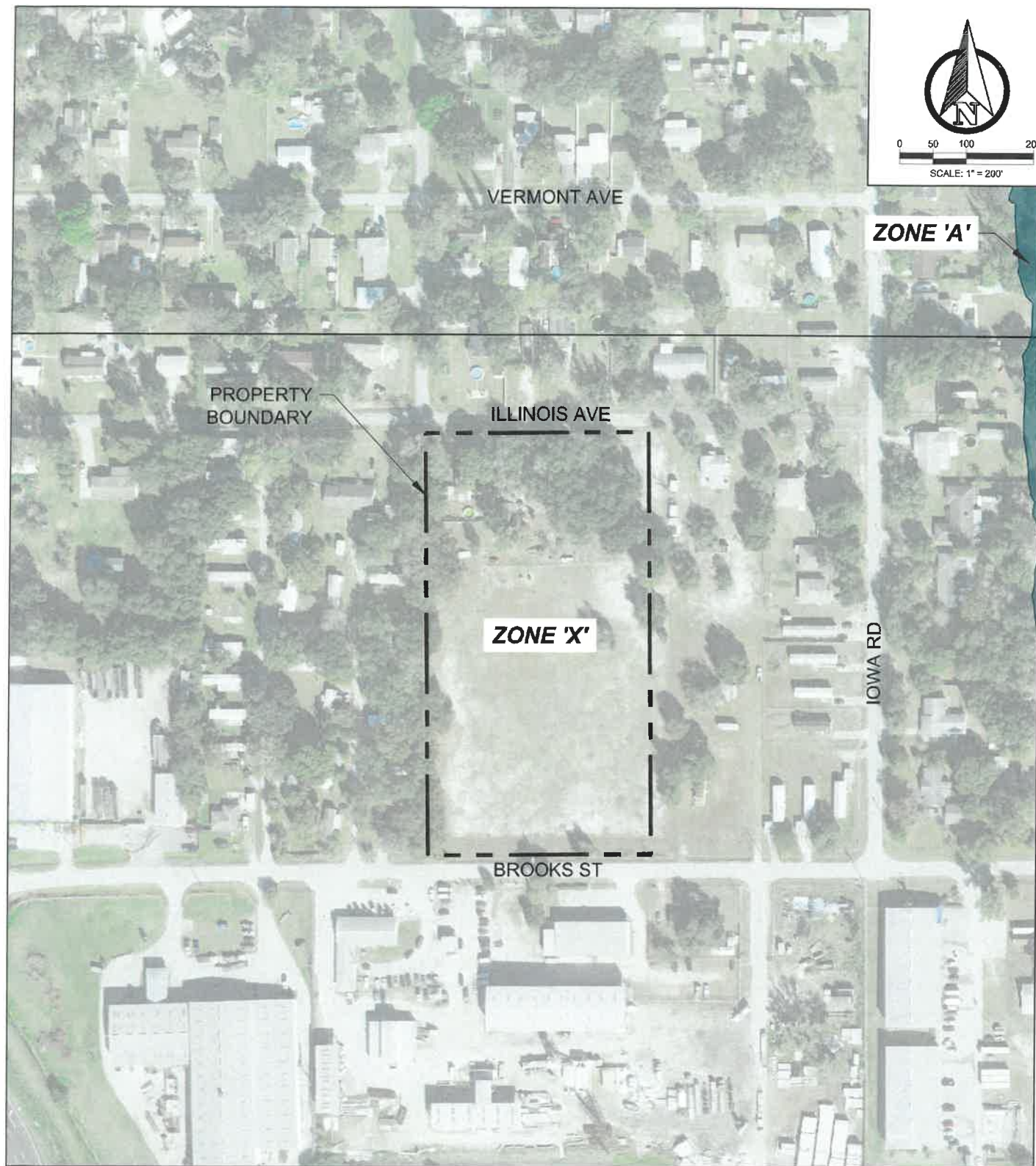
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LDCPAS-2025-7

BROOKS STREET CPA

Aerial

EXHIBIT E



PARCEL ID# 24-28-34-264500-002800

PANEL: 12105C0320G EFFECTIVE DATE: 12/22/2016



**GADD  
& ASSOCIATES**  
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**LDCPAS-2025-7**

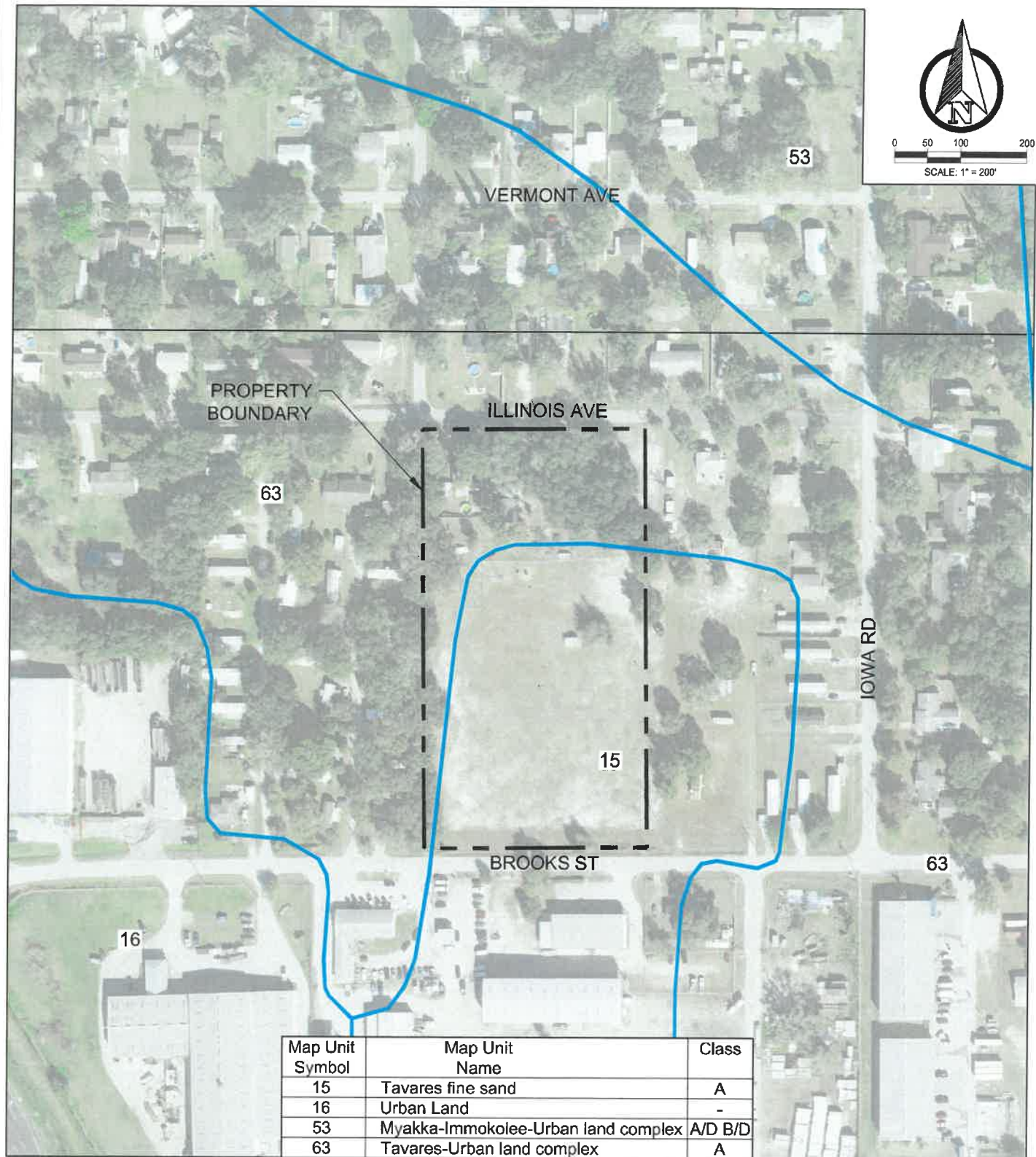
**BROOKS STREET CPA**

**FEMA Map**

**EXHIBIT F**



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PARCEL ID# 24-28-34-264500-002800



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LDCPAS-2025-7

BROOKS STREET CPA

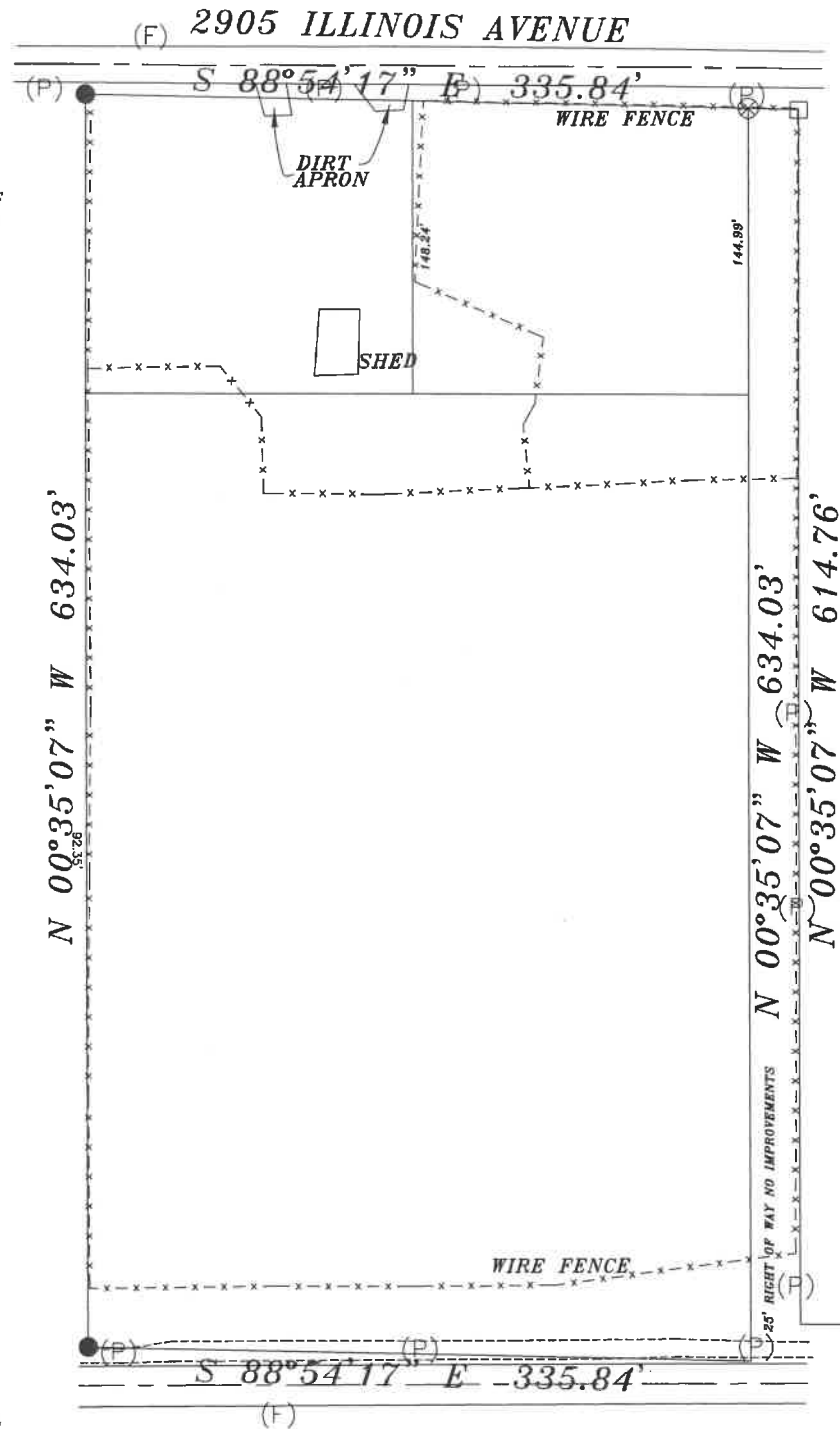
Soils Map

EXHIBIT G



# LEGEND

- FOUND IRON ROD "
- ⊗ SET IRON ROD
- ⊙ FOUND P.K. NAIL & DISC
- FOUND CONC MONUMENT
- FOUND IRON ROD
- ⊙ WELL
- (P) POWER POLE
- (F) FIRE HYDRANT



SCALE 1"=60'

## OVERALL LEGAL

LEGAL DESCRIPTION: THE WEST 1/2 OF LOT 28 IN SECTION 34, TOWNSHIP 28 SOUTH, RANGE 24 EAST, OF FARMING & TRUCKING LANDS OF W.F. HALLAM & CO'S LAKE LAND HIGHLANDS, FLORIDA ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 101, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA

## LEGAL FOR CHANGE OF LAND USE

LEGAL DESCRIPTION: THE SOUTH 489.0 FEET OF THE WEST 1/2 OF LOT 28 IN SECTION 34, TOWNSHIP 28 SOUTH, RANGE 24 EAST, OF FARMING & TRUCKING LANDS OF W.F. HALLAM & CO'S LAKE LAND HIGHLANDS, FLORIDA ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 101, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA

**NORTH POINT**

LAND SURVEYING, INC. LB # 6892  
2910 WINTER LAKE ROAD  
P.O. BOX 804, LAKE LAND, FL. 33802  
TEL (863)648-2363

I HEREBY CERTIFY THAT THE ABOVE DEPICTS A LEGAL DESCRIPTION MADE UNDER MY DIRECTION AND THAT THE DATA IS CORRECT TO THE BEST OF MY KNOWLEDGE. THIS DESCRIPTION MEETS THE MINIMUM TECHNICAL STANDARDS AS SET BY FLORIDA CHAPTER 61-G17, F.A.C., PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LEGAL DESCRIPTION: PATRICK J. O'LEARY  
DATE 02-24-18

PATRICK J. O'LEARY PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REG. # 5130  
NOT VALID WITHOUT A RAISED SEAL

LDCPAS -  
2025 -  
7

**Processing Time & Extension Procedures**  
**Polk County**  
**Office of Planning and Development**

**Contact Information:**

Name of Applicant/Property Owner/Agent: SARAH CASE  
Mailing Address: Next Level Planning + Permitting  
Phone: 863 3989651 Email: sarah@nextlevelpolk.com  
Location of Property: Brooks St.

Per F.S. 125.022(1), the County must process applications for development orders and development permits pursuant to timeframes set forth in the statute and as adopted by Land Development Code (LDC) Sections 905 through 908, as follows:

- The County shall notify applicants indicating the application is complete or specify deficiencies within 30 days after receipt of the application.
- If deficiencies are identified, applicants shall have 30 days to submit the required additional information or the application will be withdrawn. Both parties may agree to a reasonable request for an extension of time only in the event of a *force majeure* or other extraordinary circumstance.
- Within 120 days after a Level 2 Review (LDC Section 905) application is deemed complete, the County must approve, approve with conditions, or deny each application. These limits may be reasonably extended by mutual agreement of the applicant and the County for up to 120 days.
- Within 180 days after a Level 3-5 Review (LDC Sections 906-908) application is deemed complete, the County must approve, approve with conditions, or deny each application. These limits may be reasonably extended by mutual agreement of the applicant and the County for up to 90 days.
- Additionally, per F.S. 125.022(2), when reviewing an application for a development permit or development order that is certified by a professional listed in F.S. 403.0877, the County may not request additional information from the applicant more than three times unless the applicant waives the limitation in writing.

To request an extension of processing time and waiver of the limitation on requests for additional information, please fill out and sign this form and return it to OPD staff. Applicants may request an extension of processing time at the time of filing an initial application or at any time an application is pending before final action. Please be advised that the Applicant may incur additional advertising fees.

As the Applicant/Agent for Applicant for a development order or development permit from Polk County, I acknowledge the timeframes as listed above and hereby request (check all that apply):

- ☐ Decline the waiver and agree to comply with the timeframes set forth in F.S. 125.022(1) and the LDC.
- ☐ A waiver of the limitation on requests for additional information per F.S. 125.022(2).

☐ An extension of \_\_\_\_\_ days for the submittal of additional information necessary for a complete application. *(Granted in the event of extraordinary circumstances)*

☐ An extension of \_\_\_\_\_ days for the County to issue final action approving, approving with conditions, or denying an application for development permit or development order. *(Maximum 120 days for Level 2 Reviews; maximum 90 days for Level 3-5 Reviews)*

 3/8/2025  
Signature of Applicant/Agent for Applicant Date

*\*Not applicable to Comprehensive Plan Amendments, LDC text amendments, or the Green Swamp Area of Critical State Concern*

**For Official Use Only:**

Date Received: _____	Meeting Date: _____
Project Number: _____	Approved/Denied: _____



**NEXT LEVEL**  
PLANNING & PERMITTING

**LETTER OF AUTHORIZATION**

Owner: LM & TJ PROPERTIES

RE: Polk County Property Appraiser #242834-264500-002800

I, the undersigned authority for the property described above, hereby authorize Sarah Case, Next Level Planning & Permitting, to act as my Agent/Authorized Representative for development and permitting approvals through Polk County, FL.

Larry McEachen  
LM & TJ PROPERTIES LLC

mgr  
Title

State of FLORIDA

County of Polk

The foregoing instrument was acknowledged before me this 3 day of  
march, 2025, by Larry McEachen.

X Personally Known \_\_\_\_\_ or has Produced Identification X Physically Present

Type of Identification \_\_\_\_\_



Sheila Bliss  
Signature of Notary Public

Sheila Bliss  
(Notary Public's printed name)

Prepared by and return to:  
Benjamin W. Hardin, Jr.  
Attorney at Law  
Hardin & Associates, P.A.  
1905 Bartow Road  
Lakeland, FL 33801

File Number: 05-0146  
Will Call No.:

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 1st day of April, 2005 between Alton B. Masters and Ellen S. Masters, his wife whose post office address is 705 S Terrace Dr, Eagle Lake, FL 33839, grantor, and LM & TJ Properties, L.L.C., a Florida Limited Liability Company whose post office address is 550 Tiffany Terrace, Lakeland, FL 33813, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Polk County, Florida to-wit:

The West 1/2 of Lot 28, in Section 34, Township 28 South, Range 24 East, FARMING & TRUCKING LANDS OF W.F. HALLAM & CO.'S LAKE LAND HIGHLANDS, FLORIDA, according to the map or plat thereof as recorded in Plat Book 1, page 101, public records of Polk County, Florida.

Parcel Identification Number: 342824-264500-002800

Subject to taxes and assessments for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Rachel L. Goldizen  
Witness Name: Rachel L. Goldizen

Brandi S. Margi  
Witness Name: Brandi S. Margi

Alton B. Masters (Seal)  
Alton B. Masters

Ellen S. Masters (Seal)  
Ellen S. Masters

State of Florida  
County of Polk

The foregoing instrument was acknowledged before me this 1st day of March, 2005 by Alton B. Masters and Ellen S. Masters, who ☐ are personally known or ☒ have produced a driver's license as identification.

[Notary Seal]



Rachel L. Goldizen  
Notary Public

Printed Name: Rachel L. Goldizen

My Commission Expires: January 21, 2007



April 14, 2025

TO: POLK COUNTY LAND DEVELOPMENT

RE: **LDCPAS-2025-7 BROOKS STREET CPA**  
DRC RESPONSE

In response to DRC COMMENTS, Next Level Planning & Permitting (CONSULTANT) offers the following:

**Mark Bennett: Planning**

1. Compatibility – Staff recognizes that the residential uses located east and west of the site display some characteristics of slum and blight, which are used to determine the appropriateness of an area for redevelopment. Based on this determination, a change from residential to non-residential uses may be appropriate, especially given the non-residential uses on the south side of Brooks Street. However, given the importance of ensuring compatibility between existing residential uses and any future non-residential activities that may occur on this site, it is suggested that the applicant provide any additional data, analysis or narrative explaining how any future development of this site will be compatible.

**RESPONSE:**

The specified area needs to be considered in addition to the Policies In the Comprehensive Plan. The residential area of Eaton Park appears to have been built around the proximity of Industry as shown on the (uploaded) Plat Book 1C page 101A, as filed in 1912. The existing residential and non-residential properties have coexisted since inception.

**CONSISTENT WITH:**

Policy 2.102-A-2 Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:

- a. there have been provisions made which buffer incompatible uses from dissimilar uses;

- b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
- c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

**CONSISTENT WITH:**

Policy 2.113-B-3: **Location Criteria** -Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

- a. arterial roads;
- b. collector roads, if the proposed district is within 2 mile of an intersecting arterial road;
- c. local commercial roads or private roads under the following conditions:
  - 1. the road has full median access onto to an arterial road;
  - 2. the road does not serve existing or expected future residential traffic from the surrounding area; and
  - 3. the road has a structural integrity and design characteristics suitable for truck traffic.
- d. properties abutting an Industrial (IND) district or railroad line.

Policy 2.131-RA4: **Development Criteria** for Modified Land Use Categories

D. Business Park Centers (BPCX) - In addition to applicable provisions in the Future Land Use Element of this plan, the following provisions apply:

- 1. The BPCX shall be prohibited from having outdoor storage forward of the buildings main facade, unless screened from off-site view.
- 2. Development within this land use designation shall incorporate safe pedestrian oriented design to allow access from the surrounding parking area and adjacent parcels.
- 3. All development shall provide adequate access and amenities to support mass-transit services.
- 5. Buffering and screening standards shall be required as specified in the Land Development Code and when adjacent to property designated with a residential Future Land Use designation or adjacent to existing residential.

**Development will comply with:**

Section 220 - Compatibility Standards

The provisions of this Section shall apply to all development within 50 feet of an existing residence or property designated as Residential Suburban (RS),

Residential-Low (RL-1, RL-2, RL-3, RL-4), Residential-Medium (RM), Residential High (RH) or Rural Cluster Center-Residential (RCC-R) by the Future Land Use Map Series. Only the portion of the development within the 50 foot compatibility area shall be subject to the requirements of this Section.

**DEFINITION OF**

**COMPATIBILITY (Added 03/18/14 - Ord. 14-015):** A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

**ADDITIONAL INFORMATION RELEVANT TO THE REQUEST:**  
**SPECIFIC TO THE REQUEST:**

**Existing Parcel measurements:**

**634' x 335' – 4.74 ac**

**Request for BPC includes retaining the RL (145' buffer)**

**New BPC = 3.81 AC**

**Over 22% of the depth to remain Residential (North Portion)**

2. Site Characteristics - The IAS (Environmental Analysis Question #1) states that the site is vacant (grassed). However, based on an inspection of the property, site development activity has occurred. Presumably, the land clearing and infrastructure placement is in accordance with the approval Level 2 (LDRES-2021-113) for this property. Additionally, a revision to the approved plans has been submitted (LDRES-2021-113-REV1) and are currently in review. Given that the proposed amendment is for a non-residential use, yet construction plans and site development is occurring for a residential use (2 single-family and 18 single-family attached units), please explain the current status of the property and future intent based on the approved plans.

**The above was discussed prior to and during the DRC – Sufficiency Review. No further comment.**

We feel the above response satisfies Staff's request for additional information. Please advise should you need further information.

Respectfully Submitted,



*Sarah E. Case*

Next Level Planning & Permitting

XC: CLIENT



**NEXT LEVEL**  
PLANNING & PERMITTING

## **BROOKS STREET**

**BROOKS ST:** Local Commercial  
**ATLANTIC AVE:** Local Commercial  
**HWY 98 S:** Arterial (Full Median Access)  
**ILLINOIS AVE:** Local Residential  
**POLK PARKWAY:** Turnpike/Expressway

## LDCPAS-2025-7 BROOKS STREET CPA



**NEXT LEVEL**  
PLANNING & PERMITTING



## LDCPAS-2025-7 BROOKS STREET CPA



**NEXT LEVEL**  
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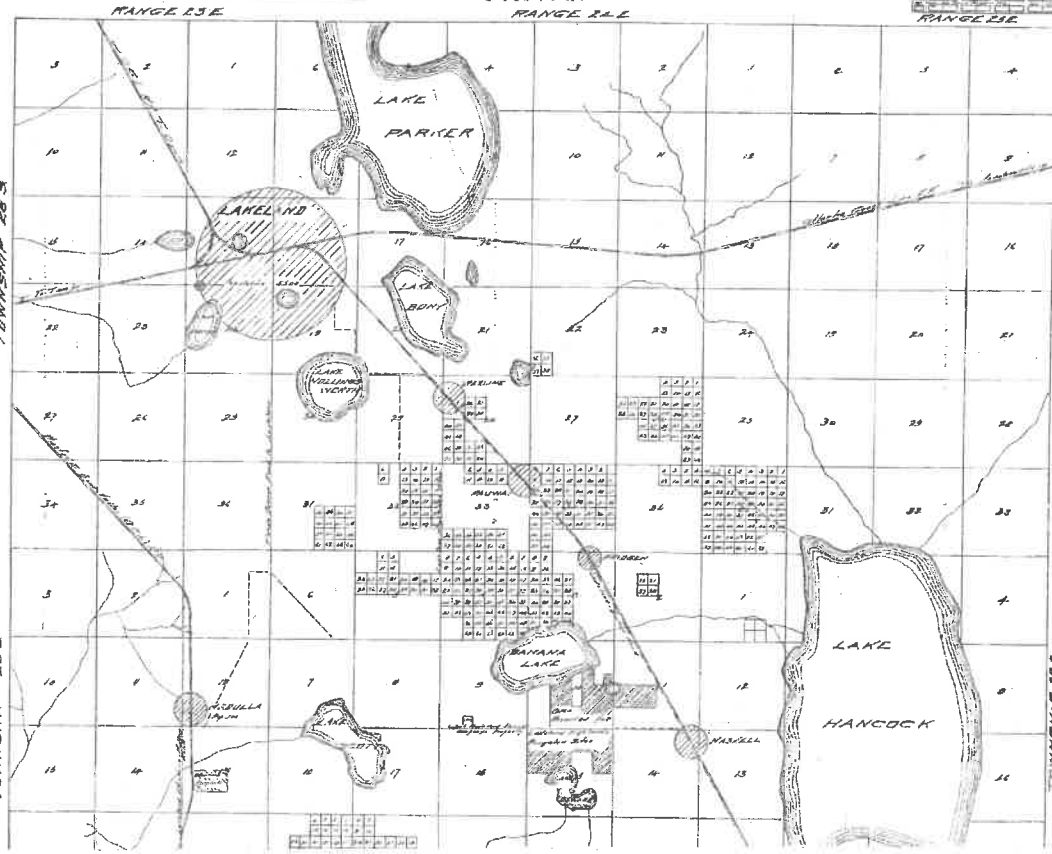


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## Opposition from Previous Case – LDCPAS-2019-11

### Opposition







PB 12 PMB

