

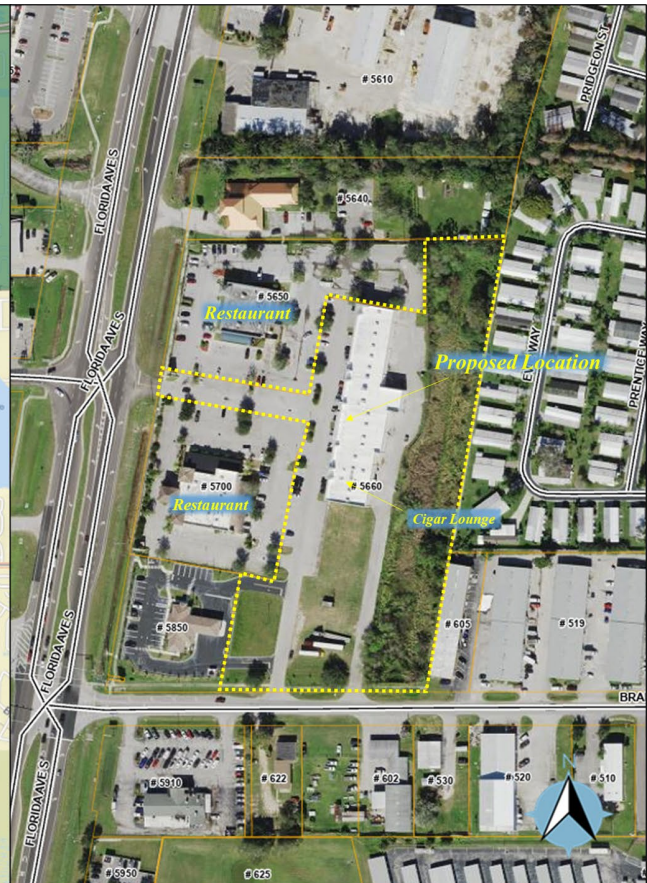
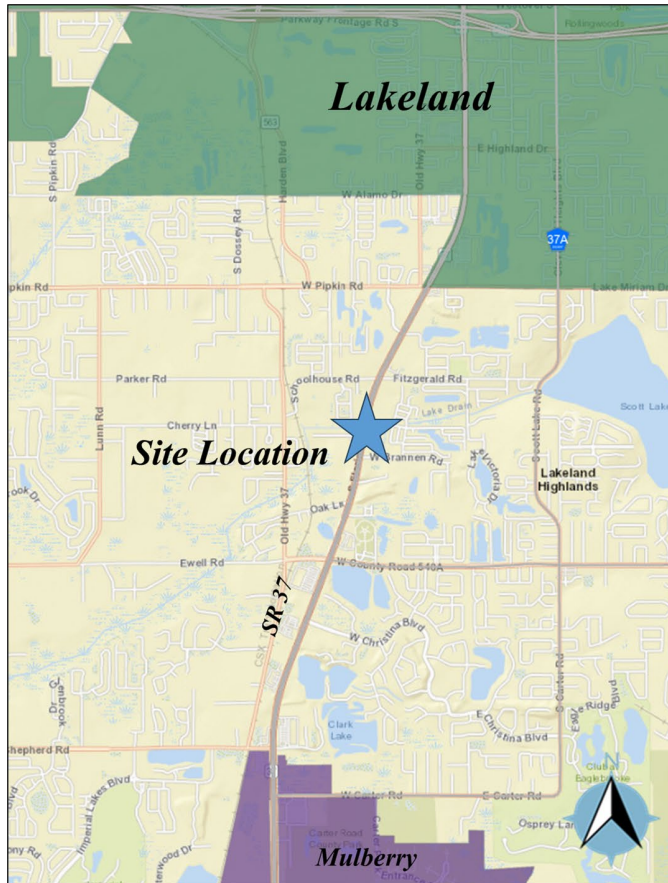
**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

DRC Date: March 21, 2024	Level of Review: Level 3 Review
PC Date: June 5, 2024	Type: Conditional Use
BoCC Date: N/A	Case Number: LDCU-2024-7
Applicant: Alex Fontaine	Case Name: Sim Boss CU
	Case Planner: Ian Nance

Request:	The applicant is requesting Conditional Use approval for a bar serving beer and wine (2COP license) in a video game lounge.
Location:	The subject property is located at 5698 South Florida Avenue, north of Brannen Road, south of Fitzgerald Road, south of Lakeland in Section 13, Township 29, Range 23.
Property Owners:	Prime Center Point Plaza, LLC
Parcel Number:	232913-140835-000030
Future Land Use:	Linear Commercial Corridor (LCC)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	City of Lakeland
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending

Site Location

Aerial Image



Summary of Analysis:

The applicant is requesting Conditional Use approval for a bar serving beer and wine (2COP license) in a video game lounge. The site is located within a Linear Commercial Corridor (LCC) land use district where bars are “C3” conditional uses requiring Planning Commission approval (*Exhibit 2*). The business will be in a suite within a larger commercial plaza. No additional construction is proposed.

The applicant states in the request that this is a video game and simulation racing lounge. They hope to serve beer and wine, in addition to non-alcoholic drinks. With the alcohol sales, they are defined within the “Bars, Lounges, and Taverns” use group in the LDC. Their plan is to be open from 10 a.m. to 10 p.m. on Fridays and Saturdays and from 1 p.m. to 10 p.m. on the other days of the week, except Monday.

Staff finds this request compatible with surrounding uses. Within the same plaza development are two restaurants that serve alcohol with similar hours, which did not require public hearings to serve alcohol (*Exhibits 4 & 5*). A cigar lounge (4COP) was approved by the Planning Commission in 2017 in a suite in the same building. The proposed bar/lounge meets the separation requirements from schools and religious institution as required by LDC Section 224. There is a religious institution in the same building which would ordinarily require a 1,000-foot separation buffer, but since they share the same commercial land use district, this standard does not apply. The request meets the standards of the Comprehensive Plan and LDC. Staff recommends approval.

Findings of Fact

- *This is a request for a Conditional Use approval for a bar serving beer and wine (2COP license) in a video game lounge. The bar will occupy Suite 5698 (1,680 sq. ft.) within a 25,800 sq. ft. building in Center Point Plaza at Parcel ID# 232913-140835-000030 and approved by Land Development on January 27, 2004.*
- *The site is located within a Linear Commercial Corridor (LCC) land use district in the Transit Supportive Development Area (TSDA). According to LDC Table 2.1, “Bars, Lounges, and Taverns” are “C3” conditional uses in LCC districts which require a Level 3 Review.*
- *According to LDC Chapter 10, “Bars, Lounges, and Taverns” are defined as an establishment used primarily for the serving of alcoholic beverages to the general public and where food or package alcoholic beverages may be served or sold only as accessory to the primary use.*
- *According to LDC Section 303, Bars, Lounges and Taverns shall meet the following conditions:*
 1. *Square footage shall not exceed 2,000 in NAC, L/R, BPC-1, BPC-2, IND, AND TC not including a kitchen or storage.*
 2. *All standards in Section 224 shall apply.*
- *LDC Section 224 states, “No Certificate of Approval shall be issued, and no place of business shall be established, in the territory lying without the limits of incorporated*

municipalities in Polk County, Florida, for the sale of malt beverages having an alcoholic content of more than 1 percent by weight, or wine regardless of alcoholic content, for consumption on the premises, which place of business within 1,000 feet of any established religious institution or public and private kindergarten thru 12th grade school located outside of a Commercial Future Land Use Map District.”

- *LDC Section 204.C.1 states, “The purpose of the LCC district is to recognize existing linear concentrations of commercial, office, institutional, and industrial uses along roadways.”*
- *Comprehensive Plan Policy 2.111-A4 states, “Development or redevelopment within a Linear Commercial Corridor shall conform to the following criteria:*
 - a. Permitted uses include all types of commercial, office, and institutional uses typically located along a roadway. New industrial and High-Impact-Commercial-type (HIC) development shall be limited to in-filling existing industrial/HIC areas, and new industrial/HIC development shall not extend or expand these industrial/high-impact areas.*
 - b. New development or redevelopment of non-residential uses within a Linear Commercial Corridor shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses. New development or redevelopment of non-residential uses adjacent to existing uses shall be compatible with each other without allowing a higher intensity of development.*
 - c. Step-down uses shall be encouraged between different intensity uses as in-fill and shall be lower in intensity than the highest existing intensive use. Step-down uses shall be contiguous to an intensive use land use and shall not be separated from that use by an arterial or collector road, or a natural or man-made barrier which makes the step-down use unnecessary.*
 - d. New development or redevelopment within a Linear Commercial Corridor shall incorporate the use of frontage roads wherever there is adequate public right-of-way or there is property available for the expansion of the right-of-way or the establishment of frontage-road easements to facilitate such roads in accordance with recognized highway safety standards. Whenever the placement of frontage roads is not practical, shared ingress/egress facilities shall be used.*
 - e. Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation shall facilitate safe bicycle and pedestrian movement.*
 - f. Where the LCC abuts residential areas, uses should be limited to a size, scale, and intensity necessary to provide the residents of the community and surrounding area with retail, personal, and community services. New development or redevelopment of non-residential development adjacent to residential areas shall be compatible with adjacent existing uses without allowing a higher intensity of development.*
 - g. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples*

of facilities that may require special buffering provisions.

- h. The maximum floor area ratio shall not exceed 0.35 for non-residential development.*
- Polk County Utilities has a 12-inch wastewater main along the east side of the South Florida Avenue (SR-37) right-of-way. Lakeland also has an 8-inch wastewater gravity main within the development to service the subject site.*
 - The city of Lakeland has a 6-inch potable water distribution main along the east side of the South Florida Avenue right-of-way.*
 - No wetlands, flood zones, or surface waters are found onsite.*
 - According to the Florida Natural Areas Biodiversity Matrix, the subject site is not located within a one-mile radius of an endangered habitat community.*
 - The subject site is comprised of Neilhurst-Urban Land Complex.*
 - The subject site is not located within any of the County's Wellhead Protection Districts.*
 - There are no known historical or archeological resources onsite, according to the Secretary of State's Department of Historical Resources Florida Master Site File.*
 - The site has frontage along South Florida Avenue AKA State Road 37 (Road No. 009090), a Principal Arterial roadway tracked for concurrency by Polk County's Transportation Planning Organization (TPO) (Links 5805 N/S).*
 - Fire and EMS services arrive from Polk County Fire Rescue Station 2, located at 2523 Ewell Road, Lakeland 33801.*
 - The property is within the Polk County Sheriff's Office Southwest District, located at 4120 US Highway 98, Lakeland 33812.*
 - The zoned schools for the proposed project are Scott Lake Elementary, Lakeland Highlands Middle, and George Jenkins Senior High.*
 - The Comprehensive Plan defines Compatibility in Section 4.400 as "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."*
 - This request has been reviewed for consistency with Table 2.1 and Sections 303 and 906 of the LDC.*
 - This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.111.A4 DEVELOPMENT CRITERIA LINEAR COMMERCIAL CORRIDOR (LCC).*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, recent site visits, and the analysis conducted within this staff

report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2024-7**.

On June 5, 2024, at an advertised public hearing, the Planning Commission will vote on this application.

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends **APPROVAL** of LDCU-2024-7 with the following Conditions:

1. This Conditional Use approval shall be for a bar, as described in the staff report and site plan. This approval does not restrict the bar to a 2COP license. In the event a different alcohol sales license is required, the separation standards from schools and religious institutions found in LDC Section 224 shall apply and deviations from these requirements shall follow the variance process described without requiring a modification to this Level 3 approval. [PLG]
2. This conditional use approval is contingent upon the issuance of (and compliance with) all applicable alcoholic beverage permitting and licensing to the applicant to sell alcoholic beverages on the subject property and continued compliance with all other applicable Land Development Code regulations. [PLG]
3. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDCU-2024-7, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners’ jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

<p>Northwest: LCC SR-37 Retail/Restaurants/Office</p>	<p>North: LCC Office</p>	<p>Northeast: RM Mobile Home Park</p>
<p>West: LCC SR-37 Retail/Bar/Personal Services/Office</p>	<p>Subject Property: LCC Center Point Plaza Restaurants/Bar/Personal Service/Clinic/Religious Institution</p>	<p>East: RM Mobile Home Park</p>
<p>Southwest: BPC-2 SR-37 Nursery/Office</p>	<p>South: BPC-2 Brannen Road Industrial/Commercial Offices Restaurant</p>	<p>Southeast: BPC-2 Brannen Road Industrial/Commercial Offices</p>

Source: Polk County Geographical Information System, Polk County Property Appraiser, and site visit by County staff

This is a request for a Conditional Use approval for a bar serving beer and wine (2COP license) in a video game lounge. The bar will occupy Suite 5698 (1,680 sq. ft.) within a 25,800 sq. ft. building in Center Point Plaza at Parcel ID# 232913-140835-000030 and approved by Land Development on January 27, 2004 (*Exhibits 4 & 5*).

This is an area of south Lakeland with a long history of development and redevelopment. To the south is the South Lakeland Industrial Park that once supported the prominent citrus production in the region. Prior to this, much of the surrounding property had been mined for phosphate. As both industries vacated the area in the late-1980s, residential uses and businesses that support them, including self-storage, restaurants, and offices, took their place. Linear commercial development occurred along this stretch of SR-37.

Compatibility with the Surrounding Land Uses and Infrastructure:

The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion.”

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

This application is not for the video game lounge (General Recreation & Amusement) but rather for the sale and service of beer and wine (2COP license) which defines this establishment as a bar. The reason this use is a “C3” within LCC is to gauge the intensity of the use under what is a diverse category (Bars, Lounges, & Taverns). The Comprehensive Plan requires new development within LCC districts to be compatible with each other without allowing a higher intensity of development.

On the spectrum of potential businesses under this use category, the impact of the proposed bar is not intense. It is not in a location that lends itself to outdoor events. Their plan is to be open from 10 a.m. to 10 p.m. on Fridays and Saturdays and from 1 p.m. to 10 p.m. on the other days of the week, except Mondays. Bars can be open until 2:00 A.M. per LDC Section 224 from Monday to Saturday and until midnight on Sundays. The nearest residential use is a Mobile Home Park over 100 feet to the east and separated by a stormwater pond.

The location of the bar/lounge between suites utilized by a religious institution does necessitate understanding of the Code. LDC Section 224 would require a separation of 1,000 feet between a bar and a religious institution if the religious institution was in a non-commercial land use district. Since they both occupy the same LCC district, this separation is not required. The reason for this is religious institutions are allowed through at least some level of conditional approval in every land use category other than Preservation. The LCC is one of a limited number of land use districts where bars and alcohol sales are allowed.

Looking at the entire plaza development, other establishments that sell alcohol are present. Two restaurants that seat over 150 people and are over 2,500 sq. ft. are located here. These require 4COP-SRX licenses for beer, wine, and liquor sales and consumption on premises. They are exempt from any separation requirements from religious institutions, do not require Planning Commission approval, and are more intense uses than what is proposed. A cigar lounge is located in a suite within the same building as the proposed video game lounge. It was approved by the Planning Commission 4:0 through CU 17-08. This approval included a variance from the separation requirement (2,500 sq. ft.) from Medulla Elementary because it serves liquor on-premises. The same will be true if this bar chooses to serve liquor in the future.

The County's policies on alcohol uses can be viewed inconsistent, at best, and inequitable, at worst. Within the LCC district, the use, "Alcohol Package Sales," is a "C1" conditional use, meaning a liquor store with a 3PS license could open at this location with administrative approval so long as it meets separation criteria in LDC Section 224, which it does. Large chain restaurants, as detailed above, that serve alcohol can be in this development with no public hearings. A smaller restaurant that has under 150 seats could open in the same suite as this proposed bar/lounge and be required to go through a public hearing to serve beer and wine.

B. Infrastructure:

POLICY 2.102-A1 of the Comprehensive Plan states, "Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities."

The subject site is in the TSDA. All public services that one would expect in the TSDA are located here, including connection to water and wastewater, an arterial highway, sidewalks that provide connectivity to adjacent uses; and mass transit stop which are accessible by the sidewalks. No new construction is contemplated with this application.

Nearest Elementary, Middle, and High School

Given that this is commercial use in an existing plaza, this proposal will generate no student demand or other direct impacts on public schools. The zoned schools for this site are Scott Lake Elementary (+/- 2.0 miles); Lakeland Highlands Middle (+/- 2.0 miles); and George Jenkins

Senior High (+/- 4.0 miles). These are also the closest schools.

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to all of unincorporated Polk County and the municipalities of Eagle Lake, Polk City, Mulberry, Lake Hamilton, and Hillcrest Heights. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Fire and EMS services arrive from Polk County Fire Rescue Station 2, located at 2523 Ewell Road, Lakeland 33801. The travel distance is approximately 5.0 miles to the entrance subject site, and response times could average eight (8) minutes or more depending on the type of call.

Table 2

	Name of Station	Distance	Response Time*
Sheriff	Polk County Sheriff's Office Southwest District 4120 US Highway 98, Lakeland 33812	±7.0 miles	P1 Calls: 10:18 P2 Calls: 20:37
Fire/EMS	Polk County Fire Rescue Station 2 2523 Ewell Road, Lakeland 33801	±5.0 miles	8 minutes

Source: Polk County Sheriff's Office and Public Safety

**Response times are based on when the station receives the call, not from when the call is made to 911.*

The nearest Sheriff's substation is Polk County Southwest District Command, 4120 US Highway 98, Lakeland 33812. Sheriff response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County. Current response times are 10 minutes and 18 seconds for a Priority 1 Call and 20 minutes and 37 seconds for a Priority 2 Call based upon times from April 2024.

The PCSO is always trying to improve response times, especially for Priority 1 Calls, by employing new technologies such as Emergency 1 Dispatch (E1D) and Live911. E1D is a program designed to alert deputies at the earliest possible moment of a call for service that is being classified as a true emergency. E1D alert notifications are sent to deputies via their agency-issued smart phones as text messages, alerting deputies of the call type and address of the emergency. Similarly, Live911 technology allows deputies to hear emergency calls in real-time as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-dispatch to these in-progress, high-risk incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

Patrol staff in each district also monitors the response times for their areas and tries to manage their shifts according to manpower, hotspots, traffic obstructions/construction sites, etc. Areas that are more spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Since patrol deputies are not sitting in the office waiting on a call, it is easier for patrol staff to assign them to certain sectors or beats based on areas with higher call volume to reduce response time; however, this cannot be predicted precisely.

Water and Wastewater Demand and Capacity:

A. Estimated Demand:

The proposed development is for a 1,680 sq. ft. bar and lounge. According to historical data from similar establishments, it is anticipated that the demand for potable water is 0.261 gallons per day (GPD) per square-foot (+/- 440 GPD). The amount of wastewater generated is approximately the same.

B. Available Capacity:

Utilities concurrency for this project was determined at the time of the Level 2 approval for the larger plaza development. The change of use within this one suite will not require further review if this is approved by the Planning Commission.

The site is in Lakeland's potable water service area, and the County's Southwest Regional Service Area for wastewater. Polk County Utilities has a 12-inch wastewater main along the east side of the South Florida Avenue (SR-37) right-of-way. Lakeland also has an 8-inch wastewater gravity main within the development to service the subject site. The city of Lakeland has a 6-inch potable water distribution main along the east side of the South Florida Avenue right-of-way.

The Southwest Utility Service Area wastewater system is permitted to treat up to 4,000,000 gallons per day (GPD). Current flow is at approximately 2,248,000 GPD. There is approximately 129,000 GPD allocated to projects with entitlements leaving 1,623,000 GPD in uncommitted capacity. The system growth rate is such that it will take over 20 years before capacity is reached.

C. Planned Improvements:

According to the Polk County Community Investment Program (CIP) database, no nearby improvements are projected. It will be at least 15 years before planning for a system expansion will be necessary at the current growth rate of both the potable water system and wastewater system.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

A. Estimated Demand:

The proposed development is for a 1,680 sq. ft. bar and lounge. Unlike restaurants where clientele changes over frequently during peak hours, stays at bars tend to be longer, especially one that would be associated with a video game lounge. The most reasonable comparison would be what is described by TPO as a “Quality Restaurant” and defined as “full service eating establishments” with stays of at least one hour, do not serve lunch or breakfast, requires reservations, and is not part of a chain (ITE Code 931). Using this standard, it is anticipated that the AADT is 46.96 and the Peak PM Rate is 7.80 trips per 1,000 sq. ft. This calculates to 79 AADT and 13 Peak PM Trips.

Regardless, concurrency was issued with the Level 2 approval for the entirety of the plaza development. The change of use within this one suite will not require further review if this is approved by the Planning Commission. LDC Section 708 requires one parking space per 75 sq. ft. of gross floor area for bars. This particular bar needs 22 spaces, which is easily met within this plaza. The variety of uses here staggers the demand for parking.

B. Available Capacity:

There is currently capacity to serve the proposed development. The subject property has direct frontage on SR-37. Table 3, to follow, displays the generalized capacity on the affected transportation links.

Table 3

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	5-Year LOS
5805 N	South Florida Avenue (SR-37) Shepherd Road to Pipkin Road	C	691	C
5805 S	South Florida Avenue (SR-37) Pipkin Road to Shepherd Road	C	637	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database October 13, 2023

C. Roadway Conditions:

The link of State Road 37 adjacent to the subject site is a Minor Arterial roadway maintained by the Florida Department of Transportation (FDOT). It is a four-lane divided highway with a median cut available to provide access to the site for south-bound traffic. The site has a right-out only intersection with SR-37 for traffic to travel north. A cross-access with the parcel to the north is also provided that allows vehicles onto SR-37. Any impacts to this roadway will be subject to a review by FDOT, however, none are anticipated.

Two points of ingress/egress are also located on Brannen Road to the south of the development which provides a lighted intersection for travel south. Brannen Road (Road No. 931314) is a County Local Commercial roadway that is not tracked for capacity by TPO.

D. Sidewalk Network

Sidewalks are located along both sides of the SR-37 right-of-way and provide connectivity to surrounding uses and to mass transit. The nearest pedestrian crosswalk is located to the south at the intersection of Brannen Road and SR-37.

E. Planned Improvements:

No improvements to the roadway system are anticipated at this time.

F. Mass Transit

The subject property is served by Citrus Connection Lime Flex Line (Florida Avenue Corridor bus route). Transfer point to other bus routes are located at the Wal-Mart at the corner of Carter Road and SR-37, the Lake Miriam Plaza, and the Wal-Mart in Lakeland north of the Polk Parkway. Bus stops are located at the northern end of the Center Point Plaza on the east side of SR 37 and to the SW near Brannen Road on the west side of SR-37. Each are reachable by sidewalks.

Park Facilities and Environmental Lands:

This proposed use will have no impact on parks and recreation.

A. Location:

Christina Park is located at 625 West CR540-A, Lakeland, less than a half-mile to the south of the project area. Loyce E. Harpe Park is located less than two miles to the south.

B. Services:

Christina Park includes five softball fields with lighting and irrigation, dugouts and bleacher shelters complete with a concession building and restrooms. There is a Grand Pavilion with restrooms which can be reserved for special events, numerous picnic areas including those with shelters and a covered outdoor grill. There is also a pedestrian trail around the perimeter of the park and playground area.

Loyce E. Harpe Park features multiuse fields, Little League baseball fields, softball fields and more in an area where a phosphate mine once existed. Amenities include eight 200 foot youth fields; four 300 foot adult softball fields; six multiuse fields; seven miles of mountain biking course; dog park; two covered batting tunnels; seating capacity for 1,600; lights for nighttime play; concessions stands; playground; and pavilion

C. Multi-use Trails:

The closest multi-use trail is the Lakeland Highland Scrub Trail, located approximately four (4) miles southeast from the subject site. The trail offers off road bicycle and hiking areas. Bicycle trails are also located at Loyce E. Harpe Park to the south.

D. Environmental Lands:

Lakeland Highlands Scrub is a 551-acre conservation area that is like no other in Polk County. Located in south Lakeland, it is home to one of the largest undeveloped scrub properties on the Lakeland Ridge, one of a series of elevated sandy ridges along the backbone of an area known as "peninsular Florida." This area used to be surrounded by water, but now, the Lakeland Highlands Scrub rises more than 230 feet above sea level. The Polk County Environmental Lands Program and the Florida Communities Trust Preservation 2000 Program jointly provided funding to acquire the Lakeland Highlands Scrub.

The Se7en Wetlands is located at the southern end of Loyce E. Harpe Park. The City of Lakeland owns and operates Se7en Wetlands, a constructed wetland treatment system, which provides tertiary treatment, or final polishing, for the City's wastewater. It is comprised of over 1,600 acres of marshes, swamps, uplands, and lakes and connects to the North Prong of the Alafia River, which flows directly to Tampa Bay. Se7en Wetlands also provides water for Tampa Electric Company's Polk Power Station. Se7en Wetlands is home to a diverse community of plant and animal species.

Environmental Conditions

A. Surface Water:

No surface water is located onsite or located within a mile. No negative impact is anticipated on groundwater or surface water quality and quantity. The nearest natural body of water is Scott Lake less than a mile to the east. Old phosphate pits can be located between the site and Scott Lake. The site was developed with a master stormwater plan. Without any new development, further review is not required.

B. Wetlands/Floodplains:

No flood zones or wetlands are located onsite, and any former impacts were considered during the Level 2 Review for the entirety of the site. A floodway is located north of the site that is an outfall between Scott Lake and into Poley Creek to the southwest.

C. Soils:

The subject site is comprised of Neilhurst-Urban Land Complex, which is indicative of a site that has been mined and redeveloped.

D. Protected Species:

According to the Florida Natural Areas Inventory's Biodiversity Matrix, this site is not located within a recent sighting of an endangered species.

E. Archeological Resources:

There are no known historical or archeological resources onsite, according to the Secretary of State's Department of Historical Resources Florida Site File.

F. Wells (Public/Private):

The subject site is not located in a Wellfield-Protection District. No private wells are noted onsite.

G. Airports:

According to the 2030 Comprehensive Plan Map Series Airport Impact District Map, the site is within the Height Notification Sub-Zone 1 for Lakeland Linder Airport; however, no additional development is being considered with this application.

Economic Factors:

From a social and economic perspective, video game lounges inhabit the same role as bowling alleys have historically. They offer communal experiences with league nights and special events, whether the patrons of the establishment are playing against one another or against peers online. As with bowling alleys, alcohol sales bring additional profits and stability to the business.

From a larger perspective, this bar/lounge will use a vacant plaza suite. A variety of tenants solicits different forms of traffic and users to the development who capitalize upon other uses within, such as restaurants and personal service. They create a vibrant location. Vacant storefronts, on the other hand, are a detriment to the plaza development, discouraging further tenancy and repelling potential customers. These plazas are a necessity for small businesses in modern days.

Consistency with the Comprehensive Plan and Land Development Code:

As noted, this request is consistent with the Comprehensive Plan and Land Development Code. Table 4, to follow, outlines the pertinent Comprehensive Plan policies.

Table 4

Comprehensive Plan Policy	Consistency Analysis
<p><i>POLICY 2.102-A2: 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.</i></p>	<p>The proposed bar is in a commercial plaza featuring other bars, restaurants, personal services, and a religious institution. The site plan meets standards for compatibility, as defined in LDC Section 220 and 303, as well as in Comprehensive Policy 2.112-A4, described previously in the Comprehensive Plan.</p>
<p><i>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</i></p>	<p>The applicant has demonstrated that this development is not premature in the TSDA. The project will connect to centralized potable water, sewer, and benefits from existing urban level public services.</p>
<p><i>POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.</i></p>	<p>The proposed bar is in an area of the County that contains public utilities and community services which are expected in the TSDA.</p>
<p><i>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</i></p>	<p>There are existing services and physical infrastructure in place to accommodate such development. The development is in a location where adequate services are available and therefore reduces the impact on the environment as no infrastructure must be built.</p>
<p><i>POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost-effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).</i></p>	<p>The subject property is located within an area of the County that has adequate public safety services as identified in the Staff Report.</p>

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the Land Development Code.

Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
<i>Whether the proposed development is consistent with all relevant requirements of this Code;</i>	Yes, this request is consistent with the LDC, specifically Table 2.1 and Section 303 as detailed throughout the Staff Report and summarized in Table 4.
<i>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</i>	Yes, this request is consistent with the Comprehensive Plan, specifically POLICIES 2.102 as described in Table 4.
<i>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</i>	Yes, the request is compatible with surrounding uses and the general character of the area. See Page 6-7 of this staff report for data and analysis on surrounding uses and compatibility.
<i>How the concurrency requirements will be met if the development were built.</i>	Yes, the request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 7-12 of this staff report for data and analysis.

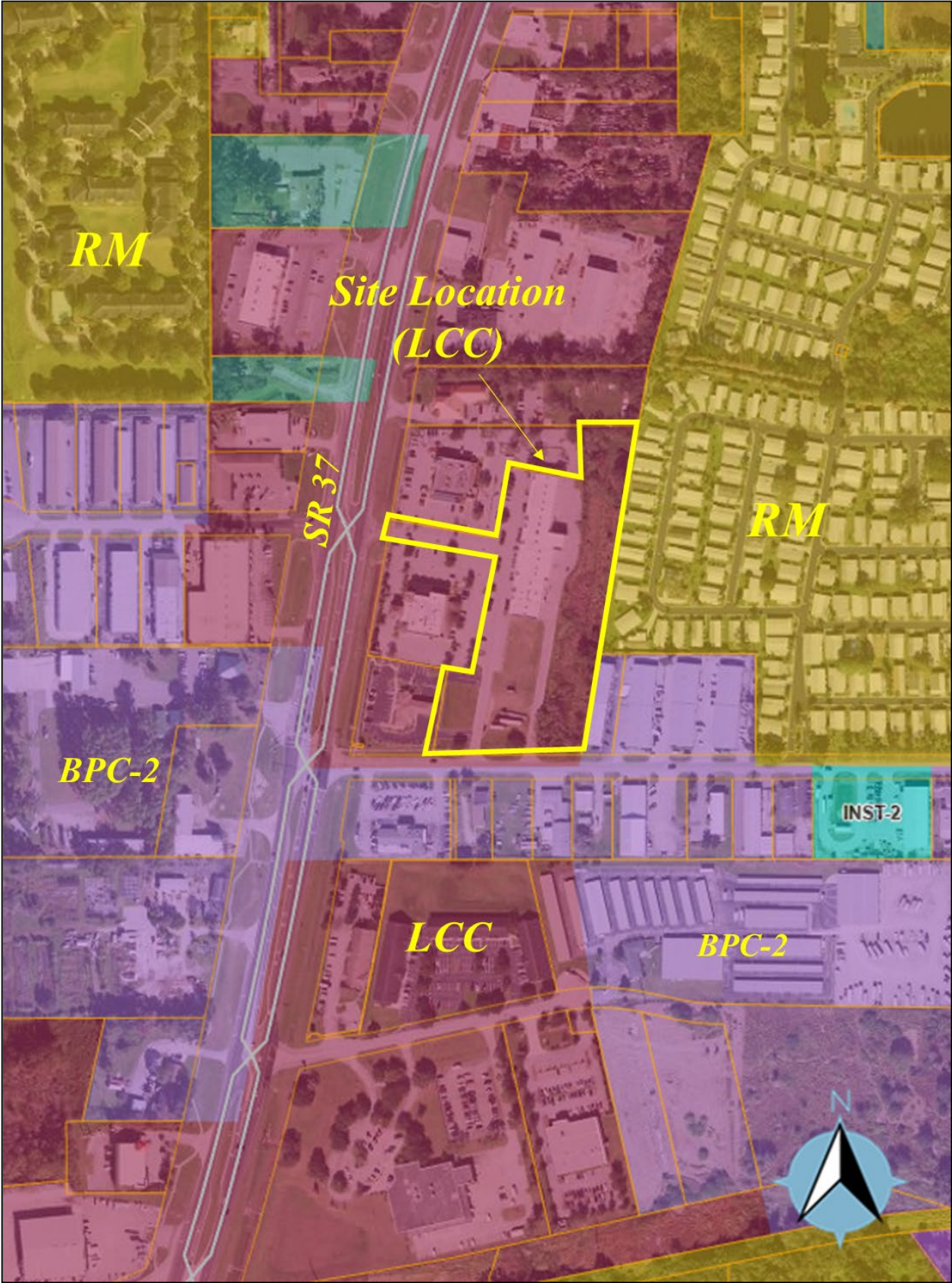
Comments from other Agencies: None

Exhibits:

- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – Aerial Image (Context)
- Exhibit 4 – Aerial Image (Close)
- Exhibit 5 – Site Plan



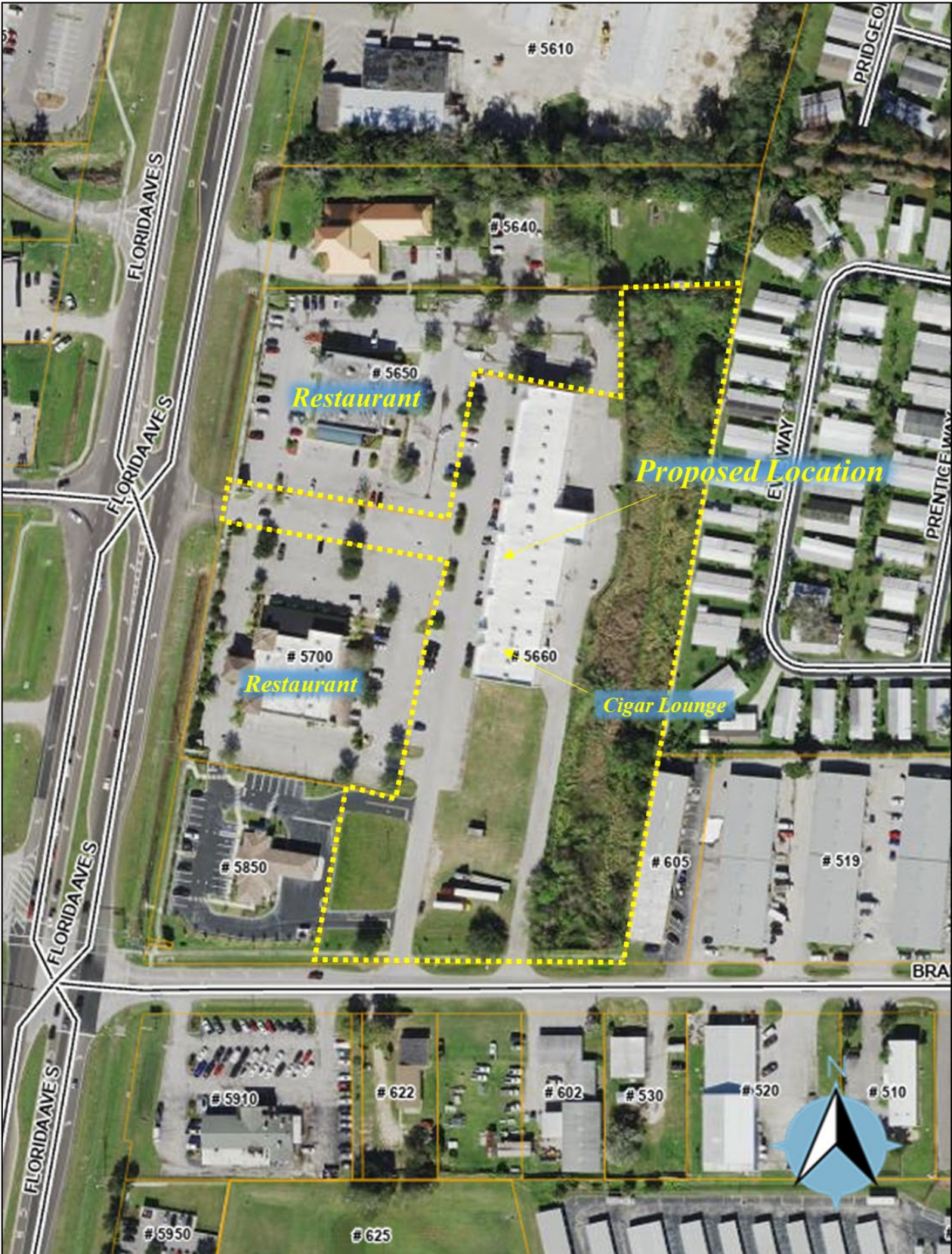
Location Map



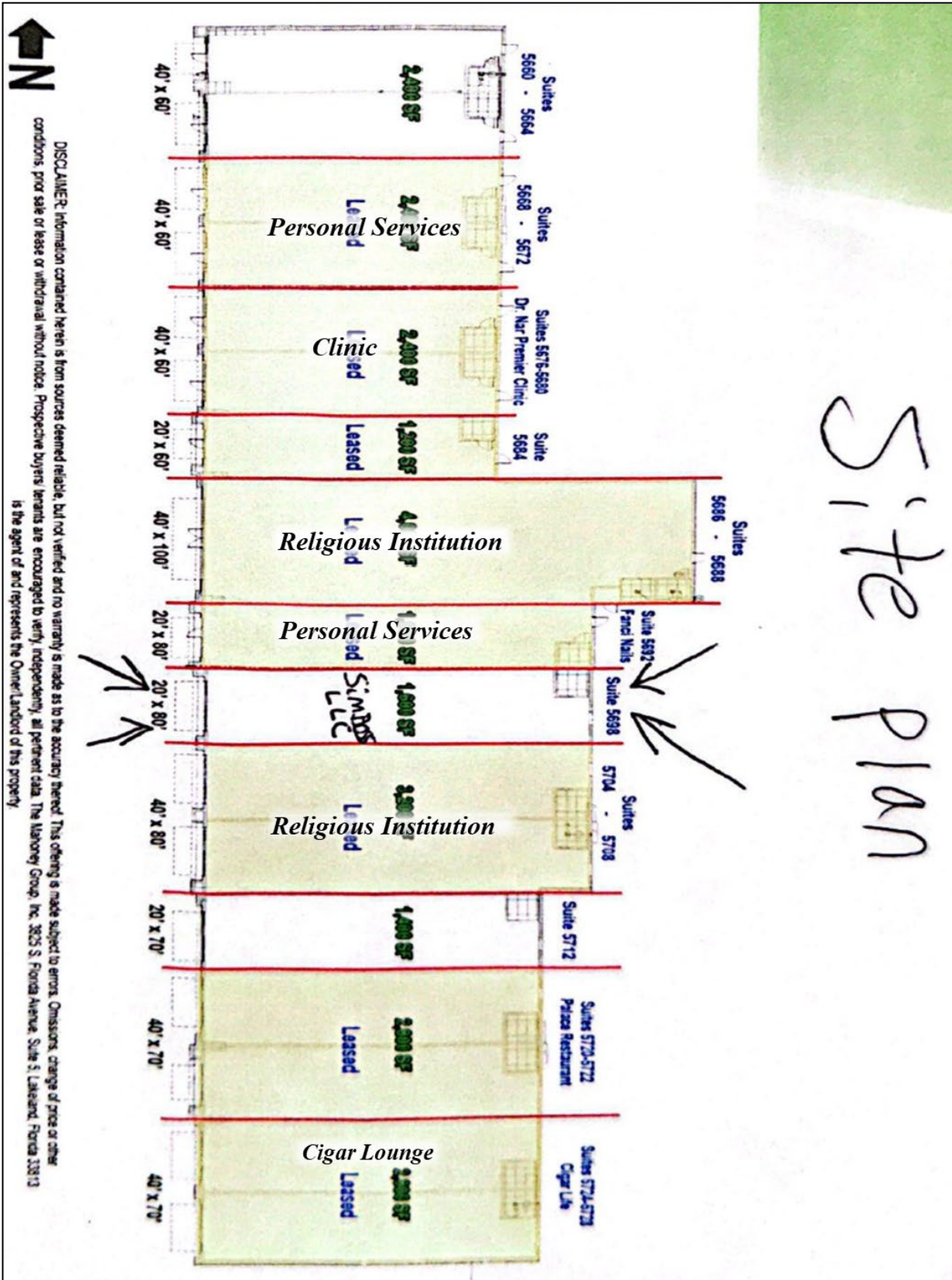
Future Land Use Map



Aerial Image (Context)



Aerial Image (Close)



Site Plan