



Board of Commissioners
Regular Meeting Agenda
Thursday, May 4, 2023, 6:00 PM
City Hall, Lakeland, Tennessee 38002

- I. CALL TO ORDER BY MAYOR:
- II. INVOCATION:
- III. PLEDGE:
- IV. ROLL CALL BY RECORDER:
- V. PUBLIC HEARING:
 1. **Ordinance - Second and Final Reading** - amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, and O-5-2023.
- VI. TREASURER'S REPORT:
- VII. REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:
 - Commissioners' Reports
 - a. Community Advisory Board - *Commissioner Michele Dial*
 - b. Neighborhood Watch Update - *Commissioner Connie McCarter*
- VIII. PUBLIC COMMENTS:
- IX. SEWERAGE COMMISSION BUSINESS:
 1. **Resolution** - recommending the extension of a sewer concept plan approval for Arcadia Planned Residential Development.
- X. CONSENT AGENDA:
 1. Approval of Meeting Minutes from Previous Meetings:
 - a. Regular Meeting Minutes - April 20, 2023
- XI. REGULAR AGENDA:

1. **Ordinance - Second and Final Reading** - amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, and O-5-2023.
2. **Resolution** - approving an agreement with Holbrook Asphalt, LLC for the fiscal year 2023 street preservation project.
3. **Resolution** - accepting the dedication of public improvements at Lakeland Preparatory School.
4. **Resolution**- approving the extension of the Preliminary Development Plan for Arcadia Planned Residential Development. *Recommended by the Municipal Planning Commission*
5. **Resolution** - extending the sewer concept plan approval for Arcadia Planned Residential Development.
6. **Discussion and Possible Action** - use of Lakeland Preparatory School library facilities. *Sponsored by Vice-Mayor Wright*

XII. ANNOUNCEMENTS:

XIII. ADJOURNMENT:



Board of Commissioners

Meeting Cycle: Thursday, May 4, 2023

Subject: **Resolution** - recommending the extension of a sewer concept plan approval for Arcadia Planned Residential Development.

Staff Contact: Emily Harrell, City Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Sewerage Commission approve Resolution R 63-2023.

BUDGET IMPACT

There is no budget impact from this resolution.

DISCUSSION

The Board of Commissioners approved a sewer concept plan for 126 lots within Arcadia Planned Residential Development in 2006. Extensions to the plan were granted in 2009, 2012, 2016, and 2019. The developer is requesting a three (3) year extension, expiring August 2026. The wastewater flow from this development will flow to the Clear Creek Interceptor. The existing interceptor is at capacity with current flow and approved future connections. The City is currently under contract for the construction of the new Clear Creek Interceptor which will be in service in February 2025. The new interceptor will have adequate capacity to serve Arcadia Planned Residential Development.

RESOLUTION R-63-2023

RECOMMENDING THE EXTENSION OF A SEWER CONCEPT PLAN APPROVAL
FOR ARCADIA PLANNED RESIDENTIAL DEVELOPMENT

- WHEREAS,** Arcadia Planned Residential Development was granted approval of a sewer concept plan by the Board of Commissioners in 2007 and granted extensions in 2009, 2012, 2016, and 2019; and,
- WHEREAS,** the developer, Belz Investco, submitted a request to extend the approval for an additional three (3) years; and,
- WHEREAS,** the Municipal Planning Commission approved a recommendation to the Board of Commissioners to extend the approval for Arcadia Planned Residential Development; and,
- WHEREAS,** the City Engineer has reviewed the concept sewer plan and finds the plan will not exceed capacity of the new Clear Creek Interceptor currently under construction:

NOW, THEREFORE, BE IT RESOLVED by the Board of Sewerage Commissioners of the City of Lakeland, Tennessee, that:

1. The sewer concept plan submitted by the owner of record to service a proposed development upon said parcel known as Arcadia Planned Residential Development consisting of 126 lots is approved until August 2026.
2. Should the development agreement for Phase 1 not be executed by August 2026 this resolution shall become null and void and no approval of any concept sewer plan for the above referenced parcel shall exist. Additionally, neither the owner of record nor any entity with development interests upon said parcel shall retain any right of approval, vested or otherwise, for said parcel of land.
3. Any conflicting resolutions are hereby rescinded.

APPROVED AND ADOPTED by the Board of Sewerage Commissioners of the City of Lakeland, Tennessee, this 4th day of May 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

MAR 13 2023



ENGINEERING • PLANNING
LANDSCAPE ARCHITECTURE

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

Tel: 901-373-0380
Fax: 901-373-0370
www.SRCE-memphis.com

March 7, 2023

Planning Director
City of Lakeland
10001 U.S. Highway 70
Lakeland, TN 38002

Re: Arcadia Planned Residential Development

The referenced project was approved by the Municipal Planning Commission on December 18, 2006, and amended on August 6, 2009 and further amended on August 7, 2012 and August 11, 2016 and August 11, 2018 with termination language that requires the Phase 1 Development Agreement be approved by August 2023 or the amendment expires.

We would like to request a time extension of the current 2 phase plan. We request that the timing of Phase 1 be extended to August 2026 which is 3 years beyond the previous time extension approval.

We request the following schedule and Phasing Plan be approved:

Phase 1 (72 lots)

Execute Phase 1 Development Agreement – August 2026

Start Infrastructure construction for Phase 1 – August 2027

Infrastructure for Phase 1 consisting of Lots 1-72, includes all public improvements, repair of the dam and spillway and construction of adjacent public trails (one connecting to The Grove and one connecting to Lakeland Elementary School property).

Complete infrastructure construction for Phase 1 (Final Plat) – August 2028

Phase 2 (54 lots)

Prepare and secure approval for Development Agreement for Phase 2 – August 2028

Execute Phase 2 Development Agreement – August 2029 – Subject to completion of at least 50% of homes in Phase 1.

Start infrastructure construction for Phase 2 – August 2030 – Subject to completion of at least 50% of homes in Phase 1.

Infrastructure for Phase 2 consisting of Lots 73-126 includes all public improvements.

Complete infrastructure construction (Final Plat) – August 2031 – Subject to completion of at least 50% of homes in Phase 1.

The Phasing and Termination sections of the PDP conditions would then read:

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XVI. Phasing of Development

Phase 1 – Development of Lots 1-72 including all necessary infrastructure, repair of the dam and spillway, construction of adjacent public trails (see plan set).

Phase 2 – Lots 73-126 including all necessary infrastructure and adjacent public trails (see plan set).

The construction of the initial phase shall commence within one year of the approval of the construction documents by the appropriate governmental agencies and bodies.

XVII. Expiration / Termination of the PDP

A. In the event that approval of the first Development Agreement is not obtained for Phase One of the planned development by **August 2026**, the Preliminary Development plan shall be deemed to have expired.

B. In the event that any portion of Phase Two of the PD has not obtained Development Agreement approval by **August 2029**, the Preliminary Development plan shall be deemed to have expired for those remaining portions of the PD.

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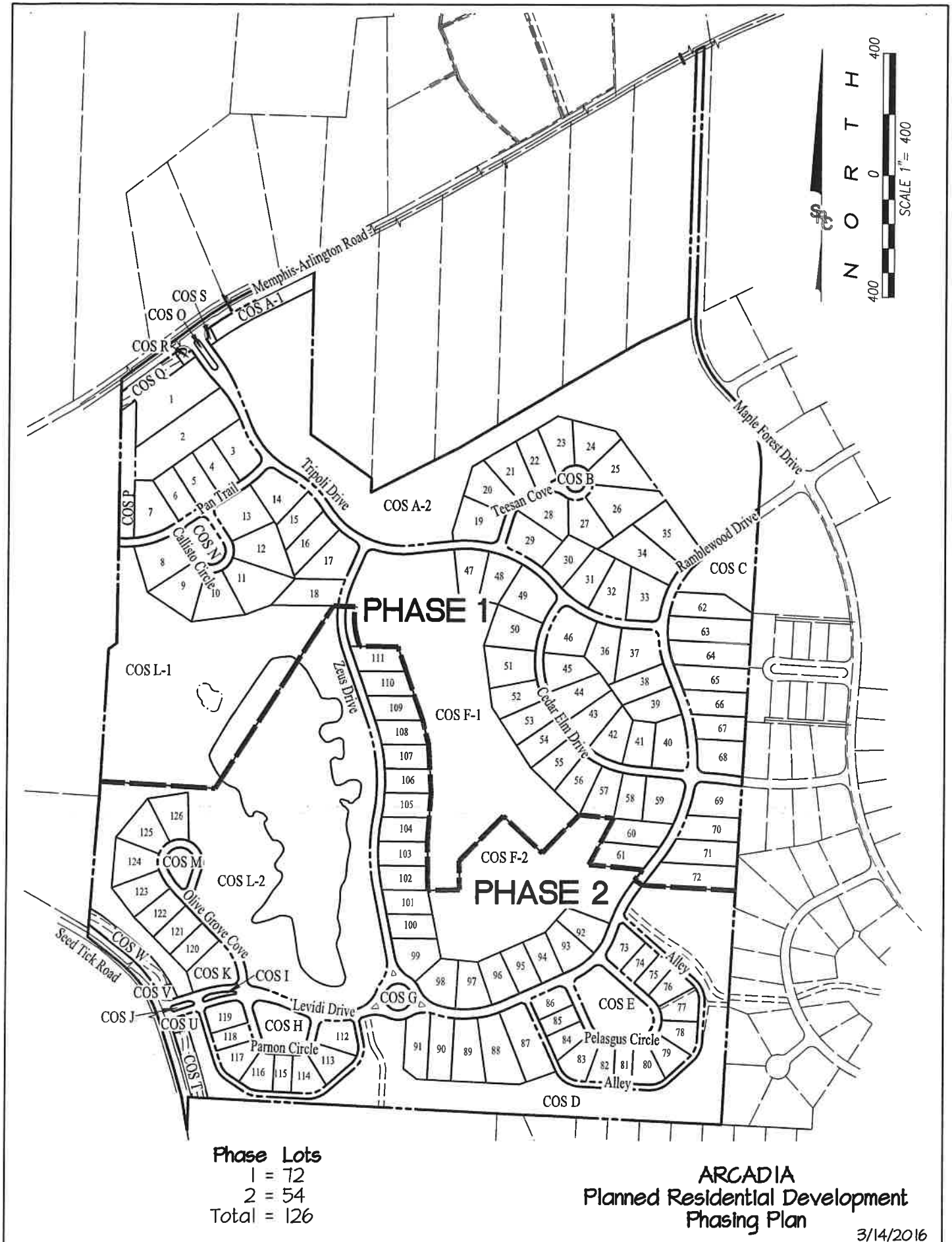
In addition to the above, we are requesting that the Sewer Board adopt a Resolution extending the Concept Sewer Plan in order to correspond with the phasing schedule listed above.

We appreciate your assistance in these matters.

Sincerely



Robert M. Sweeney, P.E.





CITY OF LAKELAND
Application for Planned Developments

Case No. _____ Date of Application March 2023

Name of Applicant Belz Investco GP

Address 100 Peabody Place, Suite 1400 Memphis, TN 38103

Daytime Telephone Number 901-260-7268 Fax Number 901-271-7268

Name of Property Owner Belz Investco GP

Address 100 Peabody Place, Suite 1400 Memphis, TN 38103 Telephone Number 901-260-7268

Name of Project Planning/Engineering Firm SR Consulting LLC

Name of Project Manager or Contact Person Cindy Reaves

Address 5909 Shelby Oaks Drive, Suite 200 Memphis, TN 38134

Telephone Number 901-373-0380 Fax Number 901-373-0370

E-mail cindy@srce-memphis.com

L0151 00100,
101, 102, 104,
110

Name of Planned Development Arcadia Planned Development Parcel ID# L0150 00164

Site Location South of Memphis Arlington Road, east of Seed Tick Road

Site Acreage 114.2 Zoning District(s) AG

Proposed Use(s) Residential

Proposed Number of Lots/Dwelling Units 126 Proposed Gross Floor Area 2,500+ Sq. ft.

Multiple Phases? Yes If yes, total number of phases and schedule 2, see letter for schedule

Approval requested: ☐ Outline Plan ☒ Preliminary Development Plan ☐ Final Development Plan

Time Extension _____

Application for Planned Developments


Applicants Signature

3/13/2023
Date

Property Owners Signature (if different from applicant)

Date

Please contact the Planning Department Staff for meeting dates and times, number of copies of all required materials, and the required filling fee to be submitted with the application.

CITY OF LAKELAND

10001 Highway 70

Lakeland, TN 38002

Office: (901) 867-2717 Fax: (901) 867-2063

Email: dmurrell@lakelandtn.org

www.lakelandtn.gov

OBJECTIVES

The Board of Commissioners may, upon proper application, grant a special permit for a Planned Development to facilitate the use of flexible techniques of land development and site design providing relief from zoning requirements designed for conventional developments. Planned developments shall be permitted in all zoning districts except for the FW-Floodway District.

PRE-APPLICATION CONFERENCE WITH CITY STAFF

At least thirty (30) days prior to filing any application for a Planned Development, the prospective applicant shall request a pre-application conference with the City. A preliminary development plan shall be submitted to the Planning Commission with the application for the Planned Development within six (6) months of the pre-application conference.

EFFECT OF APPROVAL OF DEVELOPMENT PLANS



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 20, 2023, 6:00 P.M.
CITY HALL, LAKELAND, TENNESSEE 38002**

DRAFT

- I. **CALL TO ORDER BY MAYOR:** The meeting was called to order by Mayor Josh Roman at 6:00 p.m. on Thursday, April 20, 2023.
- II. **INVOCATION:** Offered by Mayor Roman.
- III. **PLEDGE:** Mayor Roman led the pledge to the flag.
- IV. **ROLL CALL BY RECORDER:** Mayor Josh Roman, Vice-Mayor Wesley Wright, Commissioner Jim Atkinson, Commissioner Michele Dial, and Commissioner Connie McCarter were present.

Staff personnel in attendance were City Manager Michael Walker, City Engineer Emily Harrell, Finance Director Carlin Stuart, Human Resource Generalist Sue Lipscomb, City Recorder Debra Murrell and City Attorney Will Patterson.

V. **PUBLIC HEARING:**

1. **Ordinance – Second and Final Reading** – amending Ordinance O-8-2022 establishing sewer user rates and sewer charge adjustments.
2. **Ordinance – Second and Final Reading** – amending certain portions of Title 18 (Water and Sewers) Chapter 2 (Sewer) of the City of Lakeland's Municipal Code pertaining to Section 18-211.

For the record:

- Public comments were heard from the following:
 - Richard Gonzales – 5000 block of Conifer View Ln expressed his concerns of increased sewer rates.
 - Romulo Sosa – 9000 block of Windward Slopes expressed his concerns with issues pertaining to Windward Slopes subdivision.

VI. **TREASURER'S REPORT:**

1. Financial Director Carlin Stuart offered the Treasurer's Report for the month of March 2023.

VII. **REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:**

- Sheriff's Report
 - a. March 2023 SCSO Crime Report – Lt. Jason Valentine
Comments were heard from Sgt. Pitts regarding a dedicated car for the City of Lakeland.



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 20, 2023, 6:00 P.M.
CITY HALL. LAKE LAND. TENNESSEE 38002**

DRAFT

- City Manager's Report – City Manager Michael Walker offered a report and named Jeremy Jones as the City Staff Superstar for April. Mayor Roman gave special thanks and recognition to the city staff who helped with the Covington donation collections as follows:

Jeremy Jones, David Tribo, Bobby Carpenter, and Alex Fink.

For the record:

- Commissioner Dial expressed her appreciation for the City's donation to Wynne, Arkansas.
- Without objection, Mayor Roman added as agenda item # 11. Discussion on the Windward Slopes Community.

- Commissioners' Reports:
 - a. Parks and Recreation & Natural Resources Board Meeting 4.11.2023 – Commissioner Dial offered a report.
 - b. Municipal Planning & Design Review Commission Meeting 4.13.2023 – Commission Atkinson offered a report.
 - c. Board of Appeals / Storm Water Board of Appeals Meeting 4.17.2023 – Vice Mayor Wright reported no meeting was held.

VIII. PUBLIC COMMENTS:

For the record: No comments were heard at this time.

IX. SEWERAGE COMMISSION BUSINESS:

X. CONSENT AGENDA:

1. Approval of Meeting Minutes from Previous Meetings:

- a. Special Meeting Minutes – March 28, 2023
- b. Regular Meeting Minutes – April 06, 2023

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the consent agenda was approved as presented, voice vote, 5 in favor 0 against (5-0).

For the record: The order of business was changed without objection.

XI. REGULAR AGENDA:

1. Discussion and Possible Action – regarding a potential partnership between the City of Lakeland and the Memphis Area Transit Authority. (Previously item # 10)

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.



BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 20, 2023, 6:00 P.M.
CITY HALL. LAKE LAND. TENNESSEE 38002

DRAFT

Comments were heard from the following:

John Lancaster – Memphis Area Transit Authority (MATA)

2. **Discussion and Possible Action – on the Windward Slopes Community.** (Previously item # 11)

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.

Comments were heard from the following:

Tom Skrmetti – 3000 block of Lighthouse Cv.

Romulo Sosa – 9000 block of Windward Slopes

3. **Ordinance – Second and Final Reading** – amending Ordinance O-8-2022 establishing sewer user rates and sewer charge adjustments. (Previously item # 1)

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Comments were heard from the following:

Richard Gonzales – 5000 block of Conifer View Ln

When the question was called the second and final reading of the ordinance passed as presented, roll call vote, 5 in favor 0 against (5-0).

Vice-Mayor Wright	Yea
Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

4. **Ordinance – Second and Final Reading** – amending certain portions of Title 18 (Water and Sewers) Chapter 2 (Sewer) of the City of Lakeland's Municipal Code pertaining to Section 18-211. (Previously item # 2)

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the final and second reading of the ordinance passed as presented, voice vote, 5 in favor 0 against (5-0).

5. **Ordinance – First Reading** – amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, and O-5-2023. (Previously item # 3)



BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 20, 2023, 6:00 P.M.
CITY HALL, LAKELAND, TENNESSEE 38002

DRAFT

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the first reading of the ordinance passed as presented, voice vote, 5 in favor 0 against (5-0).

6. **Resolution** – authorizing the Mayor to sign a proclamation establishing May 4, 2023, as Lakeland's observance of the National Day of Prayer. (Previously item # 4)

Commissioner Dial moved to bring this item to the floor, seconded by Vice-Mayor Wright.

When the question was called the resolution passed as presented, voice vote, 5 in favor 0 against (5-0).

7. **Resolution** – authorizing the Mayor to sign a proclamation establishing May 2023 as National Nurses Month in the City of Lakeland, Tennessee. (Previously item # 5)

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

For the record: Vice-Mayor Wright was excused at 8:00 p.m.

When the question was called the resolution passed as presented, voice vote, 4 in favor 0 against (4-0).

8. **Resolution** – amending resolution R-47-2023 and the Neighborhood Watch Funds Reimbursement Policy. (Previously item # 6)

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Dial.

Discussion ensued.

After the discussion, Commissioner McCarter moved to table this item, seconded by Mayor Roman.

When the question was called the motion carried, voice vote, 4 in favor 0 against (4-0).

For the record: The following two items were heard at the same time.

9. **Resolution** – approving the City of Lakeland Crime Prevention Neighborhood Watch Board of Commissioners liaison. (Previously item # 7)
10. **Resolution** – appointing a Crime Prevention Neighborhood Watch Board of Commissioner liaison. (Previously item # 8)



BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 20, 2023, 6:00 P.M.
CITY HALL, LAKE LAND, TENNESSEE 38002

DRAFT

Commissioner Atkinson moved to bring item # 9 to the floor, seconded by Commissioner Dial.

Discussion ensued.

When the question was called the resolution approving the liaison passed as presented, voice vote, 4 in favor 0 against (4-0).

Mayor Roman moved to bring this item #10 to the floor, seconded by Commissioner Dial.

Discussion ensued.

Commissioner Dial nominated Commissioner McCarter as the BOC liaison for the Crime Prevention Neighborhood Watch.

When the question was called the resolution passed appointing Commissioner McCarter as the liaison, voice vote, 4 in favor 0 against (4-0).

11. **Resolution** – authorizing the City Manager to engage in property acquisition negotiations for parcels within the Lakeland Gateway TIF District. (Previously item # 9)

Commissioner Atkinson moved to bring this item to the floor, seconded by Commissioner Dial.

When the question was called the resolution passed as presented, voice vote, 4 in favor 0 against (4-0).

XII. **ANNOUNCEMENTS:**

- XIII. **ADJOURNMENT:** There being no other business on which to act, the meeting was adjourned without objection at 8:20 p.m. on Thursday, April 20, 2023.



BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 20, 2023, 6:00 P.M.
CITY HALL. LAKELAND. TENNESSEE 38002

DRAFT

These minutes were approved on May 04, 2023.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

ORDINANCE O-9-2023

AMENDING THE FISCAL YEAR 2023 ANNUAL BUDGET, PASSED BY ORDINANCE O-10-2022, AS AMENDED BY ORDINANCES O-12-2022, O-13-2022, AND O-5-2023

- WHEREAS,** the City of Lakeland adopted the fiscal year 2022-2023 budget by passage of Ordinance O-10-2022 on June 9, 2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-12-2022 on August 11, 2022, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-13-2022 on October 6, 2022, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022 and amended by Ordinance O-12-2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-5-2023 on March 9, 2023, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022 and amended by Ordinance O-12-2022 and Ordinance O-13-2022; and,
- WHEREAS,** revenues, expenditures, other financing sources, and/or other financing uses in the City of Lakeland's funds are expected to differ from the budget, as amended:

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Lakeland, Tennessee, that changes be made to the fiscal year 2022-2023 annual budget as follows:

- SECTION 1.** Ordinances O-10-2022, O-12-2022, O-13-2022, and O-5-2023 are hereby amended to increase budgeted revenues in account 110 R 33816 (ARPA SLFRF Grant revenue) by three million seven hundred fifty-one thousand fifty-two dollars (\$3,751,052) as application of American Rescue and Recovery Plan Act federal grant revenues under the revenue loss standards against fiscal year 2023 personnel costs.
- SECTION 2.** The Board of Commissioners authorizes the Finance Director to cause said changes to be made in the accounting system.
- SECTION 3.** All ordinances in conflict with the provisions of this ordinance are hereby repealed. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application.
- SECTION 4.** This ordinance shall take effect the latter of fifteen (15) days after first reading or immediately upon final passage, the public welfare requiring it.

ORDINANCE O-9-2023

AMENDING THE FISCAL YEAR 2023 ANNUAL BUDGET,
PASSED BY ORDINANCE O-10-2022, AS AMENDED BY
ORDINANCES O-12-2022, O-13-2022, AND O-5-2023

BE IT FURTHER ORDAINED by the Board of Commissioners of the City of Lakeland, Tennessee, that appropriations in the Lakeland School System ("LSS"), duly approved by the Lakeland Board of Education, have increased as follows using revenue sources and/or LSS fund balance independent of any contributions from the City of Lakeland:

SECTION 5. Appropriations increases, by LSS fund:

	Original		Revised
	Appropriations	Amendments	Appropriations
General Purpose School Fund	\$ 23,120,625	\$ 423,342	\$ 23,543,967
School Capital Projects Fund	2,227,500	11,116,211	13,343,711
School Federal Projects Fund	1,071,032	345,156	1,416,188
School Nutrition Fund	578,450	403,427	981,877
School Discretionary Grants Fund	83,000	30,290	113,290
School LEAP Fund	326,150	-	326,150
	<u>\$ 27,406,757</u>	<u>\$ 12,318,426</u>	<u>\$ 39,725,183</u>

First Reading: April 20, 2023

Public Hearing: May 4, 2023

Final Reading: May 4, 2023

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

Meeting Cycle: Thursday, May 4, 2023

Subject: **Resolution** - approving an agreement with Holbrook Asphalt, LLC for the fiscal year 2023 street preservation project.

Staff Contact: Luis Camarillo Hernandez, Staff Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-53-2023.

BUDGET IMPACT

Funding for this project was included in the Fiscal Year 2023 Annual Budget original appropriations for the State Street Aid Fund.

DISCUSSION

The Fiscal Year 2023 Street Preservation project proposes to apply high-density mineral bond material to selected roads within the Plantation Hills Subdivision. The City received one bid on April 6, 2023 from Holbrook Asphalt, LLC for the total bid amount of \$268,970. The City reviewed the bid and recommends awarding the agreement to Holbrook Asphalt, LLC.

RESOLUTION R-53-2023

APPROVING AN AGREEMENT WITH HOLBROOK ASPHALT, LLC FOR THE FISCAL
YEAR 2023 STREET PRESERVATION PROJECT

WHEREAS, the City desires to install a high-density bond material within the Plantation Hills Subdivisions; and,

WHEREAS, Holbrook Asphalt, LLC was the lowest qualified bidder on April 6, 2023, for the Fiscal Year 2023 Street Preservation Project; and,

WHEREAS, Holbrook Asphalt, LLC is willing and able to provide these services as specified in the Contract documents; and,

WHEREAS, Funding for this work will be appropriated from the FY2023 Annual Budget for the State Street Aid Fund:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland Tennessee, that the City Manager is hereby authorized and directed to execute, and the City Recorder attest, a contract with Holbrook Asphalt, LLC for the Fiscal Year 23 Street Preservation project in the amount of two hundred sixty-eight thousand nine hundred seventy dollars (\$268,970).

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 4th day of May 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

STANDARD FORM OF
AGREEMENT BETWEEN OWNER AND CONTRACTOR

THIS AGREEMENT is made between the City of Lakeland, hereinafter referred to as the "Owner," and Holbrook Asphalt, LLC hereinafter referred to as the "Contractor."

WHEREAS, the City of Lakeland is desirous of street preservation; and,

WHEREAS Holbrook Asphalt, LLC is able and willing to provide those services to the City of Lakeland, Tennessee.

NOW, THEREFORE, it is hereby agreed as follows:

ARTICLE 1. WORK.

Contractor shall perform all the work required by the Contract documents for FY23 STREET PRESERVATION , Lakeland, Tennessee.

ARTICLE 2. ENGINEER.

The Project has been designed by the City of Lakeland Engineering Office, 10001 U.S. Highway 70, Lakeland, Tennessee, who is hereinafter referred to as the "Engineer" and who is to act as Owner's representative, assume all duties and responsibilities and have the rights and authority assigned to Engineer in the Contract documents in connection with completion of the Work in accordance with the Contract documents.

ARTICLE 3. CONTRACT TIME.

- 3.1 The Work will be substantially completed by September 22, 2023 and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions by September 29, 2023.
- 3.2 Liquidated Damages. Owner and Contractor recognize that time is of the essence of this Agreement and that Owner will suffer financial loss if the Work is not substantially completed by the time specified in Paragraph 3.1 above, plus any extension thereof allowed in accordance with Article 15 of the General Conditions. They also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding, the actual loss suffered by Owner if the Work is not substantially completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty) Contractor shall pay Owner one Hundred Dollars (\$100.00) for each day that expires after the time specified in Paragraph 3.1 for substantial completion. After Substantial Completion, if the Contractor shall neglect, refuse, or fail to complete the remaining work within the time specified in paragraph 3.1 for completion and readiness for final payment or any proper

extension thereof granted by Owner, Contractor shall pay Owner One Hundred Dollars (\$100.00) for each day that expires after the time specified in paragraph 3.1 for completion and readiness for final payment. It is further agreed that such liquidated damages are not a penalty but represent the parties' best estimate of actual damages.

ARTICLE 4. CONTRACT PRICE.

In Consideration of the performance of the work in accordance with the Contract documents for this Unit Price Contract, Owner shall pay Contractor in current funds a not-to-exceed total contract price of Two Hundred Sixty Eight Thousand Nine Hundred Seventy Dollars (\$268,970), subject to additions and deductions by Change Order approved by the Owner. The contract fee shall be based on materials actually furnished and installed and services actually provided based on the unit prices contained in the Bid Form and Itemized Bid Schedule, included as Exhibit "A" (pages BF-1 -- BS-1) and by this reference made a part of this Agreement.

ARTICLE 5. PAYMENT PROCEDURES.

Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed through the Engineer as provided in the General Conditions.

- 5.1 Progress Payments. Owner shall make progress payments on the basis of Contractor's Applications for Payment as recommended by Engineer, on or about the 25th day of each month during construction as provided below. All progress payments will be on the basis of the progress of the Work measured by the Schedule of Values provided for in Paragraph 15 of the General Conditions, subject to the cutoff and submittal dates provided in the General Provisions.
 - 5.1.1 During the course of the Contract progress payments will be made in an amount equal to 95% of the Work completed, less in each case the aggregate of payments previously made.
 - 5.1.2 In the event the Contractor makes only one application for payment upon substantially completing the Work, progress payment will be made in an amount equal to 95% of the Work completed. Owner shall withhold five percent (5%) of the work completed as retainage, said retainage to be paid in accordance with the provisions of Paragraph 5.2, Final Payment.
- 5.2 Final Payment. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, Engineer shall recommend payment and present Contractor's Final Application for Payment to the City in accordance with Tennessee Statutes 54-5-122. Before final acceptance of the project as having been finally completed, the contractor shall furnish evidence of payment in full for materials and labor to the City in accordance with Tennessee 54-5-122. When this is done, full settlement may be made with the contractor, but not until thirty (30) day's notice is some newspaper published in the county where the work is

done, if there is a newspaper there, and if not, in a newspaper in an adjoining county that settlement is about to be made and notifying all claimants to file notice of their claims with the officials and the period for filing shall not be less than thirty (30) days after the last published notice. In the event claims are filed, the officials shall withhold a sufficient sum to pay the claims in the same way and manner as is provided for claimants making claims against contractors dealing with the Department of Transportation in accordance with Statutes 54-5-123, and claimants may bring suits against contractors in the way and manner provided in 54-5-124, as suits are brought against contractors dealing with the department. Where claims are allowed by the Courts, Statutes 54-5-125 and 54-5-127 shall be applicable.

ARTICLE 6. WITHHELD FUNDS.

Pursuant to Tennessee Statutes Section 66-11-104 et seq., withheld percentages for Contracts exceeding \$500,000.00 will be retained in an account in the name of the Contractor (except when specifically waived in writing by Contractor) which has been assigned to the Owner until the Contract is completely, satisfactorily, and finally accepted by the Owner. Unless a depository is designated by the Contractor in a written attachment hereto, the Contractor's signature hereon shall act as authority for the Owner to designate a retainage depository on behalf of the Contractor, for the purposes specified in Tennessee Statutes Section 66-11-104. The Contractor's signature hereon shall act as an assignment of the depository account to the Owner, as provided by Tennessee Statutes Section 66-11-104 et seq., whether the depository is designated by the Contractor or by the Owner.

ARTICLE 7. CONTRACTOR'S REPRESENTATIONS.

In order to induce Owner to enter into this Agreement, Contractor makes the following representations:

- 7.1 Contractor has familiarized himself with the nature and extent of the Contract documents, Work, locality, and with all local conditions and federal, state, and local Laws and Regulations that in any manner may affect cost, progress, or performance of the Work.
- 7.2 Contractor has studied carefully all reports of investigations and test of subsurface and latent physical conditions at the site or otherwise affecting cost, progress, or performance of the Work which were relied upon by Engineer in the preparation of the Drawings and Specifications and which have been identified in the Supplementary Conditions.
- 7.3 Contractor has made or caused to be made examinations, investigations, and test and studies as he deems necessary for the performance of the Work at the Contract price, within the Contract Time, and in accordance with the other terms and conditions of the Contract documents; and no additional examinations, investigations, tests, reports, or similar data are or will be required by Contractor for such purposes.
- 7.4 Contractor has correlated the results of all such observations, examinations, investigations, tests, reports, and data with the terms and conditions of the Contract documents.

- 7.5 Contractor has given Engineer written notice of all conflicts, errors, or discrepancies that he has discovered in the Contract documents and the written resolution thereof by Engineer is acceptable to Contractor.

ARTICLE 8. CONTRACT DOCUMENTS.

The Contract documents which comprise the entire agreement between Owner and Contractor are attached to this Agreement, made a part hereof and consist of the following:

- 8.1 This Agreement (Pages SFA-1 to SFA-5, inclusive).
- 8.2 Joint Account Agreement or Letter of Forfeiture waiving same (if applicable)
- 8.3 Exhibit "A" - Bid Form and Bid Schedule.
- 8.4 Affidavit of Drug Free Work Program
- 8.5 Addenda
- 8.6 Performance & Payment Bonds
- 8.7 Certificates of Insurance, of Workers' Compensation Coverage, and of Unemployment Insurance Coverage.
- 8.8 2013 Standard General Conditions of the Construction Contract (Pages i to 62, inclusive).
- 8.8 Standard Supplementary Conditions (Pages SSC-1 to SSC-16, inclusive).
- 8.9 General Requirements
- 8.10 Special Provisions (Section 01810)
- 8.11 Technical Specifications
- 8.12 Notice of Award.
- 8.13 Notice to Proceed.
- 8.14 Minutes of the Pre-Bid Conference, if any.
- 8.15 Shop Drawings and other Submittals furnished by Contractor during performance of the Work and accepted by the Owner.

8.16 Any modifications, amendments, and supplements, including Change Orders, issued pursuant to Article 11 of the General Conditions, on or after the effective date of this Agreement.

8.17 Notice of Substantial Completion.

ARTICLE 9. MISCELLANEOUS PROVISIONS.

9.1 The CONTRACTOR hereby agrees, warrants, and assures compliance with the provisions of Title VI and VII of the Civil Rights Act of 1964 and all other federal statutory laws which provide in whole or in part that no person shall be excluded from participation or be denied benefits of or be otherwise subjected to discrimination in the performance of this Contract or in the employment practices of the CONTRACTOR on the grounds of handicap and/or disability, age, race, color, religion, sex, national origin, or any other classification protected by federal, Tennessee State Constitutional or statutory law. The CONTRACTOR shall upon request show proof of such non-discrimination and shall post in conspicuous places available to all employees and applicants notices of non-discrimination.

Terms used in this Agreement, which are defined in the General Conditions, shall have the meanings designated in those conditions.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in one (1) original copy on the day and year first above written.

APPROVED AS TO FORM:

(PROJECT: _____)

DATED this _____ day of _____, 2023

CONTRACTOR:

ATTEST:

By: _____

By: _____

Title: _____

Title: _____

ATTEST:

OWNER:
CITY OF LAKELAND, TENNESSEE
A Municipal Corporation

By: _____
Debra Murrell
Title: City Recorder

By: _____
Michael Walker
Title: City Manager

Fiscal Year 2023 Street Preservation

Plantation Hills



Lakeland Sewage Pond



Board of Commissioners

Meeting Cycle: Thursday, May 4, 2023

Subject: **Resolution** - accepting the dedication of public improvements at Lakeland Preparatory School.

Staff Contact: Emily Harrell, City Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-54-2023.

BUDGET IMPACT

There is no budgetary impact related to this resolution.

DISCUSSION

As part of the Lakeland Preparatory High School construction, certain public improvements were required, including the extension of Campus Drive and relocation of a portion of the sanitary sewer. All public improvements have been completed and inspected. City Staff recommends the Board of Commissioners accept public improvements at Lakeland Preparatory School.

RESOLUTION R-54-2023

ACCEPTING THE DEDICATION OF PUBLIC IMPROVEMENTS AT LAKELAND
PREPARATORY SCHOOL

WHEREAS, Public improvements related to the construction of the Lakeland Preparatory School include the extension of Campus Drive and relocation of sanitary sewer lines; and,

WHEREAS, the Lakeland School System has completed all public improvements related to the high school construction; and,

WHEREAS, all public improvements shall be warrantied for a period of one (1) year from the date of acceptance:

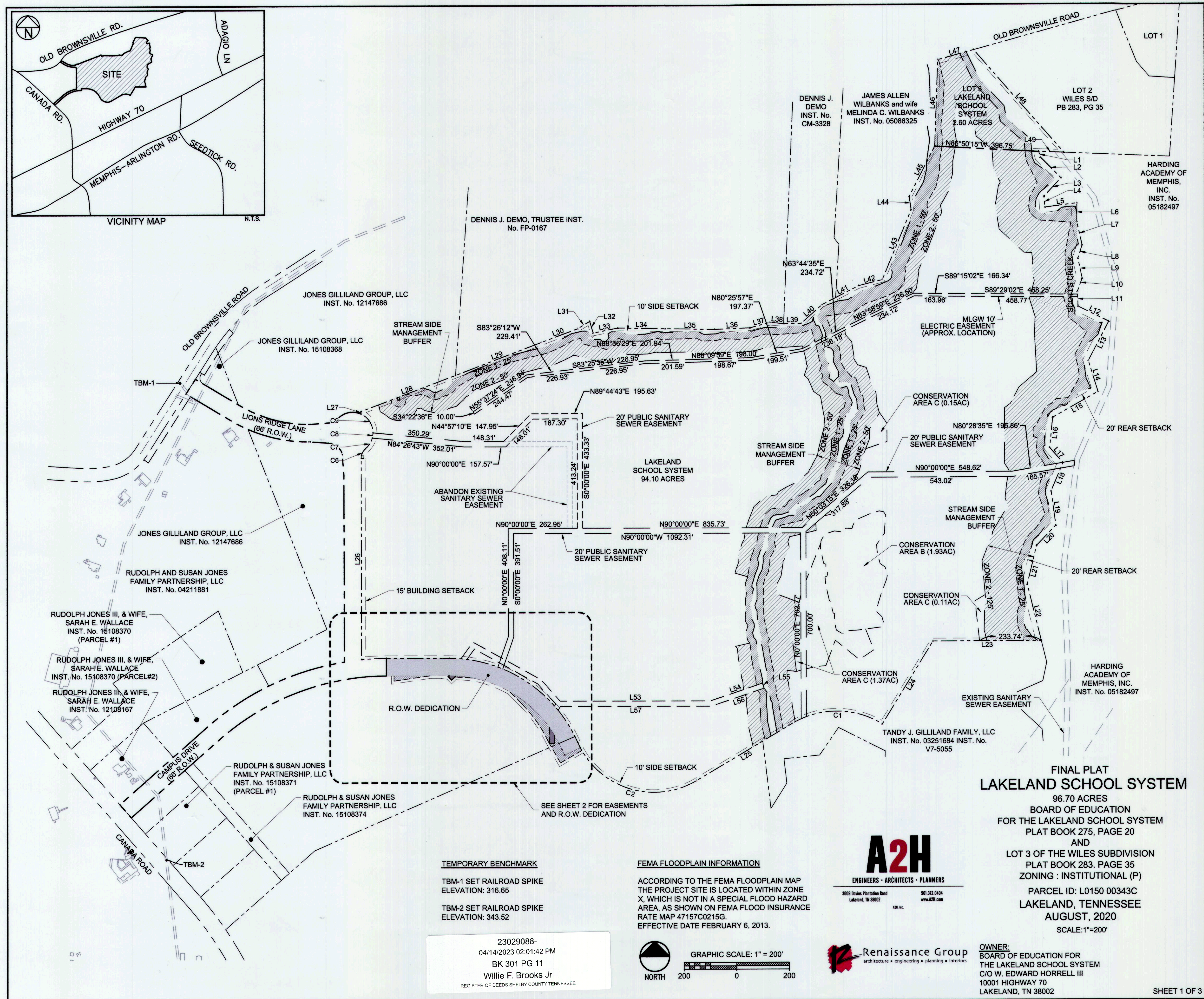
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the public improvements at Lakeland Preparatory School are hereby accepted.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee this 4th day of May 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder





Board of Commissioners

Meeting Cycle: Thursday, May 4, 2023

Subject: **Resolution**- approving the extension of the Preliminary Development Plan for Arcadia Planned Residential Development. *Recommended by the Municipal Planning Commission*

Staff Contact: Paul Luker, Planning Director

STAFF RECOMMENDATION

The Municipal Planning Commission recommends the Board of Commissioners approve Resolution R-61-2023.

BUDGET IMPACT

There is no budgetary impact related to this resolution.

DISCUSSION

See attached Staff Report.

RESOLUTION R-61-2023

APPROVING THE EXTENSION OF THE PRELIMINARY DEVELOPMENT PLAN FOR
ARCADIA PLANNED RESIDENTIAL DEVELOPMENT

WHEREAS, a Preliminary Development Plan (PDP) for Arcadia Planned Development was approved by the Municipal Planning Commission (MPC) on December 18, 2006, and amended on August 6, 2009, August 7, 2012 and further amended on August 11, 2016 with termination language requiring the Development Agreement for Phase 1 be executed in two (2) years and was granted a time extension January 2019; and,

WHEREAS, the developer, Belz Investco G.P., has requested a Planned Development Plan Amendment allowing a three (3) year extension to the plan; and,

WHEREAS, the developer, Belz Investco G.P., has submitted a Project Development Schedule for Arcadia noting specific milestones for submitting Development Agreements installing infrastructure and completing infrastructure; and,

WHEREAS, The Lakeland Municipal Planning Commission on April 13, 2023, recommended approval of the requested extension to the Board of Commissioners:

WHEREAS, The City Engineer and Planning Director reviewed the proposed amendments and deemed that the amended plans would continue to meet subdivision requirements, as well as previously approved requirements of the Arcadia Planned Residential Development:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee that the extension of the Preliminary Development Plan for Arcadia Planned Residential Development is approved for three years, expiring August 31, 2026.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 4th day of May 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

Meeting Date: Thursday, April 13, 2023

Project: Arcadia Planned Residential Development

Staff Contact: Paul Luker, Planning Director

PROJECT INFORMATION

Location: South side of Memphis Arlington Road East of Seed Tick Road

Parcel ID: L0151 00110C

Zoning District: AG (Agricultural)

Neighborhood: Type II

Site Area: 114.2 acres

Applicant: Belz Investco GP

Representative: SR Consulting LLC.

STAFF RECOMMENDATION

Staff recommends approval of the time extension.

BACKGROUND

The Arcadia Planned Residential Development was first approved by the Board of Commissioners in 2006. It was the first of three developments along with The Grove and Equestria to be considered a conservation subdivision. A time extension was previously approved in 2018. Arcadia was designed to conserve large areas of open space providing natural corridors through the development with connections to adjacent neighborhoods via trails and walking paths (see attached plan).

DISCUSSION

The Municipal Planning Commission (MPC) is responsible for reviewing the Planned Development for consistency with the city's stated development objectives and regulations. In the case of an extension request, the MPC must consider whether the previously approved Planned Development is still consistent with current regulations and development objectives. It is the opinion of City Staff that Arcadia remains a high-quality development, is consistent with current regulations and will be an asset to the city when developed. Arcadia provides valuable connections to The Grove neighborhood to the east and will continue a pattern of high-quality development.

As described in the attached letter from the applicant, the Phase 1 development agreement would be executed no later than 2026, with construction beginning in 2027. The Phase 2 development contract would be executed no later than 2028, contingent upon progress of Phase 1.

CLEAR CREEK INTERCEPTOR PROJECT STATUS

The Clear Creek Sewer Interceptor construction contract has been awarded. Construction is anticipated to start in May and be completed by November 2024. The interceptor project will increase sewer capacity for this area of Lakeland and will be sufficient to accommodate the needs of the Arcadia development.

ANALYSIS

Staff feels Arcadia is a good plan and will be an asset to the City of Lakeland when developed. The requested extension of three years is permitted by the Land Development Regulations subject to the approval of the Board of Commissioners. Additionally, the Board of Sewerage Commissioners (BOSC) has the responsibility of monitoring the sewer system and ensuring that sewer capacity exists when reviewing development proposals. Therefore, this extension request will need their recommendation of approval as well as approval by the Board of Commissioners.

EXAMPLE MOTIONS

1. Motion to recommend approval the Arcadia PRD Time Extension subject to the following conditions:
 - a: Conditions determined by the Planning Commission
2. Motion to recommend approval of the Arcadia PRD Time Extension without conditions.
3. Motion to recommend denial of the Arcadia PRD Time Extension application:
 - A: Reason for denial

MAR 13 2023



ENGINEERING • PLANNING
LANDSCAPE ARCHITECTURE

5909 Shelby Oaks Drive
Suite 200
Memphis TN 38134

Tel: 901-373-0380
Fax: 901-373-0370
www.SRCE-memphis.com

March 7, 2023

Planning Director
City of Lakeland
10001 U.S. Highway 70
Lakeland, TN 38002

Re: Arcadia Planned Residential Development

The referenced project was approved by the Municipal Planning Commission on December 18, 2006, and amended on August 6, 2009 and further amended on August 7, 2012 and August 11, 2016 and August 11, 2018 with termination language that requires the Phase 1 Development Agreement be approved by August 2023 or the amendment expires.

We would like to request a time extension of the current 2 phase plan. We request that the timing of Phase 1 be extended to August 2026 which is 3 years beyond the previous time extension approval.

We request the following schedule and Phasing Plan be approved:

Phase 1 (72 lots)

Execute Phase 1 Development Agreement – August 2026

Start Infrastructure construction for Phase 1 – August 2027

Infrastructure for Phase 1 consisting of Lots 1-72, includes all public improvements, repair of the dam and spillway and construction of adjacent public trails (one connecting to The Grove and one connecting to Lakeland Elementary School property).

Complete infrastructure construction for Phase 1 (Final Plat) – August 2028

Phase 2 (54 lots)

Prepare and secure approval for Development Agreement for Phase 2 – August 2028

Execute Phase 2 Development Agreement – August 2029 – Subject to completion of at least 50% of homes in Phase 1.

Start infrastructure construction for Phase 2 – August 2030 – Subject to completion of at least 50% of homes in Phase 1.

Infrastructure for Phase 2 consisting of Lots 73-126 includes all public improvements.

Complete infrastructure construction (Final Plat) – August 2031 – Subject to completion of at least 50% of homes in Phase 1.

The Phasing and Termination sections of the PDP conditions would then read:

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. .
.

XVI. Phasing of Development

Phase 1 – Development of Lots 1-72 including all necessary infrastructure, repair of the dam and spillway, construction of adjacent public trails (see plan set).

Phase 2 – Lots 73-126 including all necessary infrastructure and adjacent public trails (see plan set).

The construction of the initial phase shall commence within one year of the approval of the construction documents by the appropriate governmental agencies and bodies.

XVII. Expiration / Termination of the PDP

A. In the event that approval of the first Development Agreement is not obtained for Phase One of the planned development by **August 2026**, the Preliminary Development plan shall be deemed to have expired.

B. In the event that any portion of Phase Two of the PD has not obtained Development Agreement approval by **August 2029**, the Preliminary Development plan shall be deemed to have expired for those remaining portions of the PD.

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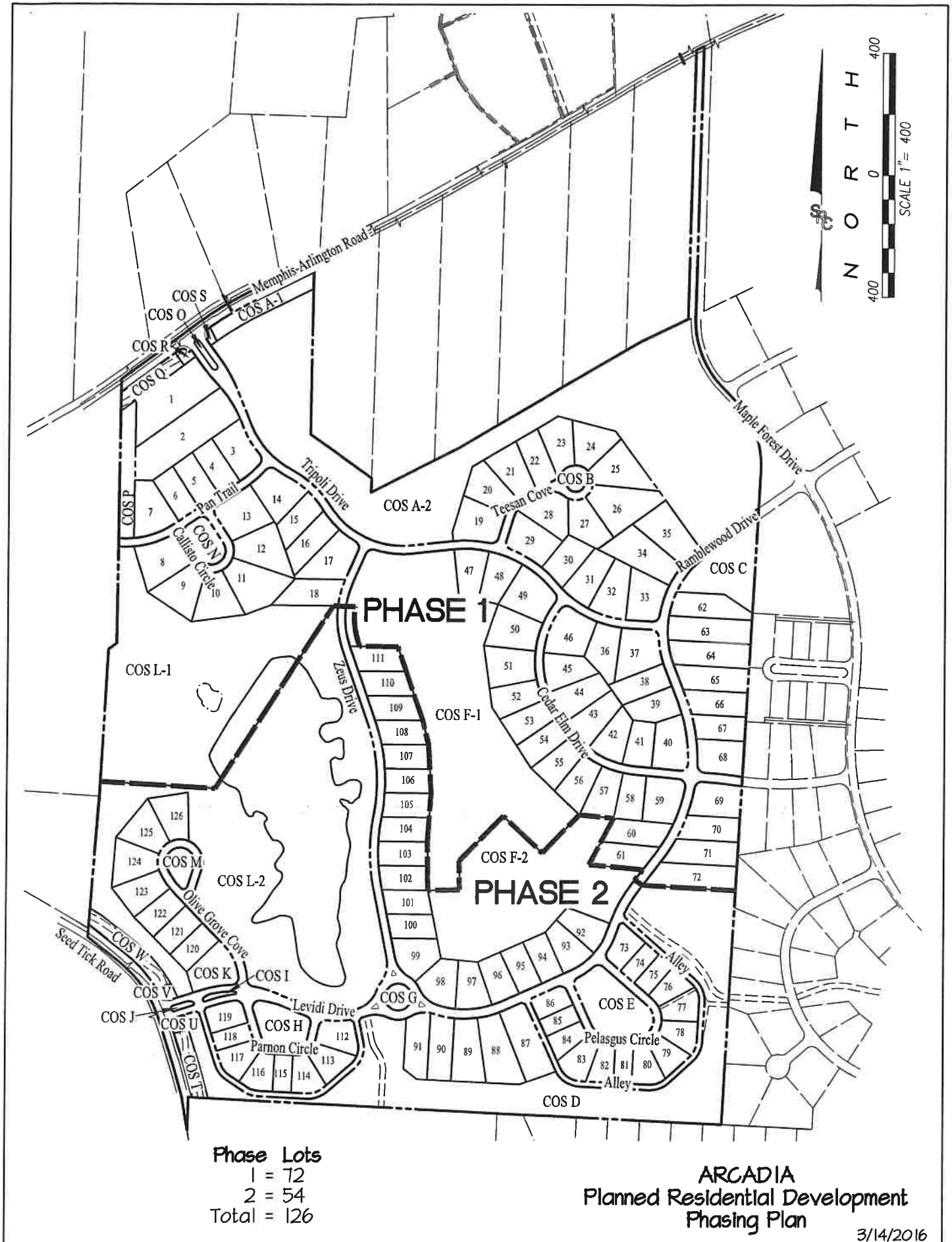
In addition to the above, we are requesting that the Sewer Board adopt a Resolution extending the Concept Sewer Plan in order to correspond with the phasing schedule listed above.

We appreciate your assistance in these matters.

Sincerely



Robert M. Sweeney, P.E.





CITY OF LAKELAND
Application for Planned Developments

Case No. _____ Date of Application March 2023

Name of Applicant Belz Investco GP

Address 100 Peabody Place, Suite 1400 Memphis, TN 38103

Daytime Telephone Number 901-260-7268 Fax Number 901-271-7268

Name of Property Owner Belz Investco GP

Address 100 Peabody Place, Suite 1400 Memphis, TN 38103 Telephone Number 901-260-7268

Name of Project Planning/Engineering Firm SR Consulting LLC

Name of Project Manager or Contact Person Cindy Reaves

Address 5909 Shelby Oaks Drive, Suite 200 Memphis, TN 38134

Telephone Number 901-373-0380 Fax Number 901-373-0370

E-mail cindy@srce-memphis.com

L0151 00100,
101, 102, 104,
110

Name of Planned Development Arcadia Planned Development Parcel ID# L0150 00164

Site Location South of Memphis Arlington Road, east of Seed Tick Road

Site Acreage 114.2 Zoning District(s) AG

Proposed Use(s) Residential

Proposed Number of Lots/Dwelling Units 126 Proposed Gross Floor Area 2,500+ Sq. ft.

Multiple Phases? Yes If yes, total number of phases and schedule 2, see letter for schedule

Approval requested: ☐ Outline Plan ☒ Preliminary Development Plan ☐ Final Development Plan

Time Extension _____

Application for Planned Developments


Applicants Signature

3/13/2023
Date

Property Owners Signature (if different from applicant)

Date

Please contact the Planning Department Staff for meeting dates and times, number of copies of all required materials, and the required filling fee to be submitted with the application.

CITY OF LAKELAND

10001 Highway 70

Lakeland, TN 38002

Office: (901) 867-2717 Fax: (901) 867-2063

Email: dmurrell@lakelandtn.org

www.lakelandtn.gov

OBJECTIVES

The Board of Commissioners may, upon proper application, grant a special permit for a Planned Development to facilitate the use of flexible techniques of land development and site design providing relief from zoning requirements designed for conventional developments. Planned developments shall be permitted in all zoning districts except for the FW-Floodway District.

PRE-APPLICATION CONFERENCE WITH CITY STAFF

At least thirty (30) days prior to filing any application for a Planned Development, the prospective applicant shall request a pre-application conference with the City. A preliminary development plan shall be submitted to the Planning Commission with the application for the Planned Development within six (6) months of the pre-application conference.

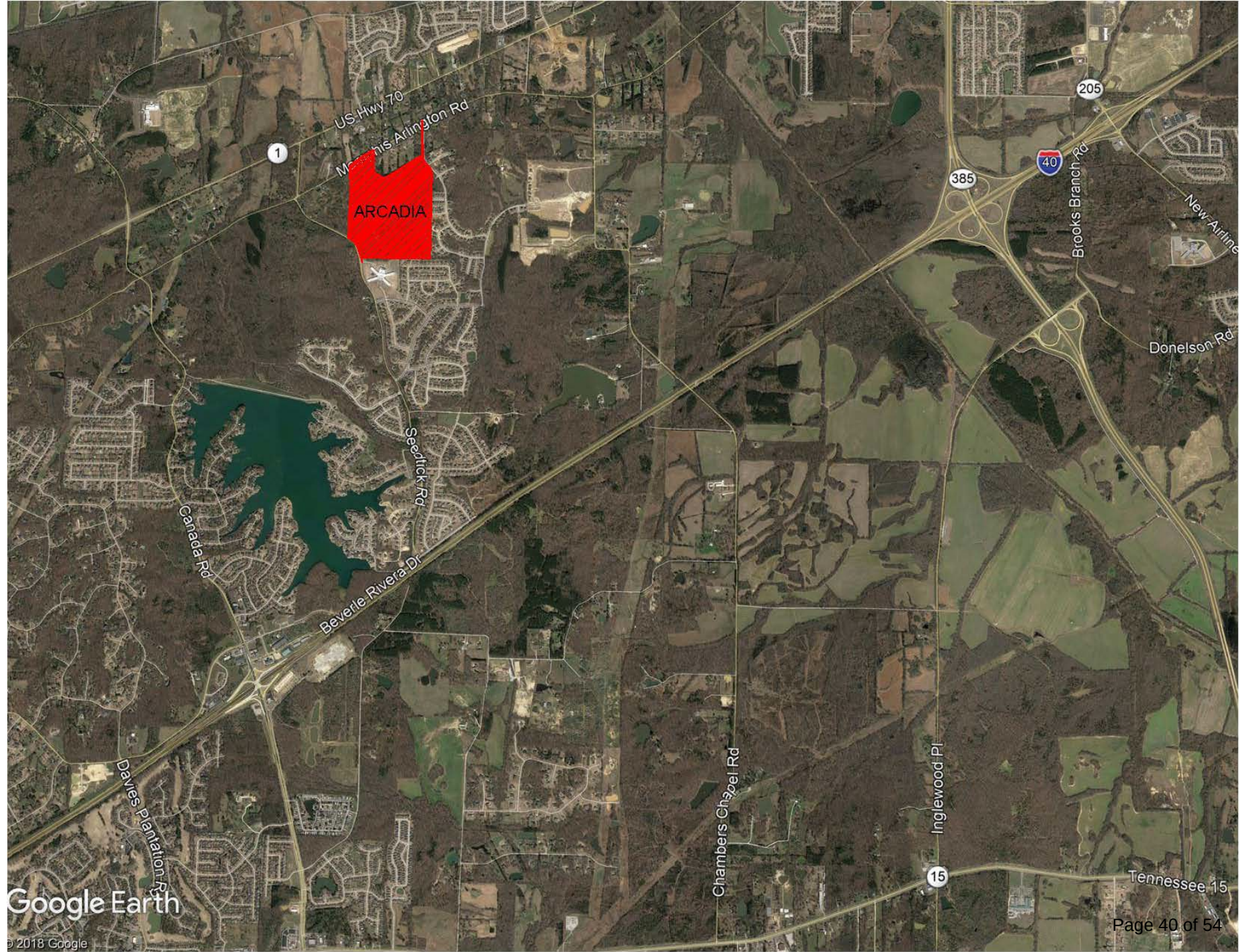
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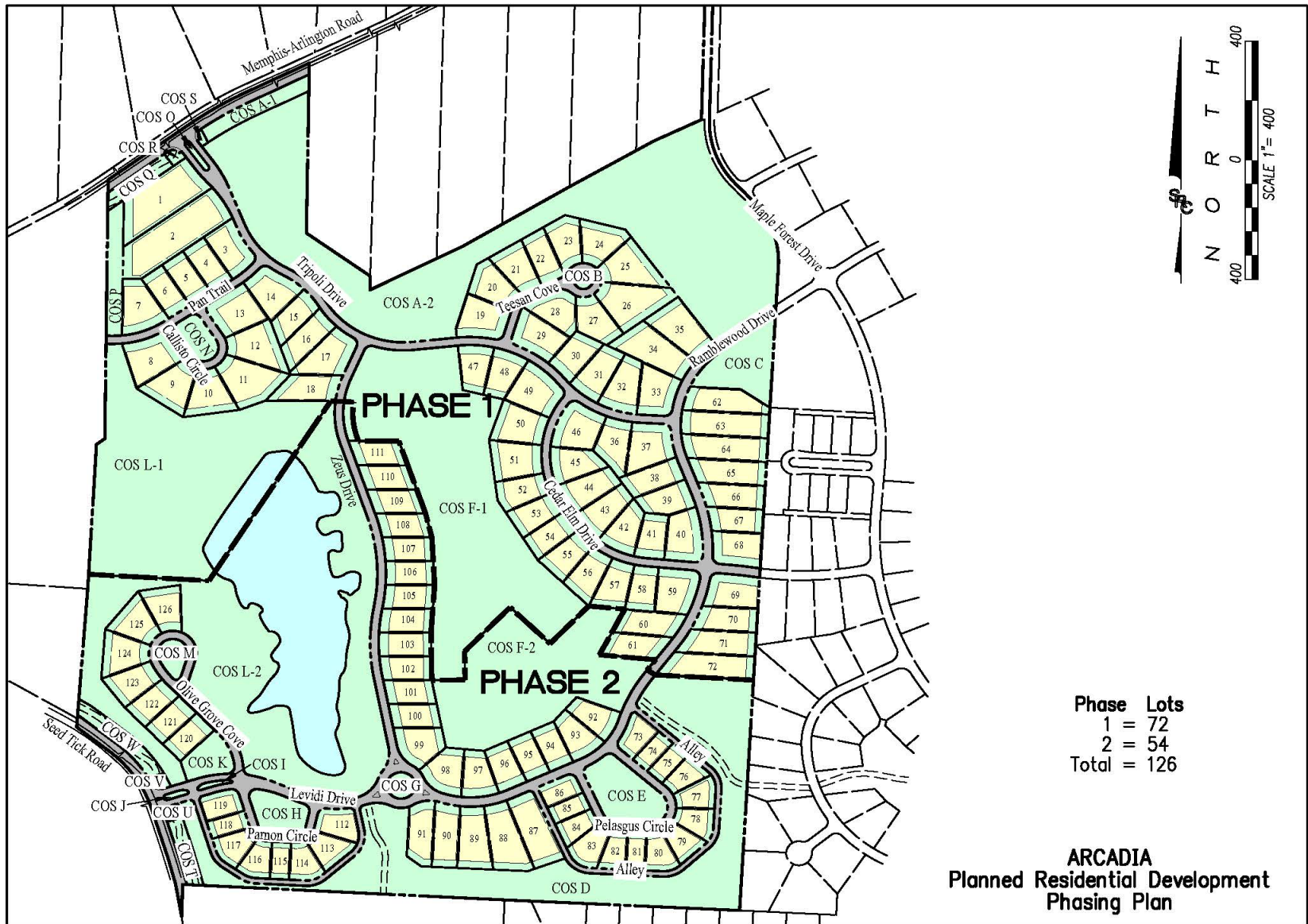
ARCADIA

**PLANNED RESIDENTIAL
DEVELOPMENT**

BELZ ENTERPRISES

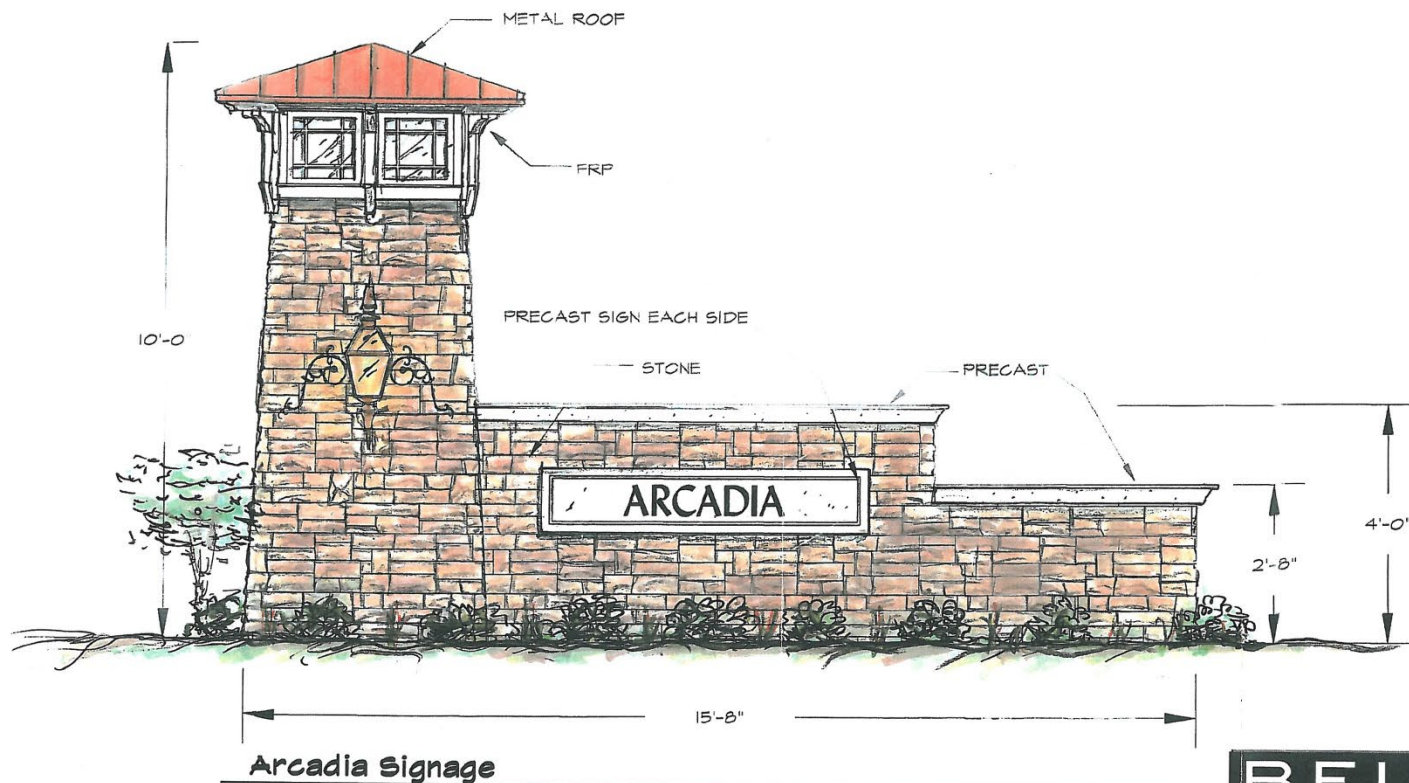
04/12/2023





ARCADIA

TOTAL AREA:	114 Acres +/-
AREA DEVOTED TO COMMON OPEN SPACE:	60 Acres +/- (52 %)
TOTAL LOTS:	126
Phase 1:	72 lots
Phase 2:	54 lots



SCALE: 1/2"=1'0"



ARCADIA

NATURAL FEATURES AND AMENITIES

ARCADIA

NATURAL FEATURES AND AMENITIES:

1. 14-acre lake
2. Extensive tree cover to be preserved per Tree Survey
3. 1,600 linear feet of trails
4. 125 street trees
5. A pocket park
6. Landscaped common areas
7. Tree preservation as part of individual lot development





LRK

ARCADIA

Looney Ricks Kiss

Belz Investco GP • Lakland, Tennessee

CHARACTER IMAGERY

November 5, 2018 • 02.07016.00 • © 2018 LRK Inc. All Rights Reserved.

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Board of Commissioners

Meeting Cycle: Thursday, May 4, 2023

Subject: **Resolution** - extending the sewer concept plan approval for Arcadia Planned Residential Development.

Staff Contact: Emily Harrell, City Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R 64-2023.

BUDGET IMPACT

There is no budget impact from this resolution.

DISCUSSION

The Board of Commissioners approved a sewer concept plan for 126 lots within Arcadia Planned Residential Development in 2006. Extensions to the plan were granted in 2009, 2012, 2016, and 2019. The developer is requesting a three (3) year extension, expiring August 2026. The wastewater flow from this development will flow to the Clear Creek Interceptor. The existing interceptor is at capacity with current flow and approved future connections. The City is currently under contract for the construction of the new Clear Creek Interceptor which will be in service in February 2025. The new interceptor will have adequate capacity to serve Arcadia Planned Residential Development.

RESOLUTION R-64-2023

EXTENDING THE SEWER CONCEPT PLAN APPROVAL FOR ARCADIA PLANNED
RESIDENTIAL DEVELOPMENT

WHEREAS, Arcadia Planned Residential Development was granted approval of a sewer concept plan by the Board of Commissioners in 2007 and granted extensions in 2009, 2012, 2016, and 2019; and,

WHEREAS, the developer, Belz Investco, submitted a request to extend the approval for an additional three (3) years; and,

WHEREAS, the Municipal Planning Commission approved a recommendation to the Board of Commissioners to extend the approval for Arcadia Planned Residential Development; and,

WHEREAS, the City Engineer has reviewed the concept sewer plan and finds the plan will not exceed capacity of the new Clear Creek Interceptor currently under construction:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that:

1. The sewer concept plan submitted by the owner of record to service a proposed development upon said parcel known as Arcadia Planned Residential Development consisting of 126 lots is approved until August 2026.
2. Should the development agreement for Phase 1 not be executed by August 2026 this resolution shall become null and void and no approval of any concept sewer plan for the above referenced parcel shall exist. Additionally, neither the owner of record nor any entity with development interests upon said parcel shall retain any right of approval, vested or otherwise, for said parcel of land.
3. Any conflicting resolutions are hereby rescinded.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 4th day of May 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

MAR 13 2023



ENGINEERING • PLANNING
LANDSCAPE ARCHITECTURE

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March 7, 2023

Planning Director
City of Lakeland
10001 U.S. Highway 70
Lakeland, TN 38002

Re: Arcadia Planned Residential Development

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Complete infrastructure construction for Phase 1 (Final Plat) – August 2028

Phase 2 (54 lots)

Prepare and secure approval for Development Agreement for Phase 2 – August 2028

Execute Phase 2 Development Agreement – August 2029 – Subject to completion of at least 50% of homes in Phase 1.

Start infrastructure construction for Phase 2 – August 2030 – Subject to completion of at least 50% of homes in Phase 1.

Infrastructure for Phase 2 consisting of Lots 73-126 includes all public improvements.

Complete infrastructure construction (Final Plat) – August 2031 – Subject to completion of at least 50% of homes in Phase 1.

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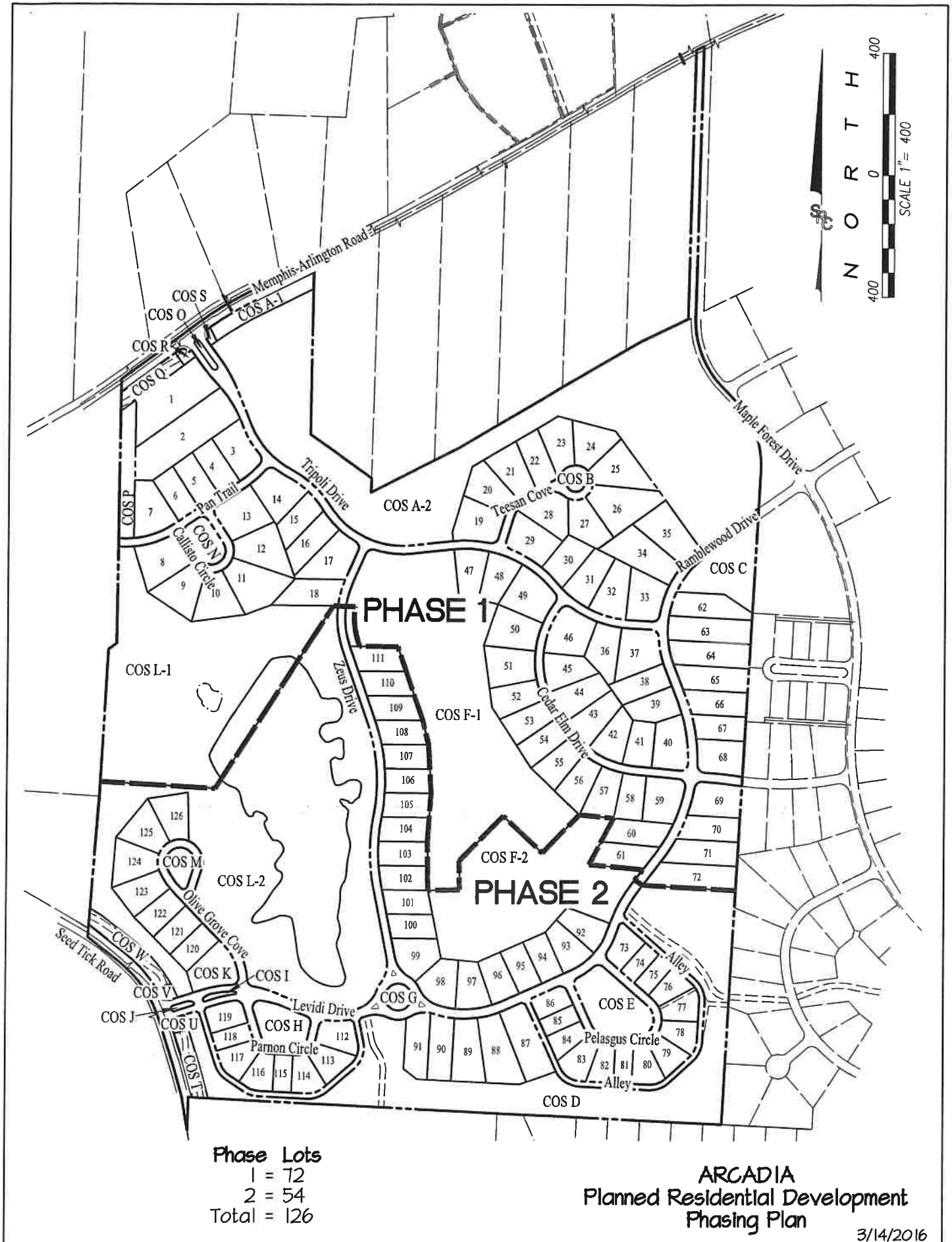
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Application for Planned Developments


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3/13/2023
Date

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Date

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CITY OF LAKELAND

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EFFECT OF APPROVAL OF DEVELOPMENT PLANS
