

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 19-003

AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR SMALL SCALE AMENDMENT #LUS18-002 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP ON APPROXIMATELY 2.16 ACRES LOCATED AT 1430 ATLINE ROAD, ATTACHED TO ORDINANCE 5188, WHICH ADOPTED THE LAKELAND COMPREHENSIVE PLAN: 2010-2020; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 16, 2010, the City Commission of the City of Lakeland, Florida, by Ordinance 5188, adopted the Lakeland Comprehensive Plan 2010-2020; and amendment to the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, the Planning and Zoning Board held a public hearing on January 15, 2019, to consider a small scale amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use designation from Residential Medium (RM) to Business Park (BP) on approximately 2.16 acres located at 1430 Atline Road; and

WHEREAS, the Planning and Zoning Board, at its regular meeting on February 19, 2019, approved and recommended to the City Commission that this small scale amendment to the Future Land Use Map of the Comprehensive Plan be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. The relevant portion of the Future Land Use Map attached as an exhibit to the Lakeland Comprehensive Plan 2010-2020, is amended to Business Park (BP), as more particularly described on Attachment "A" and graphically depicted on Attachments "B" and "C", attached hereto and made a part hereof.

SECTION 3. The effective date of this Plan Amendment shall be thirty-one days after its adoption.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. If any word, sentence, clause, phrase, or provision of this ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this ordinance shall not be affected thereby.

PASSED AND CERTIFIED AS TO PASSAGE this 18th day of March A.D. 2019.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
TIMOTHY J. McCAUSLAND
CITY ATTORNEY

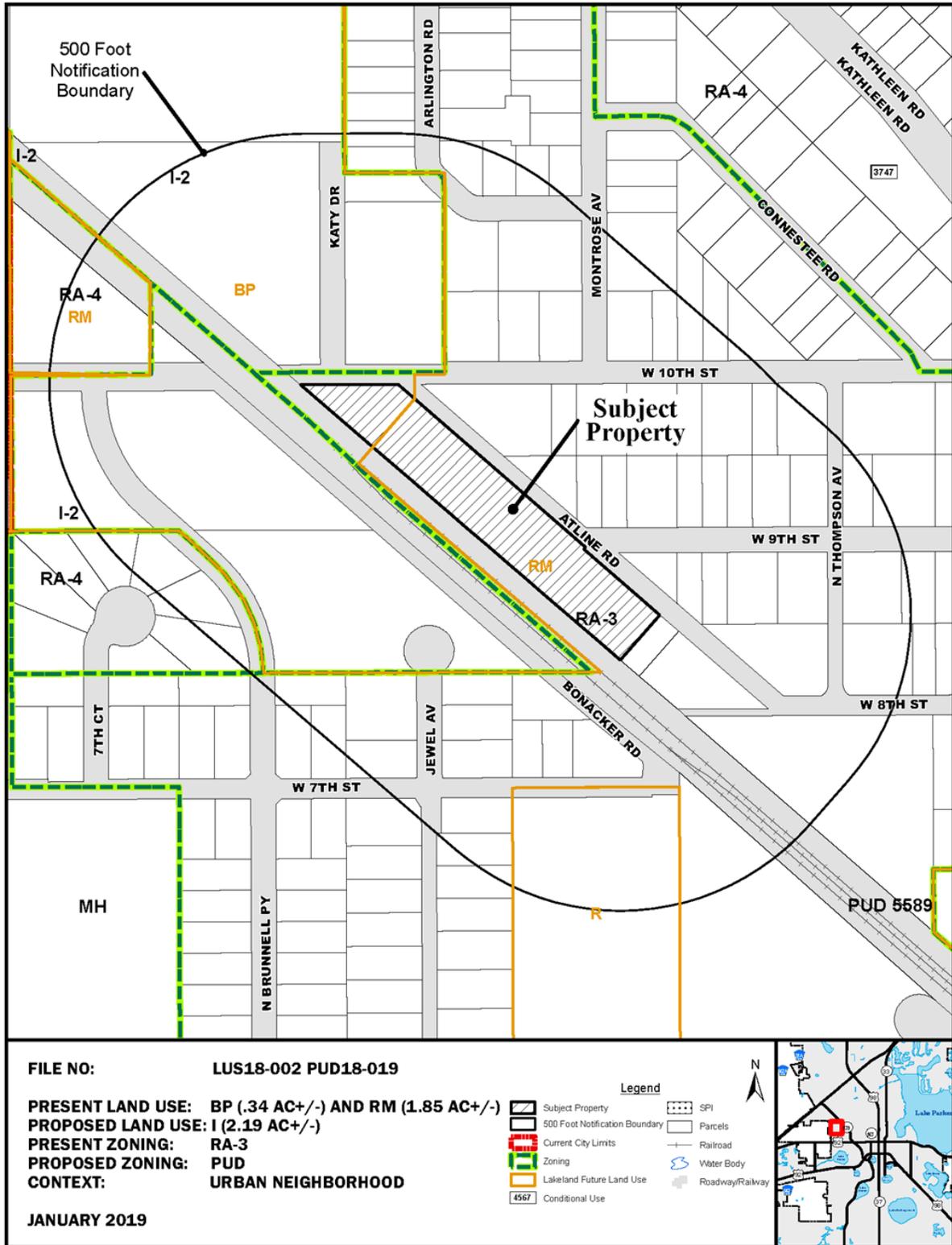
ATTACHMENT "A"

Legal Description:

WHICH DESCRIBES THE SAME LANDS AS THE LEGAL IN THE TITLE COMMITMENT.

EDGETON ADD PB 6 PG 49 BLK 6 LOTS 5 TO 18 LESS RD R/W

ATTACHMENT "B"



FILE NO: LUS18-002 PUD18-019

PRESENT LAND USE: BP (.34 AC+/-) AND RM (1.85 AC+/-)

PROPOSED LAND USE: I (2.19 AC+/-)

PRESENT ZONING: RA-3

PROPOSED ZONING: PUD

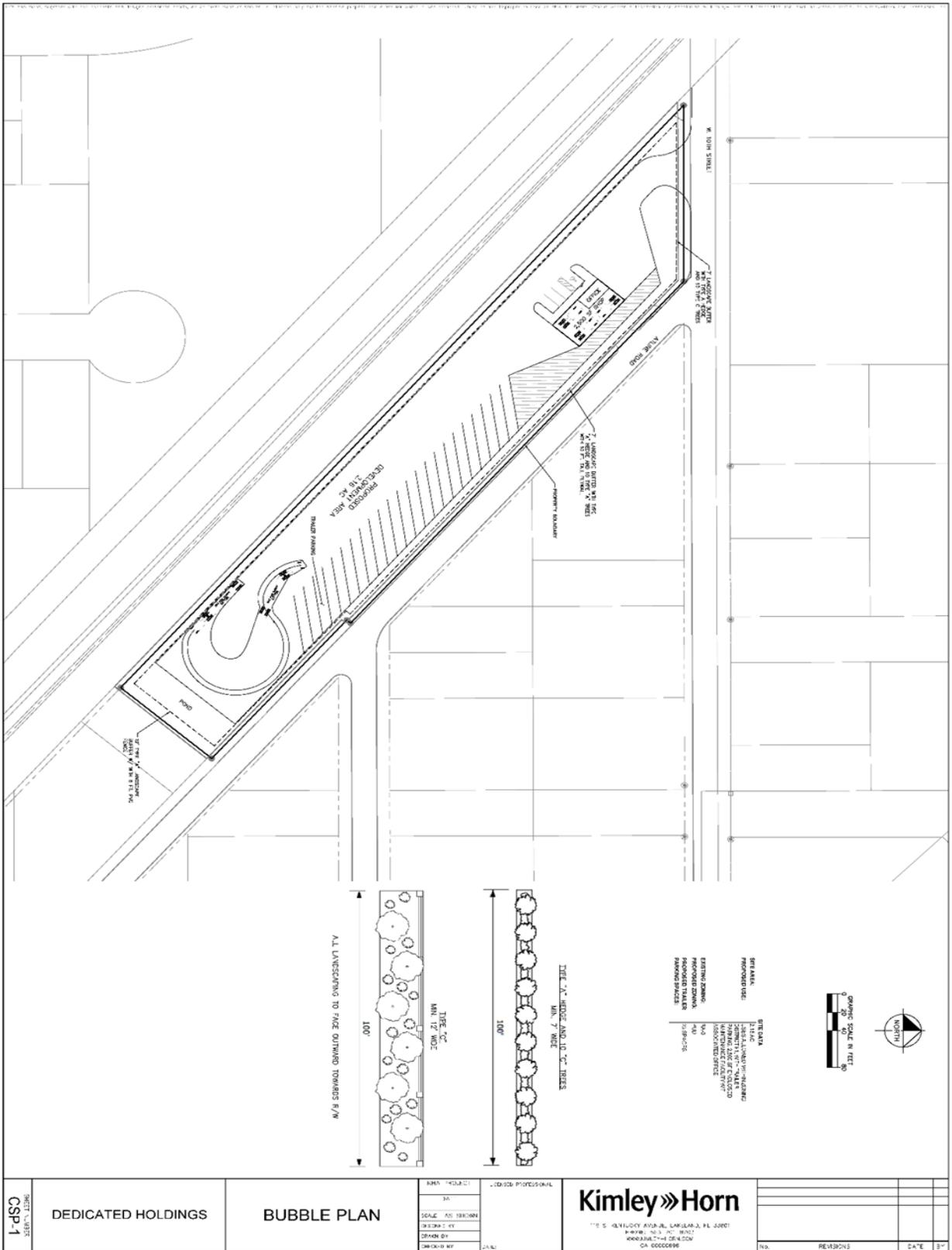
CONTEXT: URBAN NEIGHBORHOOD

JANUARY 2019

- Legend**
- Subject Property
 - 500 Foot Notification Boundary
 - Current City Limits
 - Zoning
 - Lakeland Future Land Use
 - Conditional Use
 - SPI
 - Parcels
 - Railroad
 - Water Body
 - Roadway/Railway



ATTACHMENT "C"

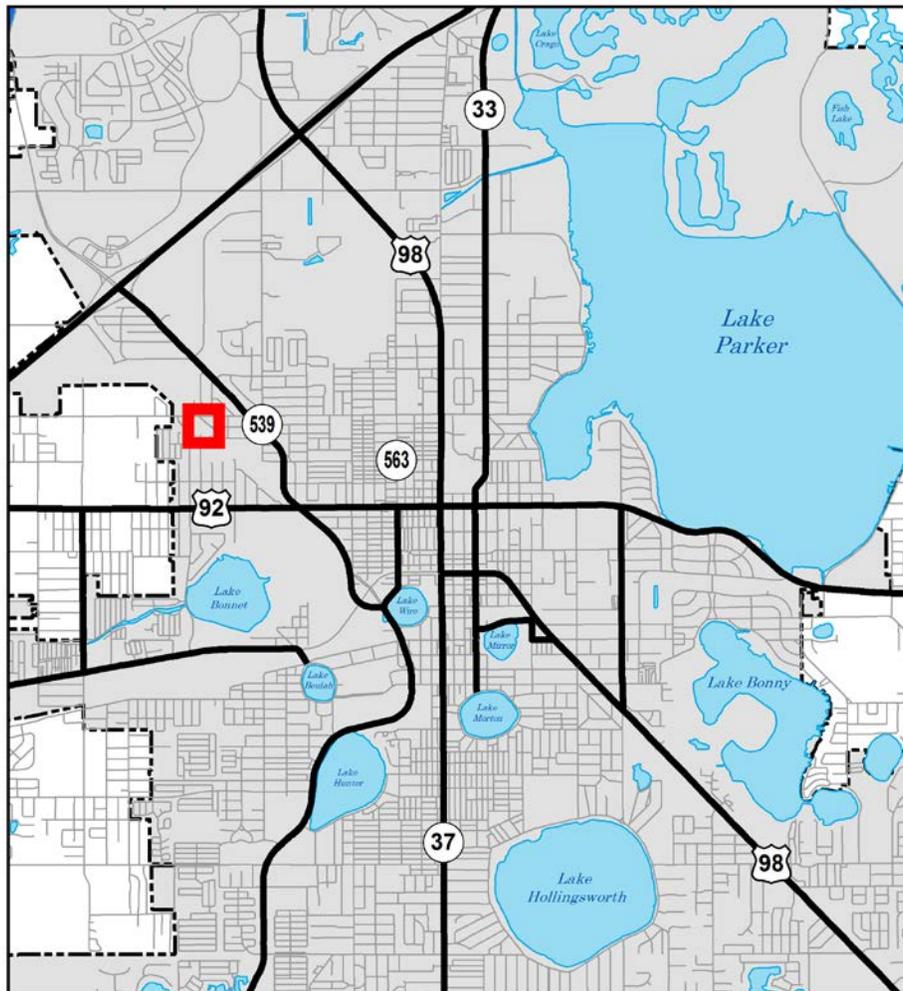


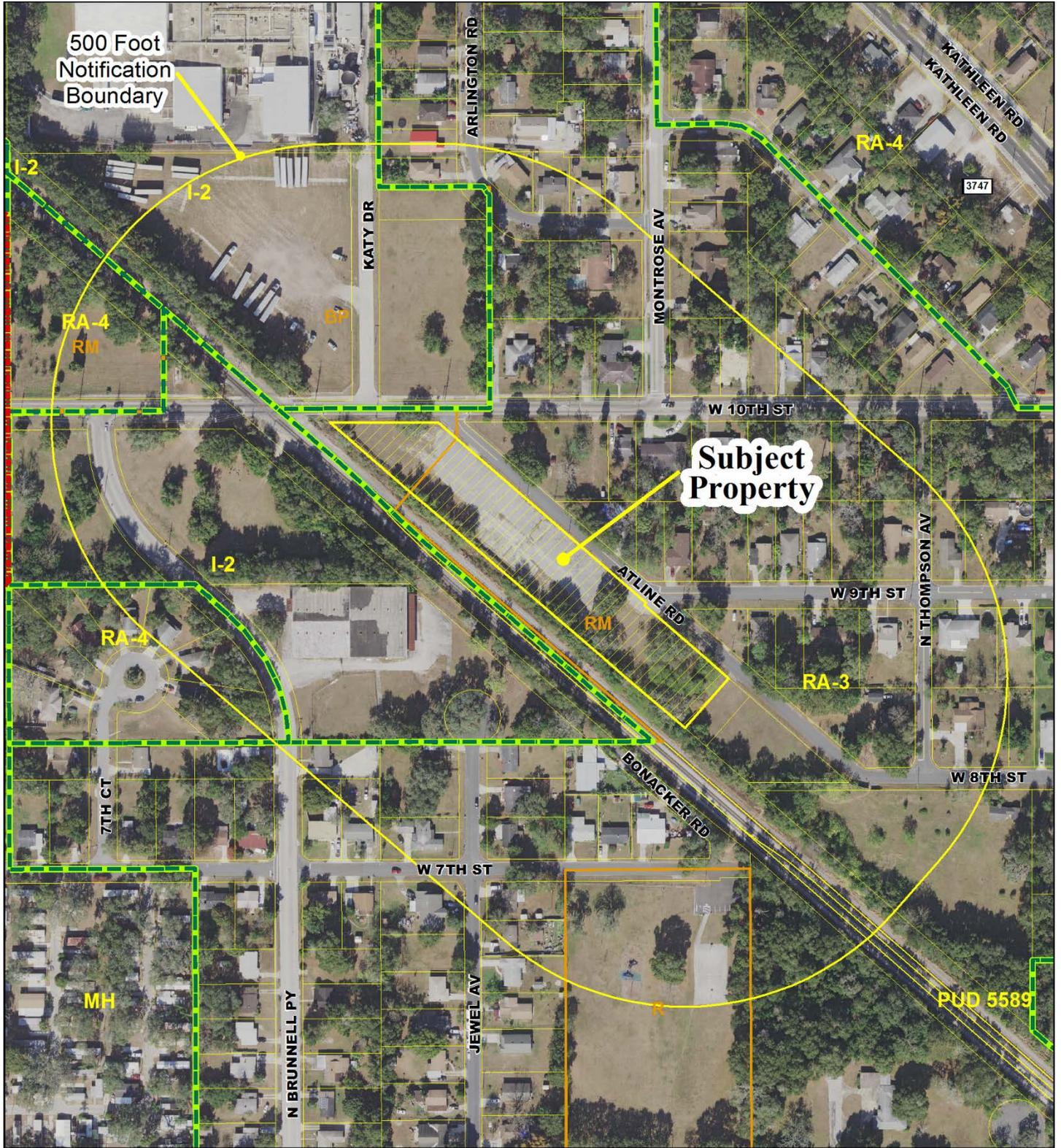


Planning & Zoning Board Recommendation

Date:	March 4, 2019	Reviewer:	Joshua Cheney
Project No:	ZON19-003/ LUS18-002/ PUD18-019	Location:	1430 Atline Road
Owner:	Dedicated Holdings, LLC		
Applicant:	Jason Lewis, Kimley-Horn and Associates, Inc.		
Current Zoning:	RA-3 (Single-Family)	Future Land Use:	Business Park (BP), Residential Medium (RM)
Context District:	Urban Neighborhood UNH		
P&Z Hearing:	January 15, 2019	P&Z Final Decision:	February 19, 2019
Request:	Change in land use from Residential Medium (RM) to Business Park (BP), a change in context district designation from Urban Neighborhood (UNH) to Urban Special Purpose (USP), and a change in zoning from RA-3 (Single-Family) to PUD (Planned Unit Development) to allow for Warehousing and Motor Freight Transportation Uses, Level II on approximately 2.16 acres located at 1430 Atline Road.		

1.0 Location Maps





2.0 Background

2.1 Summary

Jason Lewis, P.E., Kimley-Horn and Associates, Inc., requests a change in land use from Residential Medium (RM) to Business Park (BP), a change in context district designation from Urban Neighborhood (UNH) to Urban Special Purpose (USP), and a change in zoning from RA-3 (Single-Family) to PUD (Planned Unit Development) to allow for Warehousing and Motor Freight Transportation Uses, Level II on property located at 1430 Atline Road. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, presently vacant, is approximately 2.16 acres in area with RA-3 (Single-Family) zoning. Approximately 15% of the property, or 0.34 acres in total, has a future land use designation of BP (Business Park) while the bulk of the property has a future land use designation of RM (Residential Medium). From the early 1960s until the mid-2000s, the property was used by Polk County as a storage yard for road maintenance vehicles. As originally developed, the site contained multiple buildings and areas for employee parking and equipment storage. The buildings were removed following the closure of the facility with remnant asphalt/concrete pavement, two driveways from Atline Road, and security fencing being the only remaining improvements on the property.

2.3 Project Background

This request is to change the zoning of the property from RA-3 to PUD to allow for the development of Warehousing and Motor Freight Transportation Uses, Level II. Proposed site improvements include a new 2,500 office and shop building, four off-street parking spaces for employees and up to 23 spaces for the parking of semi-trailers. Concurrent with this request, the City requests to change the context sub-district from Urban Neighborhood (UNH) to Urban Special Purpose (USP). A proposed site development plan showing the new building and associated parking, buffering and stormwater areas is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Motor Freight Transportation and Vacant Industrial property	BP	I-2	USP
South	Vacant Residential property	RM	RA-3	UNH
East	Single-Family Residential	RM	RA-3	UNH
West	Railroad, Vacant Industrial property and Warehousing	BP	I-2	USP

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

The subject property is located at the intersection of W. 10th Street and Atline Road, approximately 1/4th of a mile west of the intersection of W. 10th Street and Kathleen Road. The immediate area is characterized by a mixture of vacant and improved industrial properties located along both sides of the CSX rail line and single-family residential uses to the north and east. The current RA-3/RM designations could allow residential development with a gross density of up to 12 dwelling units per acre. The market, however, has shown little interest in developing residential uses due to the proximity of the property to the adjacent CSX A-line to the west and existing I-2 (Medium Industrial) uses to the north.

The proposed use, which includes semi-trailer parking and a 2,500 square foot maintenance facility with an associated office, is classified as a Level II Warehousing and Motor Freight Transportation Use by the City's Land Development Code. This general category allows motor freight transportation uses, both local and long distance, farm product warehousing and storage, and refrigerated warehousing, but not more intensive uses such as chemical or petroleum bulk stations and terminals.

This limitation on use will allow for a reasonable repurposing of the property with impacts that are not substantially greater than the previous road maintenance facility. To address impacts such as noise, the developer has agreed to conditions which will require a 10-foot high noise reduction wall with a 7-foot wide landscape buffer adjacent to Atline Road. Primary access to the site will also be limited to a single new driveway on W. 10th Street and both of the existing driveways off of Atline Road will be removed. Any outdoor lighting fixtures shall be shielded in accordance with the Land Development Code. Hours of operation will be limited from 7:00 AM to 7:00 PM, Monday through Friday. Outdoor public address systems will be prohibited.

3.1 Transportation and Concurrency

The subject property fronts 10th Street and Atline Road. This segment of 10th Street is an urban collector roadway that is operated by Polk County and Atline Road is a local street operated by the City of Lakeland. To eliminate the need for large trucks to use Atline Road, access to the subject property shall be limited to one full movement driveway on 10th Street that aligns with Katy Drive. This driveway shall be designed to ensure that entering trucks do not queue into public right-of-way. Any gate that may be used to control access shall not be located within the driveway throat area. To address concerns about heavy trucks potentially using nearby local streets to access the site, truck traffic will be prohibited from using either Montrose Avenue or Atline Road. All Binding Concurrency Determinations shall be made at the time of site plan review.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department and the Planning & Zoning Board reviewed this request for compliance with Lakeland Comprehensive Plan: 2010-2020 and it is our opinion that the request is consistent with the Comprehensive Plan. All roadway levels of service are acceptable with mitigation as recommended in this PUD zoning. Actual construction is subject to final concurrency determinations at the time of site plan review.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends approval of the change of land use, from RM to BP, a change in zoning from RA-3 to PUD, and a change in context from UNH to USP. Letters of notification were mailed to 72 property owners within 500 feet of the subject property. As previously discussed, one objection was received based on potential truck traffic on Montrose Avenue.

4.2 The Planning & Zoning Board

This recommendation was approved by a 6 – 0 vote of the Board.

It is recommended that the request for BP land use and PUD zoning as described above and in Attachments “A,” “B” and “C,” be approved, subject to the following conditions:

- A. Permitted Uses: Warehousing and Motor Freight Transportation Uses, Level II
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan, Attachment “C.” With the approval of the Director of Community Development, minor modifications may be made at the time of site plan review without requiring a modification of this PUD.
- C. Development Standards: In accordance with the I-2/Urban Special Purpose sub-district standards except as otherwise specified herein.
- D. Landscape and Buffering: In accordance with the Land Development Code except as follows:
 - 1. Atline Road Frontage: Adjacent to Atline Road, a frontage buffer shall be constructed consisting a 10-foot high noise abatement wall, composed of “Plywall,” precast concrete, masonry, or equivalent material, along with a 7-foot wide landscape buffer consisting of a Type A hedge and 10 C (Small) trees per 100 linear feet or fraction thereof.
 - 2. Southern Parcel Boundary: Adjacent to the southern parcel boundary, a Type C buffer shall be constructed, except an 8-foot high PVC fence may be used in lieu of a masonry wall.
- E. Outdoor Lighting: In accordance with the Land Development Code.
- F. Site Access: In accordance with Attachment “C,” access to the site on shall be limited to a single driveway located on West 10th Street. Truck traffic on Atline Road and Montrose Avenue shall be prohibited.
- G. Hours of Operation: Hours of operation shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday.
- H. Public Address System: The use of outdoor public address systems and bell ringers shall be prohibited.

I. Transportation:

1. A Binding Concurrency Determination shall be made at the time of site plan review.
2. The W. 10th Street driveway shall comply with all Polk County permitting requirements.
3. The site's W. 10th Street driveway shall be designed to prevent trucks from queuing into the public right-of-way. No gate or other mechanism used to control access shall be located within the driveway throat area.