

As Amended

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 19-004

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A CHANGE IN ZONING CLASSIFICATION TO PUD ZONING TO ALLOW FOR WAREHOUSING AND MOTOR FREIGHT TRANSPORTATION USES, LEVEL II ON APPROXIMATELY 2.16 ACRES LOCATED AT 1430 ATLINE ROAD; CHANGING THE CONTEXT DISTRICT TO URBAN SPECIAL PURPOSE (USP); PROVIDING CONDITIONS; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board held a public hearing on January 15, 2019 to consider the request of Jason Lewis, Kimley-Horn and Associates, Inc. to change the zoning classification from RA-3 (Single-Family) to PUD (Planned Unit Development) to allow for warehousing and motor freight transportation uses on approximately 2.16 acres located at 1430 Atline Road, more particularly described in Attachment "A" and graphically depicted on Attachments "B", and "C"; and

WHEREAS, the City of Lakeland proposes to change the Context District to Urban Special Purpose (USP); and

WHEREAS, the Planning and Zoning Board approved the PUD zoning and changes to the Context District on February 19, 2019, and recommended them to the City Commission; and

WHEREAS, the City Commission of the City of Lakeland, Florida, after publication of a notice of its consideration of this ordinance, has determined that it is in the best interests of the City of Lakeland to approve PUD zoning for approximately 2.16 acres located at 1430 Atline Road to allow for warehousing and motor freight

transportation uses, Level II and also to change the Context District to Urban Special Purpose (USP); and

WHEREAS, the City Commission, having held a public hearing pursuant to said notice, where interested parties were given the opportunity to be heard, finds the property should be classified or zoned as recommended by the Planning and Zoning Board;

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

SECTION 1. The property legally described in Attachment “A”, owned by Dedicated Holdings, LLC and located within the City of Lakeland, is classified or zoned PUD (Planned Unit Development) and changed to Urban Special Purpose (USP) as set forth in Attachment “C”, subject to the following amended 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 shall be limited to a single driveway located on West 10th Street. Truck ingress/egress shall be routed from/to the west along W. 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 6:00 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.

SECTION 2. The City Commission does hereby expressly find that the provisions of this ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5188.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. 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.

SECTION 5. This ordinance shall take effect immediately upon the effective date of Small Scale Amendment #LUS18-002 to the Future Land Use Map, as provided in Ordinance No. _____.

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"



