

**As Amended**

**ORDINANCE NO. \_\_\_\_\_**

**PROPOSED ORDINANCE NO. 19-005**

**AN ORDINANCE RELATING TO ZONING; PROVIDING FOR PUD ZONING TO ALLOW FOR MOTOR VEHICLE SALES, NEW AND/OR PRE-OWNED, AND MOTOR VEHICLE SERVICES ON APPROXIMATELY 6.13 ACRES LOCATED AT 3223 N. ROAD 98; 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 Vanessa Masell, Center Point Solutions, LLC, on behalf of Prime Lending, Inc., to establish PUD (Planned Unit Development) zoning on approximately 6.13 acres located at 3223 N. Road 98, more particularly described in Attachment "A" and graphically depicted on Attachments "B" and "C", attached hereto; and

**WHEREAS**, the Planning and Zoning Board, at its regular meeting on February 19, 2019, approved PUD (Planned Unit Development) zoning on the subject property and recommended same 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 on the subject property.

**WHEREAS**, the City Commission, having held a public hearing pursuant to said notice, where interested parties were given 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 foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2.** The property more particularly described on Attachment “A”, owned by Prime Lending, Inc., and located within the City of Lakeland is zoned PUD (Planned Unit Development), subject to the following conditions:

I. General Conditions

- A. Permitted Uses: An automobile dealership specializing in sales and service of new and/or late model, used vehicles.
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan included as Attachment “C” at the discretion of the Director of Community & Economic Development, minor changes may be made at the time of site plan review without requiring a modification to the PUD.
- C. Development Standards: In accordance with the C-2/Urban Corridor sub-district standards, except as otherwise specified herein.
- D. Outdoor Lighting: Outdoor lighting shall be shielded in accordance with Section 4.6.2 of the Land Development Code.
- E. Public Address System: The use of outdoor public address systems and bell ringers shall be prohibited.
- F. Landscaping, Buffering and Signage: In accordance with the Land Development Code.
- G. Pedestrian Improvements: A sidewalk shall be constructed along the site’s Pyramid Parkway frontage in compliance with City permitting requirements.

- H. Bike Parking: Bike parking shall be installed in close proximity to the principal customer entrance in compliance with Section 4.11.6 of the Land Development Code and Index 900 of the City Engineering Standards Manual.
- I. ADA Compliant Accessible Pedestrian Routes: Per Section 4.2.6.b of the City Land Development Code, ADA-Compliant pedestrian routes shall be constructed between the principal building entrance and public sidewalks on U.S. Highway 98 or Pyramid Parkway.
- J. Cross-Access Easement: The property owner will work in good faith to accommodate a cross-access easement for ingress and egress between the adjacent shopping center site (to southeast) and Robson Street, in cooperation with the adjacent property owner, the Florida Department of Transportation and the City of Lakeland. The easement shall be aligned behind the proposed sales/service facility and provide the most direct feasible route between the shopping center and Robson Street.
- K. Vehicle Loading & Unloading: All unloading or loading of vehicle transporters shall occur on site and shall not take place on any public streets, rights-of-way or other off-site locations.
- L. Concurrency Determinations: Binding Concurrency Determinations shall be made at the time of each site plan submittal.
- M. Test Drive Routing: Vehicle test drives shall not be conducted on Robson Street, east of Pyramid Parkway.
- N. Architectural Standards: In accordance with Sub-Section 3.4.7 of the Land Development Code.

**SECTION 3.** 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 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.

**SECTION 6.** This ordinance shall take effect immediately upon adoption.

**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.**

A parcel of land being a portion of the northwest quarter of Section 1, Township 28 South, Range 23 East, Polk County, Florida. Said parcel being more particularly described as follows:

Commence at the Northeast corner of the Northwest quarter of said Section 1; thence along the East line of said Northwest quarter, South 00°04'21" East, 25.00 feet to the POINT OF BEGINNING; thence continue along said East line, South 00°04'21" East, 151.02 feet; thence leaving said East line, run South 47°18'03" West, 671.19 feet to a point on the northerly right of way line of State Road 700, per the Florida Department of Transportation Right Way Map, Section 16210-(2503)(2507), thence along said northerly right of way line North 42°46'17" West, 202.19 feet; thence North 26°46'16" West, 38.76 feet to a point on the easterly right of way line of Pyramid Parkway; thence leaving said northerly right of way line, run along the easterly right of way line of said Pyramid Parkway, North 00°07'27" West, 405.75 feet; thence North 22°12'02" East, 17.43 feet to a point on the southerly existing maintained right of way line of Robson Street (per Map Book 1, Page 172, Public Records of Polk County, Florida); thence leaving said easterly right of way line, run along said southerly maintained right of way line, North 89°53'10" East, 642.14 feet to the POINT OF BEGINNING

Said parcel contains 6.134 Acres, more or less.



