

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

**PROPOSED ORDINANCE NO. 18-041**

**AN ORDINANCE RELATING TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING; PROVIDING FOR SMALL SCALE AMENDMENT #LUS18-001 TO A CERTAIN PORTION OF THE FUTURE LAND USE MAP ON PROPERTY LOCATED AT 1010 AND 1016 N. WEBSTER AVENUE, 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 April 17, 2018, to consider a small scale amendment to the Future Land Use Map of the Comprehensive Plan changing the future land use designation from Mixed Commercial Corridor (MCC) and Residential Medium (RM) to Business Park (BP) on property located at 1010 and 1016 N. Webster Avenue; and

**WHEREAS**, the Planning and Zoning Board, at its regular meeting on June 19, 2018, 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**SECTION 4.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.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 16th day of July A.D. 2018.

\_\_\_\_\_  
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:**

Webster Ave Building  
PROPOSED PUD ZONING  
102,396 SF/ 2.35 ACRES

LEGAL DESCRIPTION: Lots 1, 2, 3, 4, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Block B, Webster & Omohundro Subdivision, according to the map or plat thereof, together with the platted alley located on the East of Lots 23, 24, 25, and 26 and West of Lots 1, 2, 3 and 4, Block B, Webster & Omohundro Subdivision, together with the East 1/2 of closed right of way abutting on the West of Lots 19-26, Block B, Webster & Omohundro Subdivision, according to the map or plat thereof, Less Kathleen Road right-of-way and Less that portion of Lot 1 deed to the State of Florida by deeded, together with the closed right of way abutting on the East of Lots 1 and 2, Block B, Webster and Omohundro Subdivision.

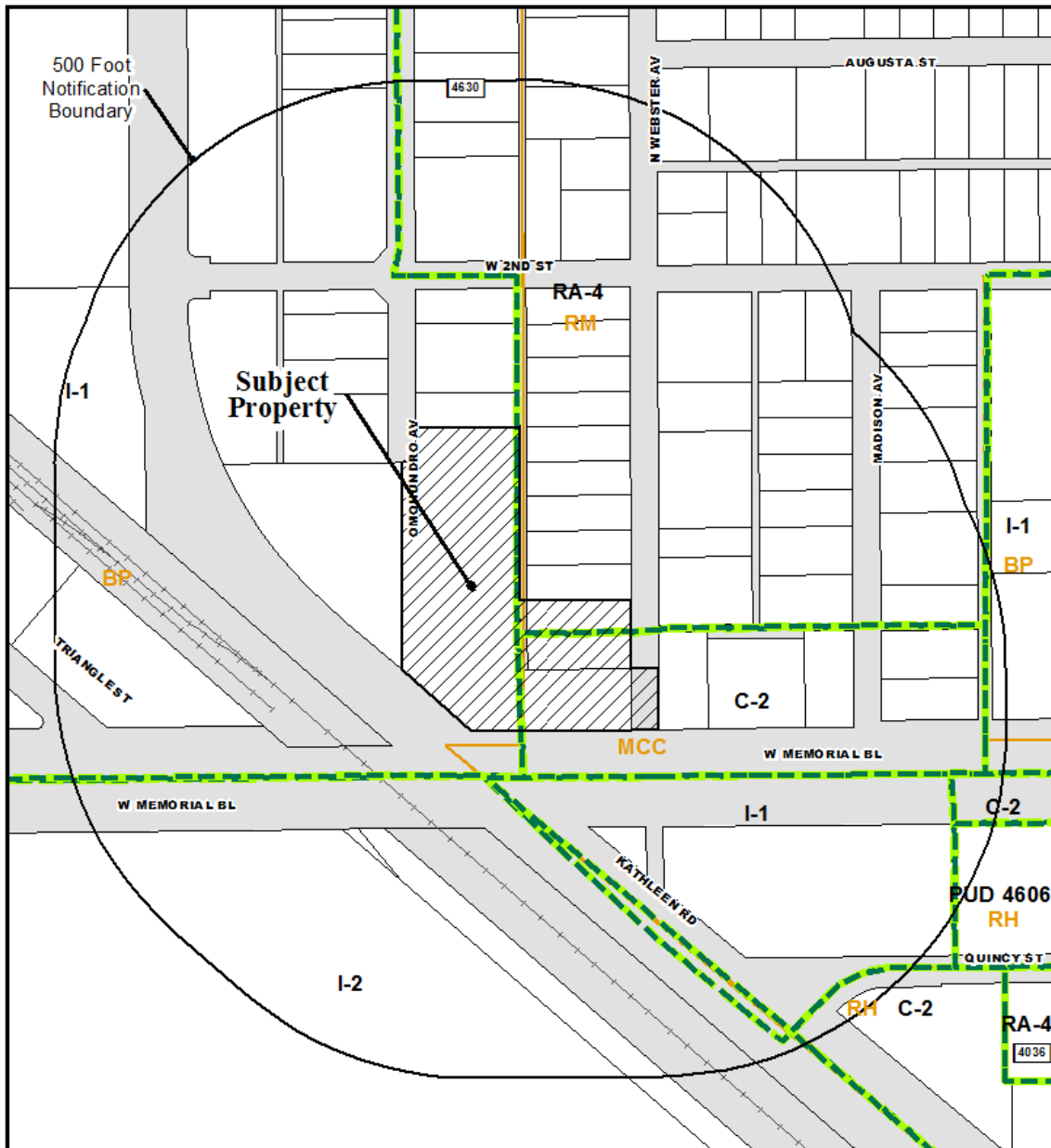
PROPOSED LAND USE CHANGE  
MCC and RM to BP

Lots 1, 2, 3, and 4, Block B, Webster & Omohundro Subdivision, according to the map or plat thereof, together with the platted alley located on the East of Lots 23, 24, 25, and 26 and West of Lots 1, 2, 3 and 4, Block B, Webster & Omohundro Subdivision, and Less that portion of Lot 1 deed to the State of Florida by deeded, together with the closed right of way abutting on the East of Lots 1 and 2, Block B, Webster and Omohundro Subdivision.

PROPOSED CONTEXT CHANGE  
UNH and UCO to USP

Lots 1, 2, 3, and 4, Block B, Webster & Omohundro Subdivision, according to the map or plat thereof, together with the platted alley located on the East of Lots 23, 24, 25, and 26 and West of Lots 1, 2, 3 and 4, Block B, Webster & Omohundro Subdivision, and Less that portion of Lot 1 deed to the State of Florida by deeded, together with the closed right of way abutting on the East of Lots 1 and 2, Block B, Webster and Omohundro Subdivision.

ATTACHMENT "B"



# ATTACHMENT "C"

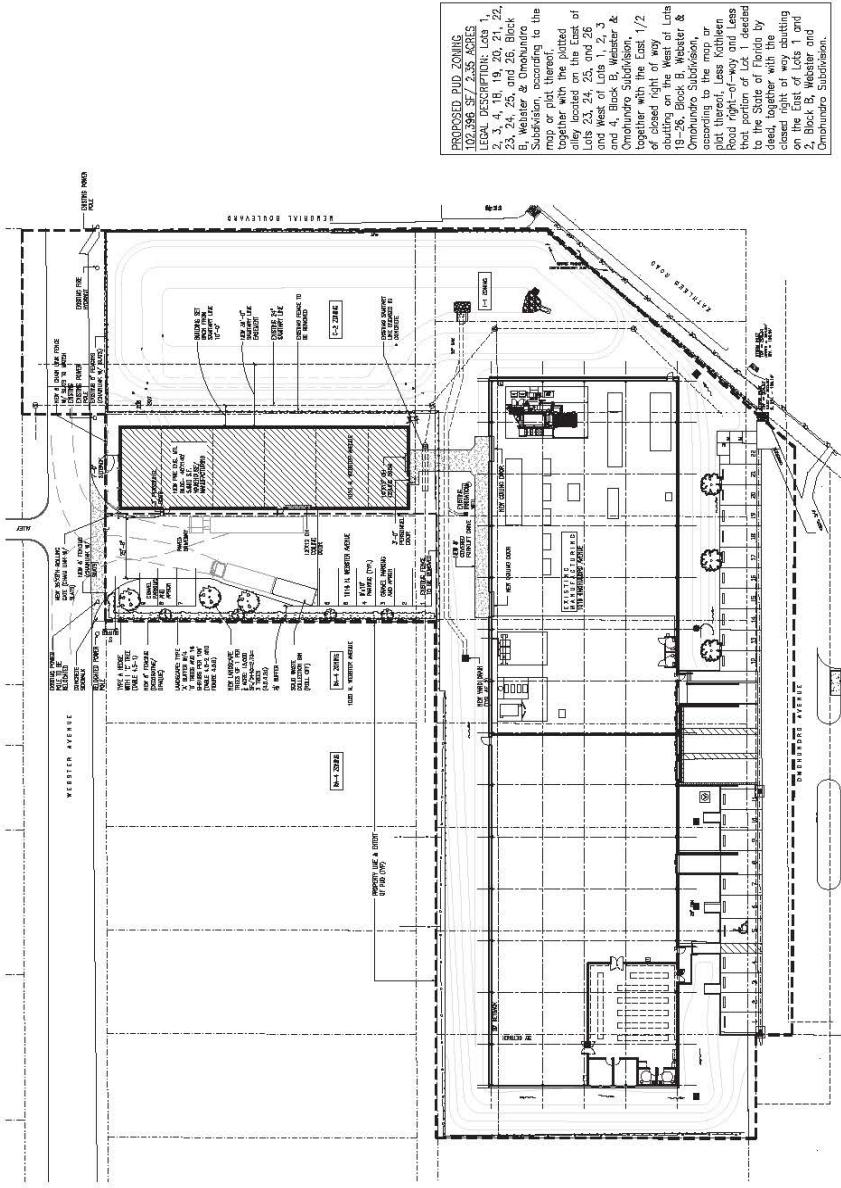


Webster Avenue Building  
 1718 S. WHEELER AVENUE  
 MIAMI, FLORIDA 33135

PROPOSED PUD ZONING  
 102.386 SF / 2.35 ACRES  
 LEGAL DESCRIPTION: LOTS 1,  
 2, 3, 4, 18, 19, 20, 21, 22,  
 23, 24, 25, and 26, Block  
 Webster Avenue  
 Subdivision, together with  
 the portion of the  
 Webster Avenue Building  
 together with the platted  
 alley located on the East of  
 Lots 23, 24, 25, and 26,  
 Block Webster Avenue  
 and 4, Block B, Webster &  
 Ombuandro Subdivision,  
 together with the East 1/2  
 of closed right of way  
 located on the West of Lots  
 19-26, Block B, Webster &  
 Ombuandro Subdivision,  
 according to the map or  
 plat thereof, Less Kathleen  
 Bear Right-of-Way and Less  
 the portion of the closed  
 right of way of Florida by  
 deed, together with the  
 closed right of way abutting  
 on the West of Lots 1 and  
 2, Block B, Webster &  
 Ombuandro Subdivision.

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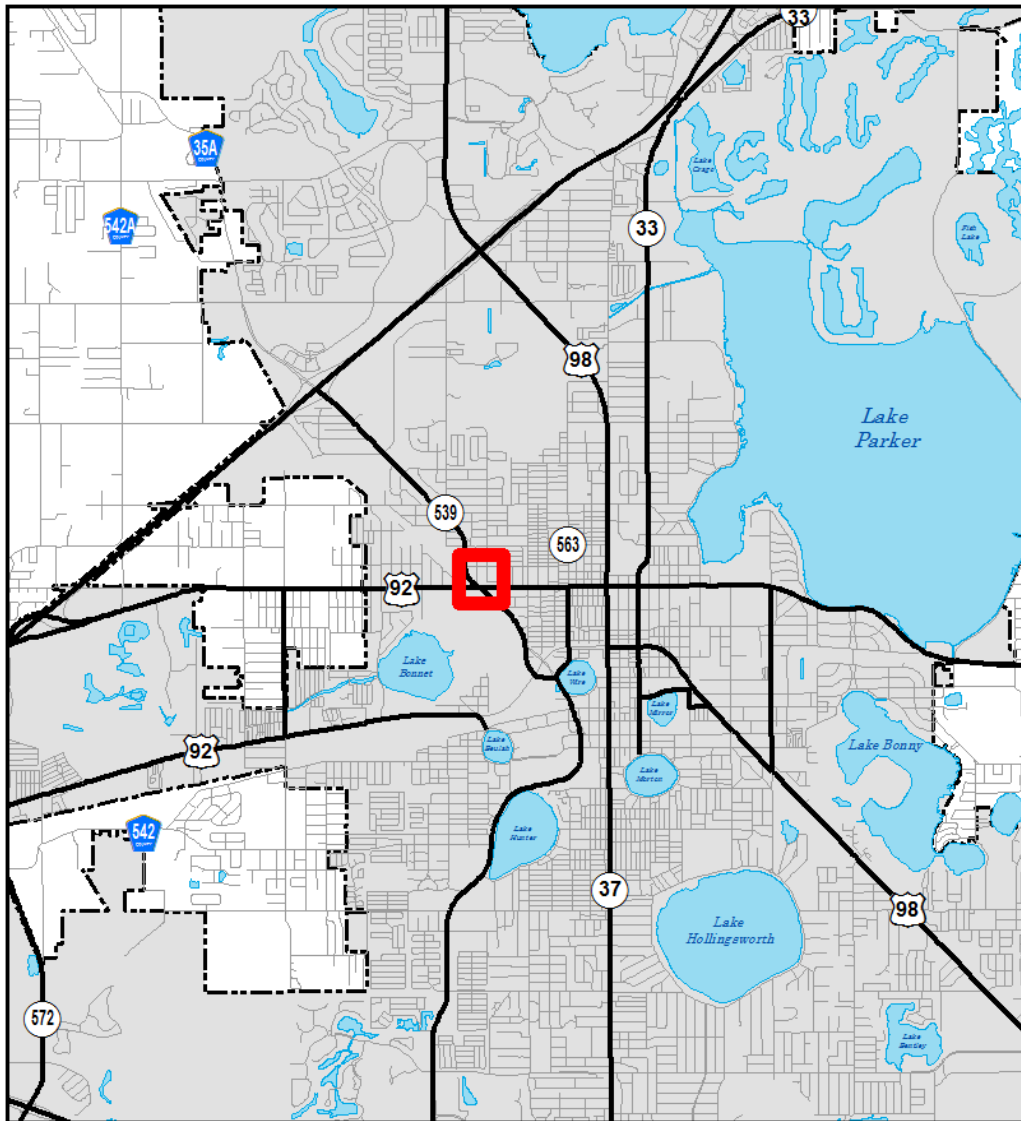


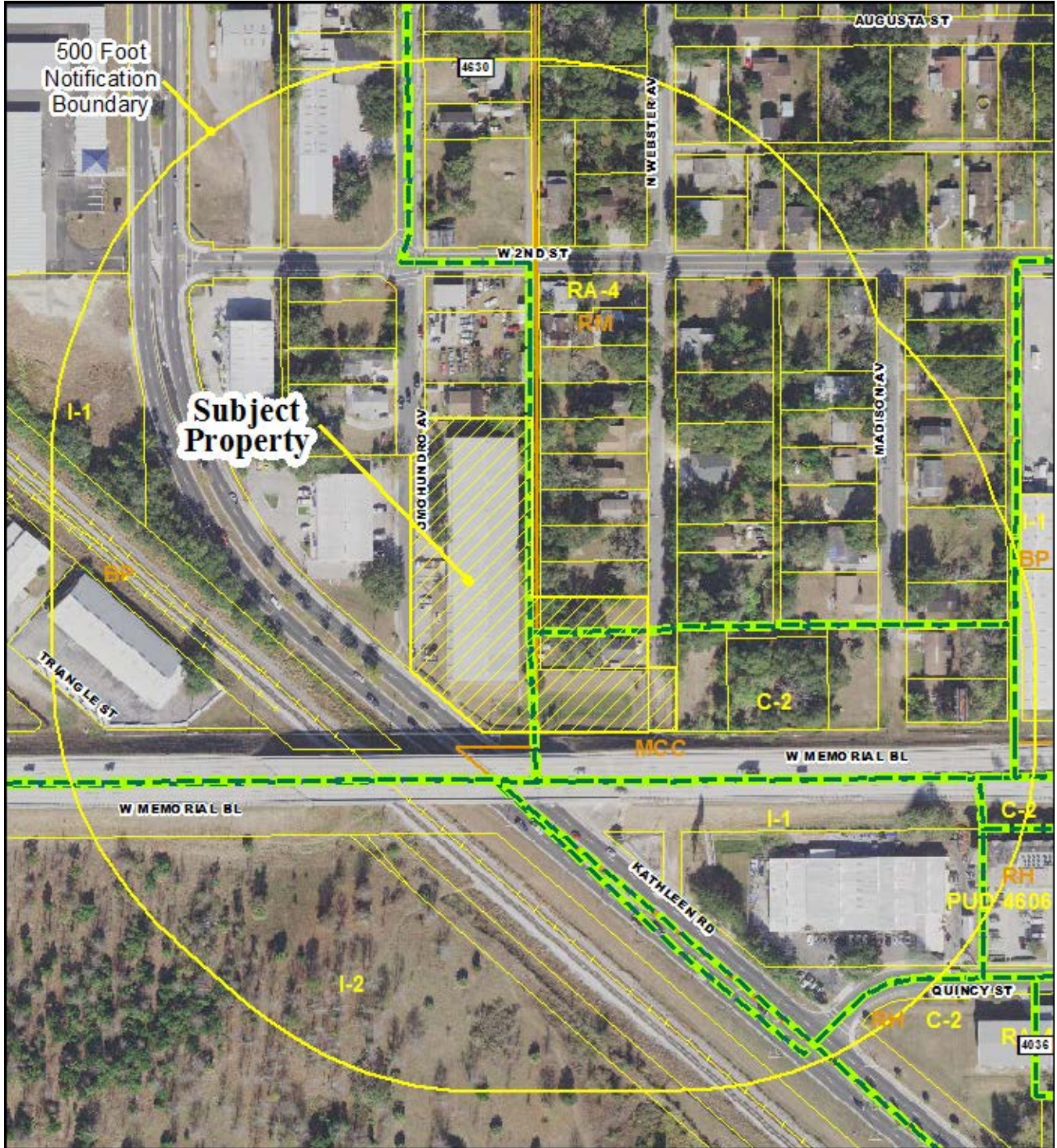


# Planning & Zoning Board Recommendation

Date:	July 2, 2018	Reviewer:	Phillip Searce	
Project No:	LUS18-001/PUD18-006/ ZON18-004	Location:	1010 & 1016 N. Webster Avenue	
Owner:	Quincy Street LLC			
Applicant:	Dan Fowler/The Lunz Group			
Current Zoning:	I-1 (Light Industrial—Limited Commercial), C-2 (Highway Commercial), RA-4 (Single-Family)	Future Land Use:	MCC (Mixed Commercial Corridor), RM (Residential Medium)	
Context District:	UCO (Urban Corridor), UNH (Urban Neighborhood)			
P&Z Hearing:	April 17, 2018	P&Z Final Decision:	June 19, 2018	
Request:	Changes in future land use, PUD zoning and context district designation to allow for a new building and expansion of existing manufacturing uses on property located at 1010 & 1016 N. Webster Avenue.			

## 1.0 Location Maps





## 2.0 Background

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### 2.1 Summary

Dan Fowler, on behalf of Robert English, requests a change in future land use from Mixed Commercial Corridor (MCC) and RM (Residential Medium) to BP (Business Park), and a change in zoning from I-1 (Light Industrial—Limited Commercial), C-2 (Highway Commercial) and RA-4 (Single-Family) to PUD (Planned Unit Development) to allow for a new building and expansion of existing manufacturing uses on property located at 1010 & 1016 North Webster Avenue. Concurrent with this request, the City proposes to change the context district from Urban Corridor (UCO) and Urban Neighborhood (UNH) to Urban Special Purpose (USP). A map of the subject property is included as Attachment “B.”

### 2.2 Subject Property

The subject property consists of an approximately 32,000 square foot industrial building with primary access and parking on Omohundro Avenue and two lots located on N. Webster Avenue. Both parcels were historically utilized for residential purposes but are now vacant. The existing building is located on a 1.9 acre parcel with BP future land use, I-1 zoning and an USP context district designation. The applicant recently acquired the two 0.17-acre lots located adjacent to the east at 1010 and 1016 N. Webster Avenue. The southernmost lot has MCC future land use, C-2 zoning and an UCO context district designation. The northernmost lot has RM future land use, RA-4 zoning and UNH context district designation.

The applicant requests PUD zoning to expand the facility by constructing a 5,500 square foot warehouse/manufacturing building on the two vacant lots. In addition to the new building, nine parking spaces and a loading area for truck deliveries are also planned. A proposed site development plan showing the existing facility, the new building and associated parking and stormwater areas is included as Attachment “C.”

### 2.3 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Single-Family Residential	RM	RA-4	UNH
South	W. Memorial Boulevard	MCC	C-2	UCO
East	Single-Family Residential	RM	RA-4	UNH
West	Light Industrial	BP	I-2	USP

### 2.4 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan



## 3.0 Discussion

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The subject property is located just north of the Kathleen Road and Memorial Boulevard junction with both Omohundro Avenue and Webster Avenue terminating at dead-ends north of this junction. The surrounding area is comprised of a mix of single-family homes, light industrial and commercial uses within the Webster Park South neighborhood. Light industrial uses include the existing 32,000 square foot metal fabrication facility. The purpose of the new 5,500 square foot facility is ancillary in nature to the main production facility as it will be utilized for the storage of raw and finished materials waiting for delivery. The existing metal fabrication facility operates totally within an enclosed structure and outdoor storage is not proposed for the expansion area. With the exception of loading and unloading, there are no outdoor operations or storage.

### 3.1 Transportation and Concurrency

The primary access to the facility will remain on Omohundro Avenue. Both buildings will be integrated and connected via a concrete walkway for transferring material from one building to another. Therefore, the new building will not operate as an independent business with sole access to Webster Avenue and is anticipated to have limited traffic impacts. Truck delivery trips on N. Webster Avenue will be limited to a total of 10 trip ends per week with the largest vehicle being a 40 foot flatbed truck. According to the applicant, there will be two raw-material deliveries per week made to the site on a 40 foot flatbed truck and three finished product trips per week out of the site on a 26 foot flatbed truck. This equates to a total of 10 truck trips per week on Webster Avenue. In addition, trucks will be prohibited from utilizing the adjacent Madison Avenue, a named alley.

### 3.2 Comprehensive Plan Compliance

The Community Development Department and the 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 the PUD conditions. Other essential services are presently available to provide concurrency for the proposed use. Actual construction is subject to final concurrency determinations at the time of site plan review.

## 4.0 Recommendation

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### 4.1 Community Development Staff

The Community Development Department reviewed this request and recommends approval of the Land Use Amendment, rezoning to PUD, and context change to Urban Special Purpose (USP). Two letters of notification were mailed to 64 property owners within 500 feet of the subject property for each public hearing held on April 17, 2018 and on June 19, 2018. Objections and concerns to the request were expressed at two separate hearings before the Planning and Zoning Board. In addition, staff attended a Webster Park Neighborhood Association meeting where residents also expressed their concerns to staff. As a result of those meetings staff revised the recommended conditions as presented below to address primary concerns regarding truck traffic.

### 4.2 The Planning & Zoning Board

This recommendation was approved by a 5 – 1 vote of the Board.

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

- A. Permitted Uses: Metal Fabrication, Office, Industrial Uses Level 1, Industrial-Type Service Establishment Level-1.
- B. Development Standards: In accordance with the I-1/Urban Special Purpose sub-district standards and site development plan included as Attachment “C” except that the building closest to Webster Avenue shall not be subject to the minimum design standards contained within Sub-Section 3.4.7. of the Land Development Code.
- C. Landscape and Buffering: In accordance with the Land Development Code (LDC) except that a Type A buffer with an 8-foot high PVC view blockage fence shall be installed along the northern boundary adjacent to residentially zoned property and a 6-foot high PVC view blockage fence shall be installed along the eastern boundary adjacent to Webster Avenue.
- D. Outdoor Lighting: In accordance with the LDC.
- E. Site Access: In accordance with Attachment “C,” access to the site on N. Webster Avenue shall be limited to a single driveway located south of W. 2<sup>nd</sup> Avenue. Project vehicles are prohibited from utilizing the adjacent named alley, Madison Avenue.
- F. Transportation:
  - 1. A Binding Concurrency determination will be made at the time of site plan submittal for the project site.

2. The number of truck trips on Webster Avenue shall be limited to a total of 10 trip ends per week with the largest vehicle utilized by Valiant Products limited to a 40 foot flatbed truck.
3. Trucks entering and exiting the Webster Avenue driveway shall be limited to the hours of 8:00 a.m. to 3:30 p.m. Monday through Friday.