

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 18-042

AN ORDINANCE RELATING TO ZONING; PROVIDING FOR A CHANGE IN ZONING CLASSIFICATION TO PUD ZONING TO ALLOW A NEW BUILDING AND EXPANSION OF EXISTING MANUFACTURING USES ON PROPERTY LOCATED AT 1010 AND 1016 N. WEBSTER AVENUE; 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 April 17, 2018 to consider the request of Dan Fowler/The Lunz Group to change the zoning classification from I-1 (Light Industrial – Limited Commercial), C-2 (Highway Commercial) and RA-4 (Single-Family) to PUD (Planned Unit Development) to allow a new building and expansion of existing manufacturing uses on property located at 1010 and 1016 N. Webster Avenue, 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 June 19, 2018, 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 property

located at 1010 and 1016 N. Webster Avenue to allow a new building and expansion of existing manufacturing uses 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 Quincy Street 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: 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. 2nd 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.

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 #LUS18-001 to the Future Land Use Map, as provided in Ordinance No. _____.

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.

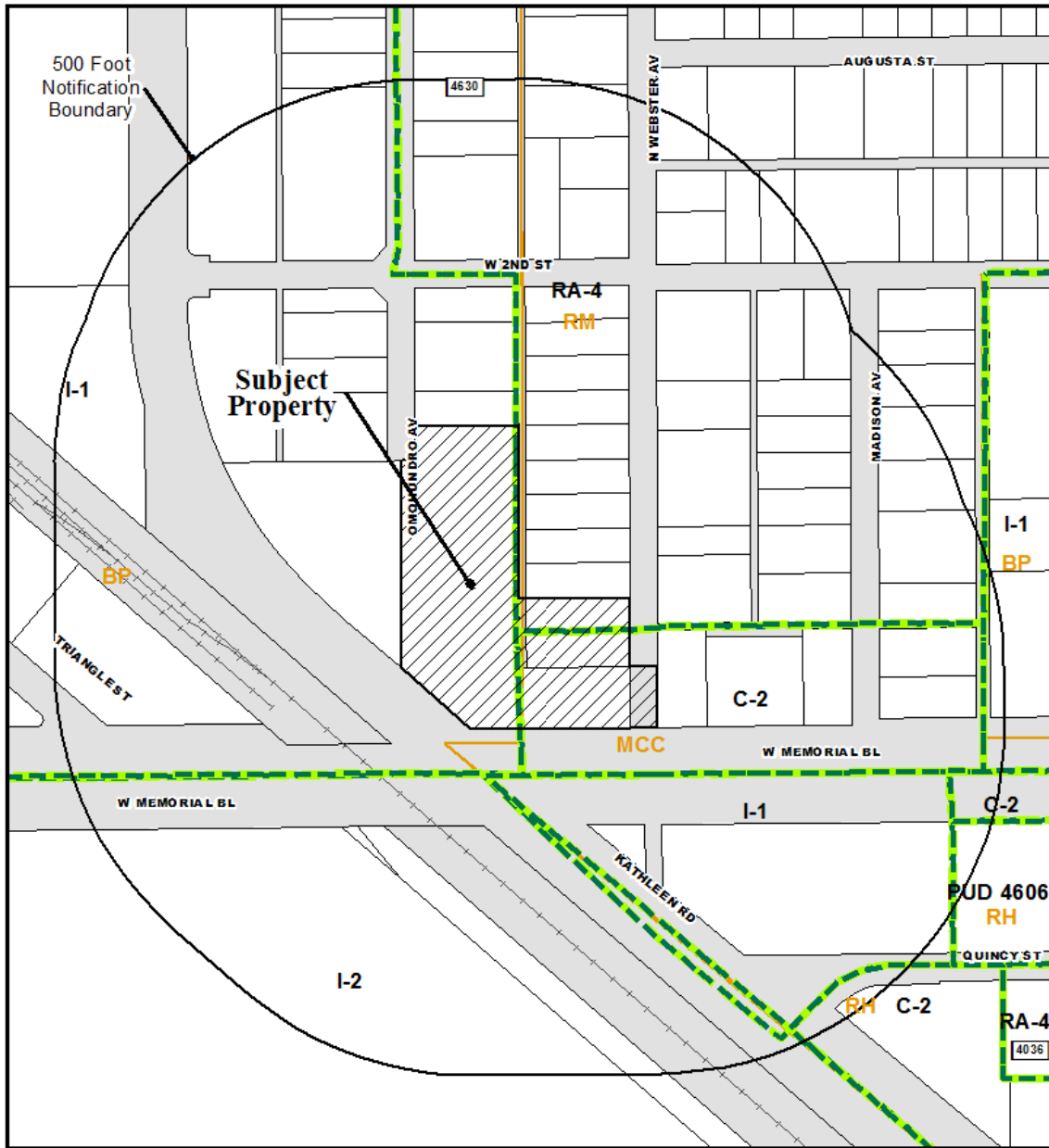
PROPOSED LAND USE CHANGE
MCC and RM to BP

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"

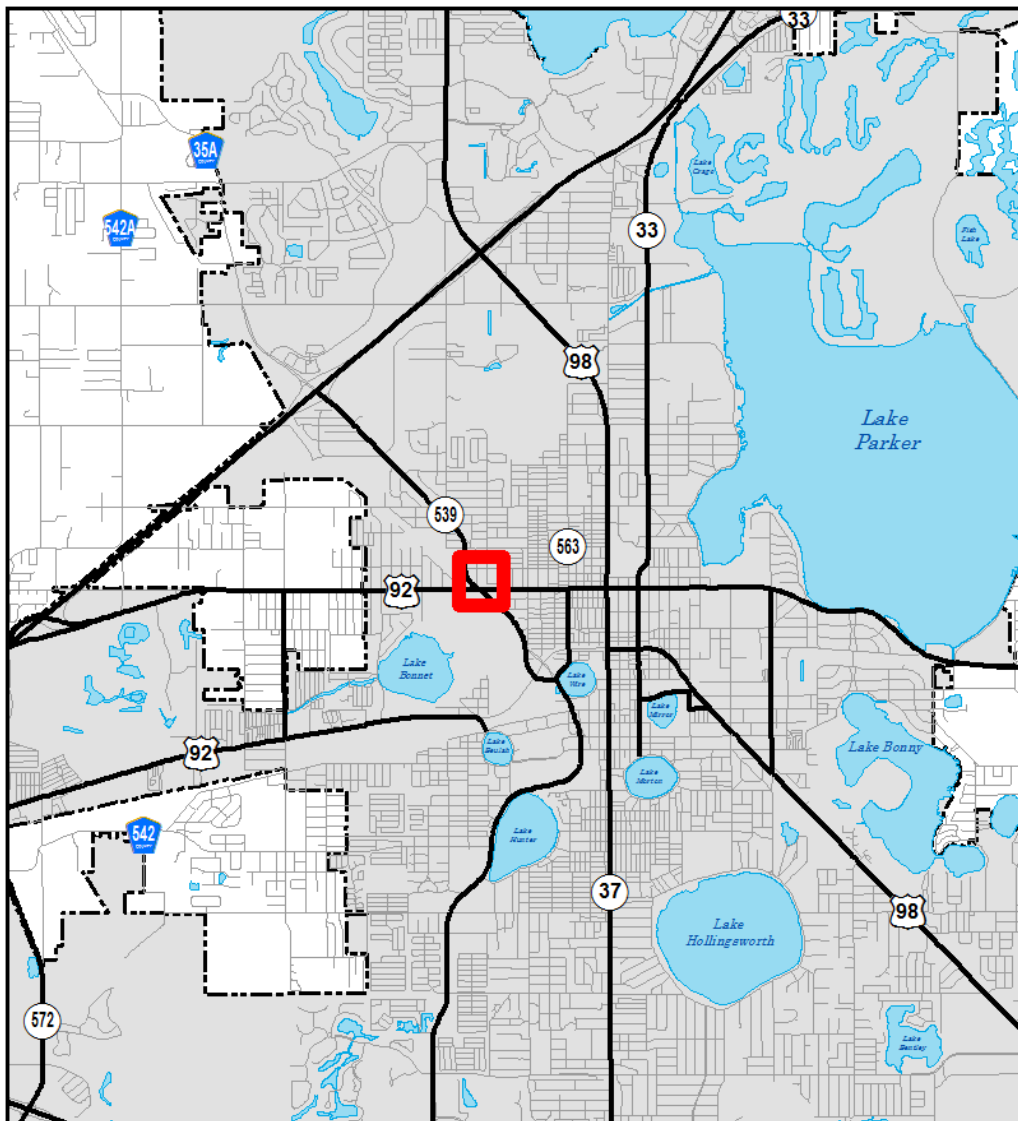


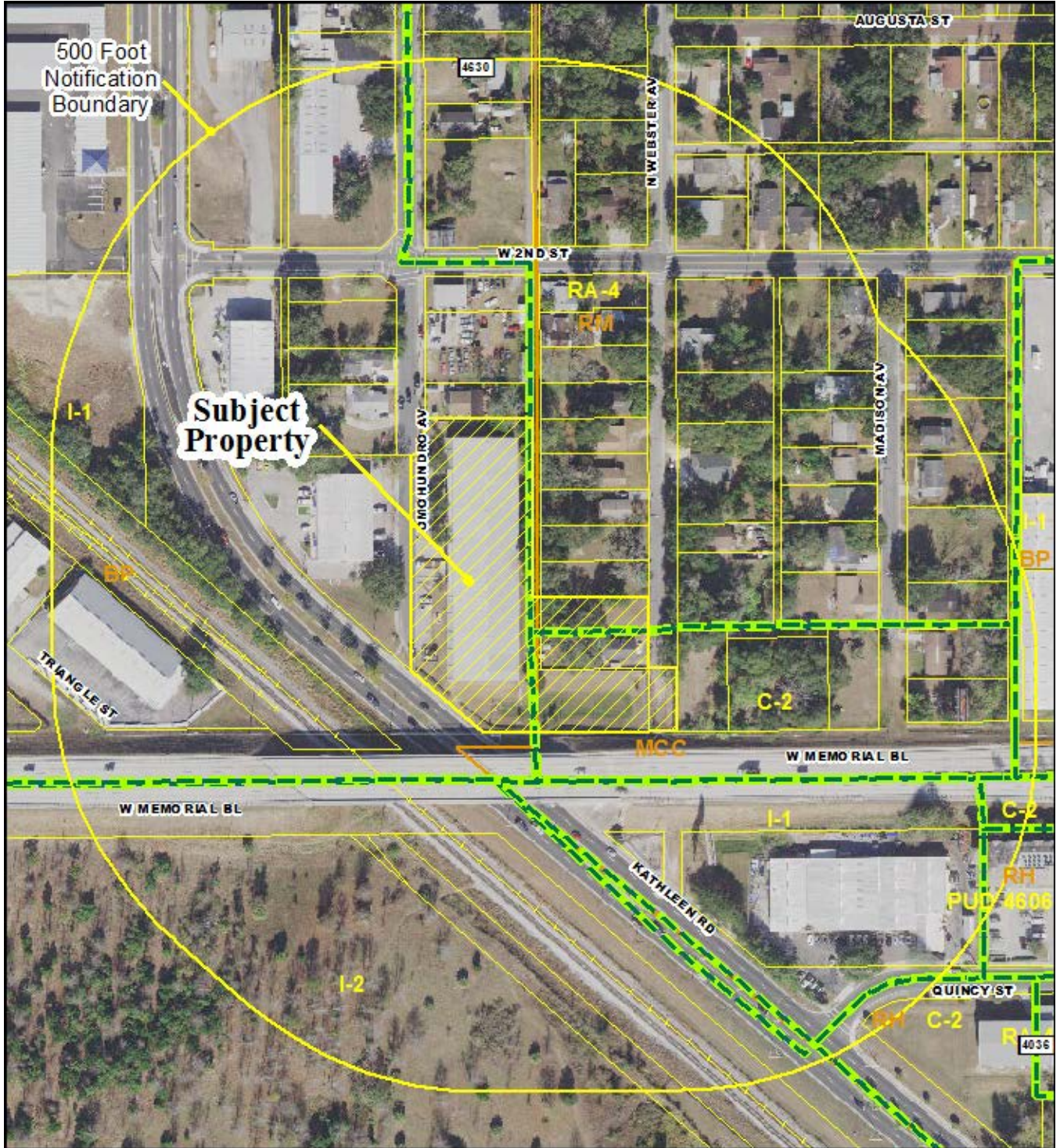


Planning & Zoning Board Recommendation

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

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

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

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.
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- 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. 2nd Avenue. Project vehicles are prohibited from utilizing the adjacent named alley, Madison Avenue.
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