

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 18-049

AN ORDINANCE RELATING TO ZONING; APPROVING A CONDITIONAL USE TO ALLOW AN ATHLETIC COMPLEX ON 23.19 ACRES LOCATED ON THE EAST SIDE OF LAKELAND HIGHLANDS ROAD ACROSS FROM THE GLENDALE WASTEWATER TREATMENT PLANT; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application was filed by Florida Southern College, for a conditional use to allow an athletic complex on approximately 23.19 acres located on the east side of Lakeland Highlands Road across from the Glendale Wastewater Treatment Plant, and more particularly described on Attachment “A” and graphically depicted on Attachments “B” and “C”, attached hereto; and

WHEREAS, on July 17, 2018, the Planning and Zoning Board held a public hearing on the request of the applicant to have such conditional use granted; and

WHEREAS, the Planning and Zoning Board approved the application on August 21, 2018, and recommended to the City Commission that the conditional use be granted.

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. Use as an athletic complex on property more particularly described on Attachment “A” and graphically depicted on Attachments “B” and “C”, attached hereto, is hereby approved, subject to the following conditions:

1. Permitted Uses: An athletic complex consisting of a multi-purpose athletic field, parking lot, a track and field complex and associated amenities such as concession stand, restrooms and locker rooms. The site shall be developed in substantial accordance with the site plan included as Attachment “C.” With the approval of the Director of Community and Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification of this conditional use.

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. 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 its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 17th day of September, A.D. 2018.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

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

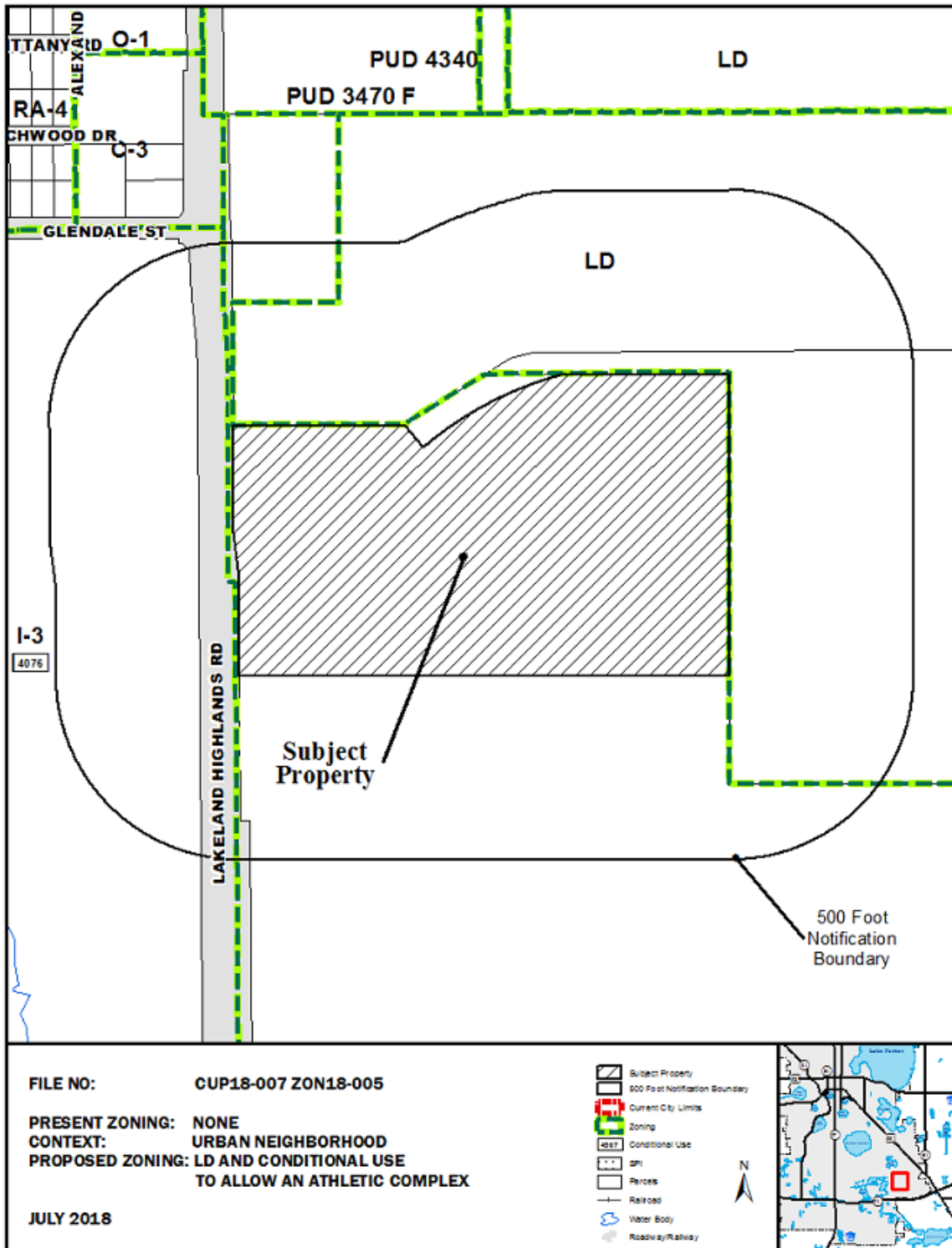
ATTACHMENT "A"

Legal Description:

That part of the Northwest 1/4 of Section 33, Township 28 South, Range 23 East, Polk County, Florida, being described as follows:

Commence at the Northwest corner of said Section 33, thence South $00^{\circ}23'59''$ East, along the West line of the said Northwest 1/4 of Section 33, a distance of 1869.46 feet, thence North $89^{\circ}42'48''$ East, a distance of 35.00 feet to the East Right-of-way line of Lakeland Highlands Road as recorded in Official Record Book 4992, Page 265, of the Public Records of Polk County, Florida, thence North $89^{\circ}36'01''$ East along the South line of the Holloway Park Foundation property as recorded in Official Record Book 8742, Page 244, of aforesaid Public Records of Polk County, a distance of 468.86 feet, thence departing said South Boundary, South $40^{\circ}10'24''$ East a distance of 81.30 feet to a point of non-tangent curve concaved to the Southeasterly having a Radius of 971.28 feet, a Central Angle of $25^{\circ}51'23''$, a Chord Bearing of North $62^{\circ}45'18''$ East and a Chord Distance of 434.61 feet, thence along the arc of said curve a distance of 438.32 feet again to the South line of said Holloway Park Foundation property, thence North $89^{\circ}32'16''$ East, along said South line, a distance of 449.57 feet, thence South $00^{\circ}00'00''$ East, along the West line of said Holloway Foundation Property, a distance of 828.77 feet, thence departing said West line, South $90^{\circ}00'00''$ West, a distance of 1,340.46 feet again to the East Right-of-Way line of Lakeland Highlands Road, thence North along the said East Right-of-Way the following 3 calls, (1) thence North $00^{\circ}23'59''$ West a distance of 291.15 feet, (2) thence North $07^{\circ}10'52''$ West a distance of 101.63 feet, (3) thence North $00^{\circ}23'59''$ West a distance of 293.06 feet, to the POINT OF BEGINNING. Said tract containing 1,009,987 square feet or 23.19 acres, more or less.

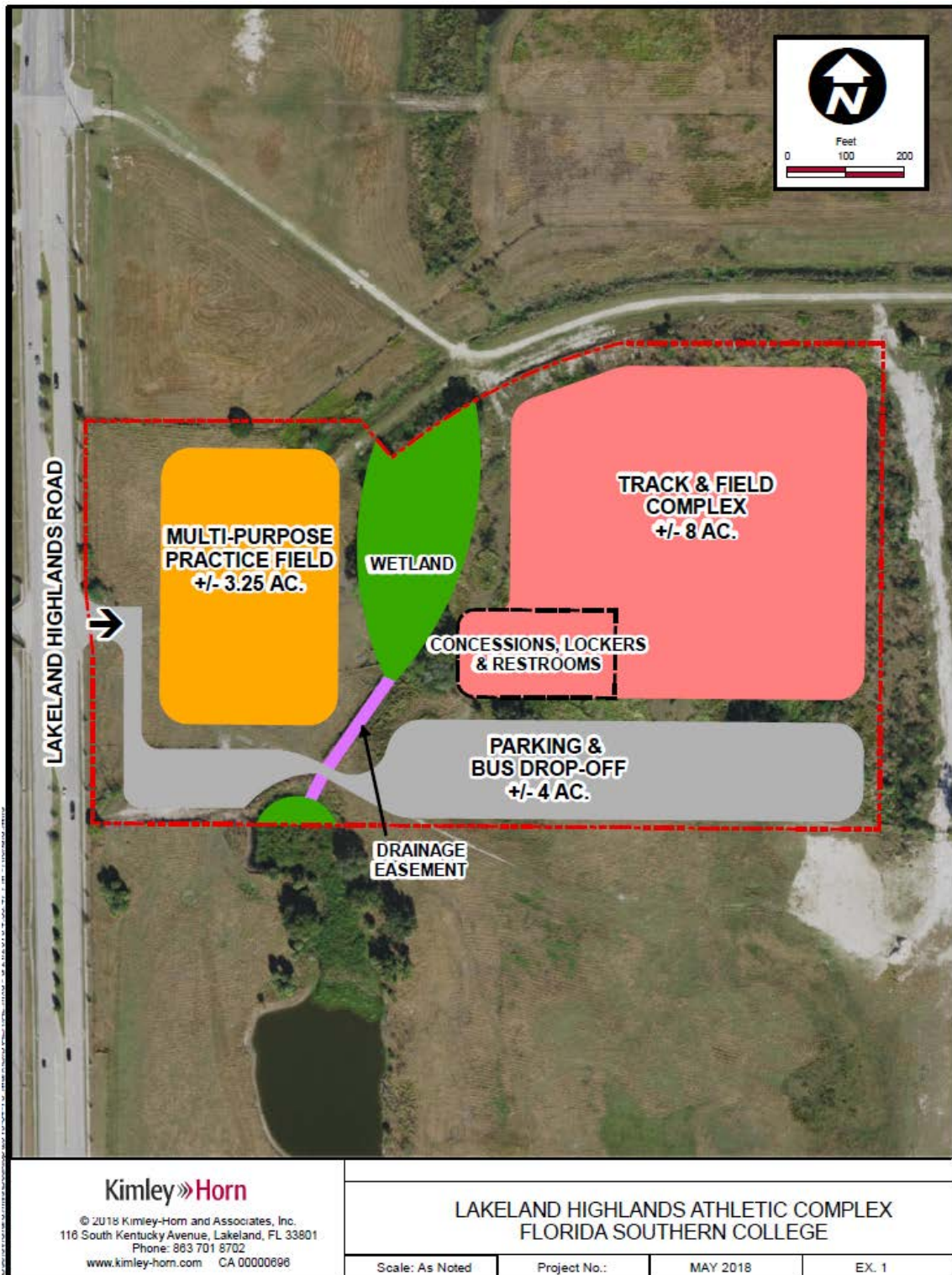
ATTACHMENT "B"



FILE NO: CUP18-007 ZON18-005
PRESENT ZONING: NONE
CONTEXT: URBAN NEIGHBORHOOD
PROPOSED ZONING: LD AND CONDITIONAL USE
 TO ALLOW AN ATHLETIC COMPLEX

JULY 2018

ATTACHMENT "C"

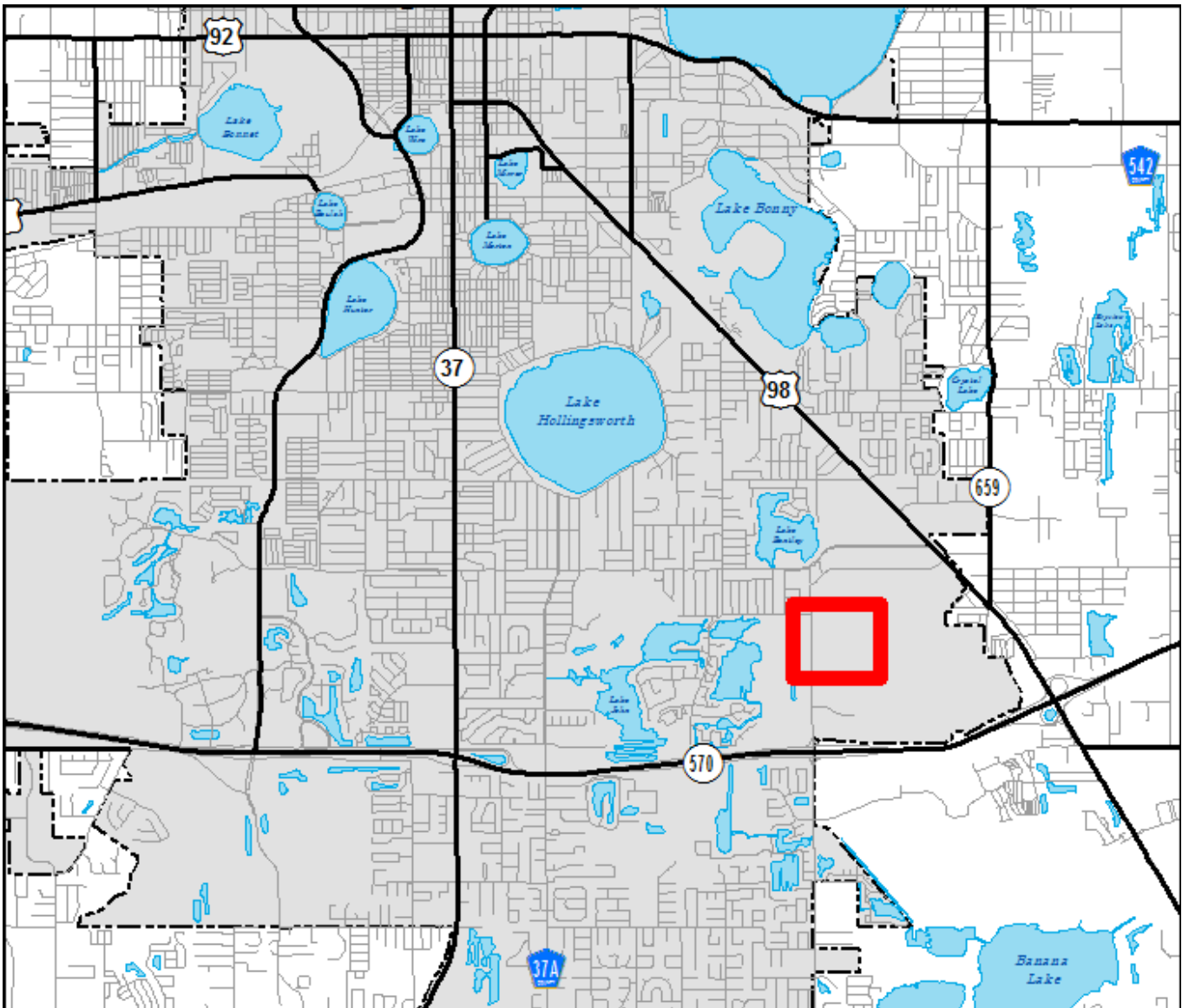


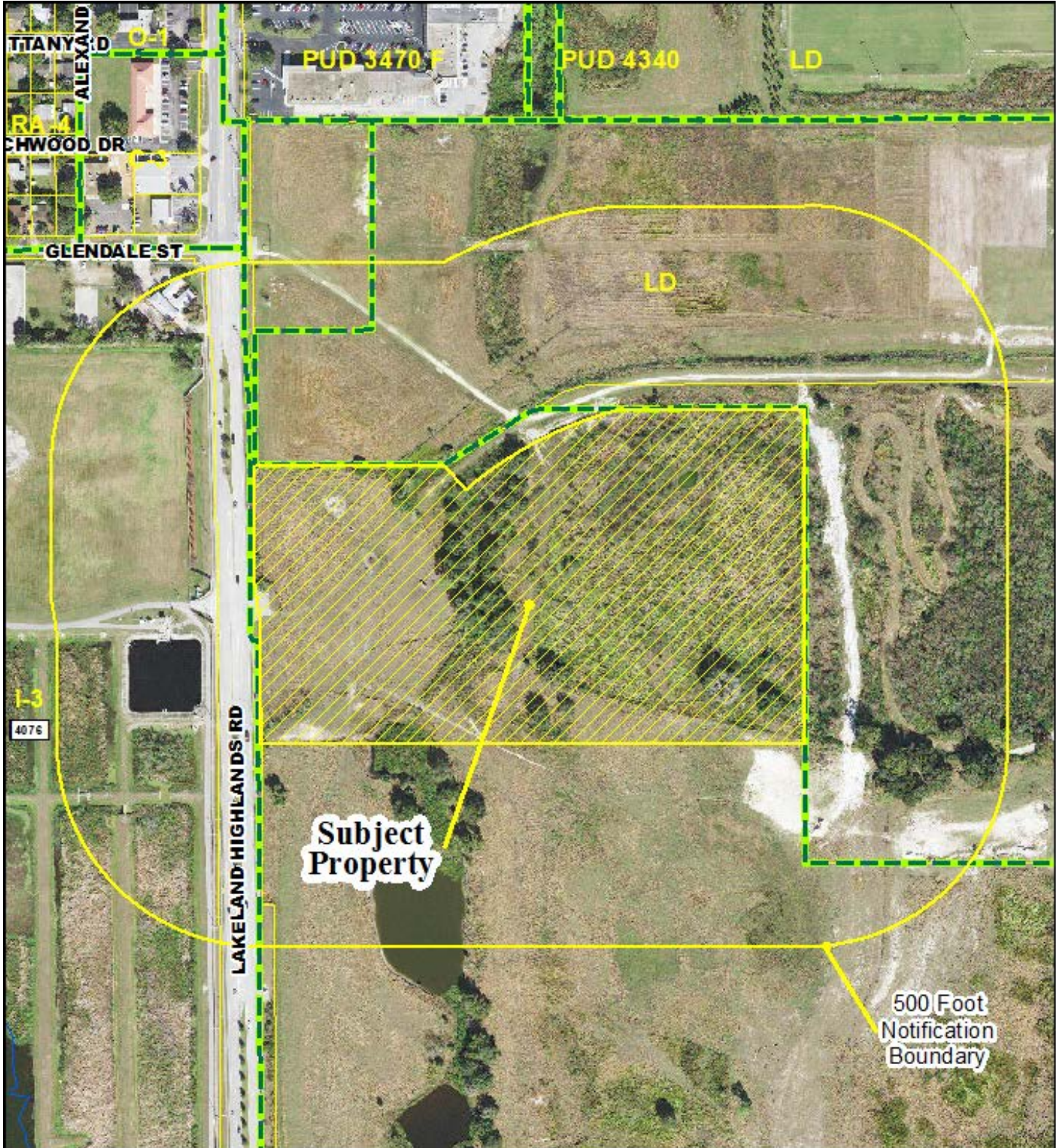


Planning & Zoning Board Recommendation

Date:	August 21, 2018	Reviewer:	Todd Vargo
Project No:	ZON18-005 CUP18-007	Location:	Lakeland Highlands Road, south of Glendale St. and north of the Polk Parkway
Owner:	Florida Southern College		
Applicant:	Florida Southern College		
Current Zoning:	None	Future Land Use:	RM (Residential Medium)
Context District:	UNH (Urban Neighborhood)		
P&Z Hearing:	July 17, 2018	P&Z Final Decision:	August 21, 2018
Request:	Application of LD (Limited Development) zoning and a conditional use to allow an athletic complex on 23.19 acres generally located on the east side of Lakeland Highlands Road across from the Glendale Wastewater Treatment Plant.		

1.0 Location Maps





2.0 Background

2.1 Summary

V. Terry Dennis, on behalf of Florida Southern College, requests LD (Limited Development) zoning and a conditional use to allow an athletic complex on property generally located on the east side of Lakeland Highlands Rd. across from the Glendale Wastewater Treatment Plant. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property consists of 23.19 acres that are presently vacant with Residential Medium (RM) future land use. The subject property was not assigned a zoning district when it was annexed in August of 2001.

2.3 Project Background

The applicant requests LD zoning and a conditional use to allow for an athletic complex. The athletic complex will consist of multi-use athletic practice fields, a track-and-field facilities and support facilities such as bleachers, restrooms, parking facilities and concessions. The athletic complex is considered a “Level II Public and Quasi-Public Non-commercial” principal use. Per Table 2.3-3 of the City’s Land Development Code, this use requires a conditional use within the LD zoning district in conjunction with the Residential Medium Future Land Use designation.

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Vacant/Undeveloped (Holloway Park)	RM	LD	UNH
South	Vacant/Undeveloped	RM	None	UNH
East	Vacant/Undeveloped (Holloway Park)	RM	LD	UNH
West	Glendale Wastewater Treatment Plant	PI	I-3	USP

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Development Plan

3.0 Discussion

The LD district provides for rural, agricultural, conservation and recreation land uses where appropriate and where consistent with the existing and desirable future pattern of development. In the case of adjacent uses and the subject site, only the Glendale Wastewater Treatment Plant, located across Lakeland Highlands Road, is currently developed, and there are several other outdoor recreational uses in the area. Approximately 362 acres in size, Holloway Park is located to the north and east of the

subject site. Holloway Park contains nature trails and is the site of several cross-country running events throughout the year. Also, not far to the northeast is the Cypress Youth Sports Complex which is owned by the City of Lakeland and has multi-purpose and soccer fields. Glendale Park, a small park containing a basketball court, is located just north of the Glendale Wastewater Treatment Plant and to the west of the subject site.

According to the applicant, the property will be developed in two phases. Phase 1 will consist of the multi-purpose practice field and vehicular connection to Holloway Park. There will be no structures associated with this phase. Restroom facilities will be of a temporary nature. Phase 2 hinges on a long range plan to build a Track and Field program for Florida Southern College. During this phase, the College will construct the Track and Field Complex and the associated infrastructure (restrooms, concessions, lockers, etc.).

3.1 Transportation and Concurrency

As provided by the applicant's traffic engineering team (Kimley-Horn and Associates), the proposed athletic complex is estimated to generate 50 Daily and 5 PM Peak Hour trips. The subject property has frontage and a sole access point through one of two existing stub-outs in this segment that were negotiated and constructed with the Lakeland Highlands Road four-lane improvement in the early 2000s. The trip generation is considered "de minimis" per Article 10 of the Land Development Code and will be granted a Determination of Concurrency Exemption at the time of final site plan approval.

3.2 Comprehensive Plan Compliance

The Community and Economic 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. 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 and Economic Development Department reviewed this request and recommends the application of LD (Limited Development) zoning and a conditional use to allow an athletic complex. Letters of notification were mailed to two property owners within 500 feet of the subject property. No objections were received.

4.2 The Planning & Zoning Board

It is recommended that the request for LD zoning and a conditional use, as described above and in Attachments "A", "B" and "C" be approved subject to the following conditions:

1. Permitted Uses: An athletic complex consisting of a multi-purpose athletic field, parking lot, a track and field complex and associated amenities such as concession stand, restrooms and locker rooms. The site shall be developed in substantial accordance with the site plan included as Attachment "C." With the approval of the Director of Community and Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification of this conditional use.