

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 23-048

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW OFF-STREET PARKING AS A PRINCIPAL USE ON PROPERTY LOCATED AT 719 E. ORANGE STREET; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application has been filed by Jason Lewis, on behalf of LT Trust, for a conditional use to allow off-street parking as a principal use on property located at 719 E. Orange Street, as more particularly described on Attachment “A” and graphically depicted on Attachments “B,” and “C,” attached hereto (the “Property”); and

WHEREAS, on November 21, 2023, 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 request on November 21, 2023 and recommended to the City Commission that the conditional use be granted; and

WHEREAS, following a duly-noticed public hearing at which all interested persons were afforded the opportunity to be heard, the City Commission finds that the request of the applicant for a conditional use as described above should 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. A conditional use to allow off-street parking as a principal use on the Property is hereby approved, subject to the following conditions:

1. Permitted Uses: Off-street surface parking.
2. Site Development Plan: The subject property shall be developed in substantial conformance with the Site Development 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.
3. Vehicle Use Areas: Vehicle use areas shall be surfaced and maintained to provide a durable, dust-free surface and shall provide adequate drainage facilities for disposal of all collected surface water. The use of floatable materials such as wood chips and shredded rubber as surfacing material is prohibited. Individual parking stalls shall be delineated through the use of wheels stops if the vehicle use area is not paved with striping.
4. The driveway connection at Orange Street shall be a minimum of 20-feet-wide to accommodate two-way vehicle travel.
5. Landscaping and Buffering:
 - a. A six-foot-high view blockage fence shall be installed along the south and west property boundaries, and a four-foot-high fence along the east boundary. A gate shall be installed to provide pedestrian access to the adjacent multi-family residential use to the east.
 - b. A minimum five-foot-wide landscape buffer, consisting of 4 "B" (Medium) Trees and 16 shrubs per 100 lineal feet or fraction thereof, shall be established and maintained along the south and west property line adjacent to the vehicle use area.
6. Outdoor Lighting: Any outdoor lighting used shall be shielded in accordance with Section 4.6 of the Land Development Code.
7. Pedestrian Access: A pedestrian sidewalk connection shall be provided internally between the vehicle use area and the adjacent multi-family residential use to the east.
8. Terms of Conditional Use: Approval of this conditional use shall be contingent upon the existing single-family home addressed at 719 E. Orange Street remaining on the property and continuing to be used as either a single-family dwelling or another use permitted under the Garden District Special Public Interest (SPI) zoning overlay district. If the single-family home is removed or demolished, or the property

is redeveloped for a new use, the continued use of the property for off-street parking shall not be permitted without a modification to 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 5885.

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 18th day of December, A.D. 2023.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

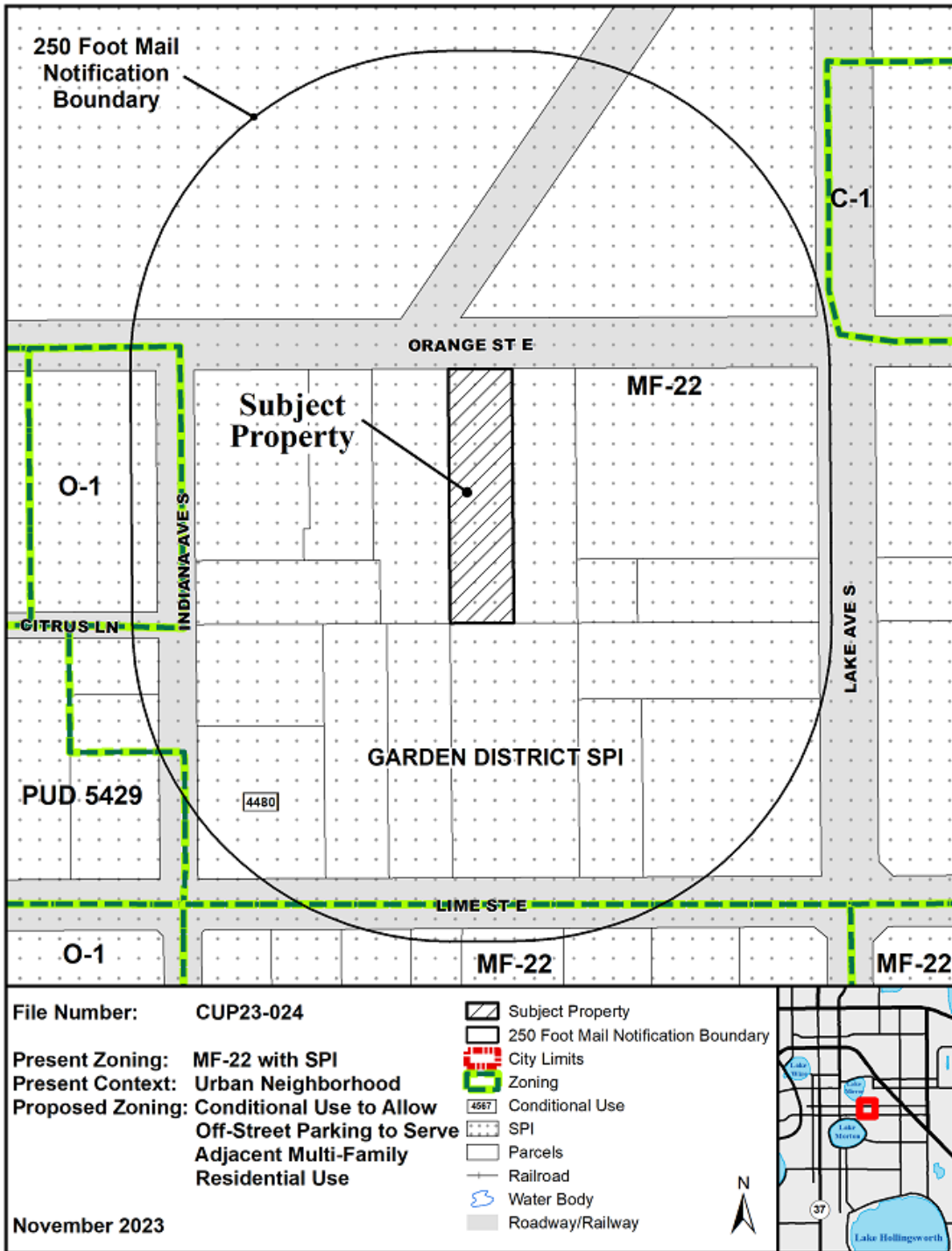
APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

ATTACHMENT "A"

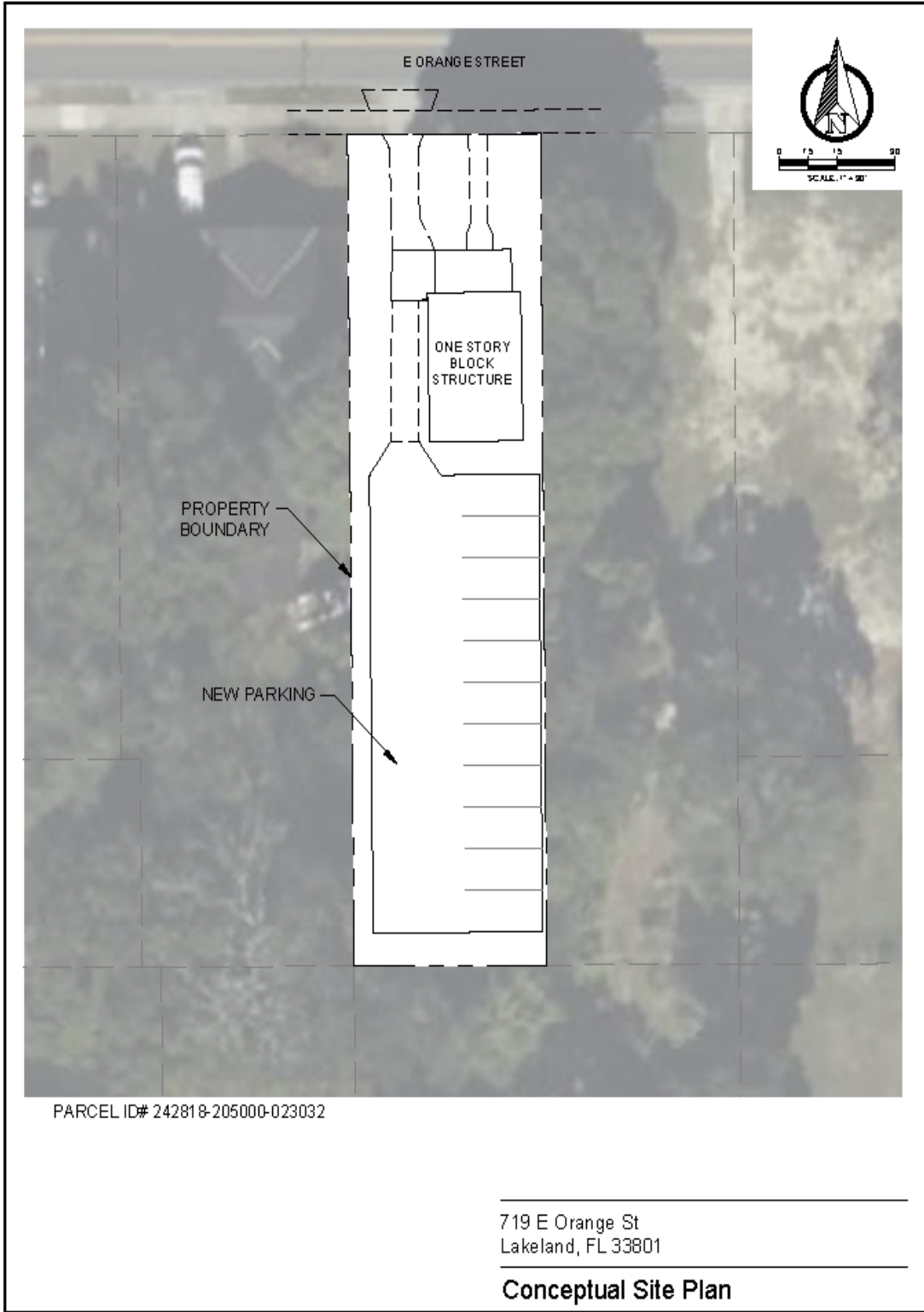
Legal Description:

The West 1/2 of Lot 3, Block W, MAP OF MORTON'S SUBDIVISION, according to plat thereof as recorded in Plat Book Q, Page 79, of the Public Records of Polk County, Florida.

ATTACHMENT "B"



ATTACHMENT "C"

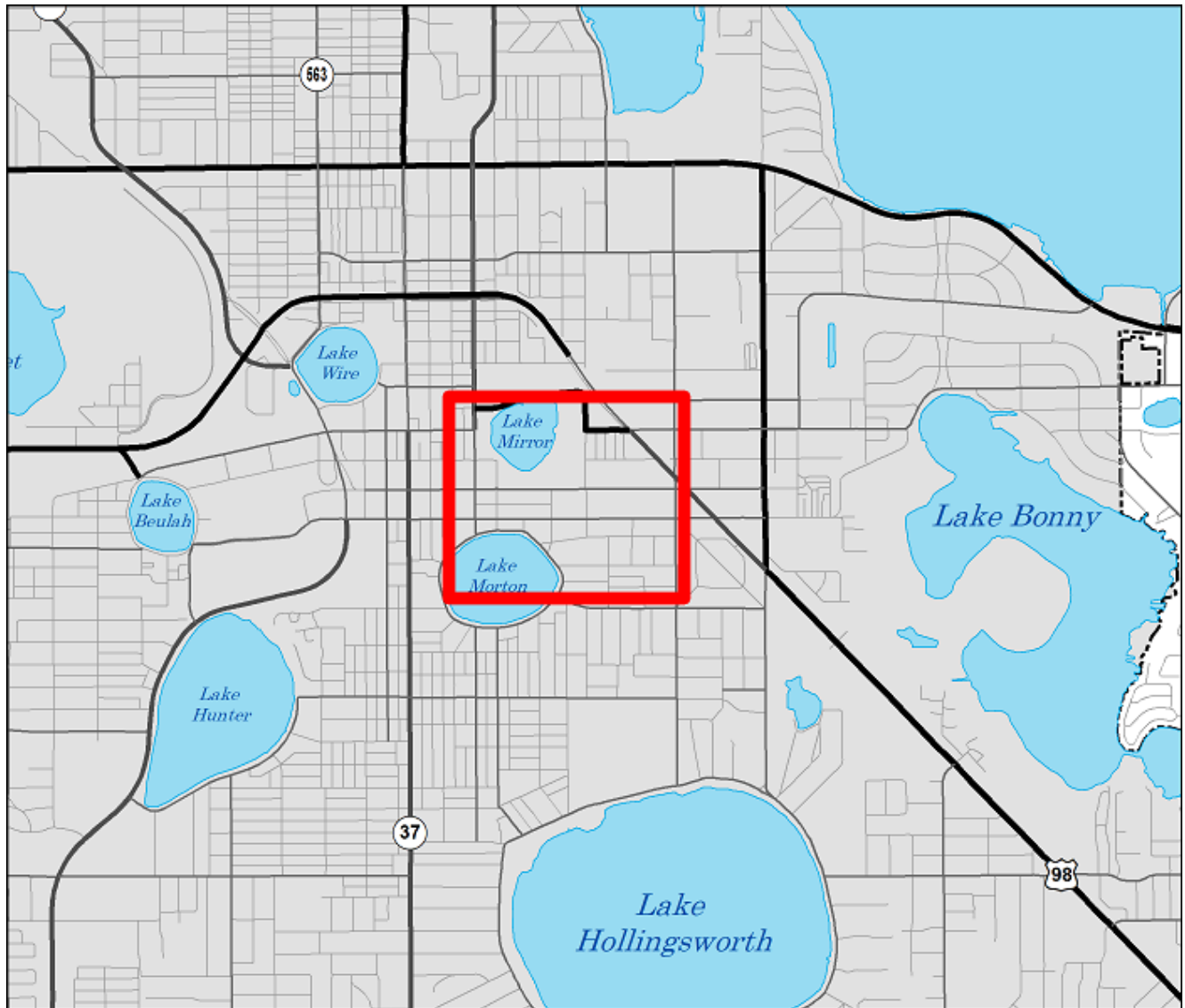


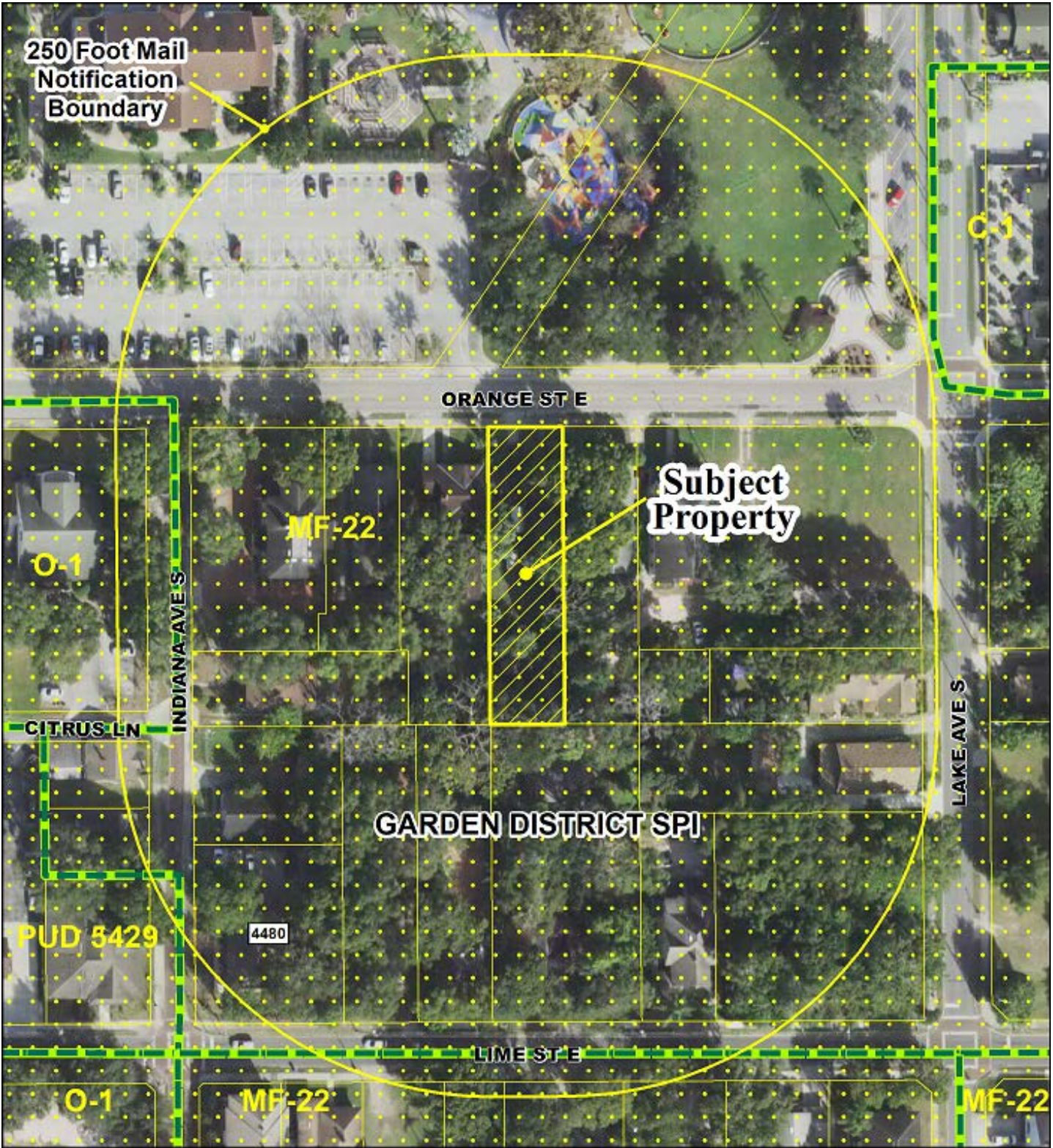


Planning and Zoning Board Recommendation

Date:	December 4, 2023	Reviewer:	Phillip Scarce
Project No:	CUP23-024	Location:	719 E Orange Street
Owner:	LT Trust		
Applicant:	Jason Lewis		
Current Zoning:	MF-22 (Multi-Family)	Future Land Use:	Residential High (RH)
Context District:	Urban Neighborhood (UNH)		
P&Z Hearing:	November 21, 2023	P&Z Final Decision:	November 21, 2023
Request:	A conditional use to allow off-street parking as a principal use on property located at 719 E. Orange Street.		

1.0 Location Maps





2.0 Background

2.1 Summary

Jason Lewis requests a conditional use to allow off-street parking as a principal use on property located at 719 E. Orange Street. A map of the subject property is included as Attachment "B."

2.2 Subject Property

The subject property, approximately 0.23 acres in area, is located on the south side of E. Orange Street, west of S. Lake Avenue, and south of Barnett Park. The parcel has a Future Land Use designation of RH (Residential High) and a zoning designation of MF-22 (Multi-Family Residential). The subject property is located within the East Lake Morton Historic District and the Garden District Special Public Interest (SPI) zoning overlay district. The subject property currently improved with a 1,252 sq. ft. single-family home constructed in 1925 which is classified as a contributing structure within the historic district.

2.3 Project Background

The purpose of this request is to allow for the construction of an off-street parking lot behind the existing single-family home to provide additional parking for a multi-family residential use currently under development on the adjacent property to the east located at 721/725 E. Orange Street. A proposed site development plan showing the parking lot configuration is included as Attachment "C."

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	City Park	R	MF-22/SPI	PCR
South	Single-Family Residential	RH	MF-22/SPI	UNH
East	Multi-Family Residential	RH	MF-22/SPI	UNH
West	Multi-Family Residential	RH	MF-22/SPI	UNH

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

3.0 Discussion

The subject property is located within Sub-district 3 of the Garden District SPI. While the subject property is zoned MF-22, the Garden District SPI functions as an overlay district which supplants the uses and development standards within the underlying zoning district. Within Sub-district 3, a broad range of both residential and non-residential uses are permitted by right. Such non-residential uses include professional office uses, low turn-over and carry out restaurants, specialty food stores and bakeries, specialty retail uses, and personal services uses such as barber shops, hair salons and day spas, exercise and dance studios, and pet grooming services. Permitted residential uses allow for multi-family residential development, including vertical and horizontal mixed-use projects in which residential uses are located above or adjacent to another non-residential principal use located on the

first floor. As a conditional use, the SPI also allows for consideration of other uses such as churches, day care centers, group homes and off-street parking, as a principal use.

The proposed off-street parking will serve as overflow and visitor parking for a 32-unit multi-family project currently under development at 721/725 E. Orange Street. According to the applicant, the existing single-family home will be renovated and least as either offices for the apartments or as a rental unit. When viewed from E. Orange Street, the property will maintain the appearance of a single-family dwelling. A total of eleven (11) off-street parking spaces will be provided. Vehicles will enter and exit from a new driveway on E. Orange Street and pass through a porte-cochere on the existing single-family home which will be maintained as part of the renovation of the structure.

In accordance with Sub-Section 4.11.4.5 of the Land Development Code, the off-street parking area will need to be maintained as a durable and dust-free surface with individual parking stalls delineated through wheel stops and/or striping. To mitigate impacts on adjacent properties, a buffer consisting of a six-foot-high view blockage fence with landscaping will be required along the south and west property boundaries. Along the east property boundary, a four-foot-high fence with a gate and pedestrian sidewalk connection will be required to provide direct access for residents of the adjacent multi-family residential project.

As a condition for approval, the existing single-family home will be required to remain on the property and be either used as a dwelling or another permitted use specified in the Garden District SPI. If the single-family home is relocated or demolished, or if the property is redeveloped for another permitted principal use, the continued use of the property for off-street parking will only be allowed through a modification of the conditional use.

Prior to the public hearing, staff received comments from two nearby property owners in response to the request. The adjacent property owner to the south opposed the conditional use based on a general opposition to development in the neighborhood. The adjacent property owners to the west opposed the request due to the potential impact on an existing underground clay pipe which provides sanitary sewer service from E. Orange Street and straddles the property line with the applicant's property. The pipe, which functions as private sewer feed, is not located within a public utility easement which would restrict or otherwise limit development on the applicant's property. Furthermore, the proposed conditional use should not result in the any impacts to the area in question as vehicle's parking on the site will pass through an existing porte-cochere which is setback approximately 10 feet from the shared property boundary. In addition to these comments, one adjacent property owner located on S. Lake Avenue spoke in favor of the request due to the need for additional parking to support new residential development.

3.1 Transportation and Concurrency

The requested conditional use for off-street parking is not anticipated to have any significant impacts on the surrounding roadway network.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community Development Department reviewed this request and recommended the Conditional Use Permit application. Letters of notification were mailed to eighteen (18) property owners within 250 of the subject property and two objections were received as noted above.

4.2 The Planning & Zoning Board

This recommendation was approved by a 5—0 vote of the Board.

It is recommended that the conditional use for off-street parking, as described above and in Attachments “A,” “B,” and “C,” be approved, subject to the following conditions:

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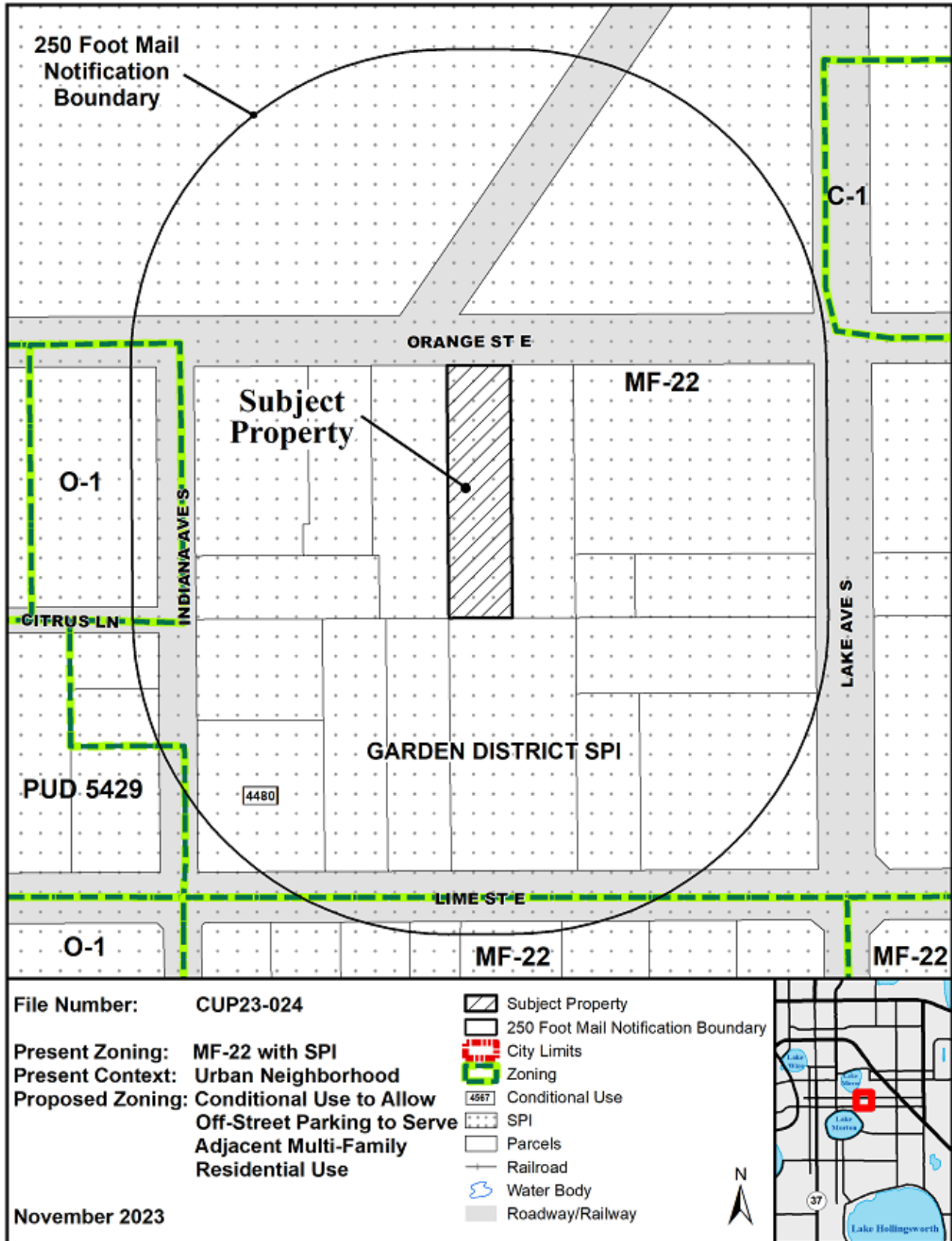
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ATTACHMENT "A"

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





ATTACHMENT "B"



File Number: CUP23-024

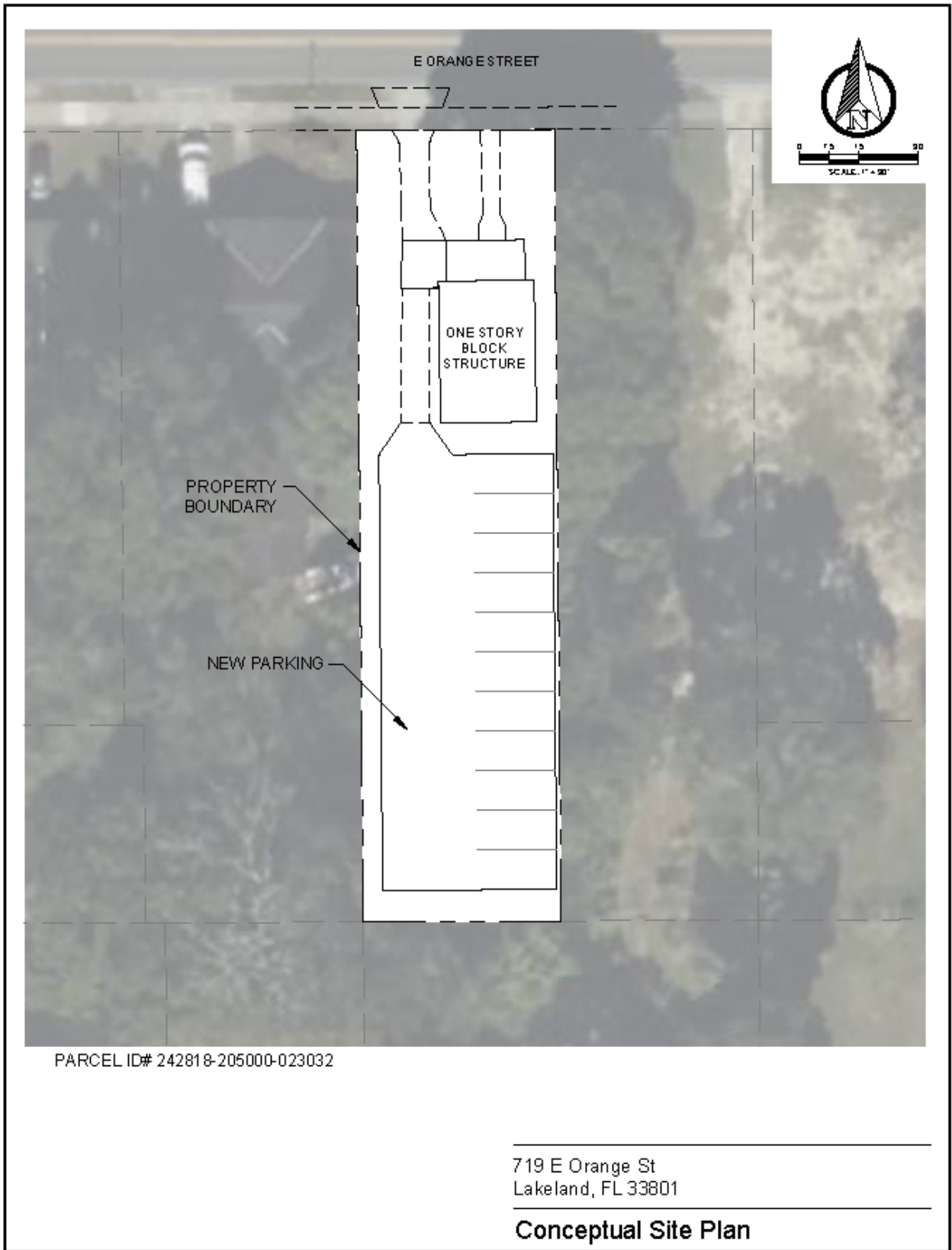
Present Zoning: MF-22 with SPI
 Present Context: Urban Neighborhood
 Proposed Zoning: Conditional Use to Allow
 Off-Street Parking to Serve
 Adjacent Multi-Family
 Residential Use

November 2023

-  Subject Property
-  250 Foot Mail Notification Boundary
-  City Limits
-  Zoning
-  Conditional Use
-  SPI
-  Parcels
-  Railroad
-  Water Body
-  Roadway/Railway



ATTACHMENT "C"



719 E Orange St
Lakeland, FL 33801

Conceptual Site Plan