

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 24-008

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE DEVELOPMENT OF A SOLID WASTE TRANSFER FACILITY ON PROPERTY LOCATED AT 2700 N. COMBEE ROAD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application has been filed by Sarah Gustitus-Graham, Geosyntec Consultants, Inc., on behalf of owner City of Lakeland, for a conditional use to allow for the development of a solid waste transfer facility on property located at 2700 N. Combee Road, as more particularly described on Attachment “A” and graphically depicted on Attachments “B” and “C,” attached hereto (the “Property”); and

WHEREAS, on December 19, 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 January 17, 2024 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 is in furtherance of the public health, safety and welfare and should be granted;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF
THE CITY OF LAKE LAND, FLORIDA:**

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. A conditional use to allow the development of a solid waste transfer facility on the Property is hereby approved, subject to the following conditions:

- A. Permitted Uses: A Solid Waste Transfer Station
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan, Attachment "C." With the approval of the Director of Community and Economic Development, minor modifications may be made at the time of site plan review without requiring a modification to the conditional use.
- C. Development Standards: In accordance with the I-3/Suburban Special Purpose context sub-district.
- D. Buffering and Landscaping: In accordance with Section 4.5 of the Land Development Code.
- E. Outdoor Lighting: In accordance with Section 4.6 of the Land Development Code.
- F. Transportation
 - 1. Binding Concurrency Determinations shall be made at the time of site plan submittal.
 - 2. The site shall comply with all Florida Department of Transportation (FDOT) permitting requirements.
 - 3. The site shall include an internal access connection to the adjacent Lakeland Electric Saddle Creek Substation as depicted in "Attachment C". Upon completion of this access connection to the satisfaction of Lakeland Electric or as otherwise required through the FDOT permitting process, the existing Saddle Creek Substation driveway on State Road 659/Combee Road shall be removed.
 - 4. A sidewalk shall be constructed along the site's State Road 659/Combee Road frontage.

5. The driveway gate shall be designed to accommodate maximum inbound traffic queues. Queuing, stopping, or standing within public right of way shall be prohibited.
6. Prior to first site plan submittal, the City shall petition the Lakeland Area Mass Transit District (LAMTD) Board of Directors to annex the subject property into its boundaries.

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 19th day of February, A.D. 2024.

STEPHANIE MADDEN
MAYOR PRO TEM

ATTEST: _____
KELLY S. KOOS, CITY CLERK

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

ATTACHMENT "A"

Legal Description:

242804-000000-012010 PROPERTY DESCRIPTION

THE NORTH 207.54 FEET OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, AND THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 4, LESS THE NORTH 1155.00 FEET THEREOF AND LESS ROAD RIGHT OF WAY FOR COMBEE ROAD (STATE ROAD 33-A).

242804-000000-012030 PROPERTY DESCRIPTION

THE SOUTH 345.0 FEET OF THE NORTH 1155.0 FEET OF THE SE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA LYING WEST OF COMBEE ROAD (S.R. #33-A).

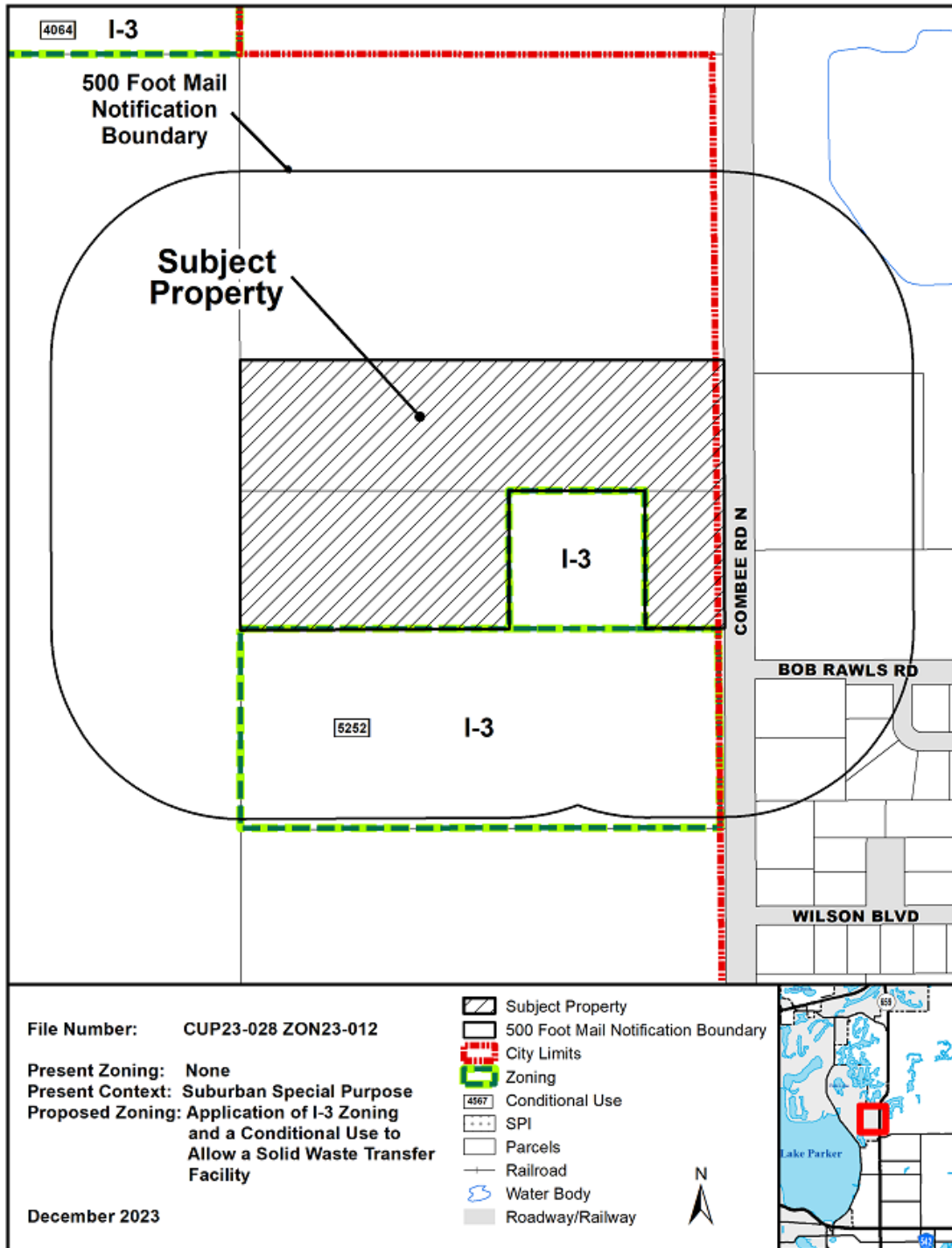
LESS AND EXEPT:

A PARCEL OF LAND LYING WITHIN SECTION 4, TOWNSHIP 28 SOUTH, RANGE 24 EAST OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ OF SAID SECTION 4, THENCE SOUTH $00^{\circ}12'19''$ EAST, ALONG THE EAST LINE OF THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 4, A DISTANCE OF 206.97 FEET; THENCE NORTH $89^{\circ}36'26''$ WEST, 248.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $89^{\circ}36'26''$ WEST, 361.14 FEET, NORTH $00^{\circ}08'10''$ EAST, 364.53 FEET THENCE SOUTH $89^{\circ}37'54''$ EAST, 361.14 FEET THENCE SOUTHERLY, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 3 ACRES, MORE OR LESS.

ATTACHMENT "B"



County Road 659
 County Road 32 A
 Public Right-of-way Width Varies per FDOT Right-of-way
 Map Section # (16510-2151) 16005-1501
 (Asphalt Pavement)

NOTES:
 1. PREPARED BY: [Firm Name]
 2. REVIEWED BY: [Firm Name]
 3. APPROVED BY: [Firm Name]
 4. DATE: [Date]

LEGEND:
 [Symbol] [Description]

PROPERTY LINE
 [Symbol] [Description]

ACCESS DRIVE
 [Symbol] [Description]

PARKING SPACES
 [Symbol] [Description]

TRUCK EXHAUST
 [Symbol] [Description]

CONTAINER STORAGE YARD
 [Symbol] [Description]

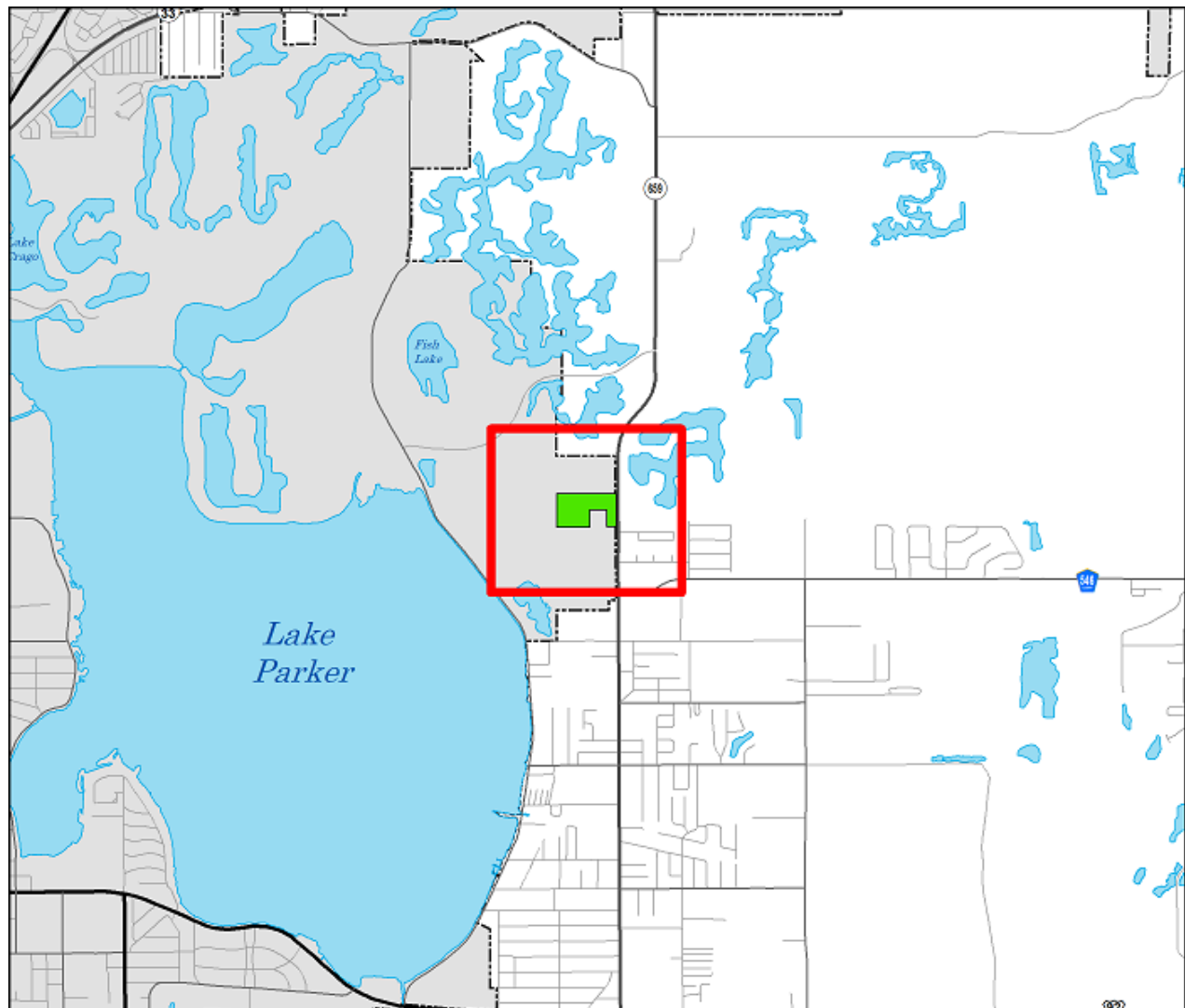
SCALE BAR
 0 10 20 30 Feet

NORTH ARROW
 N

Planning & Zoning Board Recommendation

Date:	February 5, 2024	Reviewer:	Phillip Searce
Project No:	ZON23-012/CUP23-028	Location:	2700 N. Combee Road
Owner:	City of Lakeland		
Applicant:	Sarah Gustitus-Graham, Geosyntec Consultants, Inc.		
Current Zoning:	I-3 (Heavy Industrial)	Future Land Use:	Industrial (I)
Context District:	Suburban Special Purpose (SSP)		
P&Z Hearing:	December 19, 2023	P&Z Final Decision:	January 17, 2024
Request:	The application of I-3 (Heavy Industrial) zoning and a conditional use to allow for the development of a solid waste transfer facility on property located at 2700 N. Combee Road.		

1.0 Location Maps





2.0 Background

2.1 Summary

Sarah Gustitus-Graham, Geosyntec Consultants, Inc., on behalf of the City of Lakeland, requests the application of I-3 (Heavy Industrial) zoning and a conditional use to allow for the development of a solid waste transfer facility on property located at 2700 N. Combee Road. A map of the subject property is included as Attachment “B.”

2.2 Subject Property

The subject property, approximately 20.93 acres in area, is located on the west side of N. Combee Road approximately 0.6 miles east of Lakeland Electric’s C.D. McIntosh Power Plant. A small portion of the site, approximately 3 acres in area, is currently improved with a Lakeland Electric substation. The remainder of the property is vacant and undeveloped. The subject property has a future land use designation of Industrial (I). The three-acre portion with the electrical substation is zoned I-3 with the remainder of the property without zoning.

Adjacent lands to the north and west, which are owned by the City of Lakeland, are undeveloped and consist of scrub uplands, isolated wetlands, and floodplain. To the south, the subject property abuts Matheson Tri-Gas, a Level III Industrial Use, which produces industrial, medical, and specialty gases through the separation of atmospheric gases such as nitrogen, oxygen, and argon. To the east, across N. Combee Road, the subject property abuts single-family and commercial uses located within unincorporated Polk County and a small portion of the Tenoroc Public Use Area which is owned by the State of Florida and maintained by the Florida Fish and Wildlife Conservation Commission (FWC).

2.3 Project Background

The purpose of this request is to apply I-3 (Heavy Industrial District) zoning on the 17 acres currently without zoning and a conditional use which will allow for the development of a solid waste transfer facility owned and operated by the City of Lakeland. Pursuant to Table 2.3-1, Permitted Principal Uses, the proposed solid waste transfer station is classified as a Level III Utility and Essential Service Facility which is only permitted as a conditional use within I-3 zoning districts. A conceptual site development plan which shows the preliminary design and layout of the proposed solid waste transfer facility is included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Undeveloped	Industrial	NA	SSP
South	Industrial	Industrial	I-3	SSP
East	Residential/Commercial	RS/ROS (Polk County)	RS/ROS	NA
West	Undeveloped	Industrial	NA	SSP

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan, Floor Plan and Architectural Elevations

3.0 Discussion

Pursuant to Article 2, Use Standards of the Land Development Code, the intent of the I-3 District is to permit the establishment of industrial and wholesale uses which often have significant external impacts because of their appearance and/or their potential for generating noise, vibration, odor, glare, fire, explosion, or air or water quality threats. Uses permitted in the I-3 District can create an appreciable nuisance or hazard. The I-3 district also permits the same light industrial uses and non-industrial uses permitted in the I-2 district.

The proposed solid waste transfer facility will be used by Public Works' Solid Waste Division to collect and compact Class I solid waste prior to disposal at the Polk County landfill. Waste will be collected locally and delivered to the site using standard front, side or rear loaded garbage trucks, and then weighed prior to being unloaded within an enclosed transfer building which has an approximately height of 56' 4" when measured from the ridge of the roof. Within the transfer building, the waste will be compacted and loaded into large containers which are then carried by semi-trailers for disposal at the landfill. While the solid waste transfer facility will primarily be utilized for the City's solid waste collection system, the facility will also accept and process Class I solid waste from other municipalities and private waste hauling services.

Proposed improvements to the site include a 20,000 sq. ft. transfer building, an 8,000 sq. ft. container maintenance building, a scale house for weighing vehicles, an outdoor storage area for containers, and nine 12' x 65' parking spaces for the storage of waste disposal trailers. With the construction of the solid waste transfer facility, a new driveway will be constructed on N. Combee Road approximately 125 feet north of the existing electrical substation. Upon the completion of construction of the solid waste transfer facility, an existing driveway located approximately 350 feet to the south which currently serves the electrical substation will be removed.

The proposed solid waste transfer facility will be visually buffered from Combee Road through the preservation of wooded wetlands located north and south of the entrance driveway from N. Combee Road. The transfer building, in which solid waste will be compacted prior to disposal at the landfill, will be setback approximately 750 feet from the right-of-way for N. Combee Road. The building will be oriented such that garbage trucks enter the upper level of the building from the west and exit to the north after unloaded. Waste will then be compacted and pushed onto container trailers located at the lower level before being delivered to the landfill. The scale house, in which garbage trucks will queue for weighing prior to entering the transfer building, will be setback approximately 600 feet from the right-of-way for N. Combee Road. Due to the orientation of the building and the enclosed nature of the use, combined with the large setbacks and preservation of natural buffers, it is anticipated that the use will have a minimal visual impact on nearby residential and commercial uses located to the east in unincorporated Polk County.

Staff received one letter objecting to the request from a nearby resident on N. Combee Road. The objections to the request are related to the high speed and volume of traffic along this segment of N. Combee Road and the perception that the proposed solid waste transfer station will create a public safety hazard due to truck traffic entering and exiting the site and a health hazard related to diesel fuel fumes. Traffic speed and volumes are discussed below.

3.1 Transportation and Concurrency

The subject property is located on the west side of State Road 659/N. Combee Road, an arterial classified roadway operated by the Florida Department of Transportation (FDOT). Based on information provided in the Polk Transportation Planning Organization's (TPO) Roadway Network Database, dated October 13, 2023, the adjacent segment of Combee Road between CR 546/Saddle

Creek Road and State Road 33 has an Annual Average Daily Traffic volume of 13,300 vehicles and operates at an acceptable Level-of-Service "C" during the PM Peak with two-hour average volumes of 610 northbound and 587 southbound vehicles (directional capacity is 880 vehicles). The TPO's Momentum 2045 long-range transportation plan does not currently show a need to widen Combee Road to four lanes within its planning horizon. Combee Road is included on the TPO's Adopted Model Freight Network and per FDOT's 2022 Annual Average Daily Traffic Report, the traffic count station north of Saddle Creek Road has daily volume of 17,100 vehicles and a truck factor of 15.5, meaning that 15.5% of the daily volume on this segment of Combee Road are trucks. At the existing Lakeland Electric Saddle Creek Substation driveway, the posted speed on Combee Road is reduced from 55 miles per hour (north) to 45 miles per hour (south).

Based on an analysis performed by the City's Public Works Department, the proposed solid waste transfer facility is expected to generate 140 truck trips per day when operating at full capacity in approximately ten years, with eight employees expected to enter and exit the site daily. Approximately 56 trips are expected to be generated during the AM Peak Hour of Adjacent Street Traffic (between 7-9 AM) with 22 trips expected to be generated during the PM Peak Hour of Adjacent Street Traffic (between 4-6 PM). Based on the traffic volumes anticipated to be generated by the transfer facility, the site access is considered a Type B Driveway according to the standards outlined in the FDOT Multimodal Access Management Guidebook. Based on the traffic volumes on Combee Road, it appears a northbound left turn auxiliary lane may be warranted at this location. In order to comply with the City Land Development Code access management requirements, it is proposed that access to the Saddle Creek Substation be provided from within the transfer facility site with the existing driveway connection to Combee Road being removed and restored.

The subject property is located within the Urban Development Area (UDA) as designated in the Comprehensive Plan and is not currently served by fixed-route transit service by the Lakeland Area Mass Transit District (LAMTD, operating as The Citrus Connection). The site is also not currently located within LAMTD's boundaries within which a half-mill ad valorem tax is levied for transit services within the Lakeland area. A sidewalk exists along the east side of Combee Road from Morgan Combee Road/Idlewild Street to US 92, with its northern terminus located approximately one mile from the subject property. FDOT has programmed construction funding for a new sidewalk on the west side of Combee Road between Morgan Combee Road/Idlewild Street and US 92 in Fiscal Year 2028 of its Five-Year Work Program, connecting to a sidewalk recently constructed by Polk County along the south side of Idlewild Street between Combee Road and East Lake Parker Drive. As required by the City and Polk County Land Development Codes, sidewalk segments have been constructed along the frontages of new development activity between Morgan Combee Road/Idlewild Street and State Road 33, including The Ruthven's East Lakeland Industrial Park and Old Dominion Freight Lines.

3.2 Comprehensive Plan Compliance

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

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department reviewed this request and recommends approval of the application of the I-3 (Heavy Industrial District) zoning and a conditional use to allow for the development of a solid waste transfer facility. Letters of notification were mailed to ten (10) property owners within 500 feet of the subject property. One objection was received as noted above based on the additional truck traffic generated, perceived safety hazard of truck turning movements, and the diesel emissions generated by the trucks.

4.2 The Planning & Zoning Board

This recommendation was approved by a 6—0 vote of the Board.

Recommendation

It is recommended that the request for the application of I-3 zoning and a conditional use to allow a solid waste transfer facility, as described above and in Attachments “A,” “B,” and “C,” be approved subject to the following conditions:

- A. Permitted Uses: A Solid Waste Transfer Station
- B. Site Development Plan: The project shall be developed in substantial accordance with the site development plan, Attachment “C.” With the approval of the Director of Community and Economic Development, minor modifications may be made at the time of site plan review without requiring a modification to the conditional use.
- C. Development Standards: In accordance with the I-3/Suburban Special Purpose context sub-district.
- D. Buffering and Landscaping: In accordance with Section 4.5 of the Land Development Code.
- E. Outdoor Lighting: In accordance with Section 4.6 of the Land Development Code.
- F. Transportation
 - 1. Binding Concurrency Determinations shall be made at the time of site plan submittal.
 - 2. The site shall comply with all Florida Department of Transportation (FDOT) permitting requirements.
 - 3. The site shall include an internal access connection to the adjacent Lakeland Electric Saddle Creek Substation as depicted in “Attachment C”. Upon completion of this access connection to the satisfaction of Lakeland Electric or as otherwise required through the FDOT permitting process, the existing Saddle Creek Substation driveway on State Road 659/Combee Road shall be removed.
 - 4. A sidewalk shall be constructed along the site’s State Road 659/Combee Road frontage.
 - 5. The driveway gate shall be designed to accommodate maximum inbound traffic queues. Queuing, stopping, or standing within public right of way shall be prohibited.

6. Prior to first site plan submittal, the City shall petition the Lakeland Area Mass Transit District (LAMTD) Board of Directors to annex the subject property into its boundaries.

ATTACHMENT "A"

Legal Description:

242804-000000-012010 PROPERTY DESCRIPTION

THE NORTH 207.54 FEET OF THE NORTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, AND THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF SAID SECTION 4, LESS THE NORTH 1155.00 FEET THEREOF AND LESS ROAD RIGHT OF WAY FOR COMBEE ROAD (STATE ROAD 33-A).

242804-000000-012030 PROPERTY DESCRIPTION

THE SOUTH 345.0 FEET OF THE NORTH 1155.0 FEET OF THE SE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 4, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA LYING WEST OF COMBEE ROAD (S.R. #33-A).

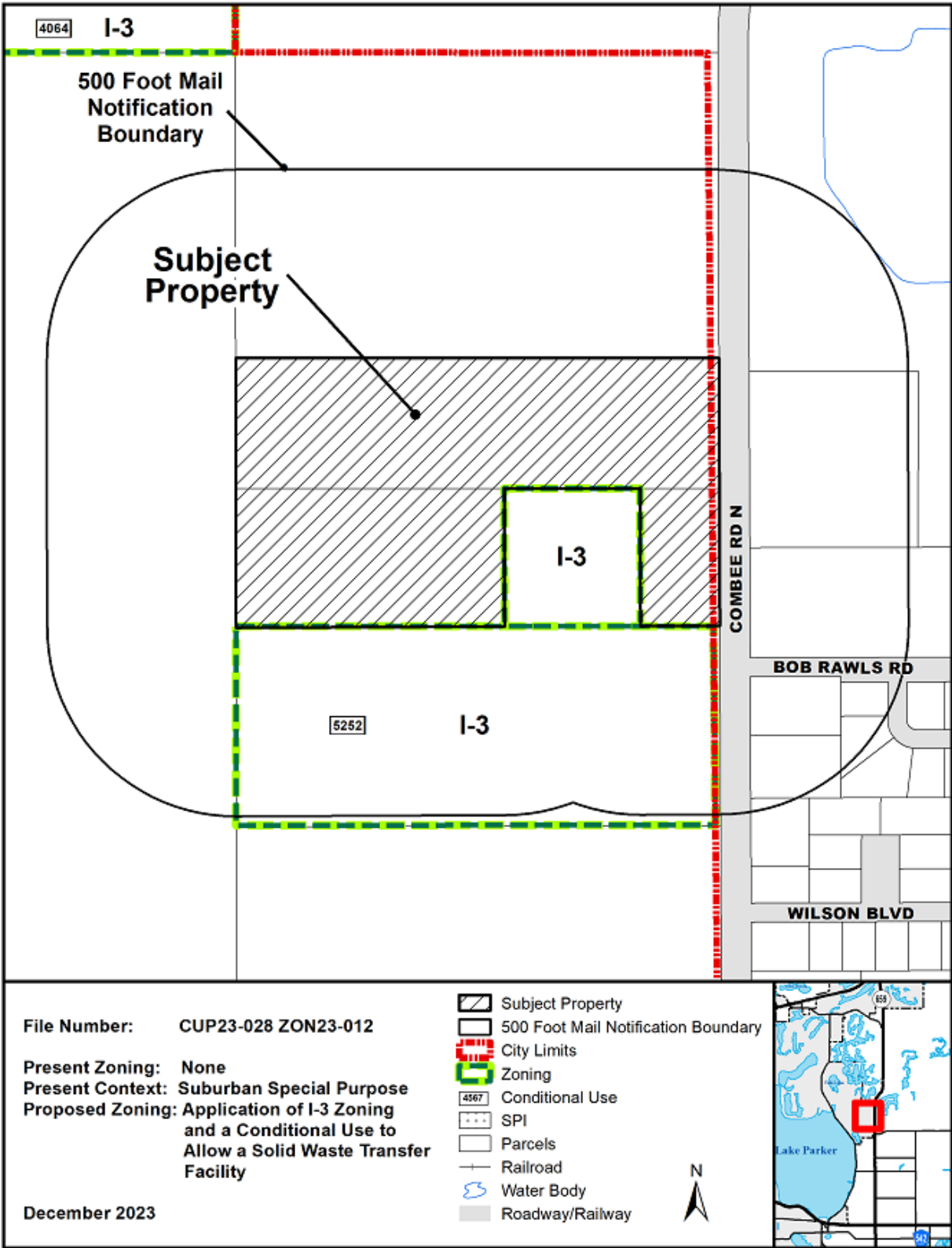
LESS AND EXEPT:

A PARCEL OF LAND LYING WITHIN SECTION 4, TOWNSHIP 28 SOUTH, RANGE 24 EAST OF POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ OF SAID SECTION 4, THENCE SOUTH $00^{\circ}12'19''$ EAST, ALONG THE EAST LINE OF THE NE $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 4, A DISTANCE OF 206.97 FEET; THENCE NORTH $89^{\circ}36'26''$ WEST, 248.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH $89^{\circ}36'26''$ WEST, 361.14 FEET, NORTH $00^{\circ}08'10''$ EAST, 364.53 FEET THENCE SOUTH $89^{\circ}37'54''$ EAST, 361.14 FEET THENCE SOUTHERLY, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 3 ACRES, MORE OR LESS.

ATTACHMENT "B"



AREA CALCULATIONS

DESCRIPTION	AREA (SQ. FT.)	AREA (AC.)
TOTAL AREA	1,000,000	23.0
Building Footprint	100,000	2.3
Parking Lot	100,000	2.3
Access Roads	10,000	0.2
Easements	10,000	0.2
Other	10,000	0.2
TOTAL	230,000	5.2

NOTES:

1. PROPOSED INVESTMENT OF 100,000 SQ. FT. BUILDING.
2. PROPOSED INVESTMENT OF 100,000 SQ. FT. BUILDING.
3. PROPOSED INVESTMENT OF 100,000 SQ. FT. BUILDING.
4. PROPOSED INVESTMENT OF 100,000 SQ. FT. BUILDING.