

# TOWN OF DUNDEE PLANNING AND ZONING BOARD WAWA ZONING MAP AMENDMENT

	<p><b>To:</b> Planning and Zoning Board</p> <p><b>Agenda Date:</b> December 18, 2025</p> <p><b>Department:</b> Planning and Zoning</p> <p><b>Discussion Topic:</b> Zoning Map Amendment change from General Retail Commercial (CC) to Highway Commercial (CH)</p> <p><b>Applicant:</b> Matthew Dundee, LLC</p> <p><b>Property Owners:</b> Cynthia C Payne &amp; Payne 27 LLC</p> <p><b>Planning &amp; Zoning Board Recommendation:</b> Pending Hearing</p> <p><b>Town Commission 1<sup>st</sup> Hearing:</b> Pending Hearing</p> <p><b>Town Commission 2<sup>nd</sup> Hearing:</b> Pending Hearing</p> <p><b>DEO Comments:</b> N/A</p> <p><b>Prepared By:</b> Lorraine Peterson, Development Director</p>
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## BACKGROUND AND SITE LOCATION

The Applicant, Matthew Dundee Investments, LLC is requesting an amendment to the Zoning Map for property located in the Town of Dundee. The current Zoning is General Retail Commercial (CC), the proposed zoning is Highway Commercial (CH) on 2.86 +/- acres.

The proposed site is located at the northeast corner of Highway 27 and Dundee Road on 2.86 +/- acres in the Town of Dundee in Section 29, Township 28, Range 27, further described as parcels:

272829-848000-001430, 272829-848000-001060, 272829-848000-001082,

272829-848000-001080, 272829-848000-001102, 272829-848000-001101,

272829-848000-001121, 272829-848000-001122, 272829-848000-001142,

272829-848000-001141, 272829-848000-001371, 272829-848000-001372,

272829-848000-001390

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**FUTURE LAND USE MAP**

**Policy 2.8: Commercial**

The primary function of the Commercial classification is to accommodate shopping needs of residents living in and near the town. Permitted uses include retail stores, shopping centers, offices, services, financial institutions, hotels, motels, and restaurants. Residential uses may be permitted with proper buffering, including single-family houses, duplexes, apartments, and condominiums up to 9.99 dwelling units per acre. A maximum of 35% of the total acreage allocated to the Commercial Future Land Use Category may include residential uses. Floor area ratios for commercial structures shall not exceed 2.0.

**PROPOSED ZONING MAP AMENDMENT**

**2.02.02.10. CH Highway Commercial**

- (A) *FLUM designation:* Commercial of Downtown Transitional
- (B) *Purpose:* The purpose of the CH highway commercial zoning district shall be to locate and establish areas within the Town of Dundee which are deemed suited for the development and maintenance of business and commercial activities highly dependent upon immediate access to major highways; to designate those uses and services deemed appropriate for location and development within said zoning district; and to establish such development standards and provisions as are necessary to ensure proper development and functioning of uses within the district.
- (C) *Permitted principal uses and structures:* The uses and structures marked as "P" in the Table of Land Uses are permitted. The following information is further clarification to some of the uses specified as "P" in the Table of Uses:
  - (1) Any use listed as being permitted with a CC zoning district;
  - (2) Minor Automotive sales and/or repair, provided that all repair activity is conducted wholly within an enclosed building;
  - (3) Engine sales and service, provided that all service is conducted entirely within an enclosed building.
- (D) *Accessory uses:* As set forth in section 2.01.02.
- (E) *Special exception uses:* The uses and structures marked as "S" in the Table of Land Uses may be permitted only following the review and specific approval thereof by the planning and zoning board and town commission.
- (F) *Minimum lot requirements:* None, provided that any lot shall be of adequate size and proportions to meet all applicable requirements of this ordinance.
- (G) *Maximum building coverage:* 50 percent.

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- (H) *Maximum building height:* 35 feet.
- (I) *Minimum floor area:* Not applicable in this district.
- (J) *Minimum yard requirements:*
  - (1) *Front yard:* 25 feet.
  - (2) *Side yard:* A combined total of 25 feet for both side yards, and a minimum width of ten feet for one yard.
  - (3) *Rear yard:* 25 feet.
  - (4) *Buffering:* Where applicable, buffering shall be provided in accordance with the provisions of section 2.03.00.
- (K) *Other requirements:*

*Offstreet parking and service requirements:* As set forth in section 3.03.00.

**ANALYSIS**

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

**SURROUNDING USES**

**Table 1: Surrounding Uses**

<b>Northwest</b> Bar & Vacant Land FLU-Commercial Zoning-CH	<b>North</b> Dundee Commercial & Residential FLU-Comm. & MDR Zoning-CH & RTF	<b>Northeast</b> Dundee Residential FLU-MDR Zoning-RTF
<b>West</b> Dundee Auto Sales FLU-Commercial Zoning-CH	<b>Subject Site</b> Medical Clinic/ Vacant Land Current FLU-Commercial Current Zoning- CC Proposed Zoning-CH	<b>East</b> Dundee Commercial FLU-Commercial Zoning-CC
<b>Southwest</b> Dundee Gas Station FLU-Commercial Zoning-CH	<b>South</b> Dundee Hardee's & Grease Monkey FLUM-Commercial Zoning-CH	<b>Southeast</b> Dundee Ridge Community Church FLU-Commercial Zoning-CH

*Sources: Polk County Property Appraiser, Polk County Geographical Information System, and site visit by staff*

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#### Potable Water and Sanitary Sewer

This site is currently served by the Town of Dundee's potable water system and sanitary sewer is provided by the current business sceptic system but there is a 8" force main located on Lemon

#### Solid Waste

Dundee transfers solid waste collected in the Town to the Polk County Landfill. As the operators of the landfill, the County plans for capacity for all municipalities in the county, as well as unincorporated areas. Polk County determined that there is sufficient landfill space for the county, including Dundee, to dispose of household garbage for approximately 65 years.

#### Roads

Access to the proposed site will be off Lemon Ave, and Dundee Road and a traffic impact study is currently being reviewed by FDOT and the Town.

#### Recreation

The Town currently meets the level of service requirement of 4.5 acres per 1,000 residents as established in the Comprehensive Plan. The applicant will be required to provide recreational opportunities per the Land Development Code. The dedication of land for park and recreation services is 0.0116 acres/dwelling unit. The Town Commission may approve a dedication of land, a fee paid in lieu of dedication, or a combination of the two. The Town Commission makes this determination at time of concept plan.

#### Environmental Impacts

According to the Fish and Wildlife Service (FWS), the sand skink (endangered species) is endemic to the sandy ridges of central Florida, occurring in Highlands, Lake, Marion, Orange, Osceola, Polk, and Putnam counties. The proposed site is in an area identified as potential habitat for the Gopher Tortoises, Sand Skinks and threatened species, if the proposed project continues through to site development plan or subdivision review approval stages, specific environmental studies will be completed, and requirements will be addressed at that time.

#### School Impacts

The current and proposed zoning land use does not pose any impact of the public school system. However, any development will have to address school concurrency issues and any necessary mitigation at the time of site plan approval.

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**CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The following Town of Dundee Comprehensive Plan policies are relevant to the proposed request. The policy is provided with an analysis of how the request may or may not be consistent with the Town's Comprehensive Plan. The request is consistent with the Comprehensive Plan.

**Table 2: Consistency with the Comprehensive Plan**

<b>Comprehensive Plan Policy</b>	<b>Analysis</b>
<b>FLU Policy 5.1:</b> Direct higher densities and intensity of use to areas where public facilities and services are available or are projected to be available. Limit the density and intensity of use in areas where public facilities and services are not available.	Potable water is currently provided by the TOD, and sceptic currently serves as the wastewater but there is an 8" force main on the south side of Lemon Ave.
<b>FLU Policy 5.2:</b> Ensure that development orders or permits for future development and redevelopment are issued only if the public facilities and services necessary to meet the adopted level of service standards are available concurrent with the impacts of the development as established within all Elements of the Town of Dundee Comprehensive Plan, including the level of service standards listed within the following Elements: 1. Infrastructure Element 2. Transportation Element 3. Capital Improvements Element 4. Public School Facilities Element	The proposed impacts of the potential Zoning map amendment can be facilitated. There is currently a Medical Clinic on the proposed site the has potable water provided by the Town of Dundee and there is an 8" force main on the southside of Lemon Ave.
<b>FLU Policy 6.1:</b> Locate Future Land Uses at densities and intensities that will reduce greenhouse gas emissions while encouraging energy efficiency and will discourage urban sprawl and leap-frog development that unduly depletes the physical, social, and fiscal resources of the Town.	The property is located near an existing development.

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<b>FLU Policy 6.2:</b> Promote compact urban growth through the location of public facility expansions contiguous to existing development areas	The proposed site currently has a commercial business on it and therefore represents a very efficient pattern of growth.
<b>CIE Policy 2.3:</b> At the time a development permit is issued, adequate facility capacity is available or will be available when needed to serve the development.	Adequate public facilities will be available at the time of site plan approval to keep the levels of service in all areas.
<b>PSFE Policy 2.4.1:</b> Final subdivision and site plan approvals for residential development shall be conditioned upon the availability of adequate school capacity as per the adopted level of service standards (LOS) of this element and as required by Section 163.3180(13) F.S.	The current and proposed use is commercial and does not pose any impact on the public school system.

**DEVELOPMENT REVIEW COMMITTEE**

As required by Section 7.02.03.01 (c) of the LDC, DRC members have reviewed the Zoning Map Amendment for Hunter Engineering, LLC with specific regard to the codes and ordinances of the Town of Dundee and have given their approval.

DRC Team:

TOD Fire Chief- Chief Joseph Carbon

TOD Public Works Director-Johnathan Vice

TOD Utilities Director-Tracy Mercer

TOD Utilities Supervisor- Raymond Morales

TOD Development Services Director-Lorraine Peterson

TOD Consulting Engineering Firm- Rayl Engineering and Surveying, LLC

TOD Consulting Attorney- Seth Claytor of Boswell & Dunlap, LLP

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**MOTION OPTIONS:**

1. I move the Planning & Zoning Board **recommend approval to Town Commission** of the request by Matthew Dundee Investments, LLC to amend the Zoning Map for property located in the Town of Dundee from General Retail Commercial (CC) to Highway Commercial on 2.86+/- acres of land. The subject property is located at the northeast corner of Hwy. 27 & Dundee Rd, further described as parcels:

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2. I move the Planning & Zoning Board **recommend approval with changes to Town Commission** of the request by Matthew Dundee Investments, LLC to amend the Zoning Map for property located in the Town of Dundee from General Retail Commercial (CC) to Highway Commercial on 2.86+/- acres of land. The subject property is located at the northeast corner of Hwy. 27 & Dundee Rd, further described as parcels:

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3. I move the Planning & Zoning **recommend denial to Town Commission** of the request by Matthew Dundee Investments, LLC to amend the Zoning Map for property located in the Town of Dundee from General Retail Commercial (CC) to Highway Commercial on 2.86+/- acres of land. The subject property is located at the northeast corner of Hwy. 27 & Dundee Rd, further described as parcels:

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Attachments: Legal Descriptions

Location Map

Aerial Map

Existing Zoning Map

Proposed Map

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27282984800001060 SCENIC HEIGHTS PB 22 PG 21 LOTS 106 & S PT OF CLOSED ST W OF  
SAME & 107 & LOT 159 LESS HWY

27282984800001430 SCENIC HEIGHTS PB 22 PG 21 LOTS 143 THRU 146 & PT OF CLOSED  
ST W OF LOT 146 LESS RD R/W PER OR 10026-429 THRU 435

27282984800001082 SCENIC HEIGHTS PB 22 PG 21 LOT 108 W1/2

27282984800001080 SCENIC HEIGHTS PB 22 PG 21 LOTS 108 E1/2 & 109

27282984800001102 SCENIC HEIGHTS PB 22 PG 21 LOT 110 N1/2 & N1/2 OF 111

27282984800001101 SCENIC HEIGHTS PB 22 PG 21 LOTS 110 S1/2 & S1/2 OF 111

27282984800001390 SCENIC HEIGHTS PB 22 PG 21 LOTS 139 THRU 142 LESS RD R/W PER OR 10026-429 THRU 435

27282984800001121 SCENIC HEIGHTS PB 22 PG 21 LOT 112 N 50 FT & N 50 FT OF 113

27282984800001122 SCENIC HEIGHTS PB 22 PG 21 LOTS 112 LESS N 50 FT & 113 LESS N 50 FT

27282984800001142 SCENIC HEIGHTS PB 22 PG 21 LOTS 114 LESS S 50 FT & 115 LESS S 50 FT

27282984800001141 SCENIC HEIGHTS PB 22 PG 21 LOT 114 S 50 FT & S 50 FT OF LOT 115

27282984800001371 SCENIC HEIGHTS PB 22 PG 21 LOT 137 N 60 FT & N 60 FT OF 138

27282984800001372 SCENIC HEIGHTS PB 22 PG 21 LOTS 137 S 75 FT LESS RD R/W & S 75 FT OF 138 LESS RD R/W & LESS  
ADDNL RD R/W PER OR 10026-338 THRU 347

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LEGAL DESCRIPTION**



**LOCATION MAP**

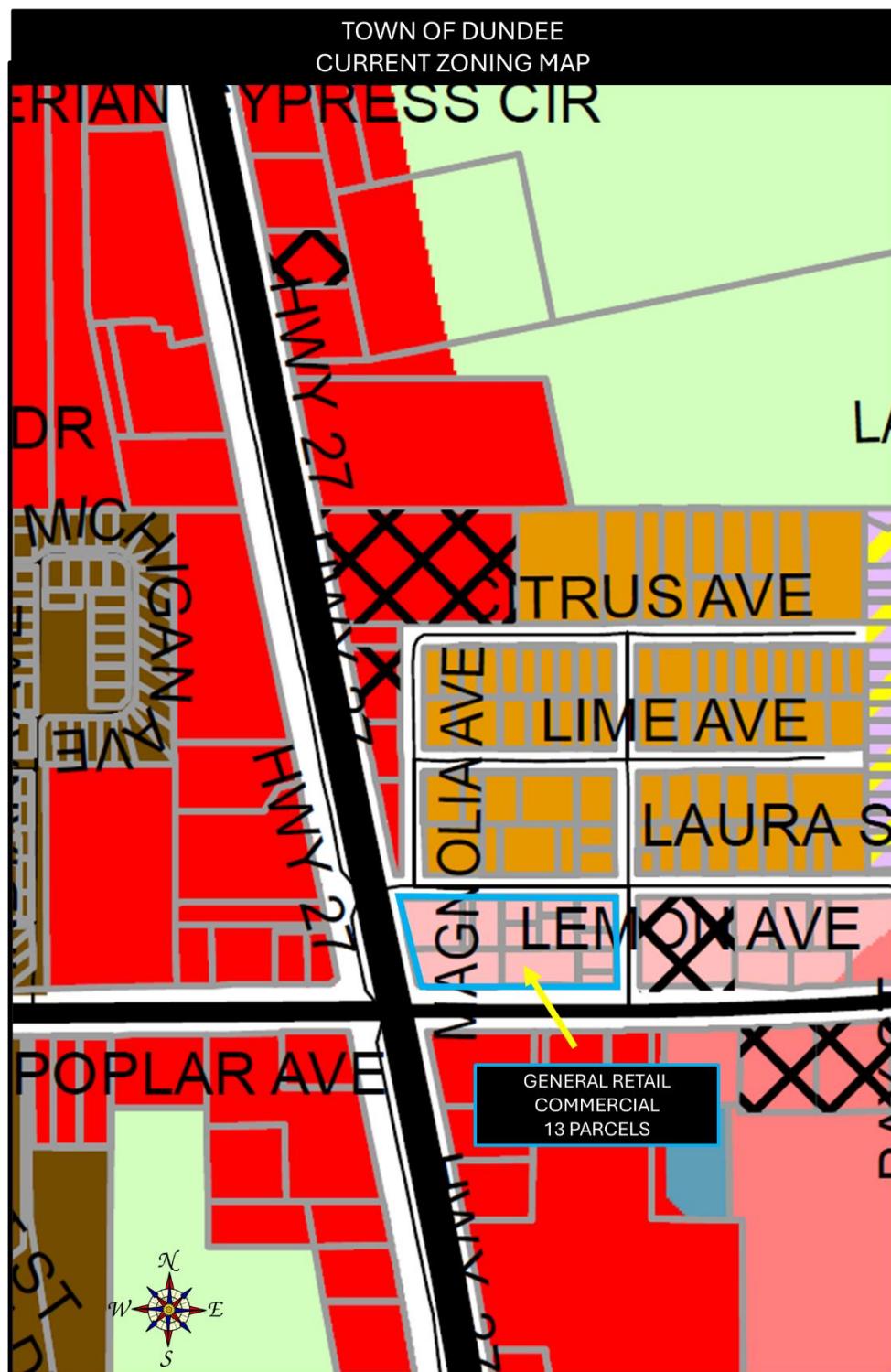
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TOWN OF DUNDEE  
AERIAL MAP



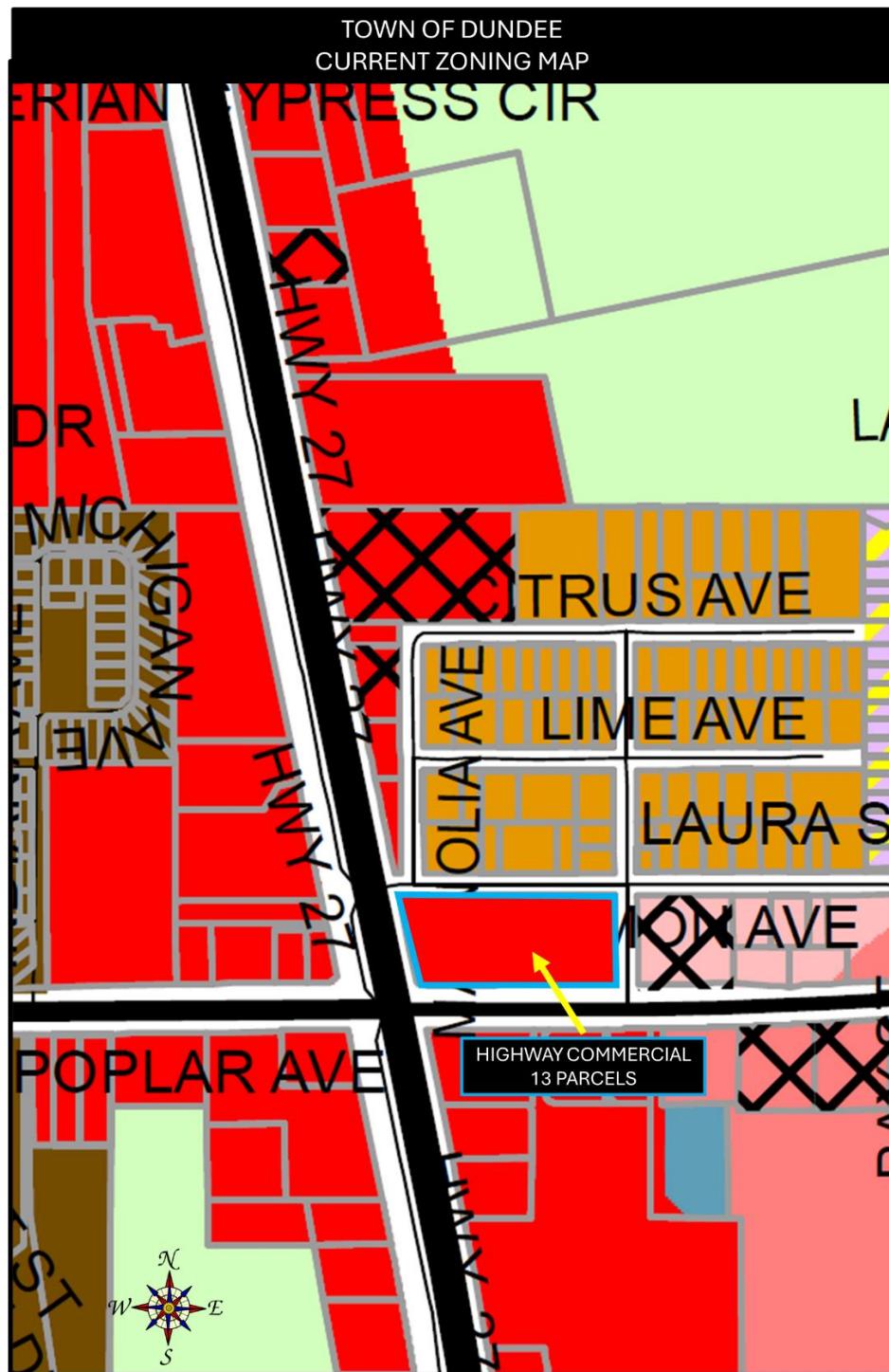
AERIAL MAP

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CURRENT ZONING MAP

TOWN OF DUNDEE  
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WAWA ZONING MAP AMENDMENT



PROPOSED ZONING MAP