

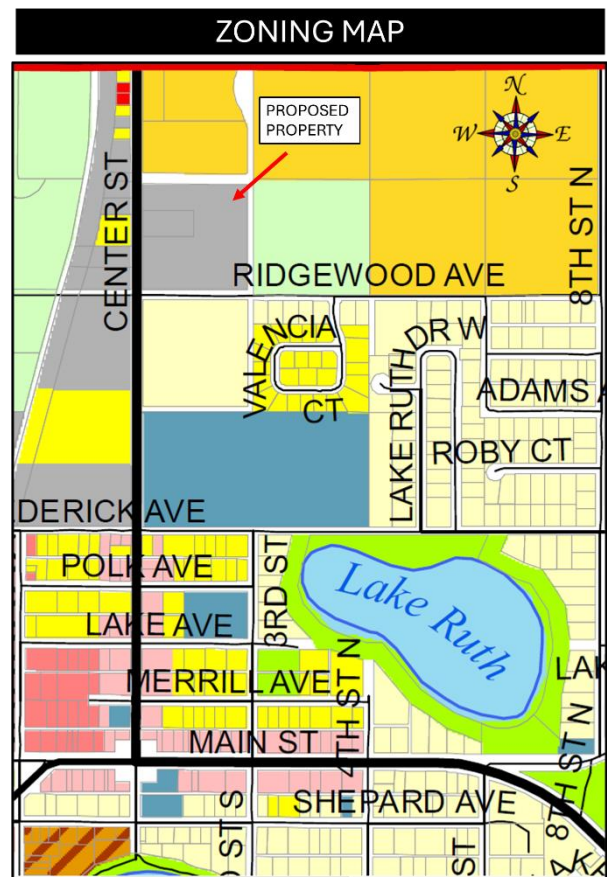
TOWN OF DUNDEE

REQUEST FOR SPECIAL EXCEPTION

STAFF REPORT

Planning and Zoning Date:	June 20, 2024	Project Type:	Special Exception
Town Commission Date:	June 25, 2024	Project Name:	Ridgewood Ave. Property
Applicant:	Wood & Associates Engineering, LLC	Project Planner:	Lorraine Peterson, Development Director

Request:	Special Exception: Mini-Warehouse
Location:	Located on the east side of Center Street, north side of Ridgewood Avenue, east of Crystal Lake, west of 8 th Street N., Town of Dundee, in Section 21, Township 28, Range 27.
Property Owner:	Crow Investments, LLC
Parcel Size/Number:	8.26 +/- acres 272821-832000-001000 & 272821-832000-002071
Future Land Use and Zoning:	FLUM -Commercial/ Industrial Corridor Zoning - Industrial (IL)
DRC/Staff Recommendation:	DRC Team Recommends Approval
Planning & Zoning Vote:	Pending Hearing
Town Commission Vote:	Pending Hearing



Summary:

This is an applicant-initiated request by Mr. John Bannon of Wood & Associates Engineering, LLC for a special exception for a mini-warehouse to permit a mini-warehouse located at 205 Ridgewood Avenue and 0 Center Street in Dundee Florida. The proposed site is in the Future Land Use (FLU) district of Commercial/Industrial Corridor and the Zoning district of Industrial (IL). The zoning district summary table lists mini warehouses in the industrial zoning district as a special exception use.

Property Information:

The site proposed is situated on 8.26 +/- acres and located at 205 Ridgewood Avenue and 0 Center Street in Dundee, FL, further described as parcels 272821-832000-001000 and 272821-832000-002071, in Section 21, Township 28, Range 27. The proposed site has an existing Future Land Use (FLU) designation of commercial/industrial corridor and the Zoning classification of industrial (IL).

Surrounding Uses:

Table 1 below lists the Future Land Use (FLU) designations, zoning and the existing uses surrounding the subject site that are immediately adjacent. Land Surrounding the subject site has a Future Land Use designation of Low Density Residential (LDR), and zoning designations of Moderate-Density Single Family Residential (RSF-3), Limited Agriculture (AL), Low-Density Single Family Residential (RSF-1) and Moderate-Density Single Family Residential (RSF-3).

Table 1 Surrounding Uses

Northwest FLU: Commercial/Industrial Corridor Zoning: Industrial (IL), Moderate-Density Single Family Residential (RSF-3), Highway Commercial (CH)	North FLU: Low Density Residential Zoning: Moderate-Density Single Family Residential (RSF-3)	Northeast FLU: Low Density Residential Zoning: Moderate-Density Single Family Residential (RSF-3)
West FLU: Industrial/Commercial Corridor Zoning: Industrial (IL) & Moderate-Density Single Family Residential (RSF-2)	Subject Site 205 Ridgewood Ave.&0 Center St. FLU: Commercial/Industrial Corridor Zoning: Industrial (IL)	East FLU: Low Density Residential Zoning: Limited Agricultural (AL)
Southwest FLU: CIC/Commercial/Industrial Corridor Zoning: Industrial (IL) & Moderate-Density Single Family Residential (RSF-2)	South FLU: Low Density Residential Zoning: Low-Density Single Family Residential (RSF-1)	Southeast FLU: Low Density Residential Zoning: Low- Density Single Family Residential (RSF-1) & Moderate-Density Single Family (RSF-2)

Source: Central Florida Regional Planning Council, Florida Department of Transportation, Polk County Property Appraiser, Town of Dundee and site visit by Town staff

REQUEST:

The applicant, Mr. John Bannon of Wood & Associates Engineering, LLC is requesting that the property be used for a mini warehouse. The use of mini warehouse is permitted in the Industrial (IL) zoning classification through the approval of a special exception. The requested use is consistent with the Land Development Code.

The proposed use for the site shall be for a mini warehouse self-storage facility. Hours of Operation shall be from 8 AM to 5 PM. There shall be approximately 5 to 10 number of employees. Storage facility renters shall have 24-hour access to their units via access codes and pin pads at the entrance to the facility. The site will be secured with security fencing and video monitoring. There will be an estimated 13 metal mini-storage buildings, however, the number of storage units within the buildings is preliminary and may vary based on market demand for certain unit sizes, climate control, etc. We estimate approximately 600 to 700 storage units at site buildout. Also, there is currently one steel frame building that has four bays that are being used for mechanical shops.

DEVELOPMENT:

According to the Land Development Regulations, the development and use of the site of an approved special exception must be in accordance with the approved site plan and application materials. The approved site plan shall be filed with the development director, and all development shall be in compliance with that plan.

CONDITIONS:

The Planning and Zoning Board may recommend, and the Town Commission may impose, any conditions or safeguards found to be necessary to ensure the compatibility of the special exception with surrounding properties or the community in general. These may include, but are not limited to, requiring restrictions on hours of operation and size of buildings, additional landscape and buffer areas, limiting vehicular access points and location of off-street parking, and similar conditions. Violation of any such condition or safeguard shall be deemed a violation of the Land Development Regulations and may result in a revocation of any special exception, in addition to any other remedy for such violation provided in the Regulations.

EXPIRATION:

Once approved, a special exception can continue indefinitely unless it expires. The Land Development Regulations include provisions for the expiration of a special exception. The special exception approval will expire if one of the following conditions is met:

1. If a special exception does not begin to serve the purpose for which it was granted permission within 180 days from the date of approval.
2. If a time limit is established as a condition of approval.
3. If the approved use is abandoned for 180 days or more.

DENIAL:

The Planning and Zoning Board may recommend denial of any application for any special exception, and the Town Commission may deny any application for special exception, for one or more of the following reasons:

1. It is inconsistent with the Town of Dundee comprehensive plan.
2. It would violate the concurrency management standards in article 6 of the LDRs.
3. It does not meet the requirements of the applicable special exception regulations.
4. It would endanger the public health and safety.
5. It would substantially damage the value of adjoining properties.
6. It would not be compatible with the area in which it is to be located.

Land Development Code:

The relevant sections of the Land Development Code that are applicable to the project request:

- Section 7.05.00- Procedure for Obtaining a Special Exception
- Section 7.05.01- Application
- Section 7.05.02- Review of proposed Special Exception
- Section 7.05.03- Expiration or Abandonment of Special Exception Use
- Article 9 – Definitions-Mini warehouse
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Land Development Code Sections:

- **SECTION 7.05.00** Procedure for obtaining a special exception states Special exceptions shall be granted only for those activities specified as special exception uses in section 2.02.00. Approved special exceptions shall be subject to development standards provided in article 3. The planning and zoning board shall hear and decide applications for special exceptions authorized under this code in the manner prescribed below.
- **SECTION 7.05.01** Application states (A) Application; *fees*. All requests for special exceptions shall be submitted in writing to the development director, together with all applicable fees as provided by resolution. (B) *Contents*. The application shall contain the following items, as applicable: 1. A legal description and street address of the property. 2. Notarized authorization of the owner if the applicant is other than the owner or an attorney for the owner. 3. Site plan or sketch plan drawn to scale showing: a. The dimensions of the property; b. The existing and proposed location of structures on the property including signage, vehicular accessways and circulation areas, off-street parking and loading areas, sidewalks, refuse and service areas, required yards and other open spaces, and landscaping or buffer areas, c. The measurements of existing and proposed adjacent rights-of-way, setbacks, distances between buildings, widths of accessways and driveways, and sidewalks. 4. A tabular summary describing the proposed use of the property including: a. Existing and proposed use of property; b. Conditions on the use, such as hours of operation, numbers of residents, etc.; c. Area of the property, pervious and impervious areas, and existing and proposed structures; d. Number of required and provided off-street parking and loading spaces, existing and proposed density, and number of existing and proposed units.
- **SECTION 7.05.02** Review of proposed special exception states (A) *Completeness review*. Within five working days of receipt of an application for a special exception, the

development director shall: 1. Determine that the information is incomplete and inform the applicant in writing of the deficiencies. 2. Determine that the plan is complete and proceed with the following procedures. (B) *Report to planning and zoning board.* The development director shall submit a written report containing his/her recommendations on the proposed special exception to the planning and zoning board prior to the meeting at which the application will be heard. A copy of the report shall be made available to the applicant. The planning and zoning board review shall include a concurrency management review of the proposed use pursuant to the standards and procedures in article 6 of this code. (C) *Planning and zoning board hearing.* The planning and zoning board shall hold a public hearing on each application and shall forward its recommendations to the town commission. (D) *Decision by town commission.* The town commission shall hold a public hearing after due public notice on all recommendations for special exceptions from the planning and zoning board. By majority vote, it may accept, reject, modify, return or continue and seek additional information on those recommendations. (E) *Conditions and safeguards.* The development and use of the site of an approved special exception shall be in accordance with the approved site plan and application materials. The approved site plan shall be filed with the development director, and all development shall be in compliance with that plan. The planning and zoning board may recommend, and the town commission may impose on the grant of any special exception any conditions or safeguards found to be necessary to ensure the compatibility of the special exception with surrounding properties or the community in general. These may include, but are not limited to, requiring restrictions on hours of operation and size of buildings, additional landscape and buffer areas, limiting vehicular access points and location of off-street parking, and similar conditions. Violation of any such condition or safeguard shall be deemed a violation of this code and may result in a revocation of any special exception, in addition to any other remedy for such violation provided in this code. (F) *Denial.* The planning and zoning board may recommend denial of any application for any special exception, and the town commission may deny any application for special exception, for one or more of the following reasons: 1. It is inconsistent with the Town of Dundee comprehensive plan. 2. It would violate the concurrency management standards in article 6 of this Code. 3. It does not meet the requirements of the applicable special exception regulations. 4. It would endanger the public health and safety. 5. It would substantially damage the value of adjoining properties. 6. It would not be compatible with the area in which it is to be located. (G) *Findings.* The town commission shall make written findings, based on one or more of the reasons listed above, in support of a denial of an application for a special exception. (Ord. No. 12-12, § 1, 2-14-12)

- **SECTION 7.05.03** Expiration of abandonment of special exception use states if a special exception does not begin to serve the purpose for which it was granted permission within 180 days from the date of approval, it shall expire. Once initiated, the special exception use may continue indefinitely or until the expiration of any time limit established as a condition of approval. However, if such use is abandoned for 180 days, it shall expire.

- **ARTICLE 9 Mini warehouse:** A self-service facility consisting of individual self-contained units used for storage and no other purpose.

PUBLIC FACILITIES AND SERVICES ANALYSIS:

The proposed special exception application does not demonstrate any negative impact on the Town's public facilities and services. A brief discussion of the impact to transportation, recreation, schools, and water and sewer facilities follows.

Access and Transportation Facilities:

A. Available Capacity

Table 6 below displays the available capacity for Center Street (SR 17) and the surrounding road network. There is available capacity in the PM Peak Hour for maximum buildout.

Table 6 Roadway Link Concurrency

Link #	Road Name	Functional Classification	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr. Projected LOS
5207N	Center St./SR 17 (Main St. @ Center St.) (Scenic Highway)	Urban Collector	C	361	D	C
5207S			C	349	D	C

Source: Polk County Transportation Planning Organization Roadway Network Database April 2022 & TOD Town Wide Traffic Study June 2023

B. Roadway Conditions

Center Street (SR 17) is an urban collector that runs North and South, as an urban collector road it is monitored by the Polk County TPO with a LOS of C. The segment length is 4.3 miles and has a pavement width of 30 feet. Ridgewood Ave is a town owned road and has a roadway length of 4,493 feet and pavement width of 20 feet.

Recreation:

Not impacted since the proposed use is not residential.

Public Schools:

Not impacted since the proposed use is not residential.

Utilities:

Due to the Town's deficiency related to potable water concurrency, the applicant and Town shall negotiate and enter into a Concurrency Developer's Agreement and, if applicable, a Water Supply Allocation Agreement.

Nearest Sheriff, Fire, and EMS Station:

Table 3 below displays that the nearest Sheriff District office is northeast and south of the site and the Fire and Emergency Management Station is located northeast of the site.

Table 3 Public Safety Information

	Name of Station	Distance Response Time
Sheriff*	Polk County Sheriff Office Southeast District Office, 135 E Main Street, Town of Dundee	0.5+/- miles NE Priority 1:000 Priority 2:000
Fire/ EMS	Town of Dundee Fire and Rescue, 118 Merrill Ave, Dundee	0.5 +/- miles NE 5 min. response

*Source: Polk County Sheriff's Office and Town of Dundee Fire and Rescue. *Response times are based on September 2022 data. Fire/EMS times are based on an average*

Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the Town at the time of a call.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff has reviewed the application for special exception and has provided the following recommendations for conditions of approval:

1. Completion of a transportation analysis at site development plan process.
2. A signed Concurrency Developer's Agreement and a Water Supply Allocation Agreement.
3. No repair work to occur between 7:00 pm and 8:00 am.
4. No parking shall be permitted on any unpaved portion of the property.
5. The Applicant will work with staff to ensure the building design meets and complies with the intent of the Dundee Vision Plan for aesthetics; and
6. The requirement that a special exception begin to serve the purpose for which it was granted permission within 180 days from the date of approval is extended to 12 months to permit the applicant time to complete site plan approval, construction plan approval, and construction.
7. Notwithstanding other applicable provisions of the Town of Dundee Land Development Code, for purposes of this condition, the term(s) **Abandon/Abandonment** shall also mean the intentional and voluntary relinquishment of the approved use(s). The temporary cessation of the approved use(s) does not operate to affect an abandonment of the use(s). For purposes of this condition, "temporary cessation" means a temporary cessation of a use for a period of time not to exceed 120 consecutive days. In the event of discontinuance of a use for a period of time exceeding 120 consecutive days or a period of time totaling 180 calendar days within a calendar year, the use shall be deemed abandoned. An order of the Town of Dundee Code Enforcement Special Magistrate finding that the subject real property failed to strictly adhere to the condition(s) prescribed by Resolution 22-53 shall constitute an abandonment of the Special Exception.

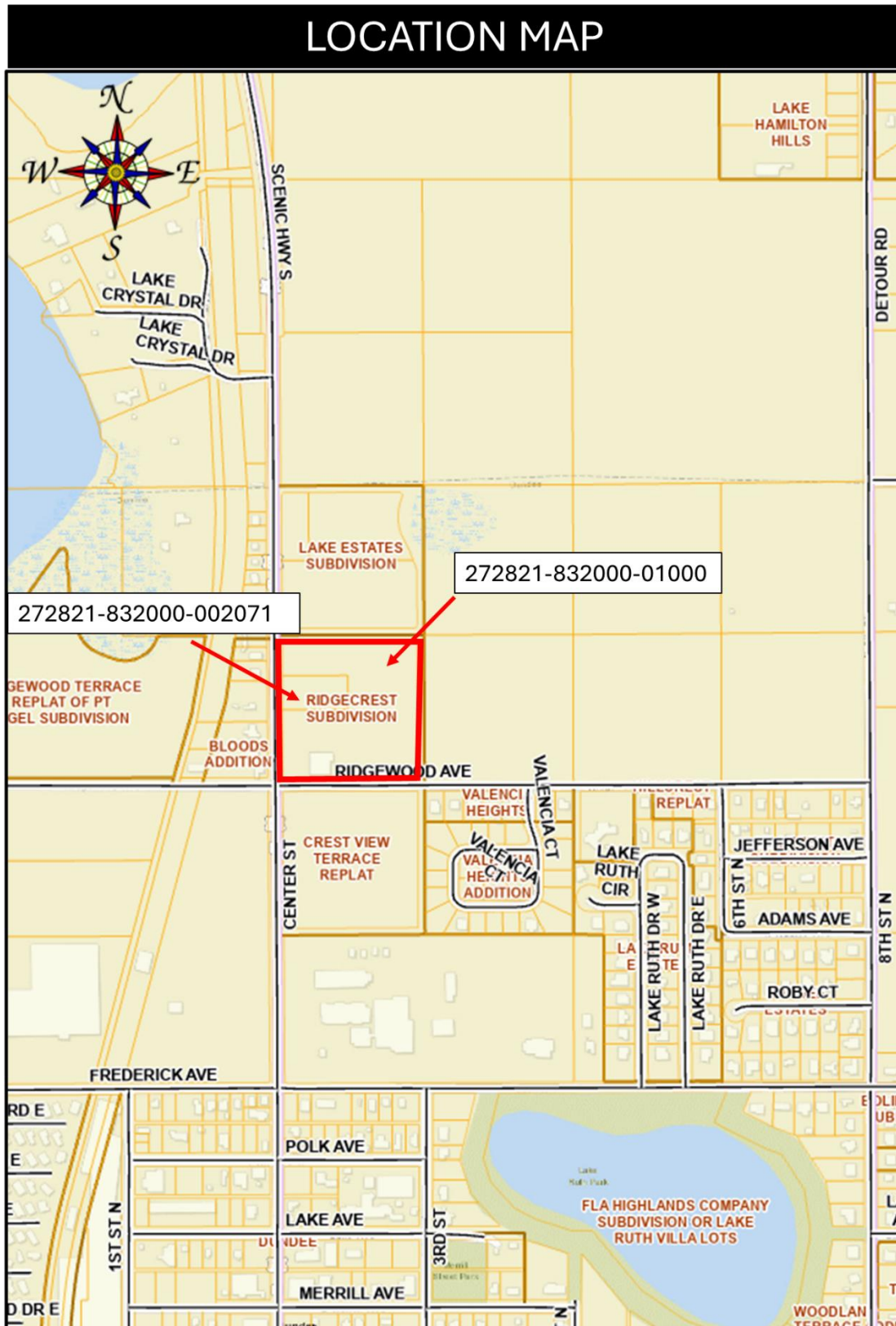
MOTION OPTIONS:

1. I move **approval of Resolution 24-09 a Special Exception request** by John Bannon of Wood & Associates Engineering, LLC to obtain a special exception for a mini-warehouse on approximately 8.26+/- acres zoned Industrial (IL) located at 205 Ridgewood Avenue and 0 Center Street.
2. I move **approval of Resolution 24-09 a Special Exception request with changes** by John Bannon of Wood & Associates Engineering, LLC to obtain a special exception for a mini-warehouse on approximately 8.26+/- acres zoned Industrial (IL) located at 205 Ridgewood Avenue and 0 Center Street.
3. I move **denial of Resolution 24-09 a Special Exception request** by John Bannon of Wood & Associates Engineering, LLC to obtain a special exception for a mini-warehouse on approximately 8.26+/- acres zoned Industrial (IL) located at 205 Ridgewood Avenue and 0 Center Street.
4. I move **continuation of Resolution 24-09 until a date certain.**

EXHIBITS:

- | | |
|-----------|--------------------------------------|
| Exhibit 1 | Location Map |
| Exhibit 2 | Aerial Context Map |
| Exhibit 3 | Aerial Close Up |
| Exhibit 4 | Current Zoning Map |
| Exhibit 5 | Applicant's Site Plan Map |
| Exhibit 6 | Permitted and Special Exception Uses |
| Exhibit 7 | Affidavit of Publication |

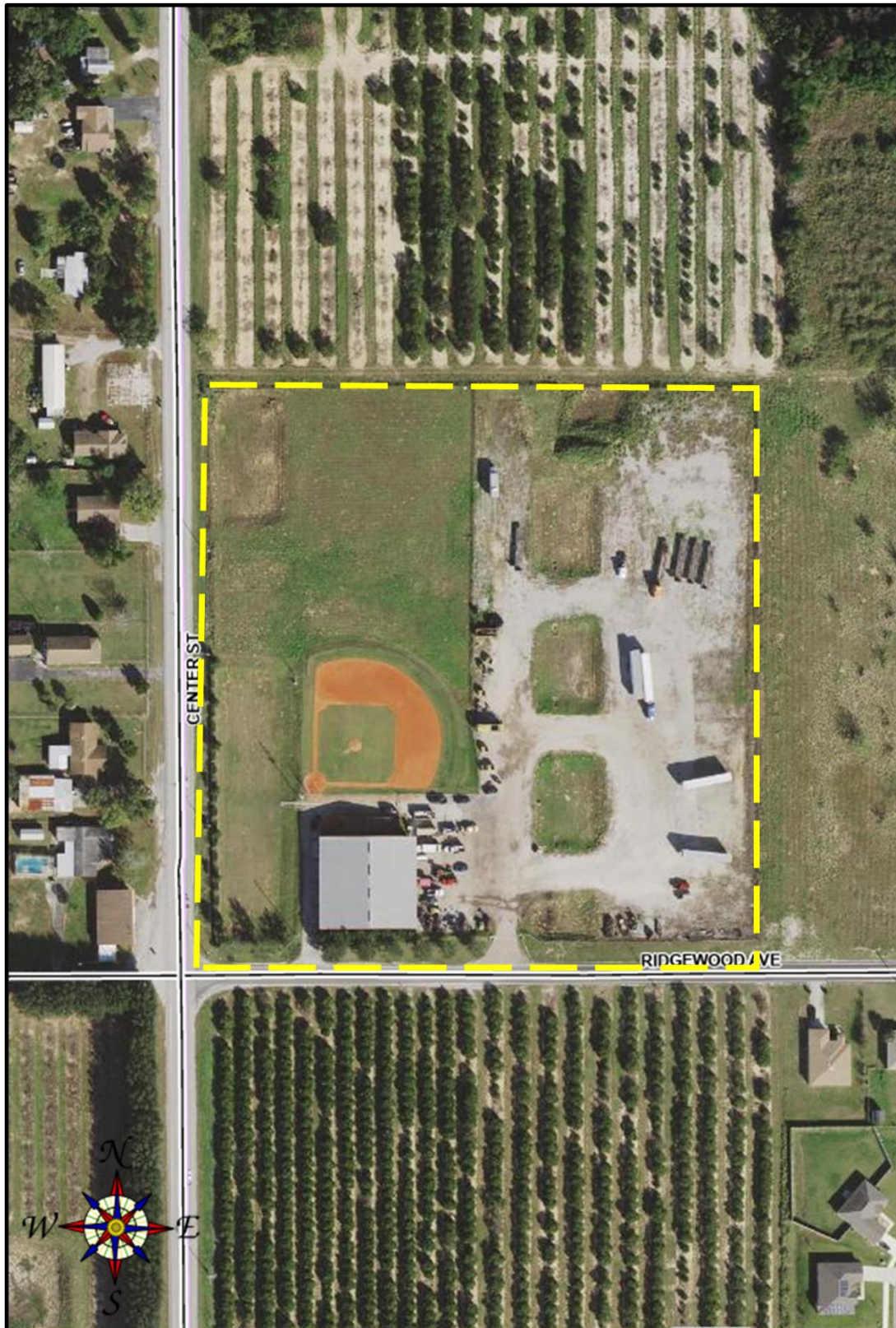
Applicant's submitted documents and ordinance as separate files



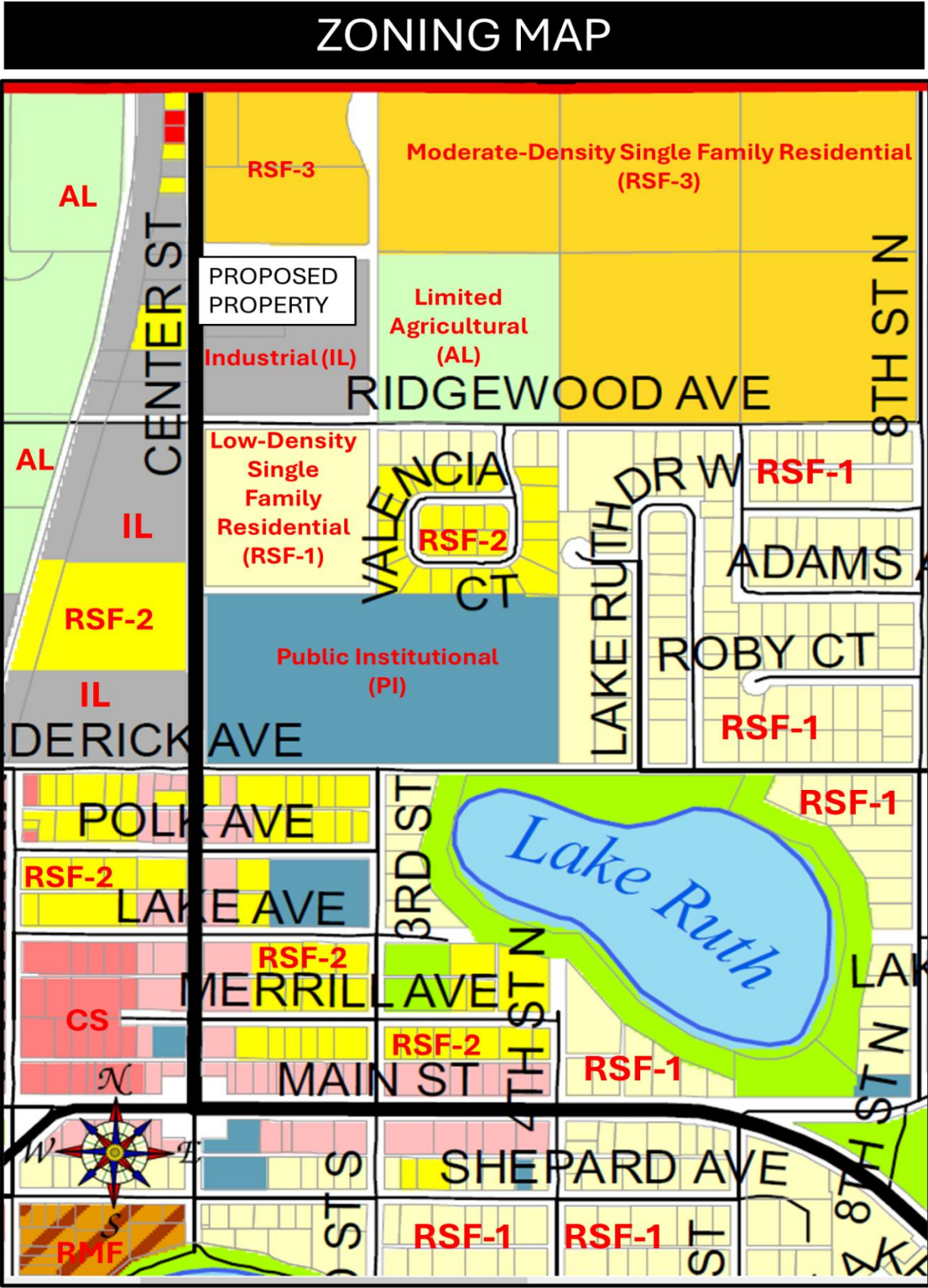
LOCATION MAP



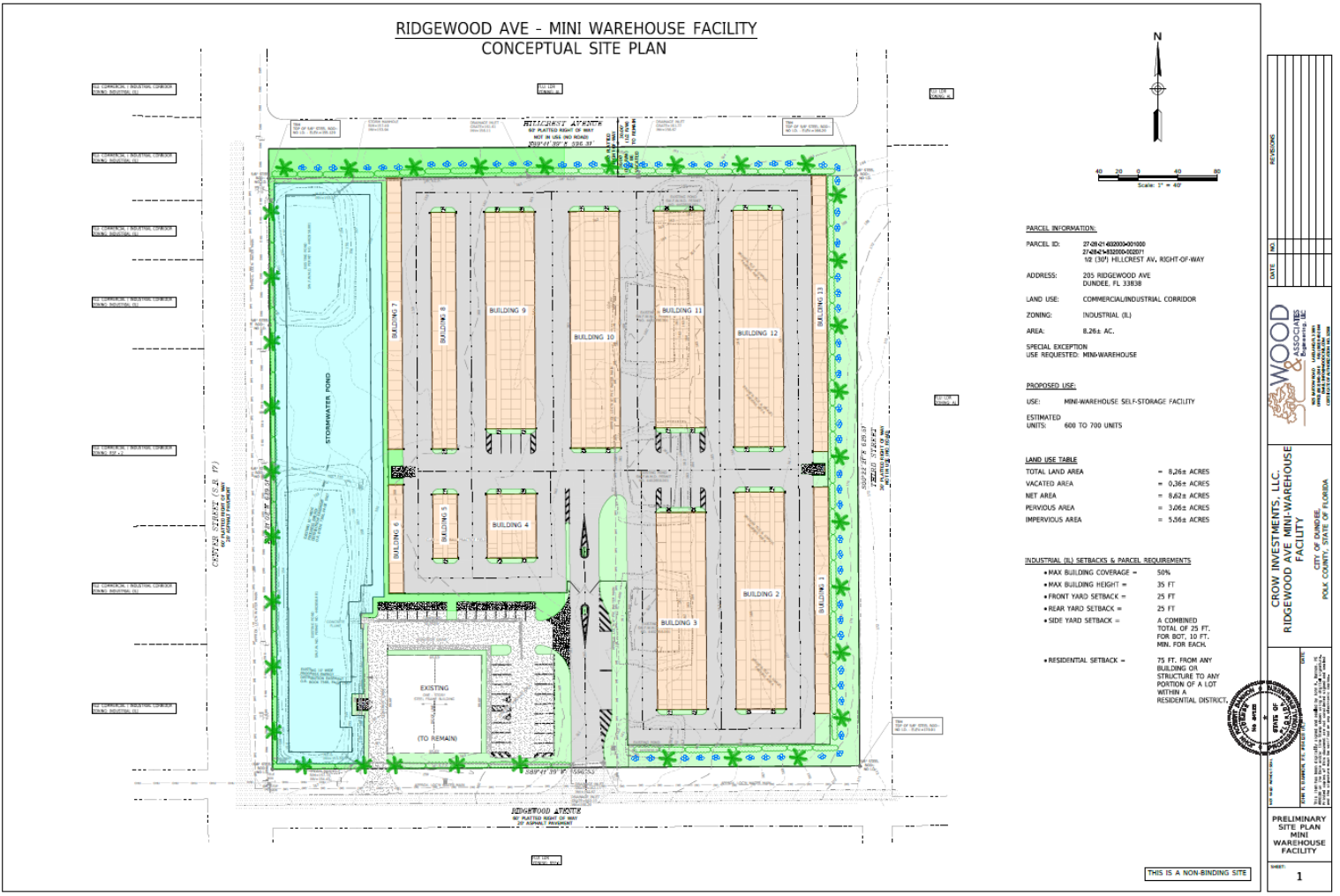
AERIAL MAP CONTEXT



AERIAL MAP CLOSE UP



ZONING MAP



SITE PLAN

INDUSTRIAL ZONING USE TABLE

Exhibit 6

PERMITTED (P)	SPECIAL EXCEPTION (S)	SITE DEVELOPMENT PLAN APPROVAL REQUIRED (D)
<p>Farmers Market*</p> <p>Flea Market, Indoor</p> <p>Fruit or Vegetable Stand*</p> <p>Park, passive, no facilities (open space)</p>	<p>Mini warehouse</p> <p>Truckstop</p> <p>Bulk storage of explosive gases</p> <p>Fruit Processing and/or Packing Plant</p> <p>Electric power plant</p> <p>Sewage disposal facility</p>	<p>Recycled Materials Collection</p> <p>Building Materials/Supply Sales</p> <p>Flea Market, Outdoor</p> <p>Major Automotive Repairs</p> <p>Recycled Material Collection (outdoor)</p> <p>Restaurant (indoor or outdoor)</p> <p>Auto Repair, no sales</p> <p>Billboard, Offsite Commercial</p> <p>Boat Repair, no sales</p> <p>Contractor's Shop & Storage Yard</p> <p>Laundromat; dry cleaning and/or laundry pickup station for work to be done elsewhere</p> <p>Sales/repair of heavy equipment</p> <p>Service establishments catering to commerce and industry inc. linen supply, freight movers, communications services, canteen service, sign company and similar uses</p> <p>Warehouse</p> <p>Wholesale Distributor</p> <p>Airports/aviation uses</p> <p>Bottling plant/bakery</p> <p>Food processing/packaging</p> <p>Freight/trucking terminal</p> <p>Manufacture of finished products-Indoor only</p> <p>Manufacture of finished products</p> <p>Propane gas: Sales/minor storage</p> <p>Printing/publishing</p> <p>Recycled materials processing</p> <p>Trade shop (roofing, plumbing, electrical, and the like)</p> <p>Commercial Incinerator</p> <p>Storage of Sand/Gravel/Blocks</p> <p>Communications Tower</p> <p>Municipal wellfield</p> <p>Power substation</p> <p>Sewer/water plant(on-site)</p> <p>Sewage/water plant(off-site)</p> <p>Sewer lift station</p> <p>Telephone switching station</p> <p>Church</p> <p>Museum</p> <p>Athletic facility</p>