

Town of Dundee Town Commission Meeting



To: Town Commission
Agenda Date: January 23, 2024
Department: Planning and Zoning
Discussion Topic: Site Development Plan
Requested Action: To approve the site development plan for Auto Zone Store, LLC.
Prepared By: Lorraine Peterson, Development Director



SITE LOCATION

The proposed site is located on 1.04 +/- acres of land at 27899 U.S. Highway 27, south of Dundee Road, north of Lincoln Avenue, on the eastside of U.S. Highway 27 in the Town of Dundee, further described as parcel number 27-28-29-000000-022220.

BACKGROUND

The Land Development Code requires a site development plan approval prior to the issuance of a building permit for all nonresidential uses, please see section 7.02.02 of the LDC. Section 7.02.03 gives the procedures for such an approval.

The Development Review Committee has reviewed the site development plan submitted by Auto Zone Stores, LLC and determined the plan is consistent with the comprehensive plan and land development code for the Town of Dundee.

SITE DEVELOPMENT PLAN

Per Section 7.02.01 of the Land Development Code, the purpose of the Site Development Plan is to ensure that site-specific development projects meet the requirements of this code prior to the issuance of a building permit. It is the intent of this section that the site development plan process be a part of the building permit application process, in that the site development plan is the instrument by which improvements to the site will be constructed and inspected, and by which final inspection and certificate of occupancy shall be issued. Approval Site Development Plans are valid for one year from the date of approval. Upon approval of the Site Development Plan, the applicant may proceed with submitting detailed construction drawings to the appropriate town staff for permitting. These shall include, but are not limited to, detailed building plans, drainage

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and stormwater management facilities, road and driveway construction specifications, and tree removal plans.

ANALYSIS

The proposed site has a future land use of Commercial and a zoning designation of Highway Commercial (CH). According to the LDC, Section 2.02.01 (A) Table of Land Uses, retail commercial stores with no outdoor use or storage is a permitted use.

➤ Environmental

This site is located in a wetland area and must adhere to Section 5.03.03 of the LDC. There are two wetland zones, the wetland protection zone and the wetland transitional zone. The wetland transitional zone encompasses all land within 200 feet of the boundary of the wetland protection zone unless the applicant is able to demonstrate to the town commission that the functions of the wetland can be protected with a smaller transitional zone. The applicant did petition the town commission on January 10, 2023, and was granted a reduction to 30 feet (please see attachments for petition).

➤ Potable Water

The proposed Auto Zone will have a water demand of 6,524 gpd

➤ Sewer

The proposed Auto Zone will have a sewer demand of 5,219 gpd

➤ 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.

➤ Parking

Per section 3.03.02 off-street parking for general retail sales the minimum parking spaces is 4.0 per 1,000 sqft. gross floor area (SFGFA) and. For a building that is 7,381 square feet, 30 parking spaces is the minimum required of the 30 spaces at least two of those parking spaces must be for the physically disabled. The applicant meets these requirements.

➤ Schools

Not applicable

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➤ Roads

According to the Polk Transportation Planning Organization (April 2022), Highway 27 is a Principle Arterial Road and roadway links 5105 N. and 5105 S. (Cypress Garden Blvd. to S.R. 542 (Dundee Rd.) have a level of service (LOS) of C. Per the applicant the 402.73 daily trips and 36.16 peak hour trips this project will generate will not lower the LOS.

CONDITIONS

Conditions related to a developer's agreement and a water allocation agreement are included in the attachments.

DEVELOPMENT REVIEW COMMITTEE

As required by Section 7.02.03.01 (c) of the LDC, DRC members have reviewed the site development plan for Auto Zone Store's, LLC with specific regard to the codes and ordinances of the Town of Dundee and have given their approval.

DRC:

TOD Fire Chief- Chief Joseph Carbon

TOD Public Works Director-Johnathan Vice

TOD Utilities Director-Tracy Mercer

TOD Utilities Supervisor- Raymond Morales

TOD Development Director-Lorraine Peterson

TOD Consulting Engineering Firm- Rayl Engineering and Surveying, LLC

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

TOD Transportation Subconsultant- George Deakin of Deakin Property Services, Inc.

TOWN COMMISSION REVIEW

Per Section 7.02.04, the Town Commission shall have the authority to review and approve or disapprove any site development plan. Alternatively, the development director may determine that a site development plan is inappropriate for administrative approval. In such cases, the town commission shall review and evaluate the site development plan with specific regard to the comprehensive plan, applicable town codes, and the advisory recommendations of town staff. The town commission shall approve, approve with conditions, or deny the site plan.

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In the alternative, the commission may, for the purpose of allowing the applicant an opportunity to address unresolved issues, continue consideration of the site plan. In the event a site development plan is denied, the reason(s) for the denial shall be noted.

MOTION OPTIONS:

1. I move **approval of the Site Development Plan** for Auto Zone Stores, LLC.
 2. I move **approval with conditions of the Site Development Plan** for Auto Zone Stores, LLC.
 3. I move **denial of the Site Development Plan** for Auto Zone Stores, LLC.
 4. I move **continuing the Site Development Plan** for Auto Zone Stores, LLC to a date and time certain.
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Attachments: Location Map

Site Plan

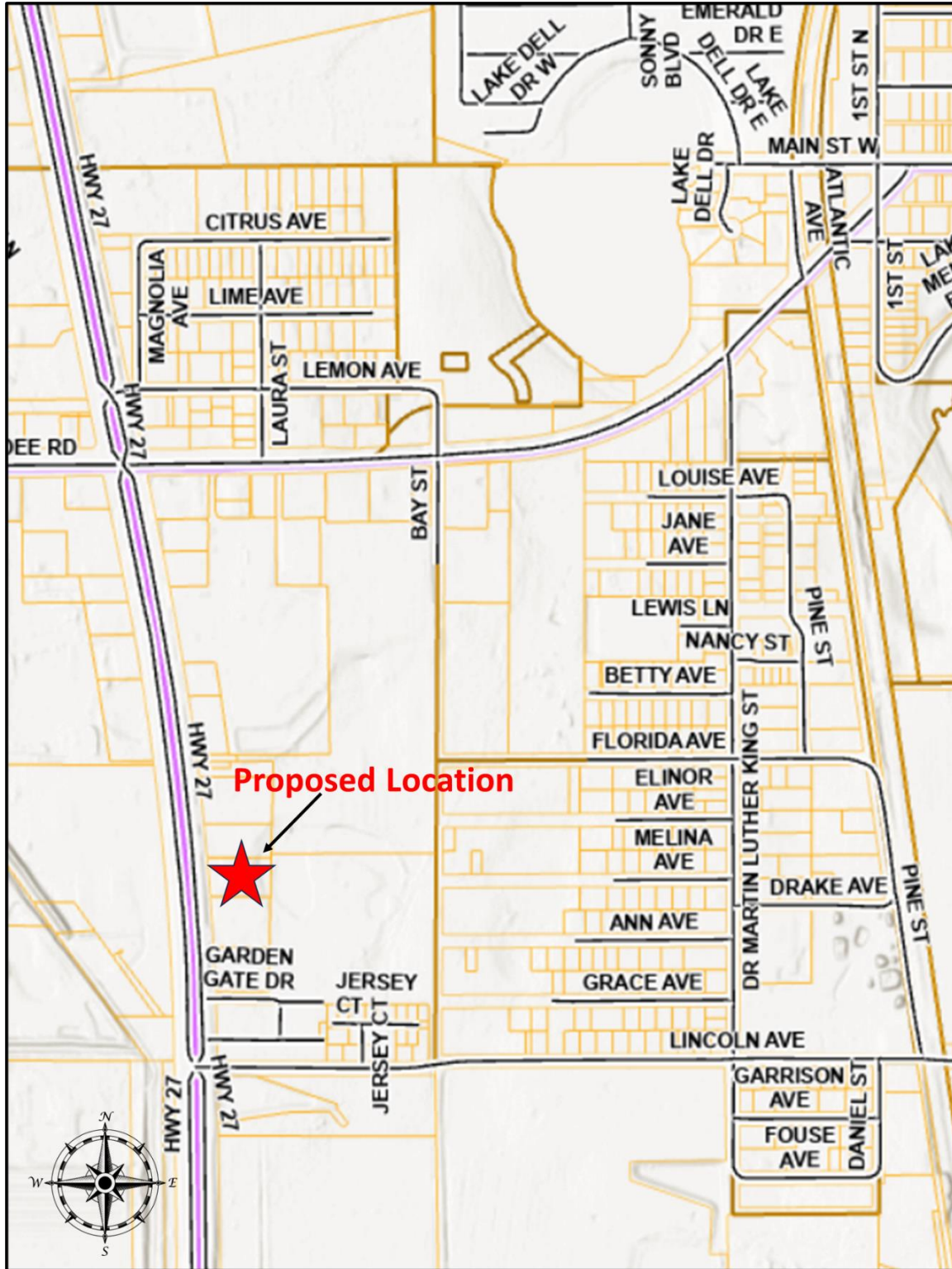
Wetland Transitional Zone Petition

Developer's Agreement

Water Allocation Agreement

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Location Map



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Site Plan



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WETLAND TRANSITION ZONE PETITION



DISCUSSION ITEM

TO: Town Commission
 PREPARED BY: Lorraine Peterson, Development Director
 AGENDA DATE: January 10, 2023
 TOPIC: Wetland Transitional Zone
 REQUESTED ACTION: To reduce the 200 feet wetland transitional boundary to 30 feet for parcel 27-28-29-000000-022220 located at 27899 US Hwy 27, Dundee, FL – Proposed Auto Zone Store

BACKGROUND:

The Town of Dundee Land Development Code reference that the 200 feet boundary around a wetland protection zone can be reduced by the Town Commission if the applicant is able to demonstrate that the wetland can be protected with a smaller transitional zone. Please see narrative on page two of this document.

SECTION 5.03.03

5.03.03 – Protection Zones Established

(B) *Wetland transitional zone.* There is hereby created a wetland transitional zone adjacent to each wetland protection zone. The transitional zone is an area having a direct ground or surface water influence and [which] functions as a buffer between wetlands and development. The purpose of the transitional zone is to minimize the adverse effects of development upon the wetland itself. This zone shall encompass all land within 200 feet of the boundary of the wetland protection zone unless the applicant is able demonstrate to the town commission's satisfaction that the functions of the wetland can be protected with a smaller transitional zone. In no case, however, shall a transitional zone of less than 30 feet be approved.

PROPOSED AUTO ZONE NARRATIVE:

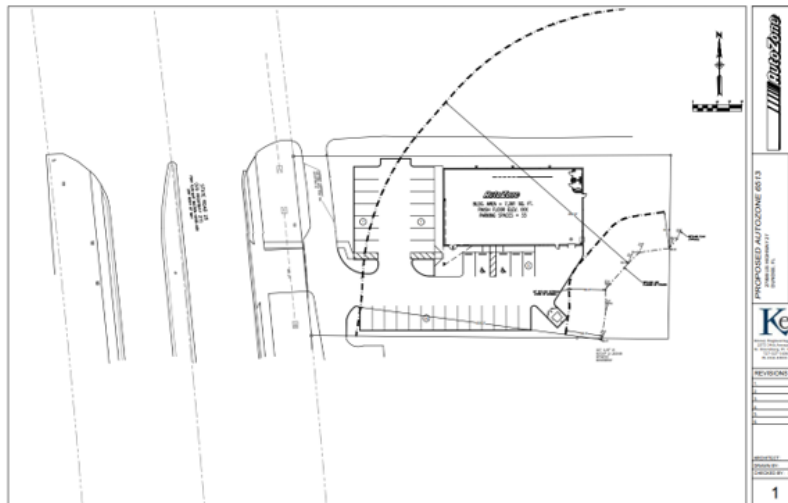
Dear Staff,

We respectfully request from Town Council the permission to reduce the wetland transitional zone from 200' to 30' as permitted in Section 5.03.03(B) of the Dundee Land Development Code.

For reference, please see the attached proposed site plan both with and without an aerial map. Looking at the aerial map, it is clear that the existing building did not observe the 200-foot transitional area, nor do the permitted developments to the north and south of our project. It is also clear the 200-foot transitional zone renders this site unbuildable. A more appropriate distance for a wetland buffer or transitional zone of 30 feet is allowed by your code and falls within the general standards of other regulatory and environment protection jurisdictions, such as SWFWMD requires a 25-foot setback.

Our proposed development would not encroach into the 30-foot transitional zone which would remain vegetated and provide a buffer wildlife within the wetland.

CONCEPT PLAN



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DEVELOPER'S AGREEMENT

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WATER ALLOCATION AGREEMENT