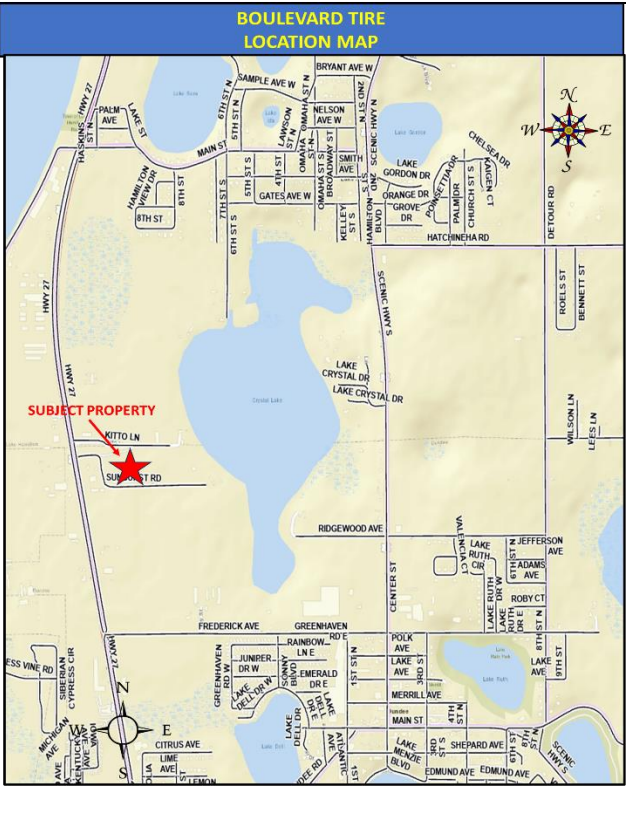



TOWN OF DUNDEE

TOWN COMMISSION STAFF REPORT

BOULEVARD TIRE ZONING MAP AMENDMENT

	To: Town Commission
	Agenda Date: July 09, 2024
	Department: Planning and Zoning
	Discussion Topic: Zoning Map Amendment change from Industrial & Limited Agricultural to all Industrial.
	Applicant: Bryan Hunter of Hunter Engineering, LLC
	Property Owner: Earl W. Colvard Living Trust Agreement
	Planning & Zoning Board Recommendation: 4-0 recommending approval
	Town Commission Hearing: 4-0 approval
	Town Commission Hearing: pending hearing
	DEO Comments: N/A
	Prepared By: Lorraine Peterson, Development Director
	

SITE LOCATION

The proposed site is located on a portion (5.60 +/- acres) of 14.62 +/- acres of land located East of Hwy. 27, Northside of Sunburst Rd., and Southside of Kitto Ln. Dundee Road, in the Town of Dundee in Section 20, Township 28, Range 27, further described as parcel 27-28-20-000000-021080.

BACKGROUND

The Applicant, Bryan Hunter of Hunter Engineering, LLC is requesting an amendment to the Zoning Map for property located in the Town of Dundee. The current Zoning is industrial and limited agricultural (AL) to industrial on portions (5.60 +/- acres) of 14.62 +/- acres of land located East of Hwy. 27, Northside of Sunburst Road, and Southside of Kitto Lane. Further described as parcel 272820-000000-021080. A companion FLUM amendment to change from Commercial/Industrial Corridor and Limited Agricultural to Commercial/Industrial Corridor.

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PROPOSED ZONING MAP AMENDMENT

2.02.02.12. IL industrial district.

- (A) FLUM designation: Commercial/industrial or downtown transitional.
- (B) Purpose: The purpose of the IL light industrial zoning district shall be to locate and establish areas within the Town of Dundee which are deemed suited for the development and maintenance of limited industrial activities of light intensity; to designate those uses and services deemed appropriate for location and development within said zoning district; and to establish such development standards 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.
- (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.
- (H) Maximum building height: 35 feet.
- (I) Minimum floor area: Not applicable in this district.
- (J) Minimum yard requirements: No building, structure or land shall be located or used in connection with the operations of any establishment within 75 feet of any portion of a lot within a residential district; provided, however, that off-street parking and off-street loading spaces may be located within this setback area. In addition, the following requirements shall apply:
 - (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.

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(K) Other requirements:

Off-street parking and service requirements: As set forth in section 3.03.00.

Site plan review requirement: All permitted and special exception uses shall be subject to the site plan review requirements and procedures set forth in article 7.

PROPOSED FUTURE LAND USE MAP AMENDMENT

Policy 2.7: Commercial/Industrial Corridor

The primary function of the Commercial/Industrial Corridor classification is to accommodate commercial and light industrial needs of the market area. 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 15% of the total acreage allocated to the Commercial/Industrial Corridor Future Land Use Category may include residential uses. Permitted commercial uses include retail stores, shopping centers, offices, services, financial institutions, hotels, motels, and restaurants. Permitted light industrial uses include light manufacturing and assembly, truck and bus terminal facilities, warehousing and storage facilities excluding uses generating potentially harmful nuisance impacts. Floor area ratios for commercial structures shall not exceed 2.0.

**Table 1:
Density/Intensity Information**

	Existing Zoning: Industrial & Limited Agricultural 5.60 +/- acres of 14.62+/- acres		Proposed Zoning: Industrial 5.60 +/- acres to be changed of 14.62 +/- acres	
Density/Intensity	Limited Agricultural (AL): 1 DU/acre		Industrial (IL): 9.99 DU/acre (15% of total acreage allowed for residential use)/FAR max 2.0	
Density Potential	Residential: 1x5.60= 5.6 DU's	Industrial: N/A	Residential: 9.99x0.84= 8.4 DU's	Industrial: 243,936 sq ft. building max
Difference	Increase of 2.8 DU			

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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 lists the Future Land Uses (FLU) for the surrounding areas adjacent to the subject site.

Table 1: Surrounding Uses

Northwest Lake Hamilton Commercial FLU- Zoning-	North Dundee/Lake Hamilton Commercial Business/Residential FLU-Comm/Ind. Corridor Zoning-IL	Northeast Dundee/Lake Hamilton Residential/Lake Crystal FLU-LDR Zoning-AL
West Dundee Commercial w/ Communication Tower FLU-Comm/Ind. Corridor Zoning-CH/IL	Subject Site Boulevard Tire/ Vacant Land Current FLU-Comm/Ind. Corridor & AL Current Zoning- IL & AL Proposed FLU- Comm/Ind Corridor Proposed Zoning-IL	East Dundee Residential FLU-LDR Zoning-AL
Southwest Dundee Commercial FLU-Comm/Ind. Corridor Zoning-CH	South Dundee Crystal Lake Subdivision FLUM-LDR Zoning-RSF-3	Southeast Dundee Vacant Farmland FLU-LDR Zoning-RSF-1

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 septic system.

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 addition will be from the current entrance and exit off Highway 27 and a traffic impact study will be reviewed at the time of site plan approval.

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 so, 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.

School Impacts

The current and proposed Future Land Use is a land use that does not pose any impacts 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

Comprehensive Plan Policy	Analysis
FLU Policy 5.1: 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 septic serves as the wastewater option.
FLU Policy 5.2: 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 Future Land Use map amendment can be facilitated. There is an interlocal agreement with the city of Winter Haven for potable water and wastewater.
FLU Policy 6.1: 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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<p>FLU Policy 6.2: Promote compact urban growth through the location of public facility expansions contiguous to existing development areas</p>	<p>The proposed use is an expansion of the current use and therefore represents a very efficient pattern of growth.</p>
<p>CIE Policy 2.3: At the time a development permit is issued, adequate facility capacity is available or will be available when needed to serve the development.</p>	<p>Adequate public facilities will be available at the time of site plan approval to keep the levels of service in all areas.</p>
<p>PSFE Policy 2.4.1: 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.</p>	<p>The current and proposed use is commercial/industrial and does not pose any impacts on the public school system.</p>

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 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 **approval of Ordinance 24-06 on second hearing**, a request by Bryan Hunter of Hunter Engineering, Inc. to amend the Zoning Map for property located in the Town of Dundee from Industrial (IL) & Limited Agricultural (AL) to Industrial on portions (5.60 +/- acres) of 14.62 +/- acres of land. The subject property is located east of Hwy. 27, northside of Sunburst Rd., and the southside of Kitto Ln., further described as parcel 27-28-20-00000-021080 in Section 20, Township 28, and Range 27.
2. I move **approval with changes of Ordinance 24-06 on second hearing**, a request by Bryan Hunter of Hunter Engineering, Inc. to amend the Zoning Map for property located in the Town of Dundee from Industrial (IL) & Limited Agricultural (AL) to Industrial on portions (5.60 +/- acres) of 14.62 +/- acres of land. The subject property is located east of Hwy. 27, northside of Sunburst Rd., and the southside of Kitto Ln., further described as parcel 27-28-20-00000-021080 in Section 20, Township 28, and Range 27.
3. I move **denial of Ordinance 24-06 on second hearing**, a request by Bryan Hunter of Hunter Engineering, Inc. to amend the Zoning Map for property located in the Town of Dundee from Industrial (IL) & Limited Agricultural (AL) to Industrial on portions (5.60 +/- acres) of 14.62 +/- acres of land. The subject property is located east of Hwy. 27, northside of Sunburst Rd., and the southside of Kitto Ln., further described as parcel 27-28-20-00000-021080 in Section 20, Township 28, and Range 27.

Attachments: Legal Descriptions

Location Map

Existing Future Land Use Map

Proposed Future Land Use Map

Boundary Survey

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LEGAL DESCRIPTION OF PARCEL 1 (From Survey)

The East 1142 feet of the following described property in Section 20, Township 28 South, Range 27 East, Polk County, Florida:

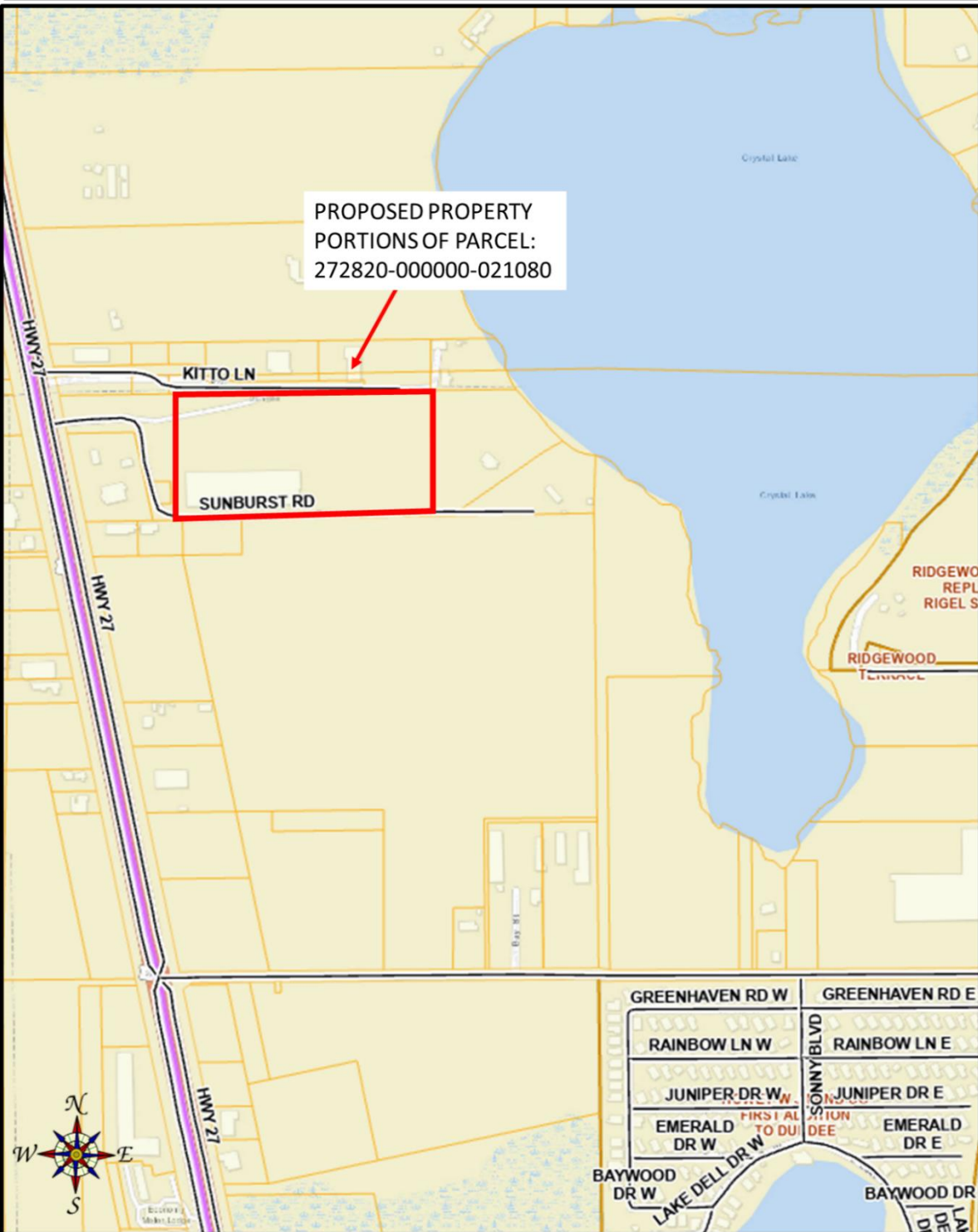
COMMENCE at the Southeast corner of Section 20, Township 28 South, Range 27 East, Polk County, Florida, and run North 0 degrees 31 minutes West, along the Section line, 2044.50 feet to a concrete monument; thence run South 89 degrees 10 minutes West, 721.89 feet to a point, said point being the POINT OF BEGINNING.

From the POINT OF BEGINNING run South 89 degrees 10 minutes West, 1241.04 feet to a concrete monument; run thence North 11 degrees 37 minutes West, 400 feet to a concrete monument; thence run South 89 degrees 10 minutes West, 300 feet to a concrete monument on the Easterly Right-of-Way boundary of U.S. Highway No. 27; thence run North 11 degrees 37 minutes

West, along the said Right-of-Way, 171.67 feet to a concrete monument located in a fence line; thence run North 89 degrees 22 minutes East, along said fence line, to a point North of the POINT OF BEGINNING; run thence South 555.61 feet, more or less, to the POINT OF BEGINNING and to close.

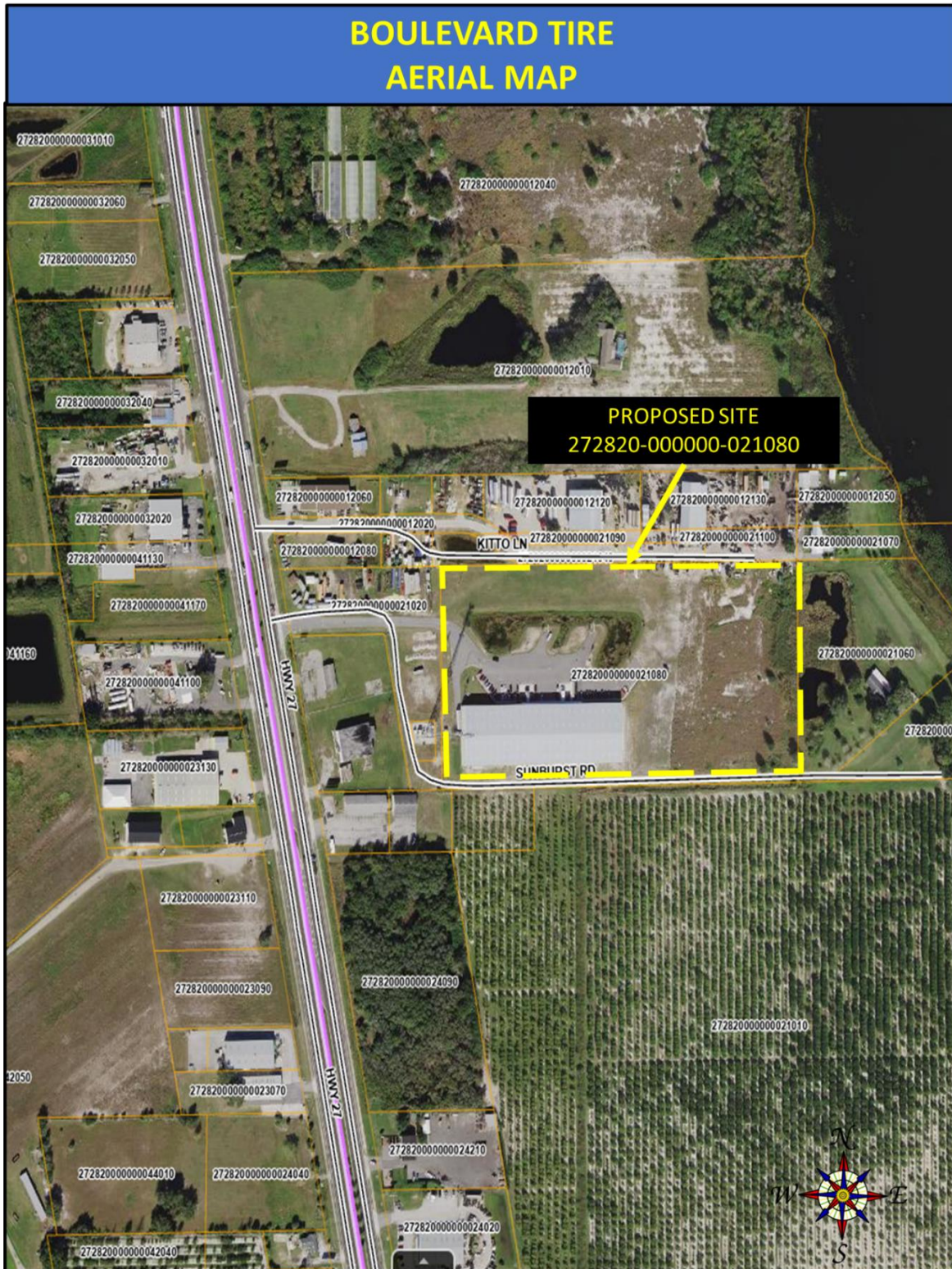
Legal Description

LOCATION MAP



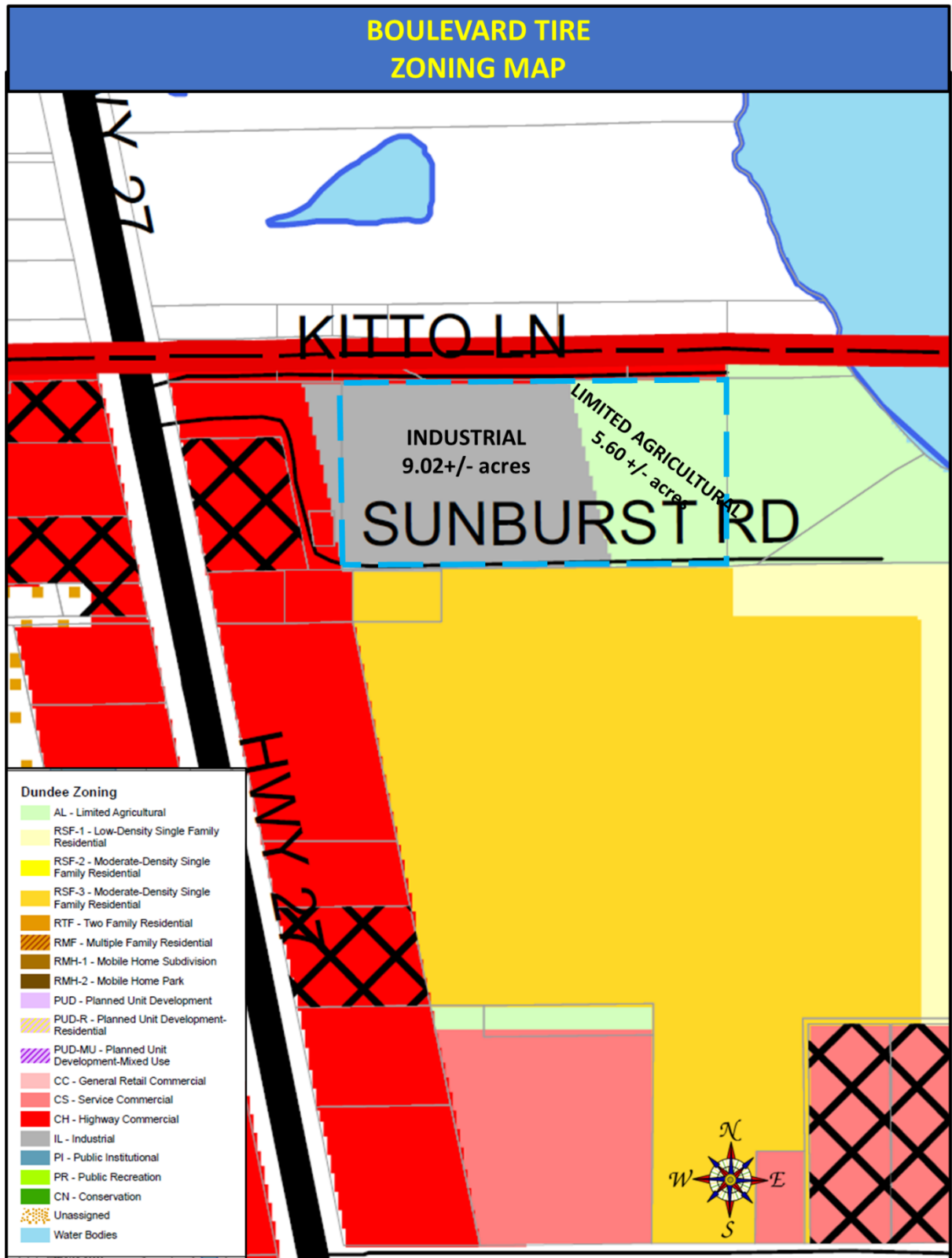
Location Map

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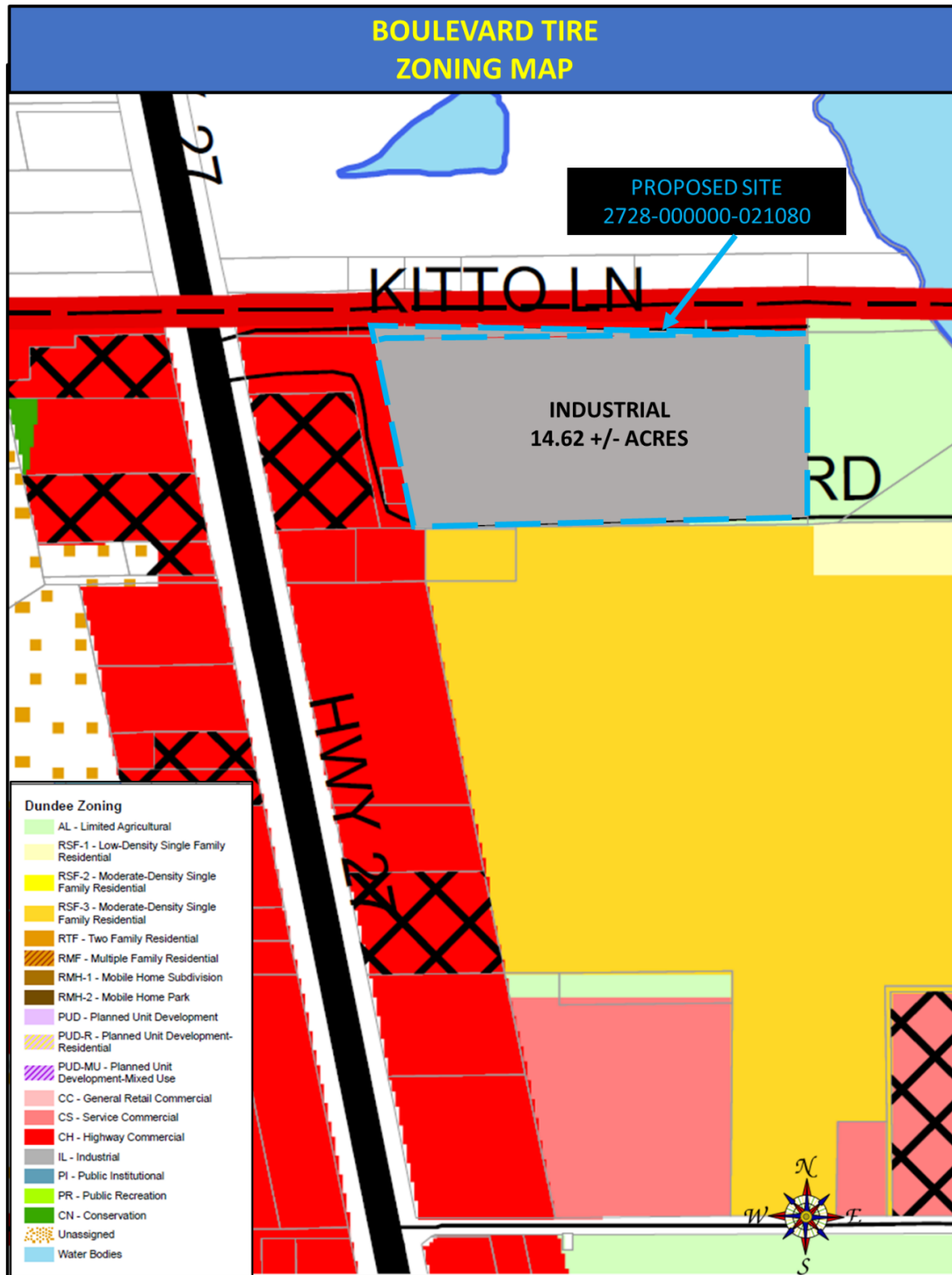


Aerial Map Context

TOWN OF DUNDEE TOWN COMMISSION STAFF REPORT BOULEVARD TIRE ZONING MAP AMENDMENT

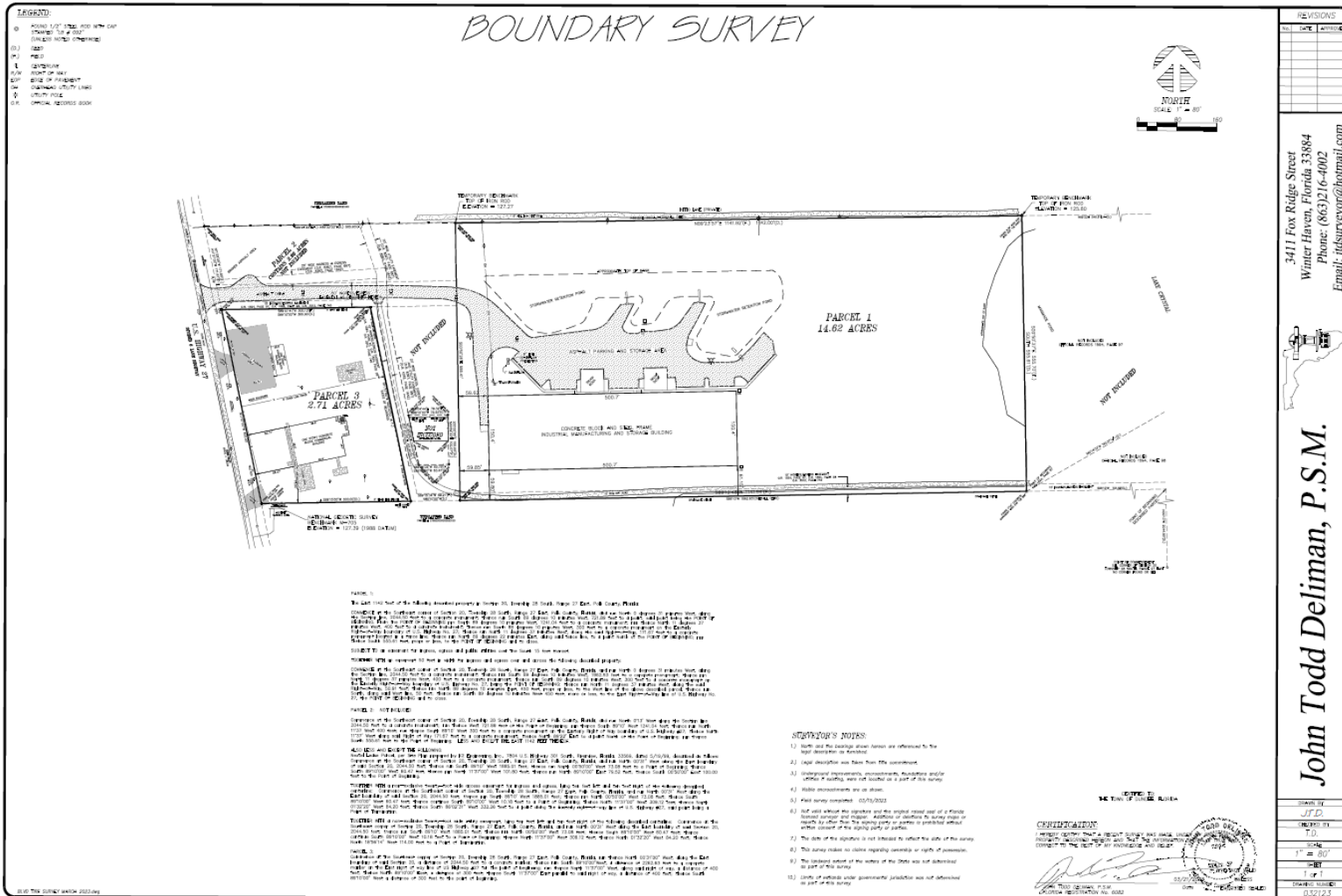


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Proposed Future Land Use Map

TOWN OF DUNDEE TOWN COMMISSION STAFF REPORT BOULEVARD TIRE ZONING MAP AMENDMENT



Boundary Survey