

POLK CITY

PLANNING COMMISSION MEETING (6:00 P.M.)

Polk City Government Center
123 Broadway Boulevard SE

January 8, 2024

AGENDA

CALL TO ORDER

Chairman

PLEDGE OF ALLEGIANCE

Chairman

ROLL CALL

ESTABLISHMENT OF A QUORUM

APPROVAL OF MEETING MINUTES

– August 7, 2023

NEW BUSINESS

- 1. Public Hearing – Future Land Use Map Amendment:** The Applicant, Dwayne Prestage, is requesting a Future Land Use Map amendment from Convenience Center-X (CCX) to Residential Suburban-X (RSX) on approximately 1.44 acres in Polk City, located at 9600 SR 33 (Parcel number 252631-000000-644210).

Public Hearing – Zoning Map Amendment: The Applicant, Dwayne Prestage, is requesting a Zoning Map amendment from Convenience Center-X (CCX) to Residential Suburban-X (RSX) on approximately 1.44 acres in Polk City, located at 9600 SR 33 (Parcel number 252631-000000-044210).

- 2. Public Hearing - Preliminary Site Plan – Polk City Retail Plaza:** The applicant, Wagh Deelip and Manjani Naushad, is requesting preliminary site plan approval of a 9,720 square-foot retail plaza located on approximately 1.37 acres in Polk City, located at 0 SR 33 (Parcel number 242701-000000-021020).

- 3. Public Hearing – Conditional Use Permit – Special Events Facility:** The applicant Gary Hoshing, is requesting a conditional use permit approval for a special events facility situated on approximately 2.09 acres in Polk City, located at 545 Orange Boulevard (Parcel number 252633-296500-045020).

ADJOURNMENT

PLEASE NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY MEETINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, POLK CITY 123 BROADWAY BLVD SE, POLK CITY, FLORIDA 33868 TELEPHONE (863) 984-1375, AT LEAST 48HRS IN ADVANCE.

PLANNING COMMISSION MEETING MINUTES

August 7, 2023

Chairman Gorski called the meeting to order at 6:00 pm.

Those present recited the Pledge of Allegiance led by Chairman Gorski.

Present: Eugene Gorski, Robert Baker, David Prins

Absent: William Fienga, Edward Hanks, Antonio Thomas

Quorum Established

APPROVAL OF MINUTES

Motion by Vice Chairman Baker to approve the July 10, 2023, Planning Commission Meeting Minutes as presented; this motion was seconded by Member Prins. **Approved by Voice Vote 3/0.**

PUBLIC COMMENTS - None

ORDER OF BUSINESS

PUBLIC HEARING – Site Plan Review

Marisa Barmby discussed the Site Plan Application for Polk City Self Storage located at 119 Bronson Trail (Polk County Parcel Number: 252633-297600-001030) to add a 6,400 square foot office building, and 13,000 square foot storage building with required parking facilities.

Motion by Member Prins to approve the Site Plan Review with conditions as listed; this motion was seconded by Vice Chairman Baker.

Vice Chairman Baker discussed the Storage facility's landscaping is currently not being maintained.

Kathy Delp, Development Services Director responded this needs to be addressed by Code Enforcement.

Motion carried 3/0 by Voice Vote.

ADJOURNMENT- 6:07 pm

Patricia Jackson, City Manager/Clerk

Gene Gorski, Chairman



**POLK CITY
FUTURE LAND USE MAP AMENDMENT & REZONING
OVERVIEW REPORT**

January 8, 2024

TO: Polk City Planning Commission

FROM: Central Florida Regional Planning Council

SUBJECT: **Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern:** A applicant-initiated Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern "X" to change the Future Land Use from Convenience Center-X (CCX) to Residential Suburban-X (RSX) on approximately 1.44 acres in Polk City, located at 9600 SR 33 (Parcel number 252631-000000-044210).

Rezoning in the Green Swamp Area of Critical State Concern: An applicant-initiated rezoning in the Green Swamp Area of Critical State Concern "X" to change the zoning from Convenience Center-X (CCX) to Residential Suburban-X (RSX) on approximately 1.44 acres in Polk City, located at 9600 SR 33 (Parcel number 252631-000000-044210).

AGENDA AND HEARING DATES:

January 8, 2024, 6:00 PM: Planning Commission (Public Hearing)
February 20, 2024, 7:00 PM: Transmittal to Department of Commerce for 30 Day State review Period (Second Reading, Public Hearing)
March/April 2024, 7:00 PM: Second Reading – Adoption Hearing

ATTACHMENTS:

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Applications

PLANNING COMMISSION MOTION OPTIONS:

Future Land Use Map Amendment Motion Options:

1. Recommend **approval** of the Future Land Use Map amendment from CCX to RSX to the City Commission.
2. Recommend **denial** of the Future Land Use Map amendment from CCX to RSX to the City Commission.
3. **Continue** to a date and time certain.

Rezoning Motion Options:

1. Recommend **approval** of the Future Land Use Map amendment from CCX to RSX to the City Commission.
2. Recommend **denial** of the Future Land Use Map amendment from CCX to RSX to the City Commission.
3. **Continue** to a date and time certain.

OVERVIEW:

Applicant/Owner	D P Erectors
Agent	Dwayne Prestage
Parcel ID	252631-000000-044210
Subject Area	+/- 1.44 acres
Existing Future Land Use	Convenient Center-X (CCX) (Green Swamp)
Proposed Future Land Use	Residential Suburban-X (RSX) (Green Swamp)
Existing Zoning	Convenient Center-X (CCX) (Green Swamp)
Proposed Zoning	Residential Suburban-X (RSX) (Green Swamp)

The applicant is requesting a Future Land Use Map Amendment and rezoning to change the Future Land Use and zoning of a +/- 1.44-acre parcel in the Green Swamp Area of Critical State Concern "X" from the Future Land Use of Convenient Center-X (CCX) and the zoning of Convenient Center-X (CCX) to Residential Suburban-X (RSX). The subject parcel is located at 9600 SR 33. See attached Location Map.

BACKGROUND & REASON FOR REQUEST:

The applicant is requesting these amendments as they would like to utilize the site to build a residential structure.

STANDARDS FOR EVALUATING FUTURE LAND USE AND ZONING CHANGES:

The Polk City Planning Commission will provide recommendations, and the City Commission will make a final motion to accept, reject, modify, return, or continue to seek additional information on all proposed Future Land Use and zoning changes. The review shall be considered and evaluated against the following standards:

- *Consistency with the Comprehensive Plan and Land Development Code.*
- *Land Use Compatibility.*
- *Public Facilities and Services Analysis.*

CONSISTENCY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE:

The Future Land Use Map amendment is **consistent** with the Polk City Comprehensive Plan. The change in Future Land Use for the property will permit the property owner to develop the land while meeting all State and local requirements related to the Green Swamp Critical State Concern.

The Zoning amendment is **consistent** with the existing Future Land Use.

The request is to change the Future Land Use from Polk County Convenience Center (CCX) and the zoning of Polk County CCX to City Future Land Use of Convenience Center X and City Zoning of Convenience Center X. Descriptions for the existing and proposed Future Land Use and zoning designations are provided as follows:

Existing – Future Land Use

Polk City Comprehensive Plan, Future Land Use Element, Policy 4.4.B – Convenience Center: Convenience Centers are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area. The CCX district permits non-residential uses such as offices, convenience stores, gas stations, dry cleaners and community facilities. The maximum floor area ratio shall not exceed 0.25. Convenience Centers shall be located at the intersections of arterial and/or collector roads. There shall be a one (1) mile traveling distance within the Polk City SPA on public roads between the center of a Convenience Center and the center of any other Convenience Center, or other higher level Activity Center or Linear Commercial Corridor providing for the same convenience shopping needs. This required separation may be reduced if: a) The higher-level Activity Center or Linear Commercial Corridor within the required distance separation is over 80% developed; or b) the proposed Convenience Center market-area radius, minimum population support is over 5,000 people.

Useable Area	1 to 5 acres
Gross Leasable Area	3,000 to 20,000 square feet

Minimum Population Support	2,500 to 5,000 people
Market-Area radius	1 mile
Typical Leading Tenant	Convenience Store
Other Typical Tenants	Laundry, Dry cleaning, Barber, Restaurant, Gas Station, Office

Development within a Convenience Center shall conform to the following criteria:

- i. Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive that directly serves an arterial or collector roadway.
- ii. Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
- iii. Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
- iv. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.
- v. Residential uses shall not be permitted in Convenience Centers.
- vi. Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.

Proposed – Future Land Use

Polk City Comprehensive Plan, Future Land Use Element, Policy 4.4.D – Convenience Center:

- d. Residential-Suburban (RSX). The Residential-Suburban classification provides areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. Residential-Suburban areas shall be developed at densities up to and including one dwelling unit per five acres (1 DU/5 AC). Development within designated RSX areas shall be limited to: a) residential development containing single-family dwelling units, duplex units, and family care homes; b) agricultural support uses; c) community facilities; and, d) elementary, middle, and high schools.

Existing – Zoning

Polk City Land Development Code, Section 3.12.02.08(2) – CCX Convenience Centers: Convenience Centers X are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area.

Table 3.19 – Convenience Centers Usable Area

Useable Area	1 to 5 acres
Gross Leasable Area (GLA)	3,000 to 20,000 square feet
Minimum Population Support	2,500 to 5,000 people
Market-Area radius	1 mile
Typical Leading Tenant	Convenience Store
Other Typical Tenants	Laundry, Dry cleaning, Barber, Restaurant, Gas Station, Office

Convenience Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience shopping needs: a. One (1) mile within the Polk City Special Protection Area. This required separation may be reduced if:

The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or,

The proposed Convenience Center market-area radius, minimum population support is over 5,000 people.

Development within a Convenience Center shall conform to the following criteria:

- a) Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive that directly serves an arterial or collector roadway.
- b) Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
- c) Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
- d) Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air

conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.

- e) Residential uses shall not be permitted in Convenience Centers.
- f) Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.
- g) The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Unit Development.
- h) Planned Unit Developments within the Convenience Center may be permitted a maximum floor area ratio up to 0.50. Intensity increases shall only be awarded to innovative, efficient, and compatible Planned Unit Development proposals that are consistent with the general district characteristics. Such Planned Unit Developments shall also be designed to be compact and require less land area than other alternatives.

Proposed –Zoning

Polk City Land Development Code, Section 3.12.02.08(2) – RSX Residential-Suburban (RSX): The Residential-Suburban classification is characterized by single-family dwelling units and duplex units. Residential-Suburban areas shall be developed at densities up to, and including, 1 DU/5 AC. Development within designated RS areas shall be limited to: a) residential development containing single-family dwelling units, duplex units, and family care homes, at a density of up to, and including, one dwelling unit per five acres (1 DU/5 AC); b) elementary schools; c) middle schools with the approval of a Conditional Use or its functional equivalence in accordance with policies of this Plan; and, d) residential infill development that contains single-family or duplex-style development and is located amongst an existing residential community.

LAND USE COMPATIBILITY

The parcels to the south, east, and part of the north are in unincorporated Polk County. These parcels include Agriculture/Rural Residential and Residential Suburban Future Land Use. The parcels include single family homes and mobile homes. The parcel to the west and partially to the north are located in Polk City. The parcel to the east has Residential Suburban-X Future Land Use and Zoning and includes a mobile home. The northern parcel in the City has a Commercial Convenience-X (CCX) Future Land Use and is vacant. The subject parcel is surrounded by a single-family home including mobile homes. The adjacent parcels consist of single-family homes, Vacant Land and Commercial. The *Land Use Matrix* below outlines the existing and proposed Future Land Use and zoning of the subject parcel, the existing Future Land Use and zoning of adjacent properties, and the existing land use of the subject parcels and adjacent properties. Proposed Future Land Use and Zoning Maps are also provided for reference.

Land Use Matrix

Northwest	North	Northeast
Future Land Use: Agriculture/Rural Residential (County) Zoning: Agriculture/Rural Residential (County) Existing Land Use: Single Family	Future Land Use: Agriculture/Rural Residential (County) and CCX Zoning: Agriculture/Rural Residential (County) and CCX Existing Land Use: MH (County) and vacant (City)	Future Land Use: ROW and Residential Suburban (County) Zoning: ROW and Residential Suburban (County) Existing Land Use: Single Family – Mobile Home
West	Subject Parcels	East
Future Land Use: Residential Suburban-X (RSX) Zoning: Residential Suburban-X (RSX) Existing Land Use: Single Family – Mobile Home	Future Land Use: <u>Existing:</u> CCX <u>Proposed:</u> RSX Zoning: <u>Existing:</u> CCX <u>Proposed:</u> RSX Existing Land Use: Vacant	Future Land Use: ROW and Residential Suburban (County) Zoning: ROW and Residential Suburban (County) Existing Land Use: Single Family
Southwest	South	Southeast
Future Land Use: Agriculture/Rural Residential (County) Zoning: Agriculture/Rural Residential (County) Existing Land Use: Multiple Single-Family Homes	Future Land Use: Agriculture/Rural Residential (County) Zoning: Agriculture/Rural Residential (County) Existing Land Use: Multiple Single-Family Homes	Future Land Use: ROW and Residential Suburban (County) Zoning: ROW and Residential Suburban (County) Existing Land Use: Single Family – Mobile Home

Table 1 includes the density for the existing and proposed Zoning designations for the property.

**Table 1:
Analysis of Impacts from Proposed Future Land Use Change**

	Existing FLU: CCX (1.44 acres)	Proposed FLU: RSX (1.44 acres)
Density/Intensity	0 DU/Acre (FAR 0.25)	1 DU/acre
Density Potential	0 Dus (15,681 sf)	1 DUs
Difference	Decrease of 15,681 sf non-residential and increase of 1 DU	

Table 2:

Analysis of Impacts from Proposed Zoning Change

	Existing Zoning: CCX (1.44 acres)	Proposed Zoning: RSX (1.44 acres)
Density	0 DU/Acre (FAR 0.25)	1 DU/acre
Density Potential	0 Dus (15,681 sf)	1 DUs
Difference	Decrease of 15,681 sf non-residential and Increase of 1 DU	

Development of the site as single-family is consistent with the surrounding property and serves as in-fill development.

PUBLIC FACILITIES AND SERVICES ANALYSIS:

Potable Water and Wastewater

The City has capacity in both systems to serve development of this property. Water and Sewer are located in the SR 33 right-of-way.

Traffic/Transportation

The site is accessed via State Road 33. This is a state-maintained right-of-way. The Florida Department of Transportation will have to issue the driveway permit for the property.

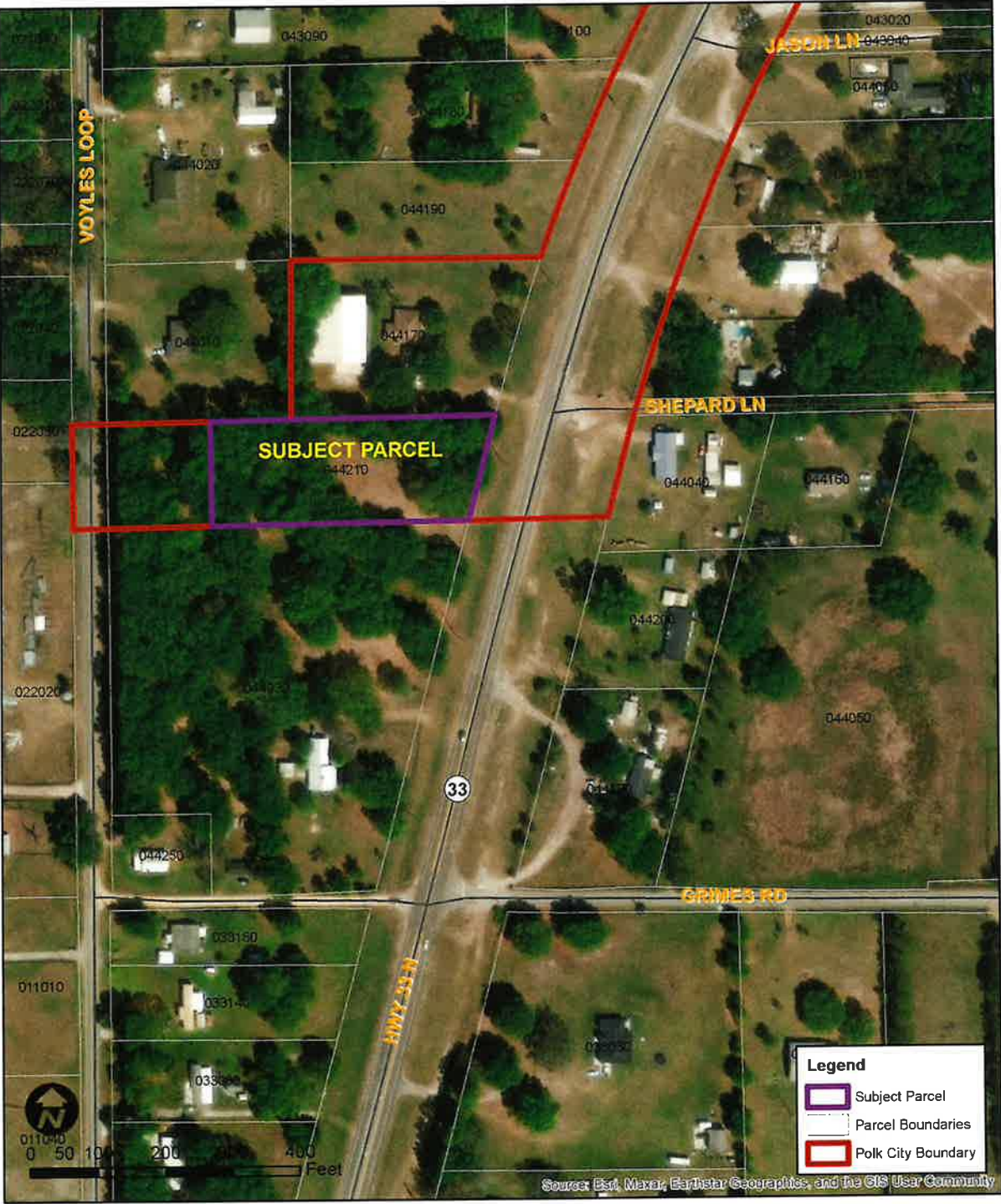
Environmental Impacts

The site is located in the Green Swamp Area of Critical State Concern.

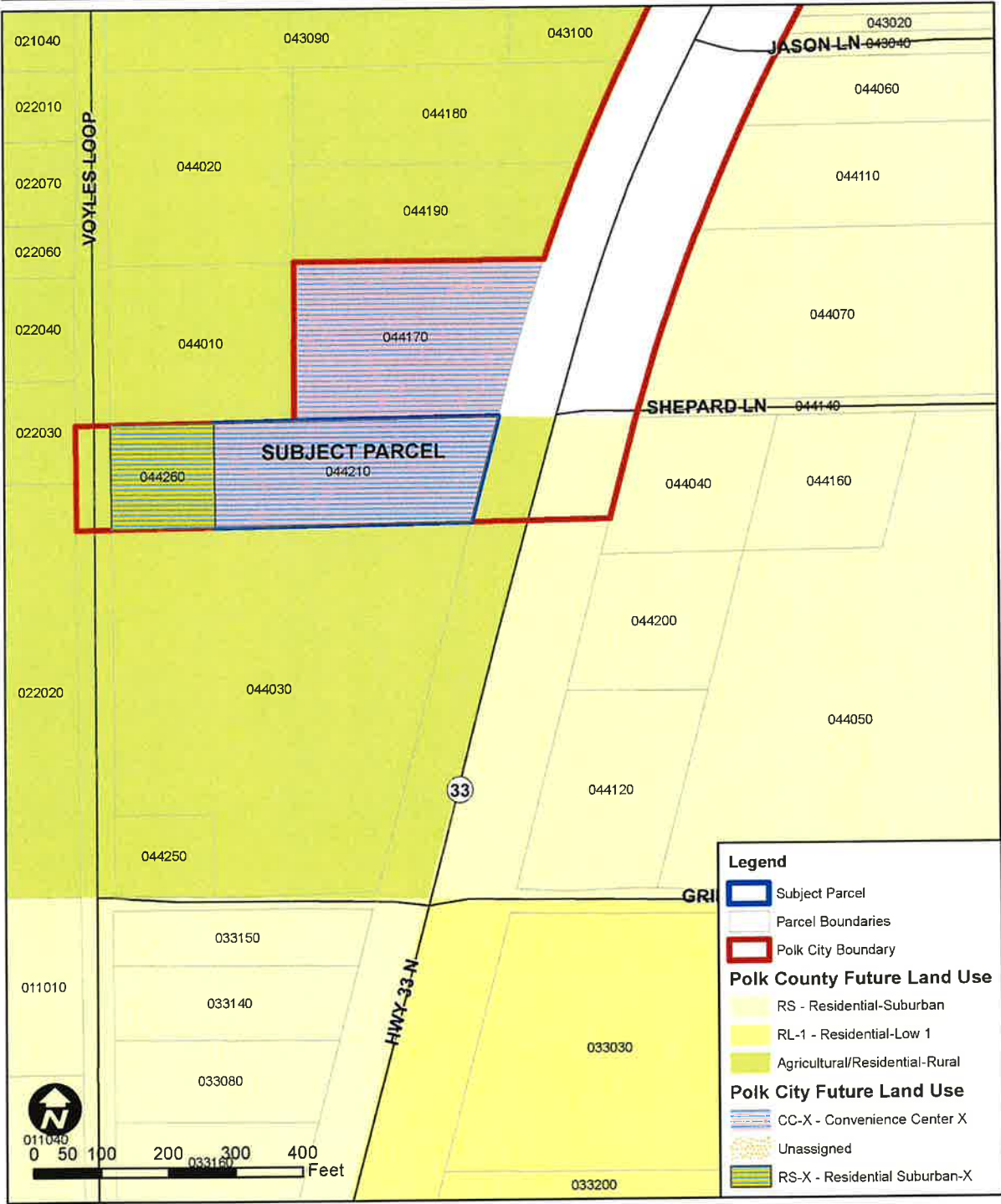
School Impacts

School concurrency will have to be completed with any project review application.

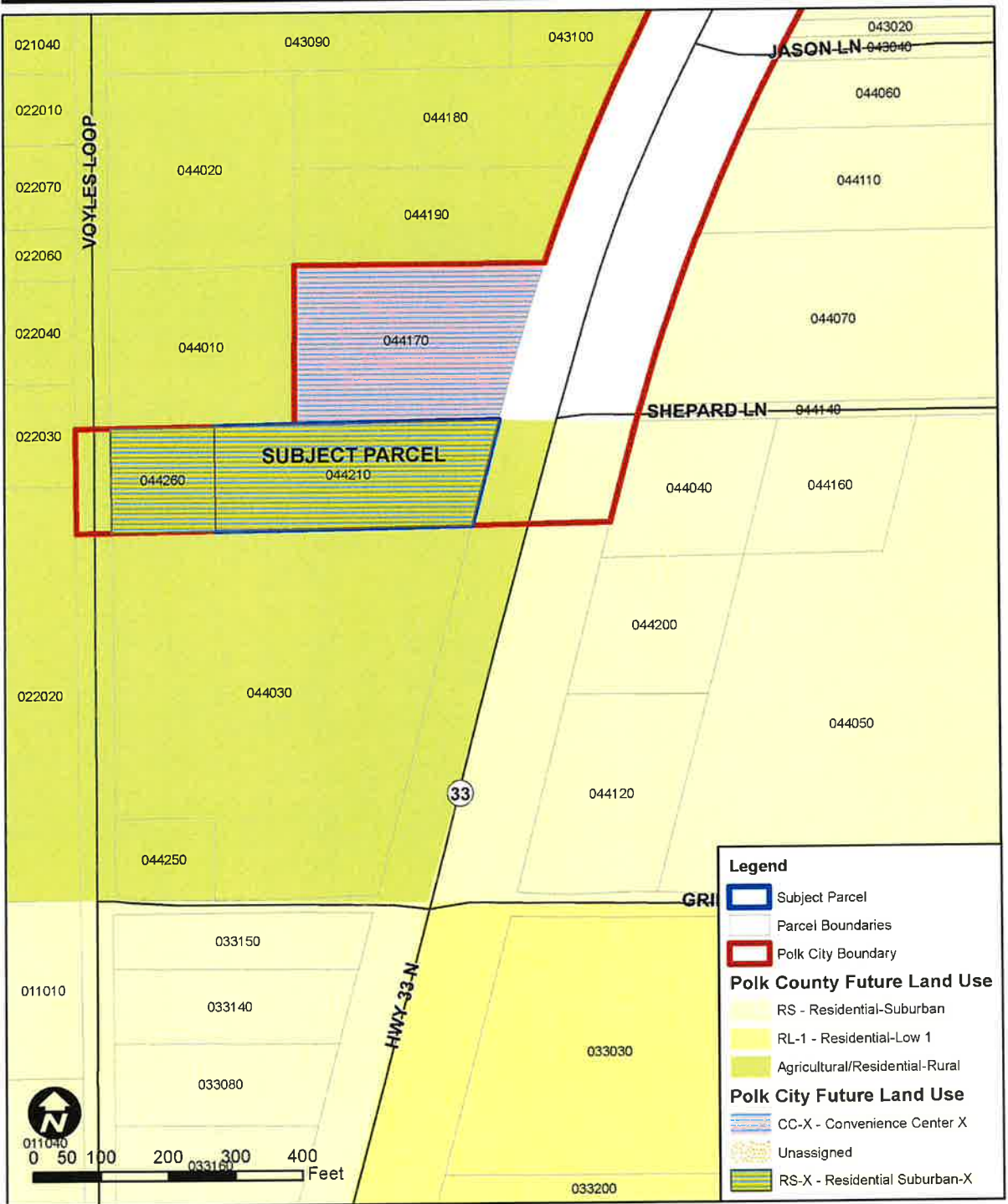
LOCATION MAP



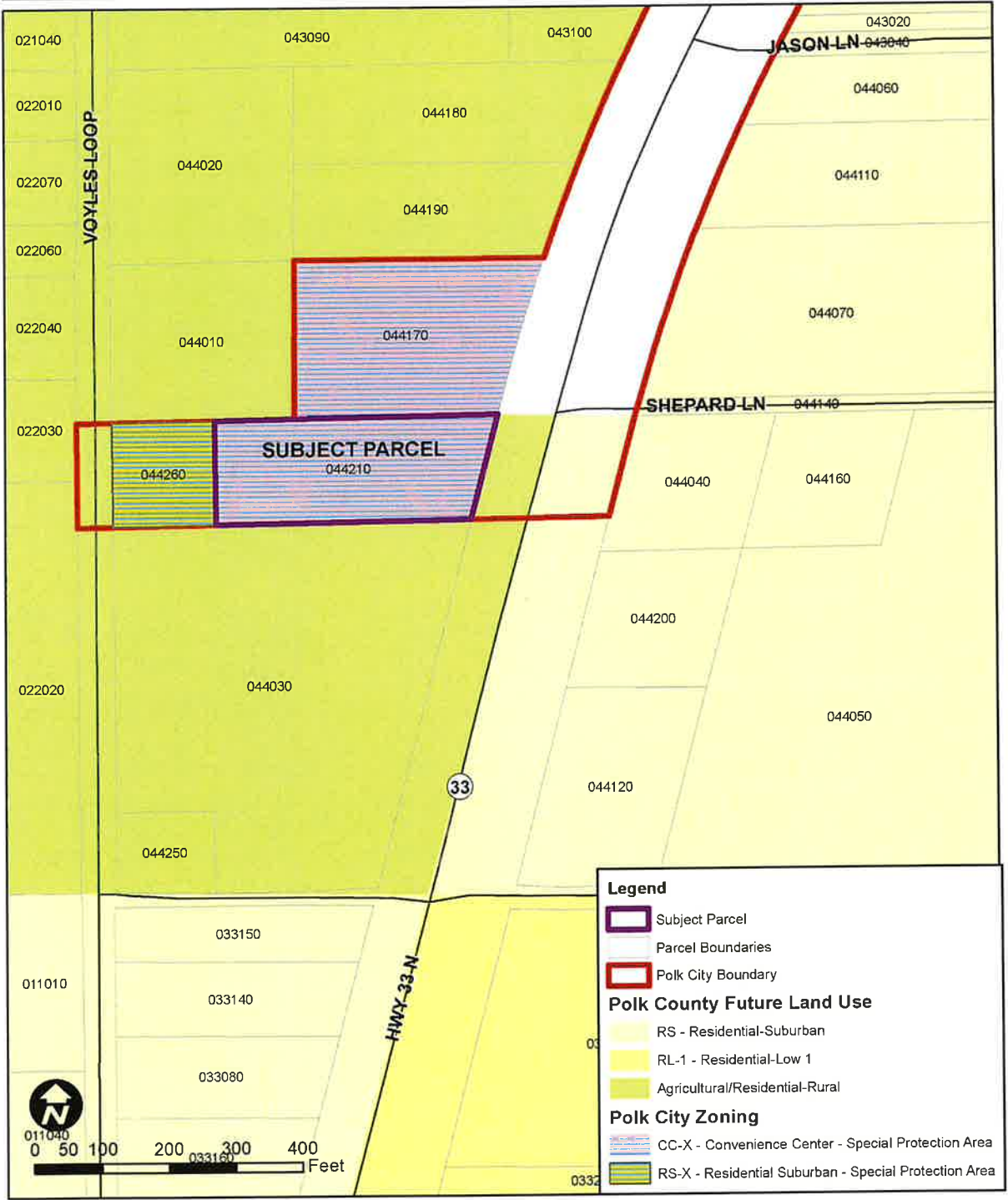
FUTURE LAND USE MAP - EXISTING



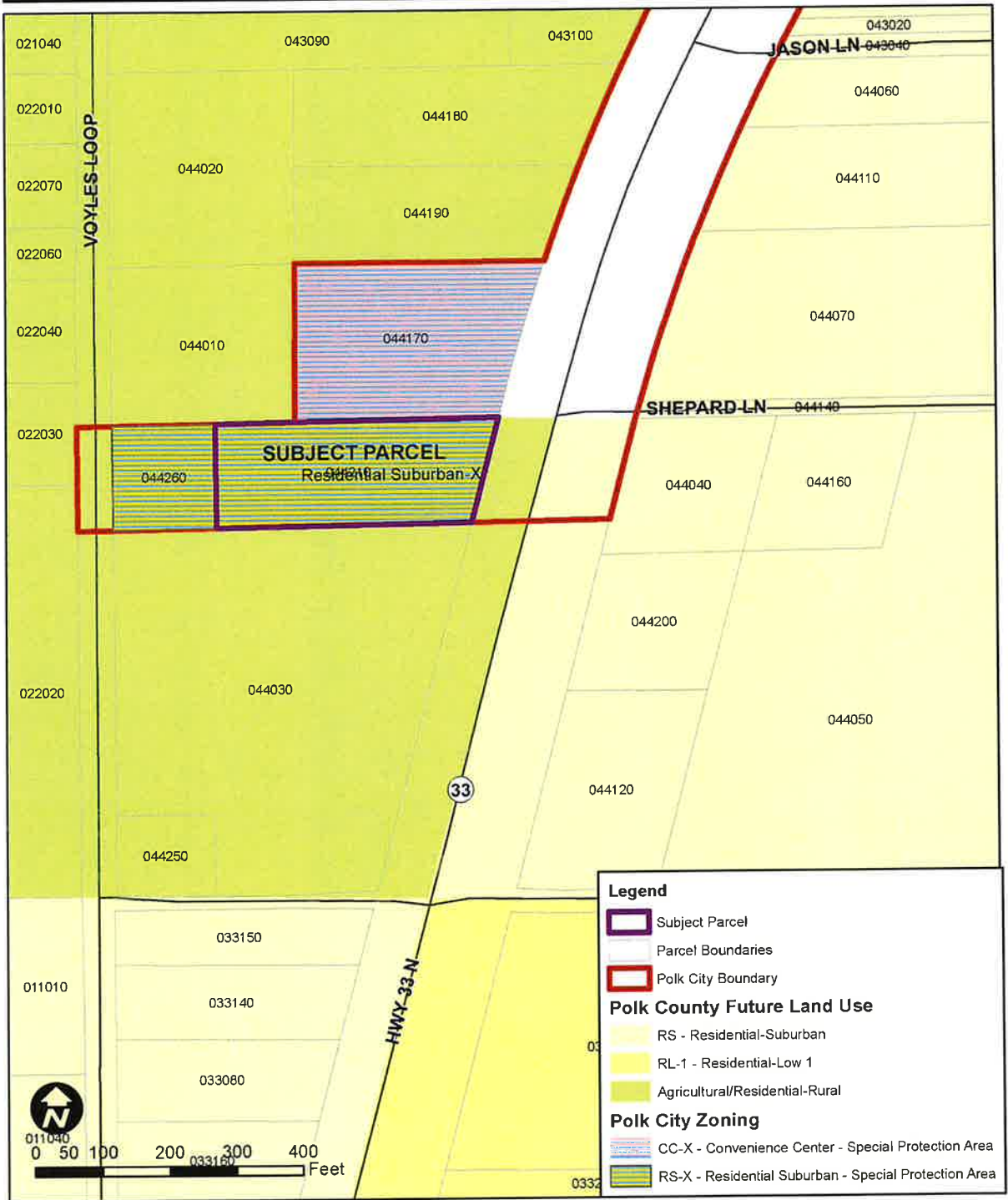
FUTURE LAND USE MAP - PROPOSED



ZONING MAP - EXISTING



ZONING MAP - PROPOSED





Proposed Amendment: # _____
Receipt: # _____ Fee: \$ _____
Small Scale? (≤ 10 acres) YES () NO ()

**CITY OF POLK CITY
APPLICATION FOR FUTURE LAND USE MAP AND/OR ZONING AMENDMENT**

City of Polk City
Planning Services
PO Box 1139
Polk City, Florida 33868
Phone: 863-984-1375

FOR OFFICE USE ONLY	
DATE RECEIVED:	_____
RECEIVED BY:	_____
P & Z HEARING:	_____
(LS) TRANSMITTAL HEARING:	_____
(SS) FIRST READING:	_____
ADOPTION HEARING:	_____

APPLICANT NAME: Dwayne Prestage PHONE: 863-206-3420

ADDRESS: 339 Tavares Rd Polk City, Fl. 33868

(Enclose Letter of Authorization from owner(s))

AGENT NAME: _____ PHONE: _____

ADDRESS: _____

OWNER NAME: D P ERECTORS, LLC PHONE: 863-206-3420

(Enclose Proof of Ownership, i.e. photocopy of Deed, Tax Receipt)

ADDRESS: 9600 N. Hwy 33 Polk City, Fl. 33868

REQUEST DCA REVIEW: () YES () NO () N/A # of acres: _____ Legal description attached ()

SUMMARY AND LOCATION OF PROPOSED AMENDMENT:

9600 N Hwy 33, Polk City, Fl. 33868

JUSTIFICATION OF PROPOSED AMENDMENT:

EXISTING FUTURE LAND USE CC CURRENT ZONING: Commercial

PROPOSED FUTURE LAND USE: Resident PROPOSED ZONING: Residential

DESCRIPTION OF EXISTING LAND USES ON THE SUBJECT PROPERTY:

Vacant

DESCRIPTION OF EXISTING LAND USES SURROUNDING THE SUBJECT PROPERTY:

Residential

PROPOSED USE OF THE SUBJECT PROPERTY (DEVELOPMENT DESCRIPTION, SCHEDULE, AND PHASES):

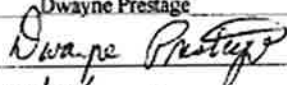
Build a house or setup doublewide mobile home.

MAXIMUM ALLOWABLE DENSITY UNDER EXISTING FUTURE LAND USE MAP DESIGNATION:

MAXIMUM ALLOWABLE DENSITY UNDER PROPOSED FUTURE LAND USE MAP DESIGNATION:

The above application for an amendment to the City of Polk City's Comprehensive Plan is submitted for the City's review by the legal owner(s) of the property subject to the request, whose name(s) and signature(s) follows:

(Please type or print names)

Name: Dwayne Prestage
Signature: 
Date: 12/11/2023

If Other Owners:

Name: _____
Signature: _____
Dated: _____



City of Polk City

• 123 Broadway Blvd, SE • Polk City, Florida 33968 • (863) 964-31375 • Fax (863) 964-2334

Application for Zoning or for Rezoning of Property

Applicant

The following information is required for submission of an application for assignment of a Zoning District in the City or the Rezoning of property in the City limits of Polk City, Florida. Please print or type the required information below. Attach three copies of the current survey of subject property certified to the City of Polk City along with an aerial photograph and location map.

Name of Property Owner: D P ERECTORS
Mailing Address: 339 Tavares Rd. Polk City, Fl. 33868 Phone: 863-206-3420
Name of Representative, if applicable: Dwayne Prestage
Mailing Address: 339 Tavares Rd. Polk City, Fl. 33968 Phone: 863-206-3420
Reason for Request: to put a mobile home or build a house on the property

Property Identification

Property Address or General Location: 9600 Highway 33 North Polk City, Fl. 33868
Present Use of the Property: Vacant Lot
Existing Structures Located on the Site: None
Total Acreage: 1.44 Number of Residents on Site: None
Parcel I.D.#: 25263100000044210
Section: 31 Township: 26 South Range: 25 East
Legal Description of the Property: S 156 FT OF N 684.96 FT OF SW 1/4 OF SW 1/4 W OF SR 33 & LESS MAINT RW FOR VOYLES LOOP RD & LESS COM AT SW COR OF SEC RUN N89-12-38E ALG W LINE OF SW 1/4 OF SW 1/4 S47-23 FT N89-20-49E 21.40 FT TO E COUNTY MAINTAINED R/W LINE OF VOYLES LOOP RD FOR POB N89-28-37W ALG E RW LINE 25.90 FT N89-32-04W ALG E RW LINE 99.97 FT N00-38-56W ALG E RW LINE 30.13 FT N89-20-49E 155.00 FT S00-32-49E 156.00 FT S89-20-49W 155.00 FT TO POB

Planning and Zoning Information

Current City Zoning Classification: CC-X- Convenience Center
Current Future Land Use Classification: CC-X
Requested City Zoning Classification: R-1 Single Family Residential

Note: Unless specific zoning designations are requested, the City will assign designations, which most closely conform with the actual use of the property or with designations of surrounding properties. An application fee will be assessed only on requests for land use and zoning changes which result in an increase in land use or zoning intensity over that allowed under the County designations.

Date Received: 11/3/23 Received By: KILD
Fee Paid: yes File Number: _____

OWNER'S SIGNATURE PAGE

(I) (We D P ERECTORS) being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the City of Polk City to process this petition for Zoning or Re-zoning, in accordance with all adopted City rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS

<u>Dwayne Prestage</u> 11/2/2023	_____
Signature of Owner	Signature of Owner
<u>Dwayne Prestage</u>	_____
Printed Name of Owner	Printed Name of Owner
_____	_____
Signature of Owner	Signature of Owner
_____	_____
Printed Name of Owner	Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 2 day of November, 2023, by Prestage Dwayne, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.

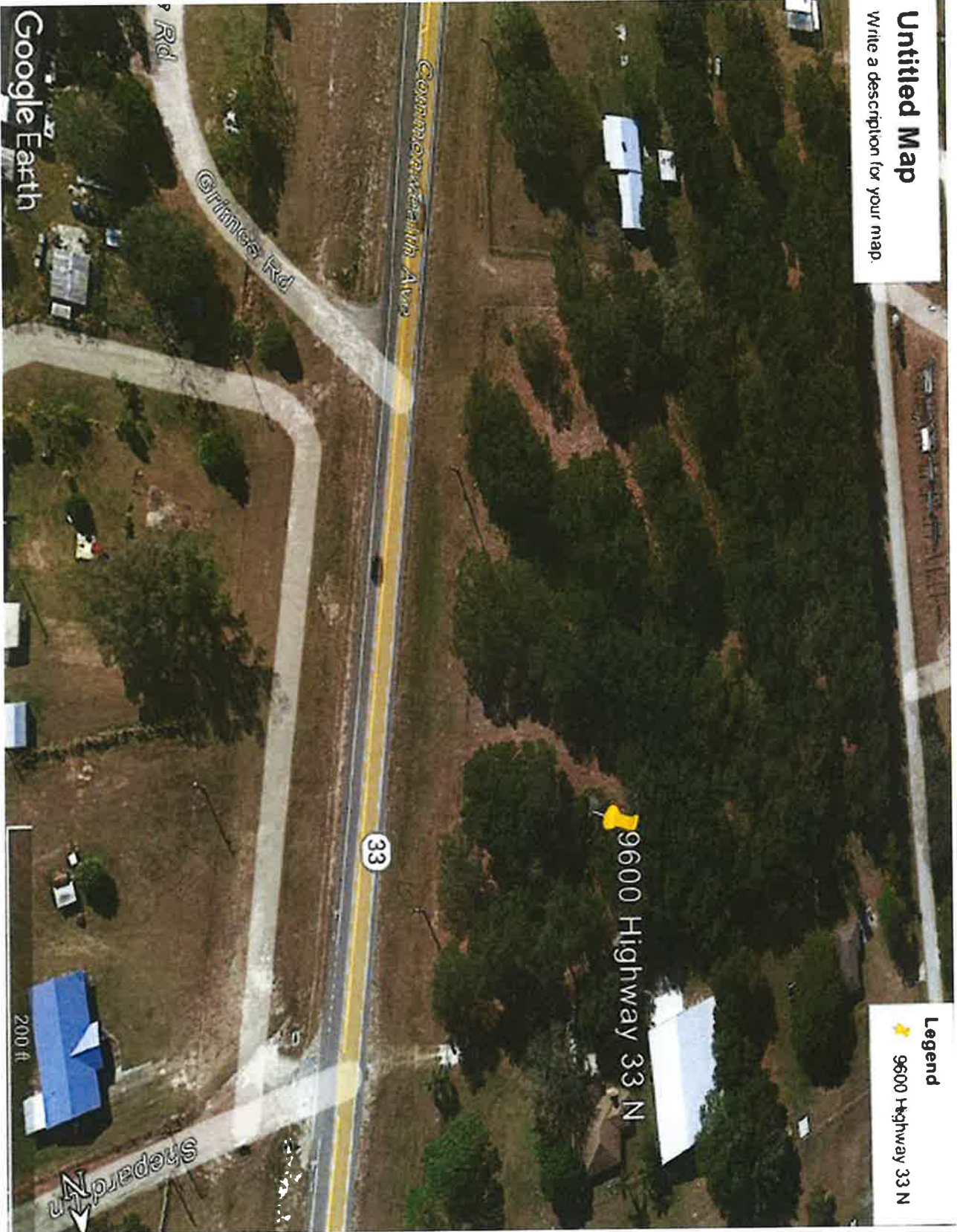


WANDA COLON
Notary Public
State of Florida
Comm# HH334405
Expires 11/21/2026

Wanda Colon
Notary Public
Notarial Seal and Commission
Expiration Date

Untitled Map

Write a description for your map.







**POLK CITY PLANNING COMMISSION
SITE PLAN REVIEW
STAFF REPORT
January 8, 2024**

TO: POLK CITY PLANNING COMMISSION

FROM: CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

SUBJECT: SITE PLAN REVIEW:
0 SR 33 Retail Plaza

AGENDA & HEARING DATES:

Planning Commission Meeting: January 8, 2024, at 6:00 PM
City Commission Meeting: February 20, 2024
Transmittal to Department of Commerce
City Commission Meeting: Tentative April 16, 2024

OWNER OF PROPERTY/APPLICANT: Deelip Wagh and Naushad Manjani

Attachments

- Overview Report
- Aerial Photo Map
- Future Land Use Map
- Zoning Map
- Site Plan
- Application

OVERVIEW REPORT

PROPERTY OVERVIEW:

Property Owner	Deelip Wagh and Naushad Manjani
Applicant	Deelip Wagh and Naushad Manjani
Subject Parcels	242701-000000-021020
Acreage	1.37 acres
Existing Future Land Use	CC-X
Existing Zoning	CC-X

REQUEST:

The applicant, LLW Group LLC, is requesting preliminary site plan approval of a 4,800 square discount store and 4,920 square feet of retail on 1.37 acres in Polk City, located at 0 State Road 33. The property is located in the Green Swamp Area of Critical State Concern. The site includes one parcel that is 1.37 acres. **The applicant is requesting to develop the site with a 9,600 square foot retail plaza with required parking facilities.**

SURROUNDING PROPERTY INFORMATION:

The subject parcel is surrounded by a mix of Low and Medium Density Residential Future Land Use, and Commercial Future Land Uses. The adjacent parcels consist of single-family homes, Vacant Land and Commercial. The Land Use Matrix below outlines the Future Land Use and zoning of the subject parcels, the existing Future Land Use and zoning of adjacent properties, and the existing land use of the subject parcels and adjacent properties. Future Land Use and Zoning Maps are also provided for reference.

Land Use Matrix

Northwest	North	Northeast
Future Land Use: Business Park Center-X Zoning: Business Park Center-X Existing Land Use: Warehouse/Distribution Center	Future Land Use: Residential Low-1 (County) Zoning: MH Existing Land Use: Single Family Development	Future Land Use: Residential Low-1 (County) Zoning: MH Existing Land Use: Single Family Development – Mobile Homes
West	Subject Parcels	East

Future Land Use: Business Park Center-X Zoning: Business Park Center-X Existing Land Use: Warehouse/Distribution Center	Future Land Use: CCX Zoning: CCX Existing Land Use: Vacant	Future Land Use: Residential Low-1 (County) Zoning: Residential Low-1 (County) Existing Land Use: Single Family Development – Mobile Homes
Southwest	South	Southeast
Future Land Use: Business Park Center Zoning: Business Park Center Existing Land Use: Warehouse/Distribution Center	Future Land Use: Convenience Center-X Zoning: CCX Existing Land Use: Gas Station	Future Land Use: Residential Low (City) Zoning: Planned Unit Development X Existing Land Use: Single Family Development

STANDARDS FOR REVIEWING SITE PLANS:

The purpose of the site plan is to provide sufficient information regarding a proposed development to enable the City to evaluate the proposed development as it relates to the Comprehensive Plan and the Unified Land Development Code.

The Planning Commission shall review and evaluate the site plan with specific regard to the City’s Comprehensive Plan, applicable City codes, and the advisory recommendations of City staff. An approval of the preliminary site plan shall be deemed an expression of approval of the site layout.

Approval of the site plan authorizes the developer to prepare construction plans. Following approval of the construction plans by the Consulting City Engineer, the developer may proceed with construction.

FINDINGS OF FACT:

- The subject site is currently vacant.
- The subject site is located within the Green Swamp Area of Critical State Concern and must meet the regulations pertaining to the Green Swamp Area of Critical State Concern.
- The property has a Future Land Use (FLU) of Commercial Convenience Center (CC-X) and is located in the Green Swamp Area of Critical State Concern,
- The CC-X, Commercial Convenience Center (CC-X) zoning allows retail development.
- The property is 1.37 acres in size.

- State Road 33 is an FDOT maintained right-of-way. The applicant will have to obtain a driveway permit from FDOT for access to the right-of-way.
- Approximately 27 peak hour trips per day will be generated by the facility.
- The site plan has been drawn consistent with the required setbacks.
 - 15' front yard setback
 - 15' side yard setback – 0' setback on the west (adjacent commercial)
 - 15' rear yard setback
- The site plan is drawn consistent with the requirements of the City's Land Development Code.
- The site plan has been drawn consistent with the required number of parking spaces.
- The landscape plan is consistent with the City's landscaping regulations.
- The development will be connected to a well and commercial septic tank.

SITE DEVELOPMENT PLAN REQUIREMENTS:

The following information is required in an acceptable form so as to accompany the Site Development Plan:

1. If a commercial or industrial site, the name of the business.
 - **Complete. Information provided in Property Overview.**
2. The property owner's name, address and telephone number; and the designated project applicant or representative if other than property owner.
 - **Complete. Information provided in the application.**
3. The engineer's name, address, telephone number and registration number.
 - **Complete. Information provided in the application.**
4. Future Land Use Classification from the Comprehensive Plan's Future Land Use Map; and, Zoning district assigned to the property that is the subject of the site plan and to the properties contiguous thereto.

- **Complete. This information has been provided on the application.**

Future Land Use: Convenience Center – CC-X

Zoning: Convenience Center – CC-X

5. The legal description of the property used by the County's Property Appraiser's Office.

- **The application included a survey of the property.**

6. A copy of the plat map page the property is located on, with the lot or parcel identified clearly. This map is available from the Polk County Property Appraiser's Office in Bartow, or from the City, for \$1.00.

Site Development Plans shall be drawn to a minimum scale of one-inch equals 100 feet on an overall sheet size not to exceed 22 by 36 inches. When more than one sheet is required, an index sheet of the same size shall be included showing the entire parcel with individual sheet numbers referenced thereon.

- **Provided.**

7. North arrow, scale, and date prepared.

- **Provided.**

8. Identification of watercourses, wetlands, and significant stands of mature trees and understory vegetation that may provide wildlife habitats or other environmentally unique areas.

- **Complete. There are no waterbodies on the subject property.**

9. Number of units proposed, if any, and resulting net density.

- **Complete. There are no proposed residential units as part of the development.**

10. Floor area of non-residential uses.

- **Complete. The proposed Floor Area Ratio is consistent with the requirements of the CC-X zoning district.**

11. Number of parking lots and spaces required and proposed.

- **Complete. The parking lot and spaces are consistent with the requirements of the Polk City Land Development Code.**

12. Location of all public and private streets, driveways and utility easements, within and adjacent to the site.

- **Complete. This information is provided.**

13. The footprint of all proposed buildings and structures on the site, including setbacks.
 - **Complete. The site plan include the location of proposed structures on the site and the setbacks.**

14. Required landscape and buffer yards.
 - **The landscape plan shows buffer yards adjacent to the residential areas. It includes perimeter landscaping. The landscaping required per Section 3.07.06 relating to parking lot landscaping is not included. Per the Land Development Code, this information is required as part of the building permit.**

15. Sign locations.
 - **Proposed sign location included on the site plan.**

16. Phase lines if the development is constructed in phases.
 - **Complete. The project will be constructed in one phase.**

17. Provisions for on-site stormwater drainage and detention related to the proposed development.
 - **Complete. Information provided on site plan.**

18. The delineation of all wetlands and flood-prone areas as delineated by the National Wetlands Inventory and the Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA) and by the City of Polk City Comprehensive Plan.
 - **Complete. This site is not located in wetlands or a floodplain.**

19. Delineation of all environmentally sensitive areas as determined by any appropriate agency and the City of Polk City Comprehensive Plan.
 - **Complete. The property is located in the Green Swamp Area of Critical State Concern.**

20. All existing and proposed utilities.
 - **Information provided through the site plan documents.**

21. Any other requirement as determined by the Development Director or the Building Official, such as topographic lines, surveys, etc.
 - **Complete.**

STAFF COMMENTS:

The proposed Site Plan amendment is consistent with the Polk City Land Development Code requirements for site plan review.

PROPOSED CONDITIONS FOR APPROVAL:

1. The applicant shall provide a driveway permit from the FDOT at the pre-construction meeting. No site work can begin, and no vertical construction permits will be issued until FDOT requirements have been met.
2. Per Section 3.07.06 a landscape plan showing the internal parking landscaping shall be provided as part of the site construction plans for the building permit.
3. All lighting including electrical reflectors, spotlights, floodlights and other sources of illumination may be used to illuminate buildings, landscaping, signs, parking and loading areas, on any property provided they are equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, on any property, and preventing any bright, direct illumination upon adjacent property or any public right-of-way.

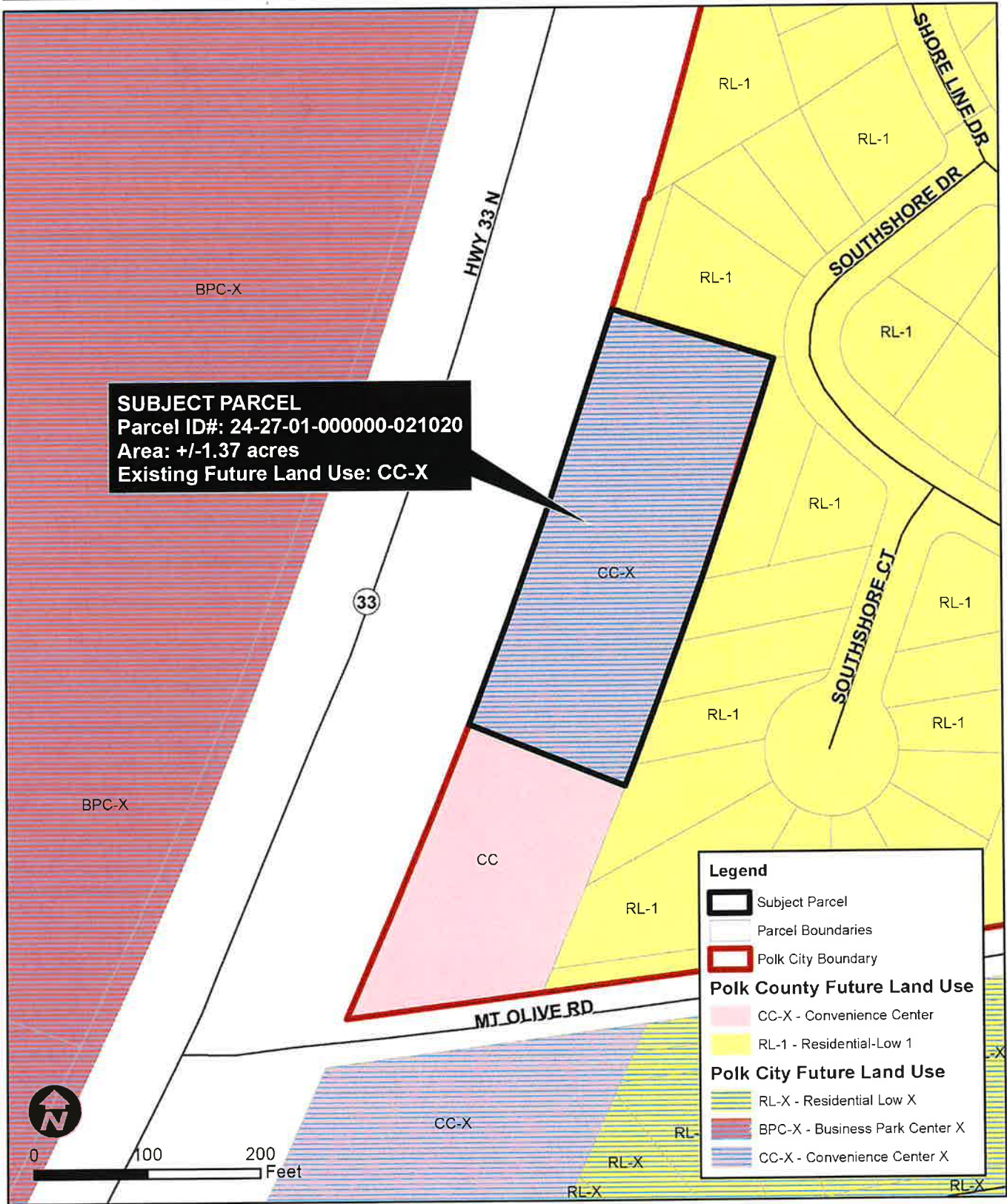
PLANNING COMMISSION MOTION OPTIONS:

1. I move the Planning Commission **Approve the proposed Site Plan amendment with listed conditions.**
2. I move the Planning Commission **Approve the proposed Site Plan amendment with listed conditions with Changes.**

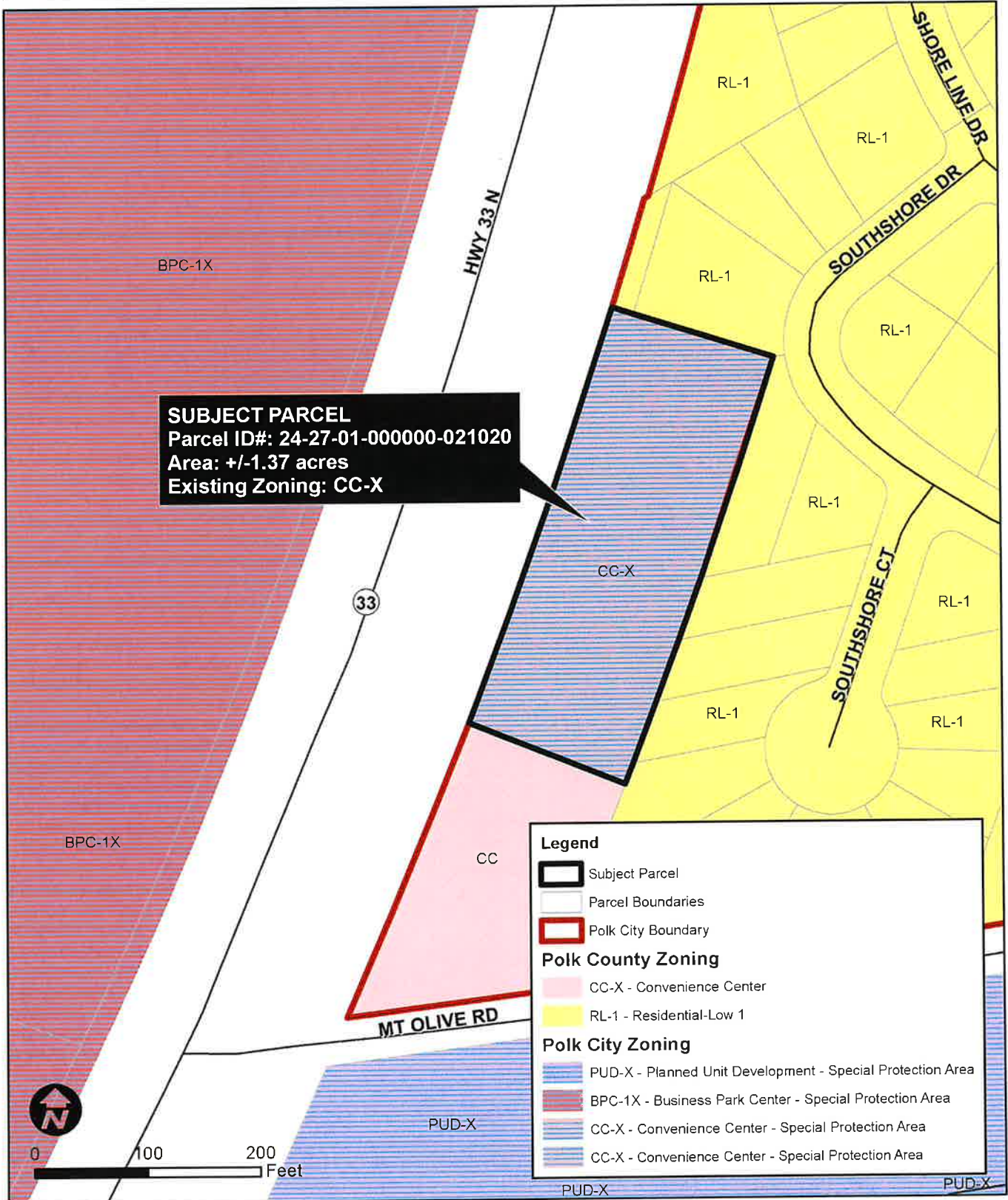
City of Polk City AERIAL PHOTO MAP



City of Polk City EXISTING FUTURE LAND USE MAP

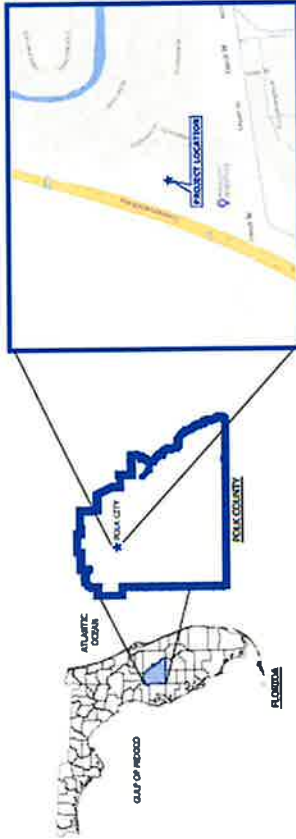


City of Polk City EXISTING ZONING MAP



POLK CITY RETAIL PLAZA SITE PLAN REVIEW

LOCATION
Section 01, Township 27S, Range 24E
POLK COUNTY, FLORIDA



PREPARED FOR
MURDOOH MCGUIRE & MANUAKI INDUSTRIAL
4375 UNIVERSITY BLVD, SUITE 100
ORLANDO, FL 32835
800-786-3333

PREPARED BY



TRADITIONS ENGINEERING, LLC
6035 WINTER GARDENS BLVD, 800
WINTER HAVEN, FL 33884
PHONE: (888) 397-3634
FLORIDA CERTIFICATE OF AUTHORIZATION #TCA1605174

SHEET INDEX			
#	SHEET TITLE	ISSUE DATE	REV. #
1-000	COVER SHEET	-	-
1-001	SITE PLAN	-	-
1-002	LANDSCAPE PLAN	-	-

SUBMITTAL HISTORY	
NO.	DESCRIPTION

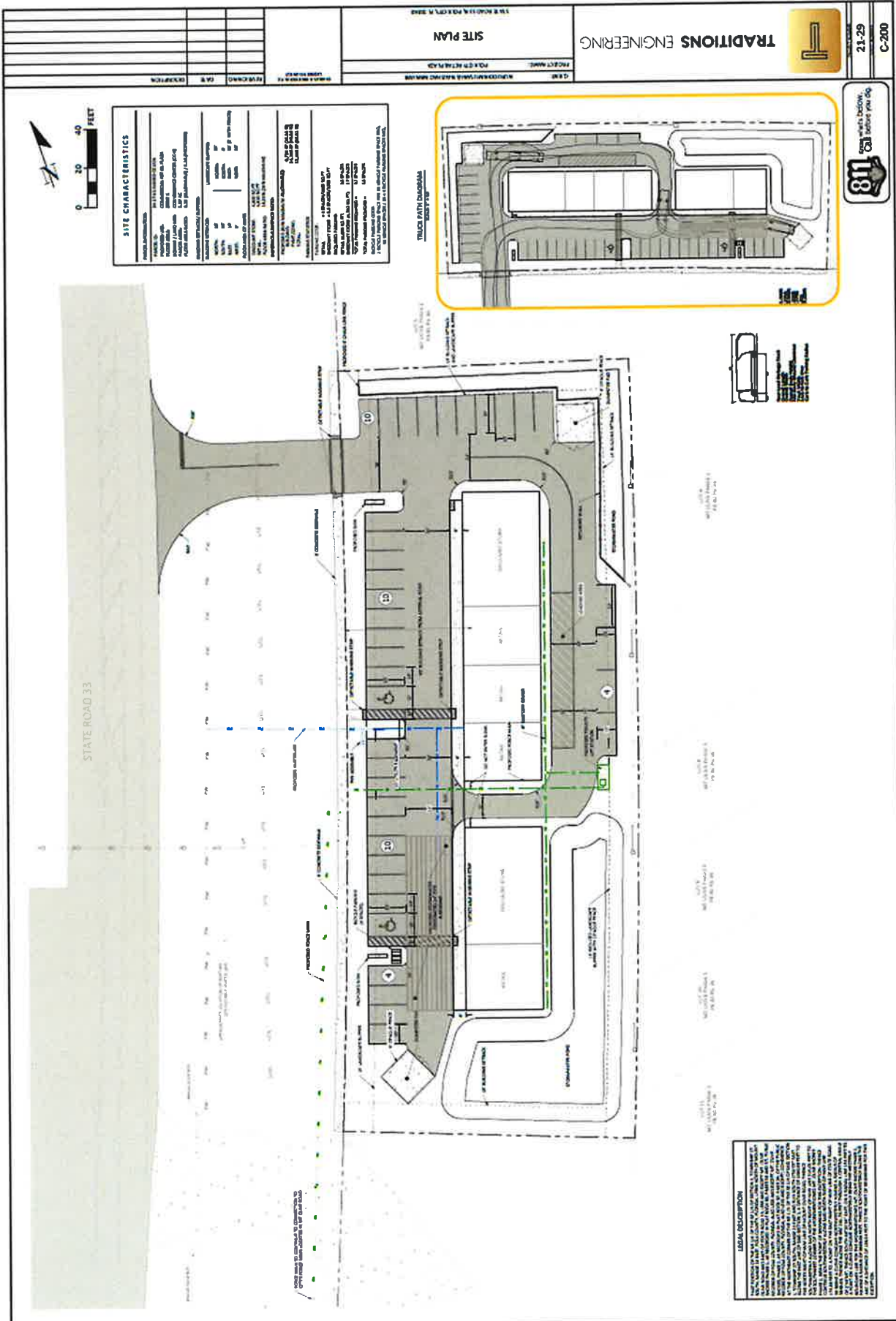
TRADITIONS ENGINEERING

COVER PAGE

PROJECT NAME: POLK CITY PLAZA
PROJECT NUMBER: 17-001-001
DATE: 11/15/2017

21-29
C-100

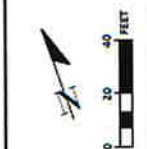
811
Call before you dig



NO.	REVISION	DATE	DESCRIPTION

TRADITIONS ENGINEERING
 PROJECT NAME: PROJECT #12345678
 SHEET NO.: 21-29
 DATE: 11/15/2019

TRADITIONS ENGINEERING
 21-29
 C-200



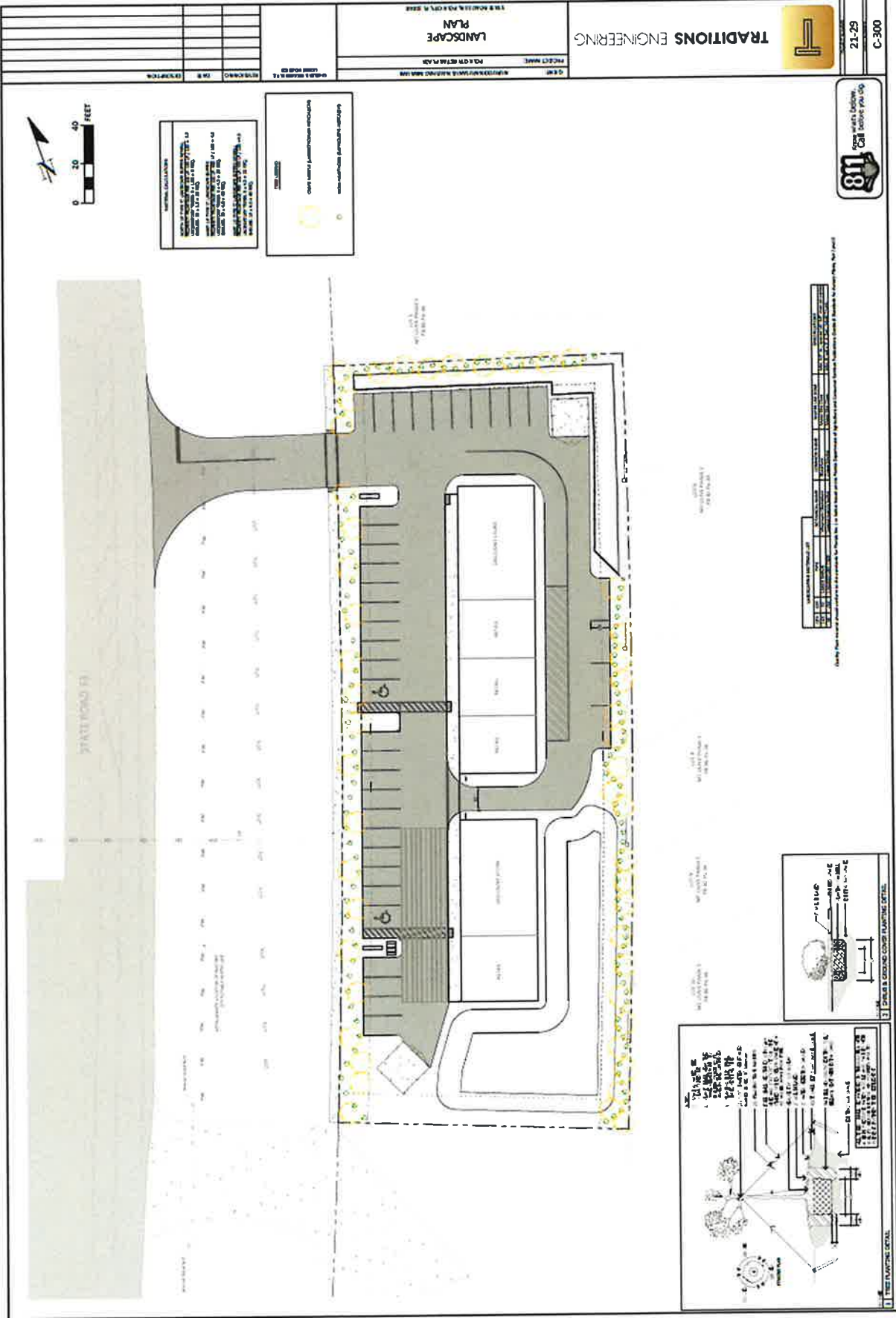
SITE CHARACTERISTICS

EXISTING UTILITIES	NO UTILITIES SHOWN
PROPOSED UTILITIES	NO UTILITIES SHOWN
ADDITIONAL NOTES	NO UTILITIES SHOWN

TRACE PATH DIAGRAM
 THIS DIAGRAM ILLUSTRATES THE PROPOSED TRACE PATHS FOR THE PROJECT. THE PATHS ARE SHOWN IN A YELLOW BOX AND ARE TO BE CONSIDERED AS PART OF THE PROJECT DESIGN. THE PATHS ARE TO BE CONSIDERED AS PART OF THE PROJECT DESIGN.

LEGAL DESCRIPTION

THE LAND DESCRIBED IN THIS PLAN IS PART OF THE PROJECT AND IS TO BE CONSIDERED AS PART OF THE PROJECT DESIGN. THE LAND DESCRIBED IN THIS PLAN IS PART OF THE PROJECT AND IS TO BE CONSIDERED AS PART OF THE PROJECT DESIGN.



SITE PLAN APPLICATION

This application is for: (Check all that apply)

- Conceptual Consultation** (Recommended but optional, Informal Discussion between the Development Director, planning staff and the Developer or Developer's Representatives)
- Preliminary Review Phase** (Recommended but optional Pre-Application, Public Hearing before the Commission)
- Development Review** (Mandatory)

Project/Business Name POLK CITY RETAIL PLAZA

Street Address of Project 0 SR 33 N, POLK CITY, FL 33868

Parcel ID Number(s) 24-27-01-000000-021020

Property Owner(s) WAGH DEELIP & MANJANI NAUSHAD

Mailing Address 4371 CONROY CLUB DRIVE, ORLANDO, FL 32835

Telephone 404-786-1212 Fax _____

Email PRIMETIMEPOLKCITY@GMAIL.COM

Applicant SEE PROPERTY OWNER

Mailing Address _____

Telephone _____ Fax _____

Email _____

Agent (Engineer, Surveyor, etc.) CHAD BROOKER, PE (TRADITIONS ENGINEERING)

Mailing Address 6039 CYPRESS GARDENS BLVD, SUITE 290, WINTER HAVEN, FL 33884

Telephone 863-397-1626 Fax _____

Email CBROOKER@TRADITIONS-ENG.COM

All correspondence should be sent to CBROOKER@TRADITIONS-ENG.COM

(Specify one of the above)

What legal interest does applicant have in the property?

- Ownership
- Option
- Purchase and Sales Contract
- Other _____

Documentation of right, title, or interest must accompany the application

EXISTING

Land Use CONVENIENT CENTER Zoning CONVENIENT CENTER
Total Gross floor Area of All Structures 0 SQ FT
Total Lot Coverage (%) 0%
Total Square footage of area covered 0 SQ FT

(This includes structures, overhangs, paved or gravel surfaces, etc. "not green and growing")

PROPOSED

Land Use CONVENIENT CENTER Zoning CONVENIENT CENTER
Total Gross floor Area of All Structures 9,720 SQ FT
Total Lot Coverage (%) 62%
Total Square footage of area covered 37,030 SQ FT

(This includes structures, overhangs, paved or gravel surfaces, etc. "not green and growing")

Number of existing parking spaces 0 SPACES
Number of parking spaces proposed 38 SPACES

Estimated Traffic Generation at peak hour Existing 0 trips
Proposed 11 trips

One trip is one vehicle entering OR one vehicle exiting. Therefore, one car driving in and then leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, therefore, one truck entering and then leaving an establishment equals 4 'trips'.

Proposed use of site (describe project) Retail Plaza

Proposed square footage of building(s) 9,720 sq ft

Proposed number of units 6

Acreage of parcel 1.37 Acreage to be Developed 1.37

Are any new streets proposed? No.

Statement of purpose: _____

Note: If any waivers to the site plan review regulations are being requested for this application, a letter must be submitted to the planning commission stating what waivers are requested and the reasons for such waivers.

I, as the owner or duly authorized agent for the owner of the property named above, do hereby submit this plan for review as required by the regulations of the planning commission of the City of Polk City. To the best of my knowledge, all information submitted with this site plan application is true and correct.

Name Charles Brooker, PE Date 07/17/2023

Title Authorized Agent

Signature 

- ❖ See the Land Development Regulations (LDR), Article 2, Article 3 and Article 7 of the City Code, regarding the zoning district regulations, land use standards, and site plan review process. The entire Polk City Code is online at www.mypolkcity.org . Follow link to the 'City Publications, Maps and Forms' then 'Land Development Code.'
- ❖ This application must be accompanied by the application fee and all information required by the Land Development Regulations, unless waivers are requested. All requests for waivers must be submitted in writing, specifying the section number of the item to be waived and the rationale for why you believe it should be waived. Waivers may or may not be granted by the Reviewing Authority.
- ❖ The site plan checklist is provided to assist in gathering information and presenting an application. The applicant is responsible for presenting information showing that all Land Development Regulation standards will be met. The reviewing authority may require additional information to determine completeness and compliance.
- ❖ The Development Director will determine the appropriate Reviewing Authority for the application review. The Reviewing Authorities include the Development Director, the Code Enforcement Officer, the Staff Review Committee or the Planning Board. The Code Enforcement Officer will also determine if the proposed use is permitted in the zoning district(s).
- ❖ Contact the Planning Department at (863) 984-1375 with questions.

LISTING OF ABUTTERS TO A PROPOSED SITE PLAN APPLICATION

Project Name: Polk City Retail

Street Address of Project: 0 SR 33 N, Polk City, FL 33868

Parcel ID of Project: 24-27-01-000000-021020

This form is used to list the names, addresses, and parcel identification numbers of all properties which abut a property on which a new site plan or a site plan amendment is proposed. The definition of ABUTTER is "A person who owns adjacent land or land across a street right-of-way from the subject lot". Notification of abutters is a requirement for all site plan applications and site plan amendments; re-notification also may be required for site plan applications if sufficient time has lapsed between the preliminary application abutter notification and the time that a site plan application is submitted. Abutter information shall be obtained from the Polk County Property Appraiser's records. A list of all abutters (including applicant) must be filed with all applications - Be sure to include the names and addresses of anyone whose professional seal will appear on the final plan.

Use Additional Sheets if Necessary.

1. Name: Weeks Family Properties 155 LLC
Mailing Address PO Box 3889, Lakeland, FL 33809
Street Address (If Different) _____
Parcel ID# 24-27-01-000000-021030

2. Name: Michael Ray McMann
Mailing Address 5029 Southshore Drive, Polk City, FL 33868
Street Address (If Different) _____
Parcel ID# 25-27-06-298361-000040

3. Name: Douglas Lee Coverdell
Mailing Address 5035 Southshore Drive, Polk City, FL 33868
Street Address (If Different) _____
Parcel ID# 25-27-06-298361-000060

4. Name: Donald Arthur Gerken Jr
Mailing Address 3200 Fish Hawk Drive, Polk City, FL 33868

Street Address (If Different) _____

Parcel ID# 25-27-06-298361-000080

5. Name: James T Perkins

Mailing Address 8942 Southshore Ct, Polk City, FL 33868

Street Address (If Different) _____

Parcel ID# 25-27-06-298361-000090

6. Name: Allen W Strait

Mailing Address 8928 Southshore Ct, Polk City, FL 33868

Street Address (If Different) _____

Parcel ID# 25-27-06-298361-000100

7. Name: Byron Hill

Mailing Address 114 Dillon Drive, Hendersonville, TN 37075

Street Address (If Different) _____

Parcel ID# 25-27-06-298361-000110

8. Name: _____

Mailing Address _____

Street Address (If Different) _____

Parcel ID# _____

9. Name: _____

Mailing Address _____

Street Address (If Different) _____

Parcel ID# _____



TRADITIONS ENGINEERING

Green Swamp ACSC Impact Assessment Statement

- Comment:** Flood plain development requirements in this Code under Section 3.11.07D, where applicable.
- Response:** There is no floodplain on or adjacent to the project area. As such, no floodplain will be impacted by the project.
- Comment:** Wetland development requirements in this Code under Section 3.11.07E, where applicable.
- Response:** There are no wetlands on or adjacent to the project area. As such, no wetlands will be impacted by the project.
- Comment:** Minimize the adverse impacts of development on resources of the Floridian Aquifer, wetlands, and flood detention areas.
- Response:** The proposed stormwater design will meet the standards for the Green Swamp ACSC to both treat the stormwater and allow for recharge to the aquifer. There are no floodplain or wetlands on or adjacent to the project area. As such, there will be no impacts to the aquifer, wetlands, and floodplain by the project.
- Comment:** Protect or improve the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
- Response:** The proposed stormwater design will meet the standards for the Green Swamp ACSC to both treat the stormwater and allow for recharge to the aquifer.
- Comment:** Protect or improve the water available for the aquifer recharge.
- Response:** The proposed stormwater design will meet the standards for the Green Swamp ACSC to both treat the stormwater and allow for recharge to the aquifer.
- Comment:** Protect or improve the functions of the Green Swamp Potentiometer High of the Floridian Aquifer.
- Response:** The proposed stormwater design will meet the standards for the Green Swamp ACSC to both treat the stormwater and allow for recharge to the aquifer.
- Comment:** Protect or improve the normal supply of ground and surface water.
- Response:** The proposed stormwater design will meet the standards for the Green Swamp ACSC to both treat the stormwater and allow for recharge to the aquifer.
- Comment:** Prevent further salt water intrusion into the Floridian Aquifer.
- Response:** There will be no salt water intrusion as part of this project.



- Comment:** Protect or improve existing ground and surface water quality.
Response: **The proposed stormwater design will meet the standards for the Green Swamp ACSC to both treat the stormwater and allow for recharge to the aquifer.**
- Comment:** Protect or improve the water retention capabilities of wetlands.
Response: **There are no wetlands on or adjacent to the project area. As such, no wetlands will be impacted by the project.**
- Comment:** Protect or improve the biological filtering capabilities of wetlands.
Response: **There are no wetlands on or adjacent to the project area. As such, no wetlands will be impacted by the project.**
- Comment:** Protect or improve the natural flow regime of drainage basins.
Response: **Historic Flow will be maintained as part of the proposed project design.**
- Comment:** Protect or improve the design capacity of flood detention areas and the water management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.
Response: **There is no floodplain on or adjacent to the project area. As such, no floodplain will be impacted by the project.**

If you have any questions regarding this letter, please call me at (863) 397-1627 or email me at

CBrooker@Traditions-Eng.com

Sincerely,

Charles "Chad" Brooker, P.E.

Traditions Engineering, LLC





November 8, 2023

Ms. Kathy Delp
Development Services Director
Polk City
123 Broadway Boulevard SE
Polk City, FL 33868

Ref.: Development Review
Polk City Retail Plaza
Site Development Plans – Engineering Review
CivilSurv Project No.: 354-001001.009

Ms. Delp:

At the direction of Polk City (City), CivilSurv Design Group, Inc. (CivilSurv) has completed the engineering review of the Site Development Plans for the commercial development known as "Polk City Retail Plaza." The review was performed in accordance with the Polk City Unified Land Development Code.

LIST OF DOCUMENTS AVAILABLE DURING REVIEW:

- Response to Previous Comments
- Site Plans
- Green Swamp ACSC Impact Assessment

ENGINEER REVIEW COMMENTS:

1. None.

ENGINEER REVIEW NOTES:

- The engineering review was limited to a Site Plan review. Additional comments may be generated upon review of the subsequent Construction Plans submittal.

For any questions or comments regarding this letter, please do not hesitate to contact our office at (863) 646-4771.

Sincerely,

CivilSurv Design Group, Inc.

A handwritten signature in blue ink that reads "Mark J. Frederick".

Mark J. Frederick, PE, CFM, ENV SP, PMP
Vice President of Civil Engineering

www.CivilSurv.com





**POLK CITY PLANNING COMMISSION
CONDITIONAL USE PERMIT
STAFF REPORT**

JANUARY 8, 2024

TO: POLK CITY PLANNING COMMISSION

FROM: CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

SUBJECT: RESOLUTION 2024-01 SPECIAL EXCEPTION:
Applicant-initiated (Gary Ho Shing) Conditional Use Permit to allow for a Special Events Facility on approximately 2.5 acres at 545 Orange Boulevard (Parcel ID 252633-296500-045020).

AGENDA & HEARING DATES:

Planning Commission Meeting: January 8, 2024, at 6:00 PM

City Commission Meeting (First Reading): February 20, 2024, at 7:00 PM

City Commission Meeting (Second Reading): March 19, 2024, at 7:00 PM

PAST ACTIONS:

On Monday, July 29, 2019, the City Commission of Polk City approved Resolution 2019-03 for a special event facility at 545 Orange Boulevard with conditions. The Resolution included an expiration of permit date of June 22, 2022.

Attachments

- Overview Report and Recommended Conditions of Approval
- Aerial Photo Map
- Future Land Use Map
- Zoning Map
- Site Plan
- Serendipity Space Event Plan
- Application
- Resolution 2019-03

OVERVIEW REPORT

PROPERTY OVERVIEW:

Property Owner	Gary Ho Shing
Subject Parcels	25-26-33-296500-045020
Acreage	2.09 acres
Existing Future Land Use	Residential Low
Existing Zoning	R-2, Single Family Residential

REQUEST:

The applicant, Gary Hoshing, is applying to have the Conditional Use Permit for a Special Events Facility renewed on approximately 2.5 acres at 545 Orange Boulevard (Parcel ID 25-26-33-296500-045020). On Monday, July 29, 2019, the City Commission of Polk City approved Resolution 2019-03 for a special event facility at 545 Orange Boulevard with conditions. The Resolution (attached) included an expiration of permit date of June 22, 2022.

The applicant has submitted the Serendipity Space Event Plan which is attached to this staff report and includes the following information.

- Events to be hosted include weddings, birthday celebrations and activities such as yoga.
- An open pole barn onsite will be used as well as general outdoor space.
- Parking will be provided onsite and offsite for needed overflow parking.

SITE ANALYSIS:

Description of Property:

The subject property is a single-family residence on approximately 2.09 acres with a barn.

Special Events Facilities:

Special Events Facilities are subject to the requirements of the City of Polk City's Land Development Code provided below.

3.11.01.2. – Special Events Facilities

Such facilities shall be subject to the following requirements:

- (A) No special events facilities shall be located within 30 feet of existing residential development or property designated for residential use on the Future Land Use Map of the Polk City Comprehensive Plan. This distance shall be measured from the boundary of the property on which the proposed special events facilities would be located.
- (B) Minimum lot size shall be one acre.

- (C) Lighting to illuminate buildings, stages, open areas or advertising shall be designed so as to shine only on the subject property and shall be directed away from any public street or residential area.
- (D) Special events facilities shall be subject to applicable performance standards provided in section 3.06.00.
- (E) Additional requirements may be applied based on the proposed use and its location to mitigate off-site impacts.

FINDINGS OF FACT:

- The Applicant obtained a conditional use permit for the Special Event Facility on this property via Resolution 2019-03 on July 29, 2019. The Resolution included a permit expiration date of June 22, 2022.
- Applicant requests a conditional use permit to allow for a Special Events Facility on the subject property.
- The subject property would serve as a multipurpose space for special events such as weddings, birthdays, and other events.
- Parking would be on the subject property and overflow parking will be provided off-site.
- Special events facilities are permitted in R-2 zoning with an approved conditional use permit.
- The property is 2.09 acres in size.

RECOMMENDED CONDITIONS OF APPROVAL:

The following are conditions of approval for the proposed use.

- 1) Prior to final City Staff permitting, the applicant must provide a revised site plan acceptable to City Staff that depicts all special event areas set back a minimum of 30 feet from the north and south property lines. A minimum of an opaque fence or opaque landscaping shall be installed on the property prior to and as a condition of any use of this permit.
- 2) Prior to final City Staff permitting, the applicant shall provide a signed and notarized parking agreement to provide accommodation of overflow parking.
- 3) Parking within the public right-of-way shall be prohibited.
- 4) Lighting to illuminate buildings, stages, open areas or advertising shall be designed so as to shine only on the subject property and shall be directed away from any public street or residential area.
- 5) This special events facility shall be subject to applicable performance standards provided in section 3.06.00 of the Polk City Land Development Code.
- 6) Hours of operation shall be limited to 10:00 a.m. to 10:00 p.m.

- 7) Outdoor music may be played between 10:00 a.m. and 10:00 p.m.
- 8) Events attracting more than 100 people are prohibited without special event approval by the City. There shall be a minimum of two (2) hours between events to limit the potential off-site traffic congestion.
- 9) There shall be no permanent alcohol or retail sales as part of this conditional use permit.
- 10) Prior to final City Staff permitting, the applicant shall prepare an event management plan consistent with major event management techniques for the Polk City staff to review, approve, and keep on file. Should this plan need to be changed or modified for any reason, Polk City staff shall review and approve any changes or modifications in writing prior to any changes or modifications being commenced or enacted.
- 11) There shall be no more than 12 events per year held or conducted on the property.

EXPIRATION DATE:

This conditional use permit shall expire on January 8, 2027. Should the use change to a use permitted in the zoning district that is not the use approved by the conditional use permit, and remain so for 180 days or more, than this conditional use permit shall expire, and a new application will be required to reestablish any Conditional Use Approval use.

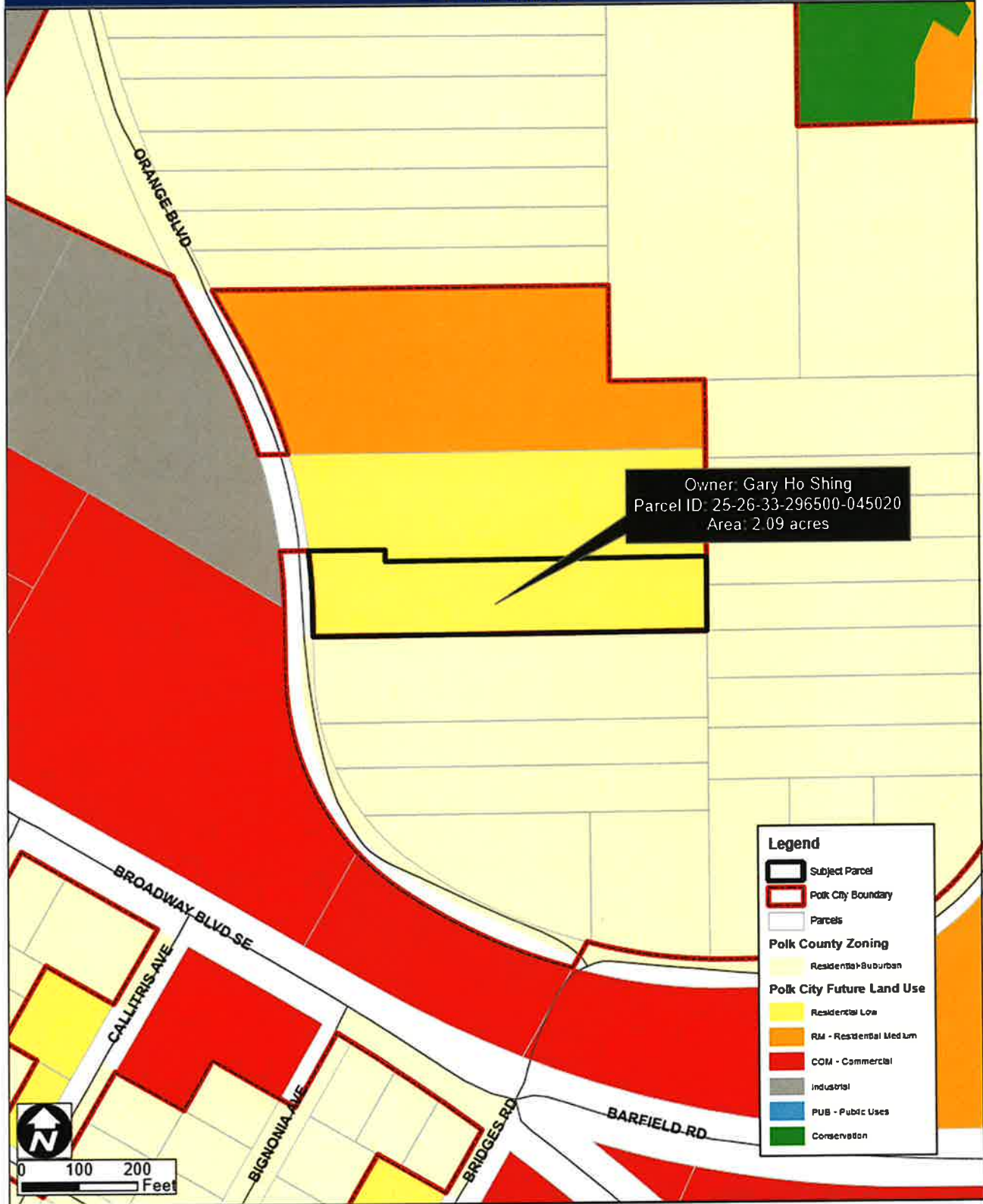
PLANNING COMMISSION MOTION OPTIONS:

1. I move **recommendation of approval** of the conditional use to the City Commission for the Special Event Center at 545 Orange Boulevard.
2. I move **recommendation of approval with changes** of the conditional use to the City Commission for the Special Event Center at 545 Orange Boulevard.
3. I move continuation to a future date and time certain.

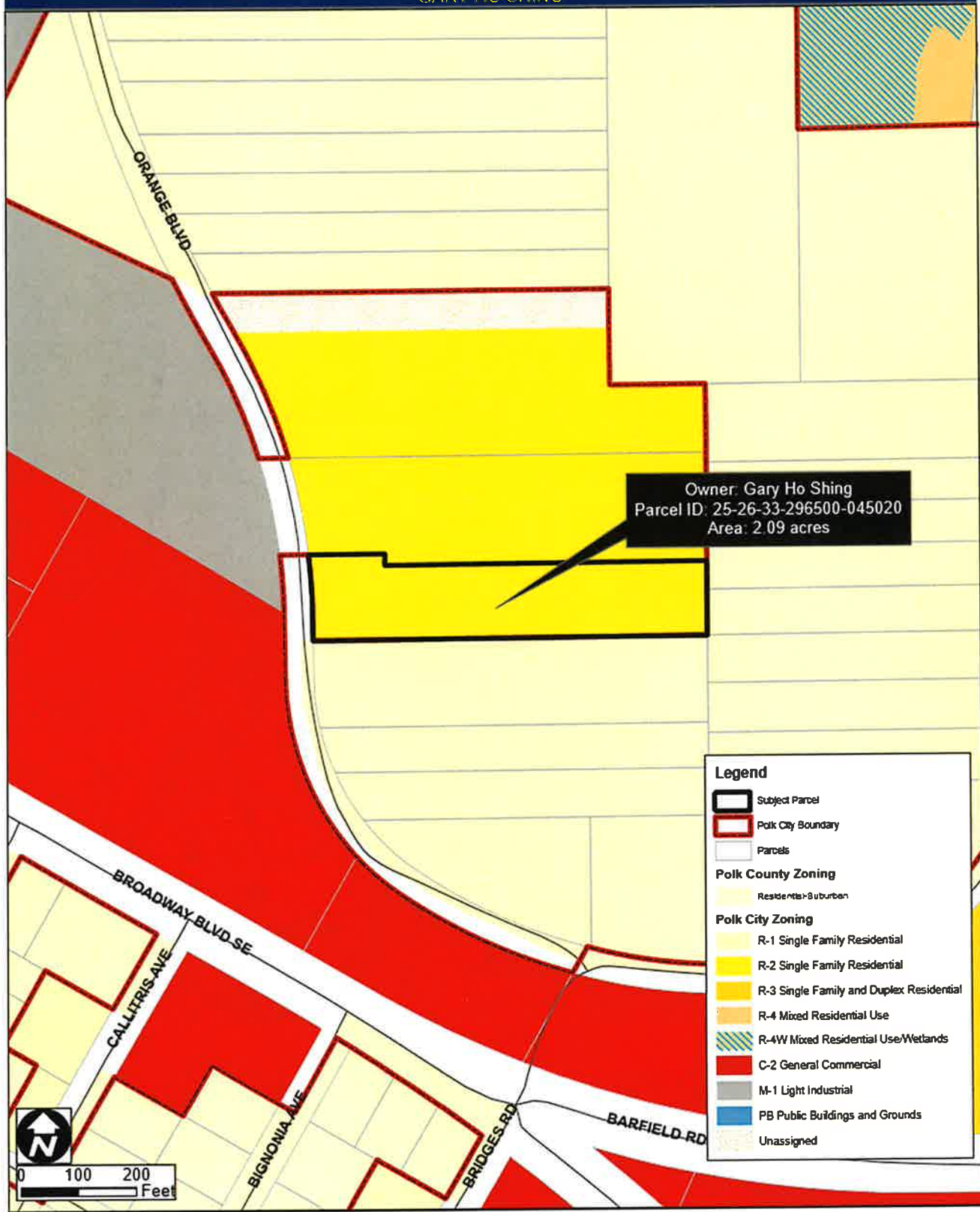
POLK CITY
AERIAL MAP
GARY HO SHING



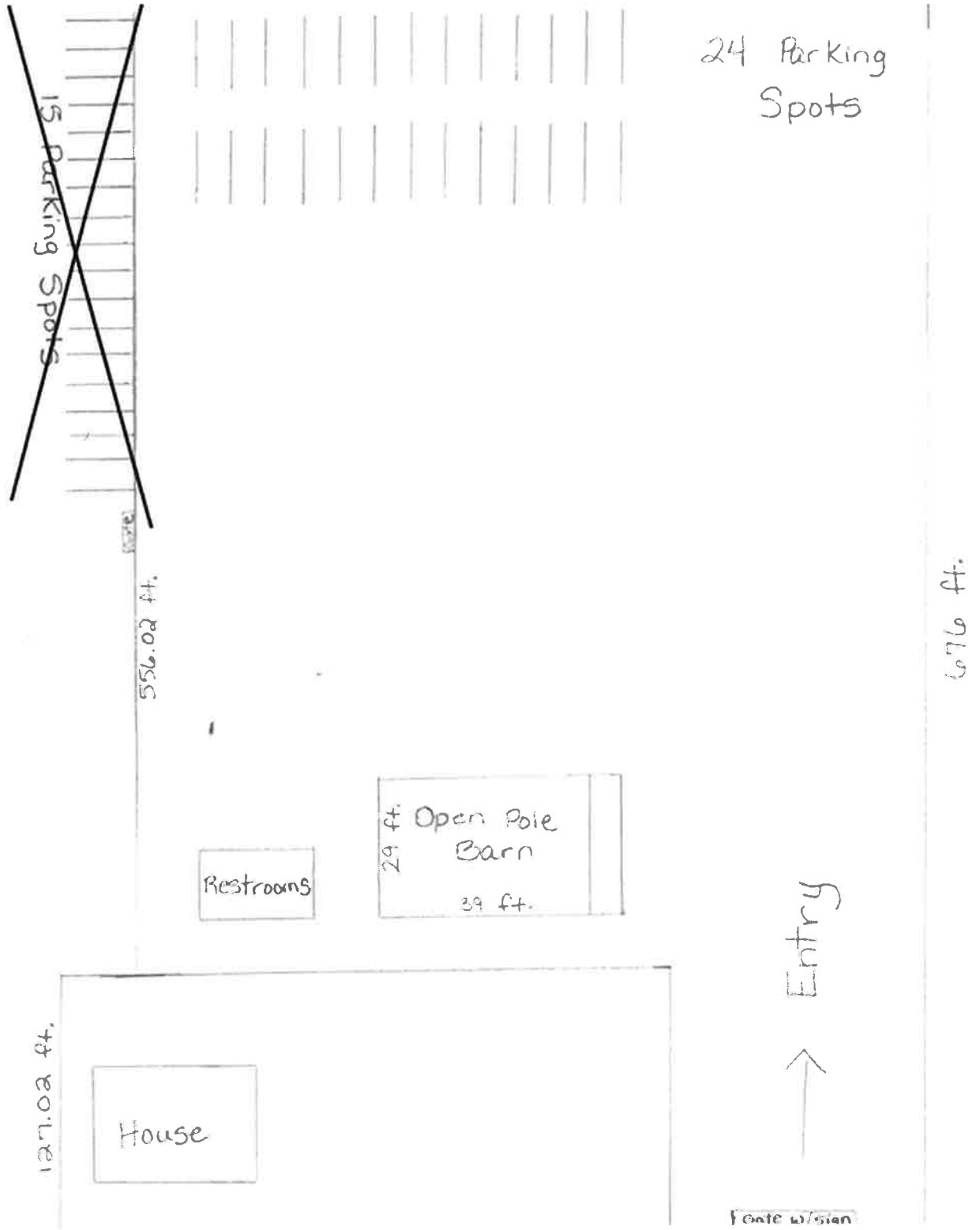
POLK CITY
FUTURE LAND USE MAP
GARY HO SHING



POLK CITY
ZONING MAP
GARY HO SHING



SITE PLAN



SERENDIPITY SPACE EVENT CENTER

1. **Purpose:** to serve as a multi-purpose space for special events such as weddings, birthday celebrations and meetups such as yoga, etc.
2. **Attendance:** Attendance for each event will vary. The Serendipity Space is both an outdoor space as well as an open pole barn with no sides (walls) present. The fire department will come out to do an assessment of the space to determine an approval number of attendees.
3. **Location:** 545 Orange Blvd, Polk City, FL 33868
4. **Length of Events:** Varies. Typically, a wedding will be six hours to include ceremony, cocktail hour, and reception. All events must conclude by 10:00 pm.
5. **General Manager:** I, Gary Hoshing, will be the general manager. I will be in charge of the site, coordinating the events, vendor compliance, and emergency management. As the Serendipity Space grows, additional personnel will be added to assist.
6. **Weather:** In the event of inclement weather, the General Manager will inform attendees to seek shelter. If a natural disaster is imminent, we will postpone or cancel events to avoid unsafe conditions for staff and attendees.
7. **Parking:** Parking will be provided at the rear of the property further out in the field. Provisions for off-site overflow parking will be provided via a signed and notarized parking agreement.
8. **Traffic:** Events will be pulse traffic; guests coming and going in the same direction at approximately the same time. I plan on hiring an off-duty officer to assist with anything including directing drivers where to park.
9. **Fire Prevention:** There will be a smoking designated area set up for guests that smoke. Fire extinguishers will be located on the property at designated locations.
10. **Lighting:** There will be appropriate lights set for guests to see and make their way down to their space. The entrance will be properly and elegantly lighted. The actual space will be illuminated with string lights as well as flood lights. Basic dance floor lighting and up-lighting to the walls may be used if the client so chooses.
11. **Sound:** Ceremony and cocktail hour will consist of one powered 15-inch speaker on a stand. Music will be played at a low moderate volume. Reception: Two powered speakers on stands will be used at this time. The direction of sound will be faced away from neighbors and at a moderate level. No bass bin or equipment of the sort will ever be used at the space.



City of Polk City

• 123 Broadway Blvd, SE • Polk City, Florida 33868 • (863) 984-31375 • Fax (863) 984-2334

Application for Conditional Use Permit

Applicant

The following information is required for submission of an application for a Conditional Use Permit in the City limits of Polk City, Florida. Please print or type the required information below. Attach three (3) copies of this completed application, site plan, and Polk County Property Appraiser's plat map with parcel identification number.

Name of Property Owner: Garry Ho Shing
Mailing Address: PO Box 870 Polk City FL 33868 Phone: 407 375 2733
Name of Representative, if applicable: _____ Phone: _____
Mailing Address: _____ Phone: _____
Reason for Request: _____

Property Identification

Property Address or General Location: 545 Orange Blvd Polk City FL 33868
Present Use of the Property: _____
Existing Structures Located on the Site: house, pole barn
Total Acreage: 2.09 Parcel I.D.#: 252633296500045020
Legal Description of the Property: Polk City PB 24PG 101A BLK 45 BEG 309.40
FTS OF NE COR VNS 130.75 FT W 676 FT to point on curve NWLY along
curve 150.83 FTE 127.02 FTS 20 FT E 556.02 FT to POB

Planning and Zoning Information

Current City Zoning Classification: _____
Current Future Land Use Classification: _____
Requested Conditional Use Permit: _____

Date Received: _____

Received By: _____

Fee Paid: _____

File Number: _____

Conditional Use Information

Conditional Use Requested: _____

Applicant must provide a site plan or sketch drawn to scale showing the following information as applicable:

- a) The dimensions of the property;
- b) The existing and proposed location of structures on the property including signage;
- c) Paved surfaces including sidewalks, vehicular accessways, and circulation areas, off-street parking and loading areas, and refuse and service areas;
- d) The number of required and provided off-street parking and loading spaces;
- e) Required yards, other open spaces, and landscape buffer yard areas;
- f) The measurements of existing and proposed adjacent rights-of-way, building setbacks, distances between buildings, widths of accessways and driveways, and sidewalks;
- g) A description of the proposed use of the property including conditions of use, such as hours of operation, numbers of residents, numbers of employees, and other pertinent information;
- h) Existing and proposed density;
- i) Amount of existing and proposed commercial or industrial space; 29 x 39
- j) Location of all public and private streets, existing and proposed utilities, driveways, and utility easements, within and adjacent to the site;
- k) Provisions for stormwater management and detention related to the proposed development;
- l) Where applicable, delineation of all watercourses, wetlands and flood prone areas as delineated by the National Wetlands Inventory and the flood insurance rate maps (FIRM) published by the Federal Emergency Management agency (FEMA);
- m) Where applicable, the identification of significant stands of mature trees and understory vegetation that may provide wildlife habitats or other environmentally unique areas.

OWNER'S SIGNATURE PAGE

(I) (We), Gary Ho Shing being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the City of Polk City to process this petition for Conditional Use Permit, in accordance with all adopted City rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS

[Signature]
Signature of Owner
Gary Ho Shing
Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this 3rd day of December, 2023, by Gary Ho Shing who is personally known to me or who has produced a driver's license as identification and who did not take an oath.



[Signature]
Notary Public
Notarial Seal and Commission
Expiration Date

RESOLUTION 2019-03

A RESOLUTION OF THE CITY COMMISSION OF POLK CITY, FLORIDA; APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A SPECIAL EVENTS FACILITY ON APPROXIMATELY 2.5 ACRES AT 545 ORANGE BOULEVARD (PARCEL ID 25-26-33-296500-045020); PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gary Ho Shing, (hereinafter referred to as the 'Applicant') has requested a conditional use permit to allow a special events facility 545 Orange Boulevard (Parcel ID # 25-26-33-296500-045020); and

WHEREAS, the property is owned by Gary Ho Shing; and

WHEREAS, the property is located in the R-2 (Single Family) Residential District; and

WHEREAS, special events facilities are a permitted use if approved as a conditional use in the R-2 zoning district; and

WHEREAS, the Polk City Planning Commission, acting as the designated Local Planning Agency, has reviewed the Conditional Use Permit application, held an advertised public hearing, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

WHEREAS, the City Commission has reviewed the Conditional Use Permit application, held an advertised public hearing, and provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF POLK CITY, FLORIDA:

Section 1. Findings. The Commission hereby declares that the foregoing findings are true and correct, incorporated herein by reference, and made a part of this Resolution.

Section 2. Conditional Use Permit; Conditions of Approval. The application for a Conditional Use Permit to allow a special events facility at 545 Orange Boulevard (Parcel ID # 25-26-33-296500-045020) is approved subject compliance with the site plan provided as Exhibit A attached to and incorporated in this Resolution and subject to the following conditions of approval:

1) Prior to final City Staff permitting, the applicant must provide a revised site plan acceptable to City Staff that depicts all special event activities are set back a minimum of 30

feet from both the north and south property lines. A minimum of an opaque fence or opaque landscaping shall be installed on the property prior to and as a condition of any use of this permit.

2) Prior to final City Staff permitting, the applicant shall provide a signed and notarized parking agreement with the adjacent property owner to north indicating accommodation of overflow parking on the neighboring property.

3) Parking within the public right-of-way shall be and is hereby prohibited.

4) Lighting to illuminate buildings, stages, open areas or advertising shall be designed and installed by the applicant so as to shine only on the subject property, and shall be directed away from any public street or residential area.

5) This special events facility shall be subject to applicable performance standards provided in section 3.06.00 of the Polk City Land Development Code.

6) Hours of operation shall be limited to 10:00 a.m. to 10:00 p.m.

7) Outdoor music may be played only between 10:00 a.m. and 10:00 p.m.

8) Events attracting more than 100 people are prohibited without special event approval by the City. There shall be a minimum of two (2) hours between events to limit the potential off-site traffic congestion.

9) There shall be no permanent alcohol or retail sales as a part of this conditional use permit.


10) Prior to final City Staff permitting, the applicant shall prepare an event management plan consistent with major event management techniques for the Polk City staff to review, approve, and keep on file. Should this plan need to be changed or modified for any reason, Polk City staff shall review and approve any changes or modifications in writing prior to any changes or modifications being commenced or enacted

11) There shall be no more than 12 events per year held or conducted upon the property.

Section 3. Expiration of Permit. This conditional use permit shall expire on June 17, 2022. Should the use change to a use permitted in the zoning district that is not the use approved by this conditional use permit, and remain so for 180 days or more, then this conditional use permit shall expire and a new application will be required to reestablish any Conditional Use Approval use.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage.

INTRODUCED, PASSED AND DULY ADOPTED, by the City Commission of Polk City, Florida, meeting in Regular Session on this 29th day of July, 2019.



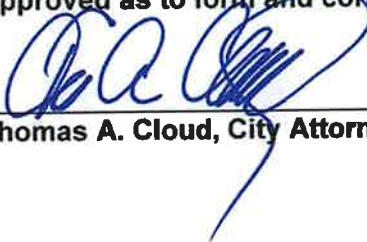
Joe LaCascia, Mayor

ATTEST:



Patricia R. Jackson, City Manager/Clerk

Approved as to form and correctness



Thomas A. Cloud, City Attorney

POLK CITY RESOLUTION 2019-03
EXHIBIT "A"
SITE PLAN

