

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.

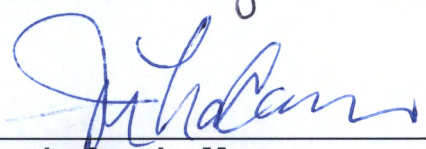
10) Prior to final City Staff permitting, the applicant shall prepare an event management plan consistent with major event management techniques for the Polk City staff to review, approve, and keep on file. Should this plan need to be changed or modified for any reason, Polk City staff shall review and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

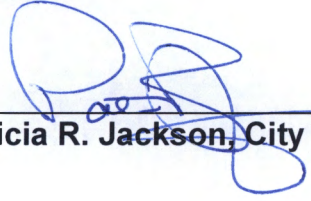
Section 4. Effective Date. This Resolution shall become effective immediately upon its passage.

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

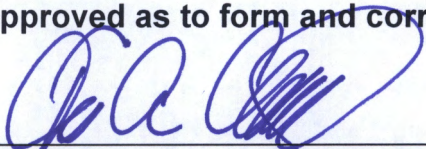


Joe LaCascia, Mayor

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

