RESOLUTION 2024-02

A RESOLUTION OF THE CITY COMMISSION OF POLK CITY, FLORIDA; APPROVING A PRELIMINARY SITE PLAN FOR 9,720 SQUARE-FOOT RETAIL PLAZA LOCATED ON APPROXIMATELY 1.37 ACRES IN POLK CITY, AT 0 SR 33 (PARCEL NUMBER 242701-000000-021020) IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; PROVIDING A CONDITION OF APPROVAL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Deelip Wagh and Naushad Manjani (hereinafter referred to as the 'Applicant') has requested preliminary site plan approval for a 9,720 square foot retail plaza located at 0 SR 33 (Parcel ID # 242701-000000-021020); and

WHEREAS, the property is owned by Deelip Wagh and Naushad Manjani; and

WHEREAS, the property is located in the CC-X (Convenience Center-X) Residential District; and

WHEREAS, the CC-X zoning district allows retail development; and

WHEREAS, the property is located in the Green Swamp Area of Critical State Facilities; and

WHEREAS, the Polk City Planning Commission, acting as the designated Local Planning Agency, has reviewed the Site Plan 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 Site Plan application, held advertised public hearings, 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:

<u>Section 1. Findings.</u> 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. Preliminary Site Plan; Conditions of Approval. The application for a Preliminary Site Plan to allow a 9,720 square foot retail plaza with parking facilities located at 0 SR 33 (Parcel ID # 242701-000000-021020) as shown on the location map provided as Exhibit "A" is approved subject to compliance with the site plan provided as Exhibit "B" attached to and incorporated in this Resolution, the conditions of approval provided in Exhibit "C" attached to and incorporated in this Resolution.

<u>Section 3. Effective Date.</u> This Resolution shall become effective immediately upon its passage.

INTRODUCED AND PASSED ON this 26 day of March, 2024.

POLK CIPY, FLORIDA

Joe LaCascia, Mayor

ATTEST:

Patricia R. Jackson, City Manager/Clerk

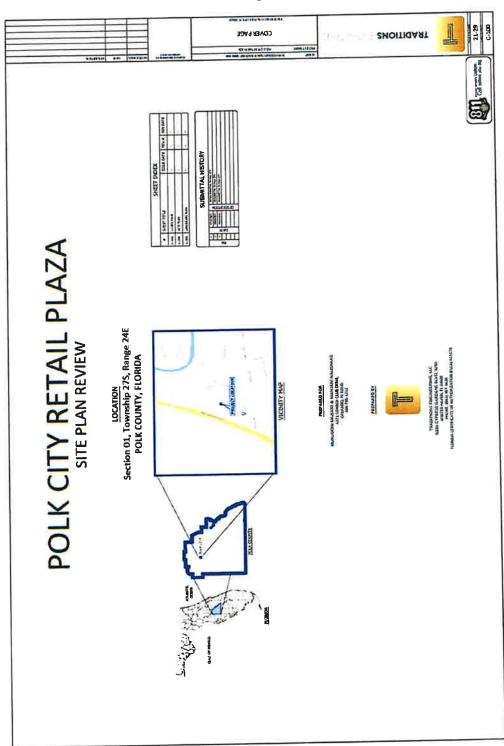
APPROVED AS TO FORM & LEGALITY:

Thomas A. Cloud, City Attorney

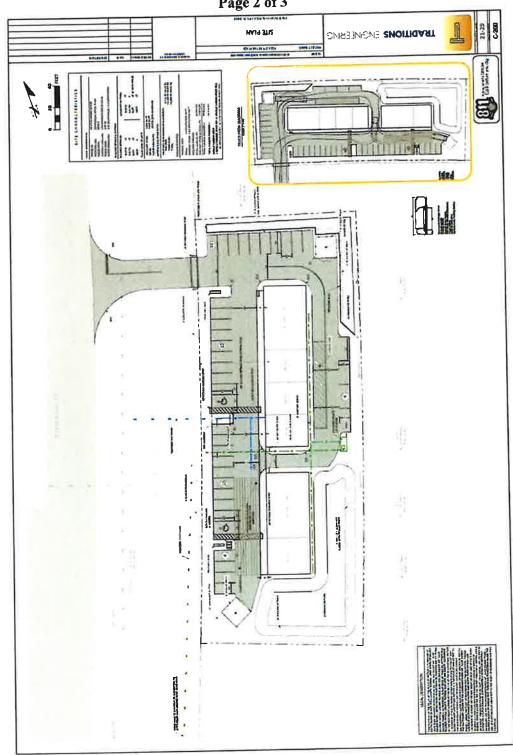
POLK CITY RESOLUTION 2024-02 EXHIBIT "A" LOCATION MAP Page 1 of 1

City of Polk City AERIAL PHOTO MAP UNINCORPORATED POLK COUNTY SUBJECT PARCEL Parcel ID#: 24-27-01-000000-021020 Area: +/-1.37 acres POLK COUNTY MT OLIVE RD Legend Subject Parcel Parcel Boundaries Polk City Boundary

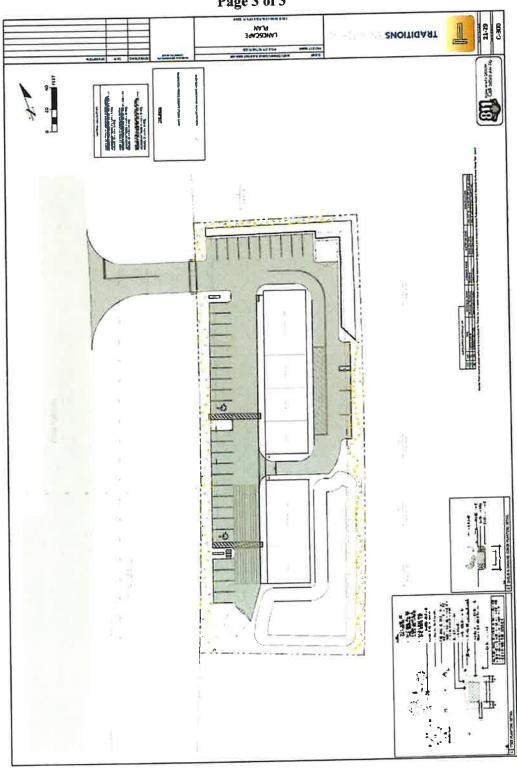
POLK CITY RESOLUTION 2024-02 EXHIBIT "B" SITE PLAN Page 1 of 3



POLK CITY RESOLUTION 2024-02 EXHIBIT "B" SITE PLAN Page 2 of 3



POLK CITY RESOLUTION 2024-02 EXHIBIT "B" SITE PLAN Page 3 of 3



POLK CITY RESOLUTION 2024-02 EXHIBIT "C" CONDITIONS OF APPROVAL Page 1 of 1

The following are conditions of approval for the proposed use.

- 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.
- 4. The loading space shall not be used for truck parking/idling/loading/or unloading from 10:00 pm to 7:00 pm.



POLK CITY SITE PLAN REVIEW STAFF REPORT February 20, 2024

TO:

POLK CITY CITY 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 at 7:00 pm

Transmittal to Department of Commerce

City Commission Meeting: Tentative April 16, 2024 at 7:00 pm

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 9,720 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:	Future Land Use: Convenience Center-X Zoning: CCX Existing Land Use:	Future Land Use: Residential Low (City) Zoning: Planned Unit Development X Existing Land Use:
Warehouse/Distribution Center	Gas Station	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.
 - o 15' front yard setback
 - o 15' side yard setback 0' setback on the west (adjacent commercial)
 - o 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 city water and wastewater.

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.
- 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 is consistent with the Polk City Land Development Code requirements for site plan review.

PROPOSED CONDITIONS FOR APPROVAL:

- 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.
- 4. The loading space shall not be used for truck parking/idling/loading/or unloading from 10:00 pm to 7:00 pm.

PLANNING COMMISSION MOTION OPTIONS:

At their January 8, 2024 meeting, the Planning Commission voted to recommend approval of the proposed Site Plan amendment with listed conditions with Changes.

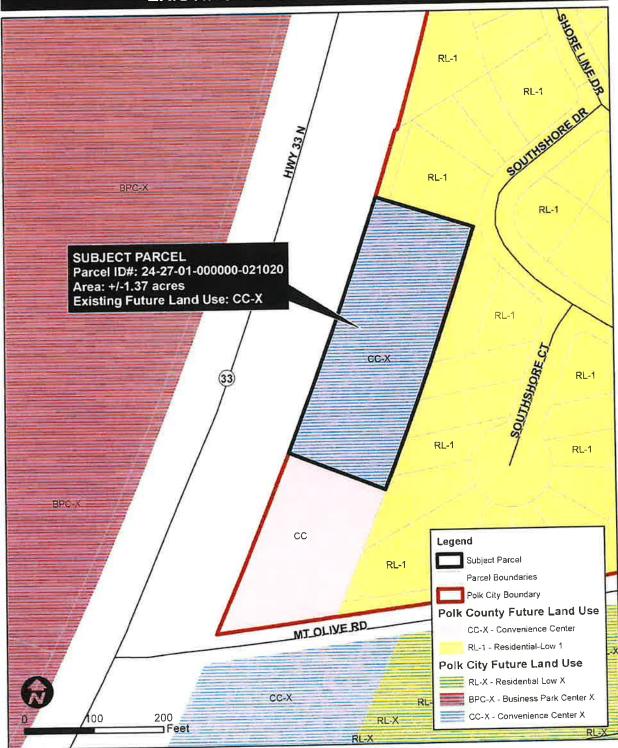
CITY COMMISSION MOTION OPTIONS:

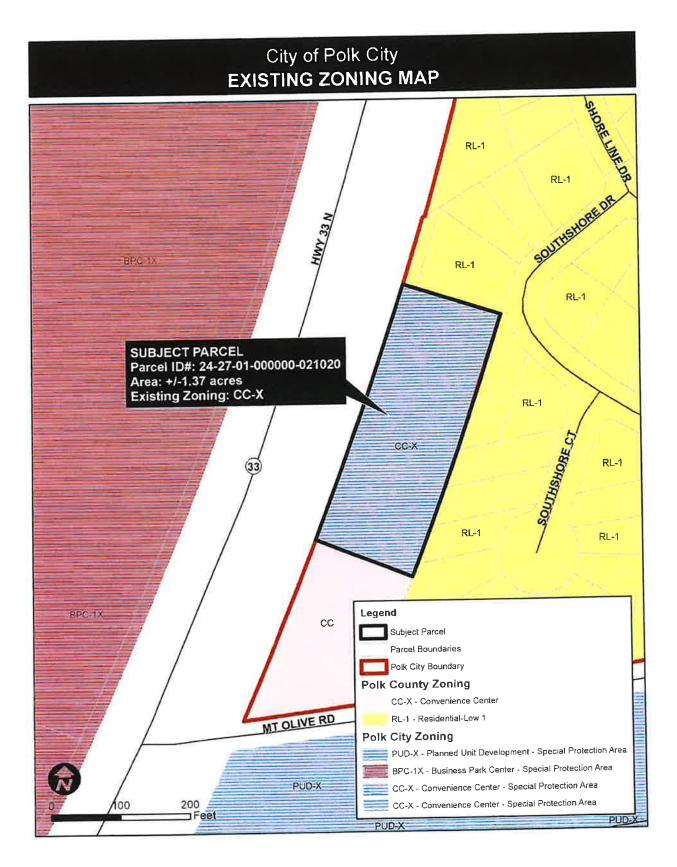
- 1. I move approval of the proposed Site Plan amendment with listed conditions.
- 2. I move the approval of the proposed Site Plan amendment with listed conditions with Changes.

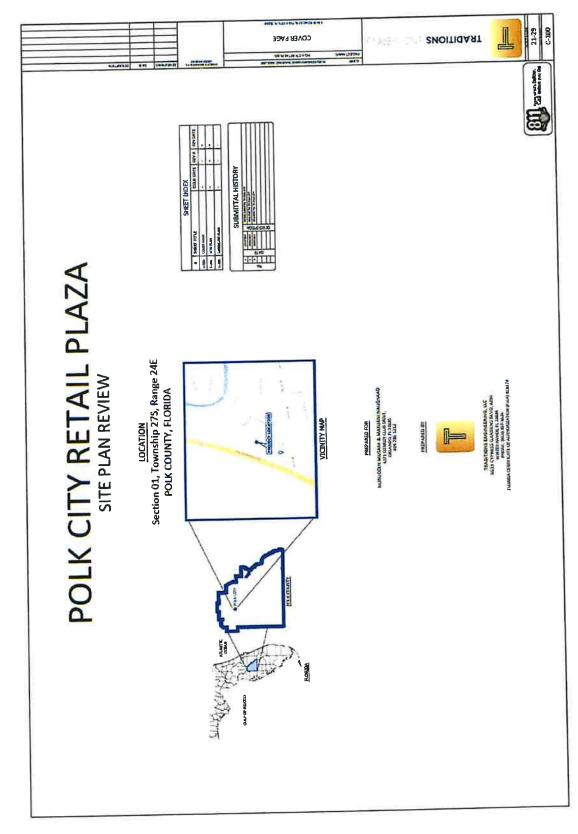
City of Polk City AERIAL PHOTO MAP

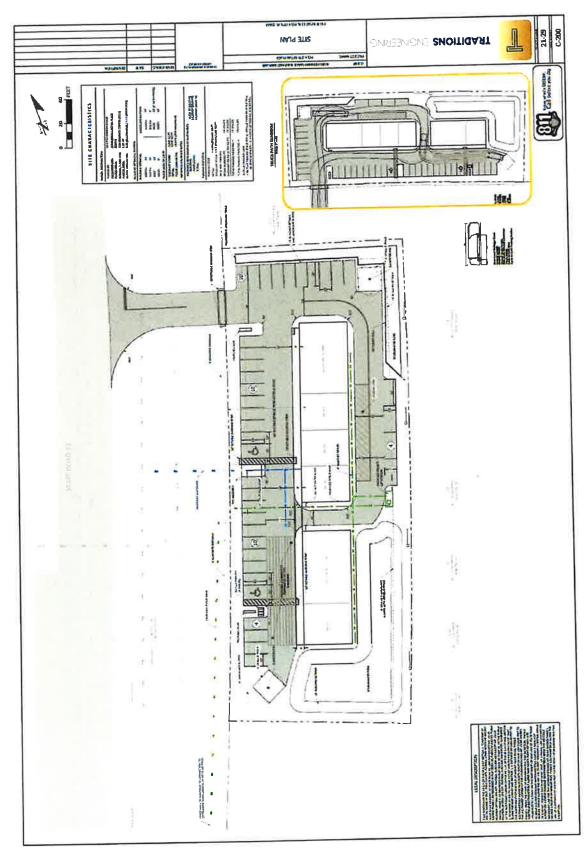


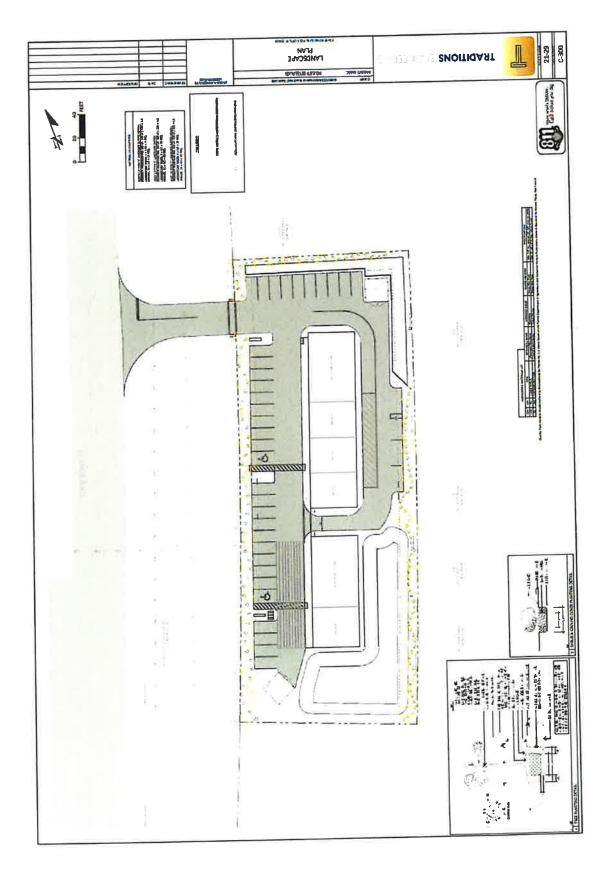
City of Polk City EXISTING FUTURE LAND USE MAP











SITE PLAN APPLICATION

This application	on is for: (Check all that apply)		
X	Conceptual Consultation (Recommended but optional, Informal Discussion between the Development Director, planning staff and the Developer or Developer's Representatives)		
X	Preliminary Review Phase (Recommended but optional Pre-Application, Public Hearing before the Commission)		
X	Development Review (Mandatory)		
Project/Busin	ess Name POLK CITY RETAIL PLAZA		
Street Addres	s of Project O SR 33 N, POLK CITY, FL 33868		
Parcel ID Nu	nber(s) 24-27-01-000000-021020		
	ner(s) WAGH DEELIP & MANJANI NAUSHAD		
Mailin	g Address 4371 CONROY CLUB DRIVE, ORLANDO, FL 32835		
	hone 404-786-1212 Fax		
	PRIMETIMEPOLKCITY@GMAILCOM		
Applicant SE	E PROPERTY OWNER		
Mailir	g Address		
	5-11		
	hone Fax		
Emai	CHAD RECOKED BE (TRADITIONS ENGINEERING)		
	eer, Surveyor, etc.) CHAD BROOKER, PE (TRADITIONS ENGINEERING) 6039 CYPRESS GARDENS BLVD, SUITE 290, WINTER HAVEN, FL 33884		
Mailir	g Address 6039 CFPRE33 GARDENS BEVD, 36/12/2347 CFPRE33 GARDENS		
Toler	hone 863-397-1626 Fax		
	CBROOKER@TRADITIONS-ENG.COM		
All correspon	ndence should be sent to CBROOKER@TRADITIONS-ENG.COM		
	fy one of the above)		
	iterest does applicant have in the property?		
x	Ownership Option Purchase and Sales Contract Other Ownership Documentation of right, title, or interest must accompany the application		
SITE PLAN REV Revised 4/15/20 Page 8 of 14			

14

EXISTING	CENTER
EXISTING Land Use CONVENIENT CENTER Zoning CONVENIENT CONVENIENT Zoning	CENTER
Total Gross floor Area of All Structures OSQ FT	
Total Lot Coverage (%) 0%	
Total Square footage of area covered OSQFT	
(This includes structures, overhangs, paved or gravel surfaces, etc. "not green a	na 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 a	and arowina?
Number of existing parking spaces <u>0 SPACES</u> Number of parking spaces proposed <u>38 SPACES</u>	
Estimated Traffic Generation at peak hour Existing trips	
Proposed 11 trips	
One trip is one vehicle entering OR one vehicle exiting. Therefore, one car of	riving in and then
leaving an establishment equals 2 'trips'. Trucks are equivalent to two cars, the	erefore, 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:	

SITE PLAN REVIEW Revised 4/15/2008 Page 7 of 14 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 Asent	
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.

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LISTING OF ABUTTERS TO A PROPOSED SITE PLAN APPLICATION

Project Name: Polk City Retail			
Street Address of Project: O 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			
D. I I A thus Corken Ir			
Name: Donald Arthur Gerken Jr Mailing Address 3200 Fish Hawk Drive, Polk City, FL 33868			

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	Street Address (If Dif	ferent)		
	Parcel ID# 25-27-06			
		CANADA SA A SA		
5.	Name: James T Perk	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 Stra	it and a second		
	Mailing Address	8928 Southshore Ct, Polk City, FL 33868		
		8		
	Street Address (If Different)			
	Parcel ID# <u>25-27-06</u>	5-298361-000100		
7.	Name: Byron Hill			
7.	Mailing Address	114 Dillon Drive, Hendersonville, TN 37075		
	Street Address (If Di	fferent)		
	Parcel ID#_25-27-00	5-298361-000110		
50 50 5		An analysis of a supplementary of the supplementary		
8.	Name:			
	Mailing Address			
	Street Address (If D	ifferent)		
	Parcel ID#			

9.				
	Mailing Address			
	OL LANGUES HED	(Forent)		
		ifferent)		
	Parcel ID#	O DESCRIPTION OF STREET, STREE		

SITE PLAN REVIEW Revised 4/15/2008 Page 10 of 14



Green Swamp ACSC Impact Assessment Statement

Flood plain development requirements in this Code under Section 3.11.07D, where

Comment:

There is no floodplain on or adjacent to the project area. As such, no floodplain will be Response:

impacted by the project.

Wetland development requirements in this Code under Section 3.11.07E, where Comment:

There are no wetlands on or adjacent to the project area. As such, no wetlands will be Response:

impacted by the project.

Minimize the adverse impacts of development on resources of the Floridian Aquifer, Comment:

wetlands, and flood detention areas.

The proposed stormwater design will meet the standards for the Green Swamp ACSC Response:

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.

Protect or improve the normal quantity, quality and flow of ground water and surface Comment:

water which are necessary for the protection of resources of state and regional concern.

The proposed stormwater design will meet the standards for the Green Swamp ACSC Response:

to both treat the stormwater and allow for recharge to the aquifer.

Protect or improve the water available for the aquifer recharge. Comment:

The proposed stormwater design will meet the standards for the Green Swamp ACSC Response:

to both treat the stormwater and allow for recharge to the aquifer.

Protect or improve the functions of the Green Swamp Potentiometer High of the Comment:

Floridian Aquifer.

The proposed stormwater design will meet the standards for the Green Swamp ACSC Response:

to both treat the stormwater and allow for recharge to the aquifer.

Protect or improve the normal supply of ground and surface water. Comment:

The proposed stormwater design will meet the standards for the Green Swamp ACSC Response:

to both treat the stormwater and allow for recharge to the aquifer.

Prevent further salt water intrusion into the Floridian Aquifer. Comment:

There will be no slat water intrusion as part of this project. Response:

Protect or improve existing ground and surface water quality. Comment:

The proposed stormwater design will meet the standards for the Green Swamp ACSC Response:

to both treat the stormwater and allow for recharge to the aquifer.

Protect or improve the water retention capabilities of wetlands. Comment:

There are no wetlands on or adjacent to the project area. As such, no wetlands will be Response:

impacted by the project.

Protect or improve the biological filtering capabilities of wetlands. Comment

There are no wetlands on or adjacent to the project area. As such, no wetlands will be Responses

impacted by the project.

Protect or improve the natural flow regime of drainage basins. Comment:

Historic Flow will be maintained as part of the proposed project design. Response

Protect or improve the design capacity of flood detention areas and the water Comment:

management objectives of these areas through the maintenance of hydrologic

characteristics of drainage basins.

There is no floodplain on or adjacent to the project area. As such, no floodplain will be Response:

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

