

EAGLE LAKE PLANNING COMMISSION
REGULAR MEETING
MONDAY, AUGUST 15, 2022 at 6:30 P.M.
TO BE HELD IN THE COMMISSION CHAMBERS
LOCATED AT 675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

AGENDA

I. **CALL TO ORDER**

II. **INVOCATION**

III. **PLEDGE OF ALLEGIANCE TO THE FLAG**

IV. **ROLL CALL**

V. **STAFF REPORTS**

VI. **PUBLIC HEARING**

- A. Consideration of Proposed Ordinance No.: O-22-12, An Ordinance Amending the City of Eagle Lake, Florida 2030 Comprehensive Plan by Revising the Future Land Use Map Series to Assign Neighborhood Activity Center Future Land Use to One (1) Annexed Parcel; Amending the City of Eagle Lake, Florida Zoning Map to Apply General Commercial (CG) Zoning to the Same Certain Parcel; Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: One parcel of land totaling approximately 2.07 acres in size, lying southeast of U.S. Highway 17 and north of Cameron Road, with a street address of 11000 U.S. Highway 17, Eagle Lake, Florida 33839; A&E Auto Body Inc. Property)

VII. **OLD BUSINESS**

VIII. **NEW BUSINESS**

IX. **CONSENT AGENDA**

- A. Approval of the Planning Commission Minutes -----02/07/2022

X. **AUDIENCE**

XI. **PLANNING COMMISSION**

XII. **ADJOURNMENT**

Please be advised that if you desire to appeal any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statutes 286.0105)

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact City Clerk Dawn Wright at 75 North Seventh Street, P.O. Box 129, Eagle Lake, Florida 33839 or phone (863) 293-4141 within 2 working days of your receipt of this notification; if you are hearing or voice impaired, call 1-800-955-8771.

POSTED AT CITY HALL AND THE EAGLE LAKE POST OFFICE ON
TUESDAY, AUGUST 9, 2022 BY CITY CLERK DAWN WRIGHT, MMC, FCRM, PHRP

ORDINANCE NO.: O-22-12

AN ORDINANCE AMENDING THE CITY OF EAGLE LAKE, FLORIDA 2030 COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE MAP SERIES TO ASSIGN NEIGHBORHOOD ACTIVITY CENTER FUTURE LAND USE TO ONE (1) ANNEXED PARCEL; AMENDING THE CITY OF EAGLE LAKE, FLORIDA ZONING MAP TO APPLY GENERAL COMMERCIAL (CG) ZONING TO THE SAME CERTAIN PARCEL; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND, PROVIDING AN EFFECTIVE DATE. (General Location: One parcel of land totaling approximately 2.07 acres in size, lying southeast of U.S. Highway 17 and north of Cameron Road, with a street address of 11000 U.S. Highway 17, Eagle Lake, Florida 33839; A&E Auto Body, Inc. Property)

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, delegated the responsibility to local governmental units the power to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City of Eagle Lake, Florida, pursuant to Section 163.3161, et. seq., Florida Statutes, the Community Planning Act, formerly the Florida Local Government Comprehensive Planning and Land Development Regulation Act, was required to prepare and adopt a comprehensive plan; and

WHEREAS, the City of Eagle Lake City Commission adopted the Eagle Lake 2030 Comprehensive Plan on April 18, 2011; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Community Planning Act, provides authority for local governments to amend their respective comprehensive plans and outlines certain procedures to amend adopted comprehensive plans; and

WHEREAS, the City of Eagle Lake received an application, dated June 28, 2022, for voluntary annexation of property described herein and attached as Exhibit A, pursuant to Section 171.044, Florida Statutes; and

WHEREAS, the City of Eagle Lake City Commission duly annexed the property described herein and identified as the amendment area into the corporate limits of the City of Eagle Lake on _____; and

WHEREAS, the City of Eagle Lake received an application dated June 28, 2022 to amend the City's 2030 Comprehensive Plan Future Land Use Map by assigning

Neighborhood Activity Center Future Land Use designation and the City's Zoning Map to assign General Commercial (CG) zoning to the property described herein; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, and Division VI of the Eagle Lake Land Development Code, after due public notice the City of Eagle Lake Planning Commission, as the "Local Planning Agency," held a public hearing on August 15, 2022 to consider making a recommendation to the City Commission regarding the application for an amendment to the Future Land Use Map and RG zoning; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Eagle Lake City Commission held a public hearing on _____ to consider the adoption of the proposed amendment to its Comprehensive Plan and Zoning Map; and

WHEREAS, the Eagle Lake City Commission considered all oral and written comments received during such public hearing, including the data and analysis provided for this amendment, and the recommendation of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Eagle Lake, Florida, as follows:

SECTION I. PURPOSE AND INTENT,

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in the Community Planning Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. FUTURE LAND USE MAP AMENDMENT.

The City of Eagle Lake City Commission hereby adopts the following amendment to the Eagle Lake 2030 Comprehensive Plan Future Land Use Map Series, which will be updated consistent with the action of the Eagle Lake City Commission set forth in this Ordinance.

1. The Comprehensive Plan Amendment application request an amendment to the Future Land Use Map Series designated as the amendment area described herein and consisting of 2.07 +/- acres.
2. The amendment area is specifically described by a legal description and location map attached hereto as Exhibit "A" and includes the following Parcel Identification Numbers: 262906-672500-005501.
3. Prior to annexation by the amendment area was designated Residential Low (RL-1) on the Polk County Comprehensive Plan Future Land Use Map Series adopted by the Board of County Commissioners, Polk County, Florida.
4. Upon the legal effective date of this Ordinance, the Eagle Lake Future Land Use Map category for the amendment area will be designated as Neighborhood Activity Center as shown in Exhibit B, attached hereto Any future development of the

amendment area will be required to meet the standards of the Eagle Lake Comprehensive Plan.

SECTION III. ZONING ASSIGNMENT.

Upon the legally effective date of this Ordinance, the Zoning Classification for the amendment area will be designated as General Commercial (CG) as shown in Exhibit C, attached hereto, pursuant to the provisions of the Eagle Lake Land Development Code

SECTION IV. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of Ordinances of the Code of Ordinances of Eagle Lake, Florida, in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict.

SECTION V. SEVERABILITY

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION VI. EFFECTIVE DATE.

This Ordinance shall become effective on the 31st day after its adoption by the Eagle Lake City Commission.

ADOPTED ON THIS _____.

EAGLE LAKE CITY COMMISSION:

ATTEST:

DAWN WRIGHT
CITY CLERK

BY: _____
CORY COLER, MAYOR

Approved as to Form:

HEATHER R. MAXWELL, ESQ.
CITY ATTORNEY

EXHIBIT A – LEGAL DESCRIPTION AND LOCATION MAP

LEGAL DESCRIPTION:

Starting at the intersection of the South boundary of Lot 55 of Wahenta Farms Subdivision as recorded in Plat Book 1, Pages 82A and 82B of the Public Records of Polk County, Florida, and the Southeasterly R/W boundary of U.S. Highway 17, said point being 1,236.25 feet Westerly of the Southeast corner of said Lot 55 of Wahenta Farms Subdivision, run thence in a Northeasterly direction along the Southeasterly boundary of said U.S. Highway 17 for a distance of 350 feet for the point of beginning; run thence Northeasterly along said Southeasterly boundary of U.S. Highway 17 for a distance of 300 feet to a concrete marker, run thence Southeasterly on a line perpendicular to the Southeasterly boundary of said Highway 17 for a distance of 300 feet to a concrete marker, run thence Southwesterly along a line parallel to the Southeasterly boundary of said U.S. Highway 17 for a distance of 300 feet to a concrete marker, run thence Northwesterly along a line perpendicular to said Southeasterly boundary of U.S. Highway 17 for a distance of 300 feet to the point of beginning.

LOCATION MAP:

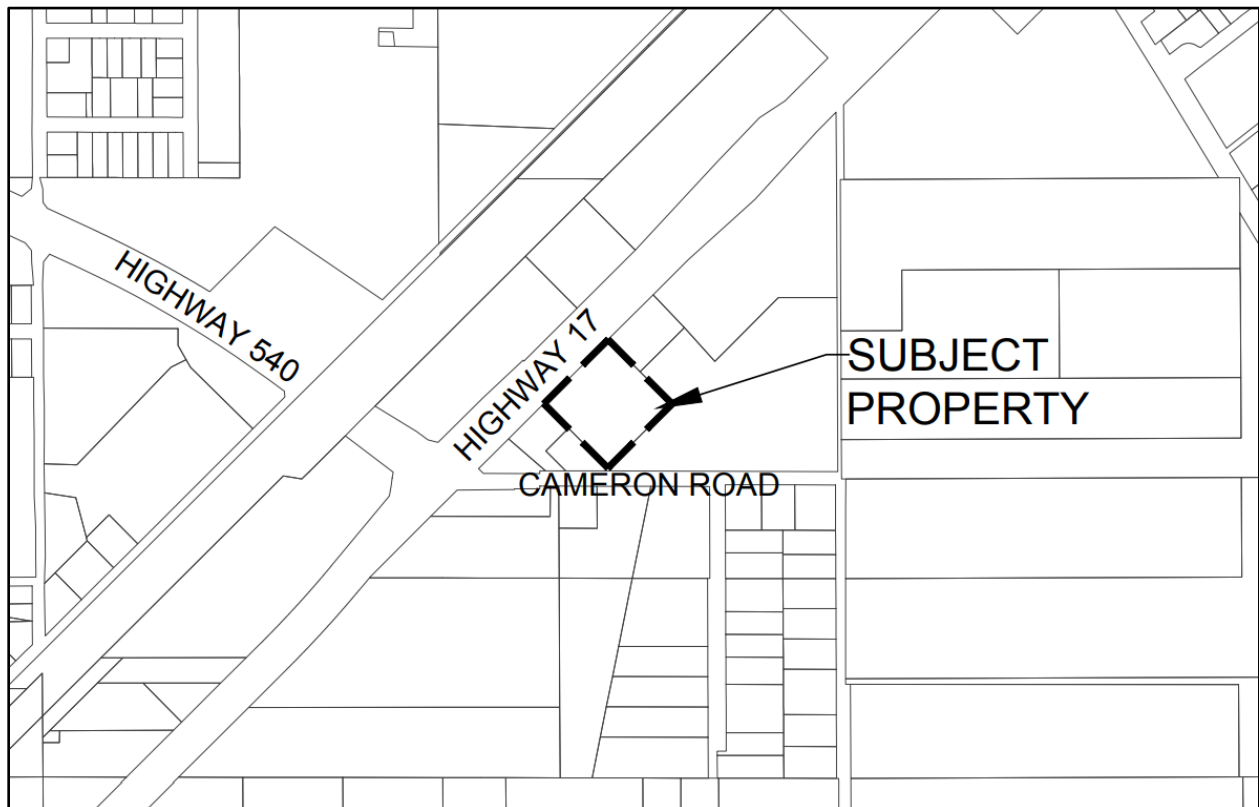


EXHIBIT B – FUTURE LAND USE MAP

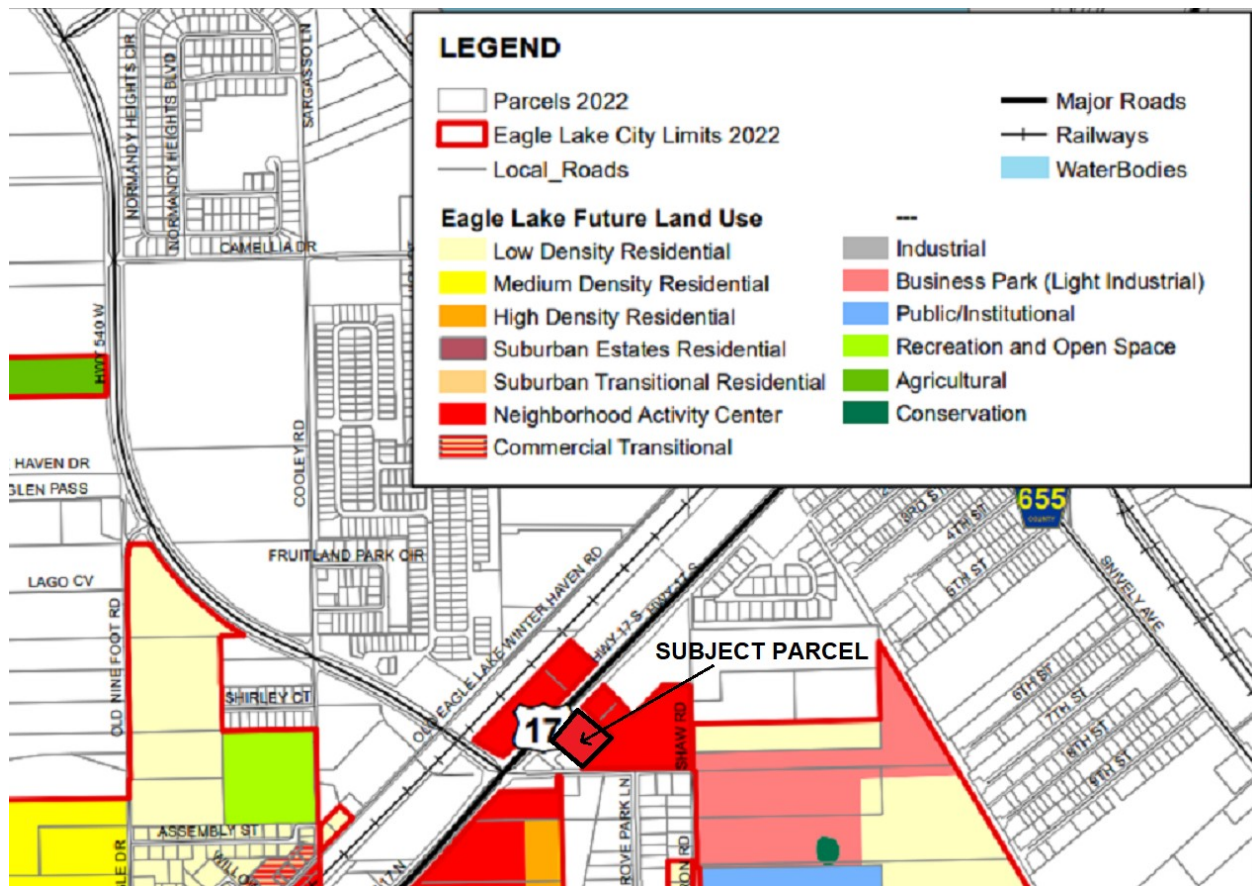
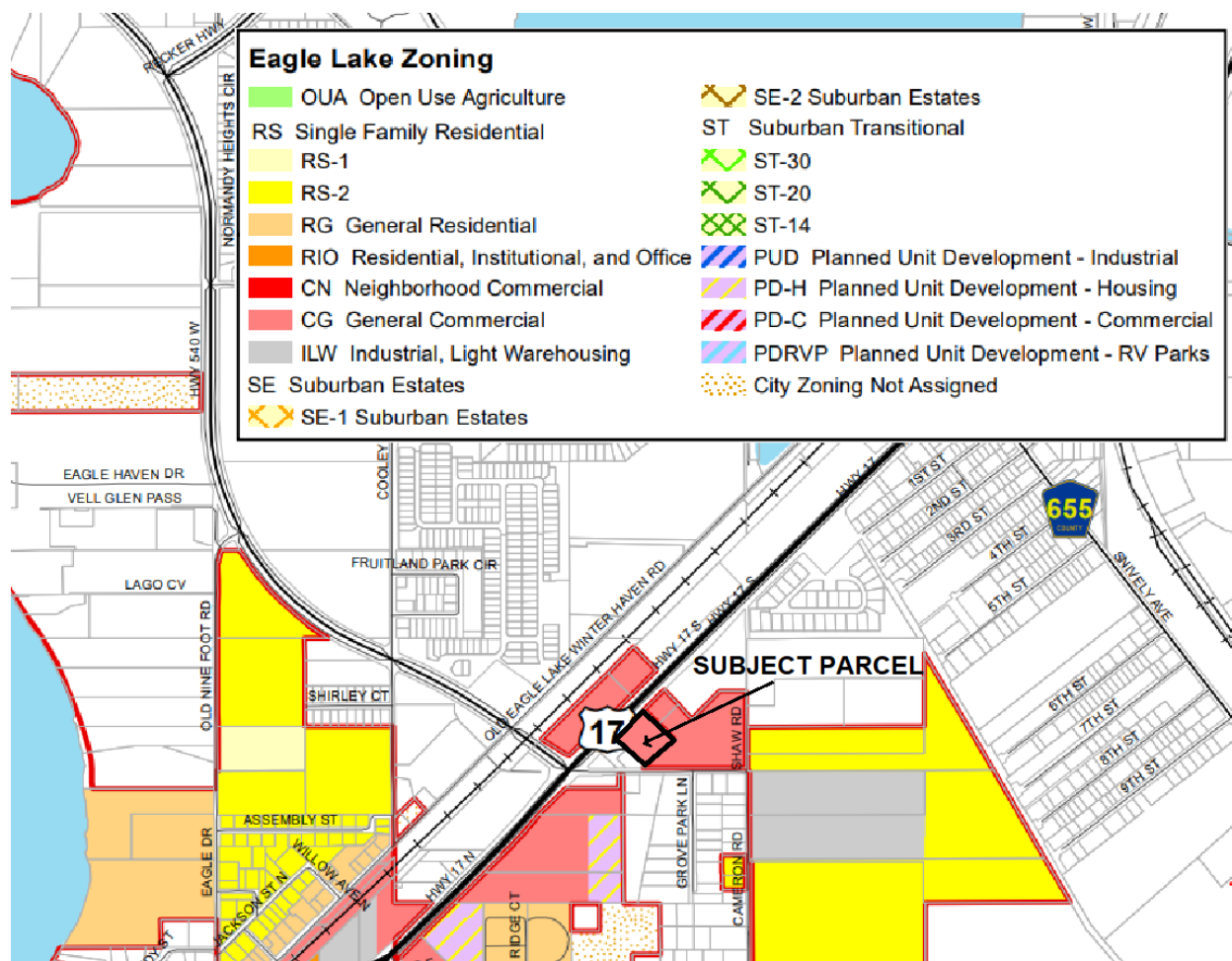


EXHIBIT C – ZONING MAP





TO: Tom Ernharth
City of Eagle Lake
P.O. Box 129
Eagle Lake, FL 33839

DATE: June 28, 2022

PROJECT: A&E Plaza


RE: Land Use & Zoning

<u>COPIES</u>	<u>DATE</u>	<u>NO.</u>	<u>DESCRIPTION</u>
	6/22/2022	1022	Check in the amount of \$500 - Small-Scale Comprehensive Plan Amendment
	6/22/2022	1021	Check in the amount of \$750 – Zoning Amendment
			Comprehensive Plan Amendment/Zoning Application
			Letter of Authorization
			Impact Study
			Map Exhibits – Location, Topo, Land use, Soils, Aerial, FEMA, & Wetlands

<input checked="" type="checkbox"/> FOR YOUR APPROVAL	<input checked="" type="checkbox"/> FOR REVIEW AND COMMENT	<input checked="" type="checkbox"/> HAND DELIVERED	<input type="checkbox"/> OTHER
<input type="checkbox"/> FOR YOUR FILE	<input type="checkbox"/> FOR YOUR INFORMATION	<input type="checkbox"/> REGULAR MAIL	<input type="checkbox"/>
<input type="checkbox"/> FOR YOUR SIGNATURE	<input type="checkbox"/> PER YOUR REQUEST	<input type="checkbox"/> OVERNIGHT	<input type="checkbox"/>
<input type="checkbox"/> FOR YOUR USE	<input type="checkbox"/> OTHER	<input type="checkbox"/> ELECTRONIC MAIL	

The enclosed application(s) is companion to request for Voluntary Annexation, submitted under separate cover.

COPY TO: A&E

SIGNED: 
Sarah Case

6700 S. FLORIDA AVENUE • SUITE 4 • LAKELAND, FL 33813
www.NextLevelPolk.com

**COMPREHENSIVE PLAN AMENDMENT/ZONING
CITY OF EAGLE LAKE**

Date of Application: June 2022

Application: CPA-large scale: CPA-small scale: COMM **Zoning:** CG

City only: Case number(s): **Date found complete:**

Please include:

1. Location map
2. Map showing property's Future Land Use designation and/or Zoning Map designation.
3. Existing Land Use Map
4. A copy in Microsoft Word of any documentation
5. If a Large Scale amendment, please include 14 copies of application and support materials.

I. APPLICATION SUMMARY

A. Applicant's Name and Address:

Sarah Case, Authorized Agent for A&E

Next Level Planning & Permitting

6700 South Florida Ave., Suite 4

Lakeland, FL 33813

Signature of Applicant: 

Telephone: 863.398.9651

Name, Address, and Phone Number of Contact Person:

(same)

B. Property Description

1. Location (include location map and site map):

Please see attached Location Map

2. Total Site Acreage: 2.07

3. Current Land Utilization: Commerical Building

4. Parcel identification Number (Section, Township, Range, Subdivision and Parcel Number): 262906-672500-005501

C. Land Use/Zoning Designation

1. Existing Future Land Use Category: RL-1 (Polk County)

2. Requested Future Land Use Category: COMM

3. Current Zoning District(s):

CG

4. Requested Zoning District(s):

5. Is the property within the Area of Critical State Concern? No
Please attach Green Swamp Impact Statement.

II. PLANNING AND DEVELOPMENT DEPARTMENT REVIEW

A. Natural Features Analysis

1. Topography: See attached Exhibit B - Topographical Map - Contours shown 140' Western P/L - 135' Eastern P/L

2. Soils: See attached Exhibit D - Soils Map depicting Soils #s 13, 14, 21, & 25

3. Vegetation: See attached Exhibit E - Aerial Map

4. Flood Prone Areas: See attached Exhibit F - FEMA Map; no Floodplain

5. Wetlands: See attached Exhibit G - Wetlands Map; no Wetlands

6. Wildlife Habitat: None

B. Land Use Analysis

1. **Current Future Land Use Development Potential:** RL-1 (Polk County) - 1 DU p/AC = 2 DU
2. **Proposed Future Land Use Development Potential:** COMMERCIAL
3. **Current Population Projection Yield:** 2.62 per capita @ 2 DU = 5 persons
4. **Proposed Population Projection Yield:** Non- Residential
5. **General Analysis:** _____
See Impact Study

C. Special Designated Areas Analysis

N/A

1. **Special Management Area:** _____
2. **Aquatic Preserve:** _____
3. **Historic and/or Archaeological Preserves:** _____
4. **Air Installation Compatible Use Zones (AICUZ):** _____
5. **Historic Districts:** _____
6. **Coastal High Hazard Area (CHHA):** _____
7. **Groundwater Aquifer Recharge Area:** _____
8. **Wellhead Protection Zone:** _____

D. Public Facilities and Services Analysis

1. Potable Water

- a. **Provider:** City of Eagle Lake
- b. **Incremental Impact:** _____
- c. **Impact upon Level of Service (LOS):** _____

d. Improvements Needed: _____

2. **Sanitary Sewer**

a. Provider: City of Eagle Lake

b. Incremental Impact: _____

c. Impact upon Level of Service (LOS): _____

d. Improvements Needed: Connection to Forcemain (at Developer's expense)

3. **Traffic Circulation**

a. Provider: Existing Ingress/Egress to Hwy 17 N (FDOT)

b. Incremental Impact: _____

c. Impact upon Level of Service (LOS): _____

d. Improvements Needed: Potential Driveway improvement

4. **Mass Transit**

a. Service Provided to the Area: None Currently

b. Impact upon Level of Service (LOS): _____

c. Improvements Needed: _____

5. **Drainage**

a. Facilities Service Site: SWFWMD/FDOT

b. Impact upon Level of Service (LOS): 25 Yr./24-Hour Storm event w/Discharge; 100 Yr./24-Hour Storm event w/out discharge

c. Improvements Needed: On-Site Stormwater Retention (Owner's Expense) if building additions are proposed

6. **Recreation**

a. Incremental Impact: _____

b. Impact upon Level of Service (LOS): _____

c. Improvements Needed: _____

7. Solid Waste

a. Incremental Impact: _____

b. Impact upon Level of Service (LOS): _____

c. Improvements Needed: _____

E. Please describe in detail the 2010 Comprehensive Plan compatibility and zoning compatibility.

Please refer to attached Impact Study



NEXT LEVEL

PLANNING & PERMITTING

A&E PLAZA
120002 US HIGHWAY 17 N, EAGLE LAKE, POLK COUNTY, FL

LETTER OF AUTHORIZATION

Parcel 262906-672500-005501

I hereby authorize Sarah Case of Next Level Planning & Permitting to apply for and sign any necessary applications needed for the Annexation, Land Use, and Zoning process through the City of Eagle Lake, Polk County, Florida regarding the above referenced Property.

Signature

V. Z. Arrington
A&E Auto Body Inc.

President.
Title

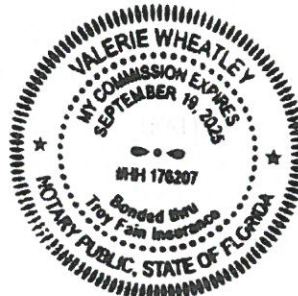
STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization this 27th day of June, 2022, by _____, who is ☒ personally known to me or ☐ has produced _____ as identification and who (did) (did not) take an oath.

Valerie Wheatley
SIGNATURE OF NOTARY PUBLIC

Valerie Wheatley
PRINTED NAME OF NOTARY PUBLIC STAMP & DATE

MY COMMISSION EXPIRES 09/19/2025



IMPACT STUDY – A&E PLAZA

PROJECT SUMMARY

A&E Plaza is an existing non-residential property within Unincorporated Polk County's jurisdiction that has RL Land Use designation. The owners purchased the property in January 2020 with the intent to open a commercial retail plaza, within the 4,800 SF +/- former veterinary clinic. Upon further due diligence, it was determined that the property has Residential designation and the appropriate course of action was to Annex into Eagle Lake and assign Commercial Land Use and Zoning. The subject parcel is 262906-672500-005501, approximately 2.07 Acres.

ARTICLE 3: - REQUIRED INFORMATION—GENERAL Sec. 4.7.3.10. - Provisions.

1. Will the proposed change be contrary to the established land use pattern(s) in the surrounding area? If an incompatibility would be created between the proposed and existing land uses, describe the techniques and methods to be used to minimize such differences?

The subject site is currently developed with a 4,800 SF single-story building formerly used as a veterinary clinic. For reasons unknown, when the County assigned Land Use via The Comprehensive Plan in 1991, the site was not recognized as Commercial and was designated Residential Low (RL-1.) Given the location of the property along the US Highway 17 corridor, adjacent to Commercial to the Southwest (existing A&E Autobody) and its proximity to a signalized intersection with a gas station/convenience store, the request for Commercial is not incompatible.

2. Describe how the proposed development would be consistent with the city comprehensive plan in relation to land use, transportation, recreation, utilities, and all related plan elements.

Consistency with City Comprehensive Plan:

FUTURE LAND USE ELEMENT

Policy 1.1 (d) - Application is compatible with surrounding land uses

Policy 1.2 (1-11) – Application demonstrates compliance with the eleven provisions stated

Policy 1.3 – Application is the most reasonable revision to the Future Land Use map for both Polk County, and the City of Eagle Lake

Policy 1.4 – Once assigned Commercial the subject site can expand; add additional buildings, which will require management of stormwater

runoff that was not a requirement when the existing commercial structure was built in 1975

Policy 2.1 (8) - requested classification is Commercial Transitional without the Residential component

Policy 2.9 – implementing Community Redevelopment Area with transit oriented design

Policy 4.11 – Mixed Land Uses and intensities along the US 17 Corridor

Policy 9.1 & 9.2 – Application is not encouraging urban sprawl

Policy 12.2 – Application encourages compatibility between adjacent land uses

Policy 13.1 -proposed Commercial along highway corridors with emphasis on compatibility

TRANSPORTATION ELEMENT

Subject site has direct frontage onto US Hwy 17 N, a DOT principal arterial roadway. Site improvements will be required to comply with the FDOT's requirements for safe and efficient access & drainage.

INFRASTRUCTURE ELEMENT

Level of Service Standards implementing Potable Water Sanitary Sewer, Solid Waste, and Drainage Facilities will be reviewed for any site improvements

3. What changed or changing conditions in the area make the approval of this petition necessary?

The area is non-residential in character, and could arguably have had a mapping error implemented by the County through the Comprehensive Plan Land Use assignment of Residential Low. The specific area is not changing; Commercial Land Use and Zoning is appropriate for the subject property.

4. Describe why the site is suitable for the intended uses.

The subject site is suitable for Commercial designation, as the existing structure on site was constructed in 1975, as a non-residential use. Additionally, the surrounding uses are non-residential.

5. Describe the site and list all land uses (by area calculations) and structures existing on and adjacent to the site as of the petition date and how the proposed action is compatible or will be made compatible with such uses.

The subject site is comprised of one (1) parcel, totaling approximately 2.07 acres. There is one non-residential building on-site, a 4,800 S +/- building constructed in 1975. The subject site is underdeveloped. Expansion of the site in the future will be compatible with the existing adjacent uses, as opposed to developing the site under Polk County's jurisdiction as a residential development.

6. Will the proposed development materially alter the population density of the area and thereby increase the demand on public facilities, i.e. schools, parks, sewers, water, and similar public services?

There will be no additional demand for the above-mentioned public facilities however, the subject property is situated for additional development with adequate services for the proposed impact.

7. Will the proposed development adversely affect property values of adjacent property?

Due to the location of the subject site along the US Hwy 17 corridor, and adjacent to other commercial uses, property values will not be adversely effected. Studies have shown that new construction provides an increase in value to adjacent existing properties.

8. Will the proposed development create environmental problems? How will the proposed development take into account the natural features of the site, such as topography, wetlands, and similar conditions and what steps will be taken to protect these features?

Please refer to Map Exhibits provided with this Impact Study. There are no environmentally sensitive areas within the subject site.

9. Will the proposed development encroach on or disturb rare, endangered, threatened, and special concern species wildlife habitat? What steps will be taken to protect these habitats?

No impact to threatened and endangered species or habitats is proposed.

10. Will the proposed development create or excessively increase traffic congestion or otherwise affect public safety? A traffic analysis shall be required which addresses the impact of the proposed action on all roads?

The subject application is to annex and assign Commercial designation for a site that has historically operated as a non-residential property. Should the property add future improvements, all requirements for development will be met.

11. Will the proposed development adversely impact quality of life conditions on adjoining properties or within the neighborhood?

No adverse impacts are proposed to surrounding neighborhoods.

12. If the proposed development is located in an area presently undeveloped, describe how the proposed development may or may not influence future land uses in the area.

The subject property is currently developed with one structure, and is situated around commercially designated properties. The site has potential for additional development. Should the property add additional structures, the site will be consistent with the character of surrounding uses.

13. Describe the availability and suitability of other sites within the city suitable for the type of development proposed on land already zoned for such use(s)?

This site is unique due to the County assigning Residential Land Use to an existing Commercial operation. The subject request is for the City of Eagle Lake to recognize the historical use of the site.

ARTICLE 4: - REQUIRED INFORMATION—SPECIFIC

Sec. 4.7.4.10. – Land use.

1. Describe each of the proposed land uses and identify the following where applicable:

- A. The density, typical floor areas, and type and number of residential dwelling units;

Commercial Lot Coverage maximum is 40% (LDR)

Floor Area Ratio (FAR) is 1.0

Site is 2.07 AC = 90,169 SF x .40 = 36,068 SF Max Lot Coverage

Existing 4,800 SF Building; remaining Lot Coverage potential 31,268 SF

- B. Types of commercial, industrial, or other land uses proposed for the development;

Miscellaneous Commercial uses i.e., retail sales, professional offices, medical related offices, indoor storage (NOT self-storage or mini-storage)

- C. The customer service base and service area for intended commercial and/or industrial land uses;

County wide

- D. The gross land area proposed for each type of use, including parking, open space, recreation, and the gross areas of pervious and impervious surfaces, including structures, for the site.

Subject site will be limited to a total footprint of 36,068 SF however could yield a 1.0 FAR = 90,169 SF if vertical, multi-story. Currently, only the existing 4,800 SF building is being addressed.

Sec. 4.7.4.20. - Population.

1. The anticipated population to be generated by the proposed action.

Application is to recognize the existing non-residential nature of an existing site/building. No additional population projected.

2. Calculate the projected permanent and seasonal population of the proposed development and/or the population generated in the case of commercial or industrial land uses.

No seasonal population is proposed with this development.

3. If the proposed development is a commercial or industrial use, describe the employment characteristics, including the anticipated number of employees, type of job skills or training required for the new jobs, percentage of local people that will be employed and/or will be brought in from other locations, number of shifts per day, and peak shift employees.

Depending on the end-users. Owner anticipates leasing existing building as several different suites, subject to allowable uses within the Commercial General Zoning designation.

4. Describe the demographic composition of any additional population generated as a result of the proposed development.

No additional population projected; future uses will be to meet the needs of a typical consumer.

Sec. 4.7.4.30. - Streets and access.

1. Estimate the number of vehicle trips per day based upon the Institute of Transportation Engineers Trip Generation Manual (most current edition) expected to be generated and for the peak hour(s), for all streets impacted by the development. Establish background traffic counts and determine the impact on those streets affected by the proposed development. Provide a trip distribution model and traffic analysis prepared by a licensed traffic engineer, subject to approval by the administrative official as to the methodology.

Average Annual Daily Trips anticipated for General (Multi-Tenant) Office (ITE Land Use Code 710) is:

11.03 AADT per 1,000 SF and 1.49 PM Peak Hour Trips per 1,000 sf

[EXISTING 4,800 SF Building]

$4.8 \times 11.03 = 52.94$ Use 53 AADT

PM Peak Hour trips = $1.49 \times 4.8 = 7.15$ Use 7 PM Peak Hour Trips

2. Describe what modifications would be required of the present transportation system (streets) of the city, county, and/or state to meet the needs of the proposed development.

US Highway 17 is a State Principal Arterial. Future development of the subject site would require compliance with all applicable regulations.

3. Describe the off street parking facilities to be used and the total number of spaces required for the proposed development.

Typically, one space per 300 SF or for the existing 4,800 SF building – 16 parking spaces.

4. Describe the methods to be utilized for provision of ingress and egress to the site.

Existing Ingress/egress is via US HWY 17 N, a divided highway via a right in/right out. Vehicles will be required to exit the site heading North.

5. Describe the walkway or other systems planned for accommodating pedestrian traffic.

Sidewalks are existing along the US Highway 17 N corridor.

Sec. 4.7.4.40. - Site conditions, surface and stormwater management, wildlife habitat.

1. Describe the impact the proposed development will have on surface and stormwater management, including methods to be utilized to control off-site discharges and surface runoff.

Future development of the subject site would require compliance with all applicable regulations.

2. Describe any alteration of the site's natural drainage features or systems that would be necessary for the proposed development.

The site's natural drainage pattern is from Southwest to Northeast.

Future development on site will require stormwater treatment permitted through SWFWMD and FDOT.

3. Describe the local aquifer recharge system, groundwater conditions, well cones of influence, and any changes to these water supplies which would result from the proposed development.

No changes are anticipated.

4. Identify all rare, endangered, threatened, and special concern species of wildlife and their habitats found on the site. Describe the impact of the proposed development on this wildlife and the proposed mitigation of these impacts.

There are no threatened or endangered species on site.

Sec. 4.7.4.50. - Potable water, waste water, solid waste, and recreation. **[Note: Demand Ratios sourced from the City of Lakeland Concurrency Determination]**

1. Indicate the location of the nearest city water supply that will serve the proposed development, size of line, length of extensions required, number of equivalent residential units or customers to be served, estimated gallons per day required, and impact and connection fees to be paid to the city.

Non-Residential Uses – Potable Water - 315 gallons per day per 2,000 SF

4,800 SF Building = $4800/2000 = 2.4$ – $2.4 \times 315 \text{ GPD} = 756 \text{ GPD}$ estimated water generation

2. Indicate the location of the nearest city sewer main that will serve the proposed development, size of line, length of extensions required, number of units or customers to be served, estimated gallons per day to be generated, and impact and connection fees to be paid to the city.

Non-Residential Uses - Wastewater – 85% of potable water GPD demand

$756 \times 0.85 = 643 \text{ GPD}$ estimated wastewater generation

3. Calculate the solid waste volume anticipated to be generated in pounds per capita per day or tons per day, as a result of the proposed development. If contract services are to be considered, identify the solid waste disposal site and the entity responsible for collection and disposal.

Solid Waste = 11 pounds per day per 2,000 SF

$2.4 \times 11 = 26.4$ pounds per day estimated solid waste generation

Sec. 4.7.4.60. - Level of services.

Calculate the number of users as a result of the proposed development, on the following. Use the LOS standards contained in the concurrency management system (division IX, appendix B of the land development regulations) as the basis for calculations.

1. Recreation; **non-residential**
2. Educational facilities **non-residential**
3. Health care; Winter Haven Hospital – 12 Minutes, 3.9 miles
4. Fire protection; Polk County Fire Rescue 17 station – 3 min – 1.1 miles

5. Police protection; Polk County Sheriff's Office – 9 min 5.3 miles
6. Electric power, gas, and phone. City of Bartow Electric – 8 min 4.2 miles, Gas Services, Inc. – 7 min 3.5 miles

Sec. 4.7.4.70. - Taxes.

Calculate the estimated ad valorem tax yield to the city government, school board, and any special taxing districts that levy taxes on the property, for the next five years.

According to the Property Appraiser's assessment, the subject property at 11000 Highway 17 the 2021 taxable value was \$42,897. Annexing into the City limits of Eagle Lake at a tax rate of 7.651600 will levy an additional tax of \$328.23 annually.

Sec. 4.7.4.80. - Required exhibits and maps.

PLEASE SEE ATTACHED EXHIBITS

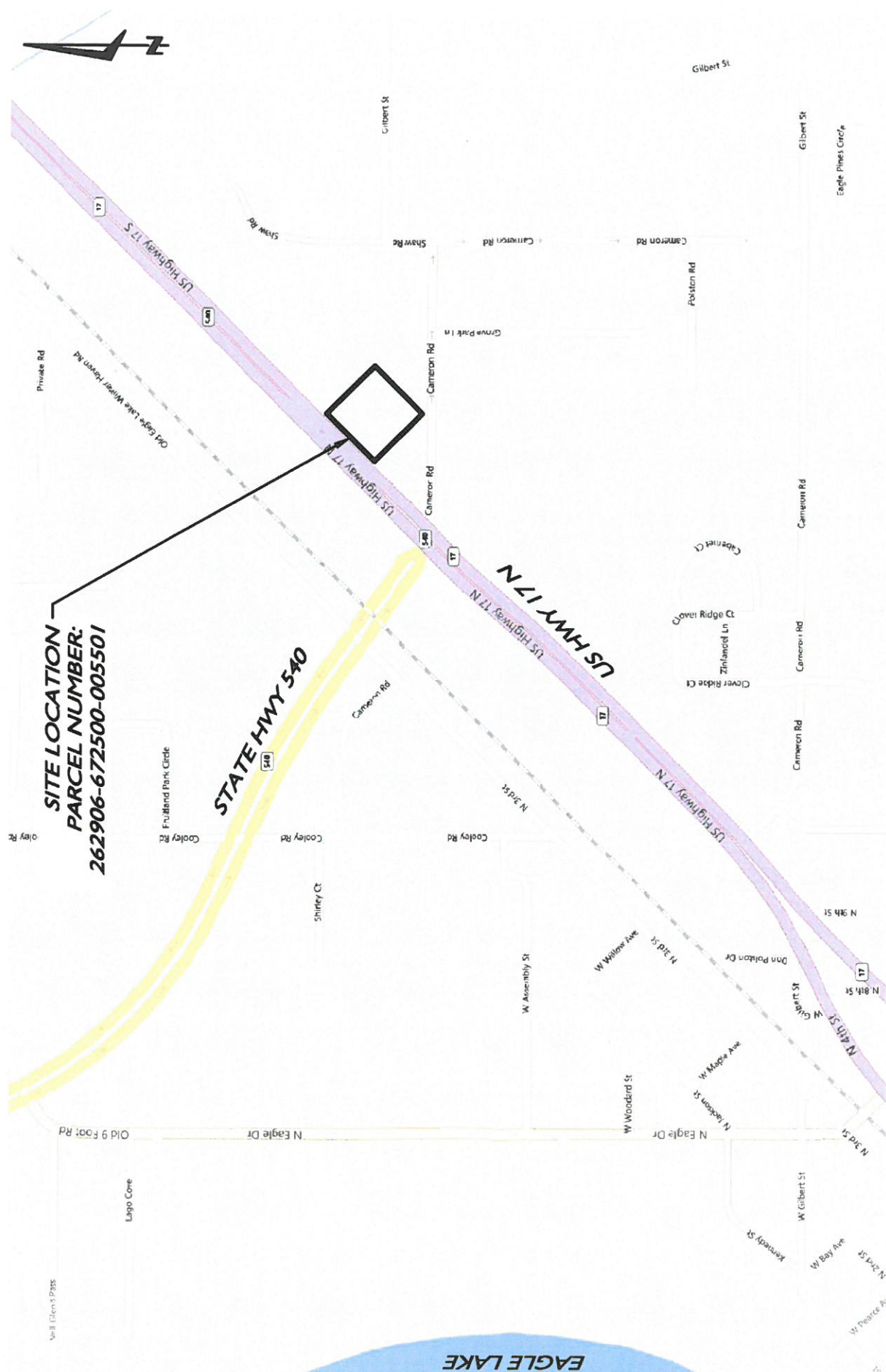
Exhibits and maps shall be of sufficient size and type to facilitate understanding of the components of the proposed development. The scale shall be dependent upon the specific application and the applicable requirements detailed in the land development regulations. Dates of preparation and any amendments shall be noted on all exhibits and maps. The following exhibits and maps shall be provided as a part of all impact statements:

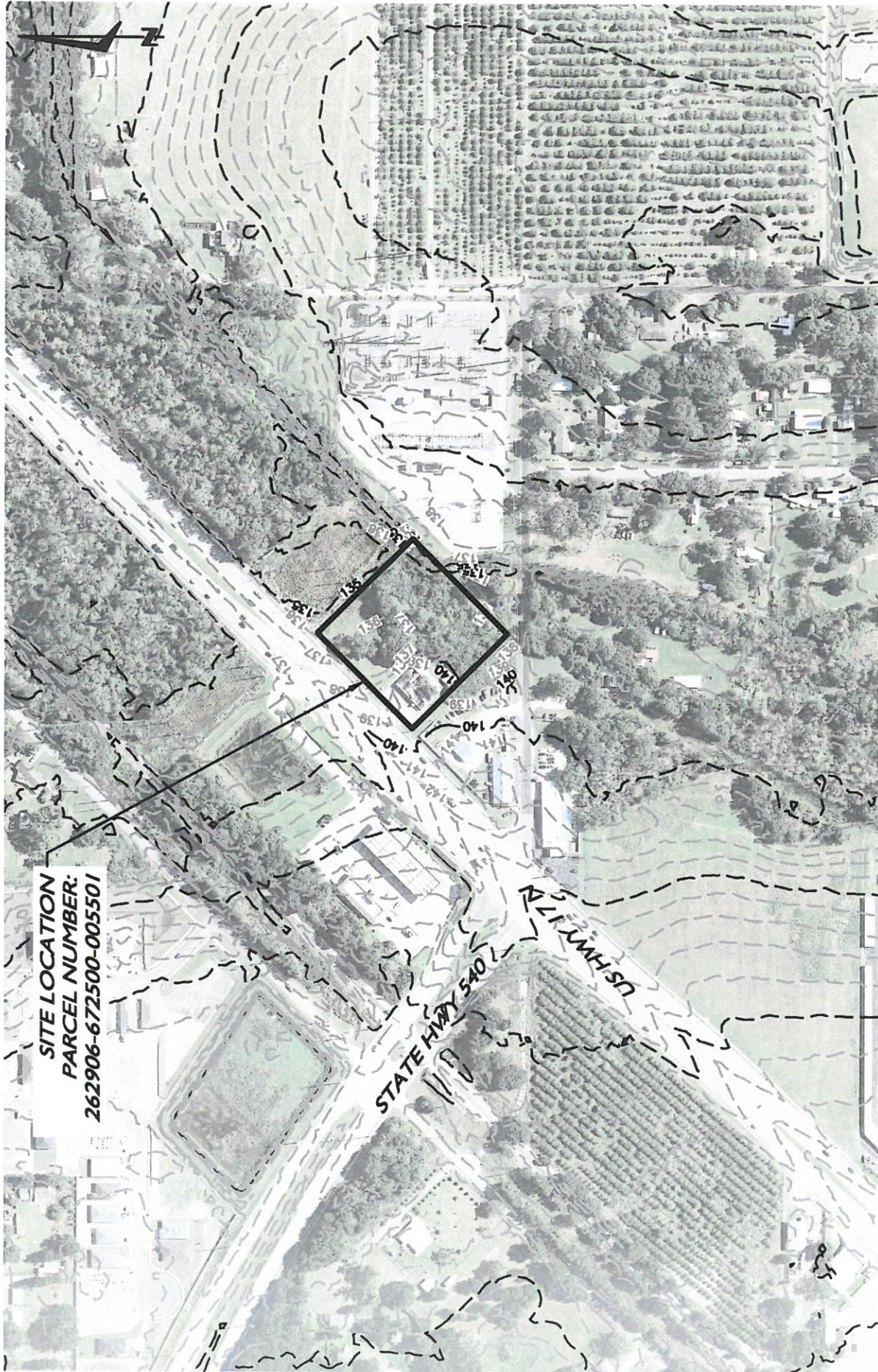
1. A location map showing the proposed development in relationship to streets, community facilities, schools, and natural features of the area such as lakes and drainage ways.
2. A topographic map with contour intervals meeting the requirements as spelled out for the particular petition and delineation of areas of special flood hazard (100-year flood plain) as identified on the flood insurance rate maps (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the city or for Polk County in the case of annexation.
3. An existing land use and zoning map of the site and the abutting properties.

4. A soils map with the accompanying soils classifications as provided by the Soils Conservation Service. If other sources are utilized for this information, such data and maps shall be fully explained and interpreted.
5. A traffic circulation map identifying existing streets on or adjacent to the proposed development site, identifying them by name,
6. maintenance responsibility, pavement width, and right-of-way dimensions.
7. A site plan meeting the requirements of the specific petition but in any case showing at a minimum the proposed land uses, type, and maximum density for each residential area, typical minimum lot sizes and dimensions for each use and unit by type, dimensions of buffers, easements, open space areas, parking and loading areas, setbacks, and circulation routes.
8. A drainage plan showing existing and proposed drainage areas, water retention sites, structures, easements, canals, wetlands, water courses, and any other drainage features that may be necessary for the proposed development.

**A&E PLAZA
EAGLE LAKE, FL**

EXHIBIT A
LOCATION MAP





SITE LOCATION
PARCEL NUMBER:
262906-672500-005501

STATE HWY 540
US HWY 17A

EXHIBIT B TOPOGRAPHICAL MAP

**A&E PLAZA
EAGLE LAKE, FL**

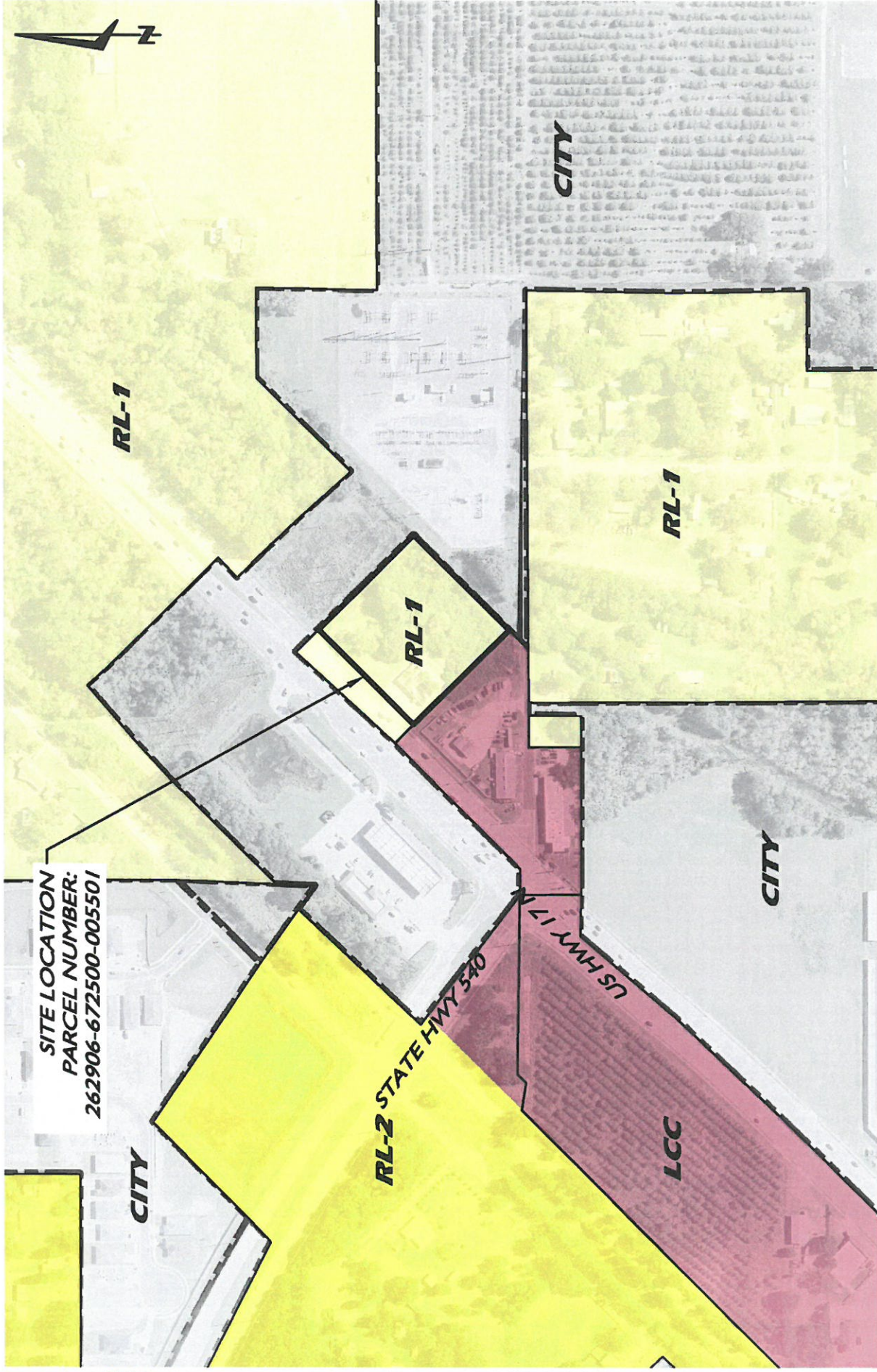
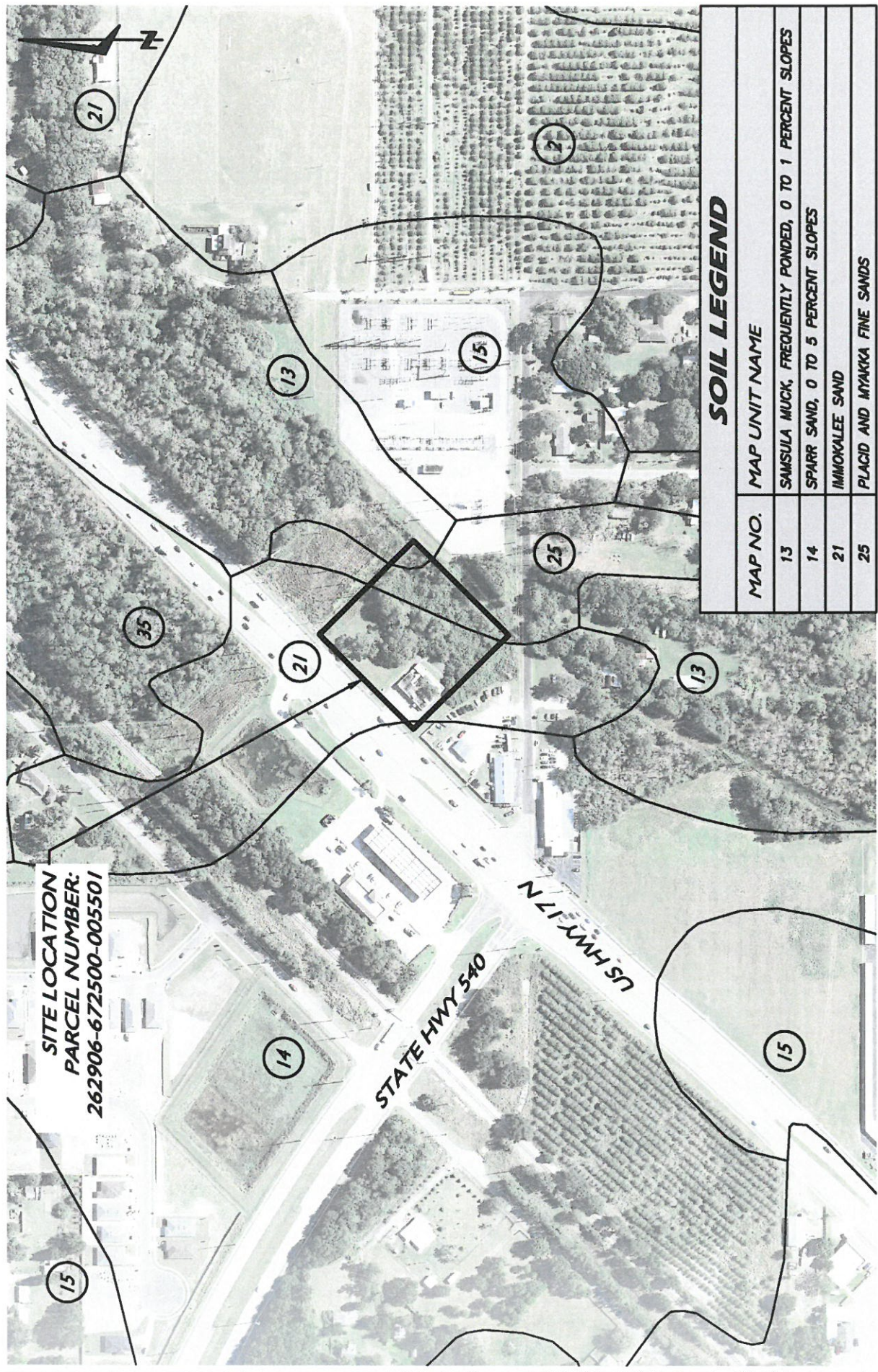


EXHIBIT C LAND USE MAP

**A&E PLAZA
EAGLE LAKE, FL**



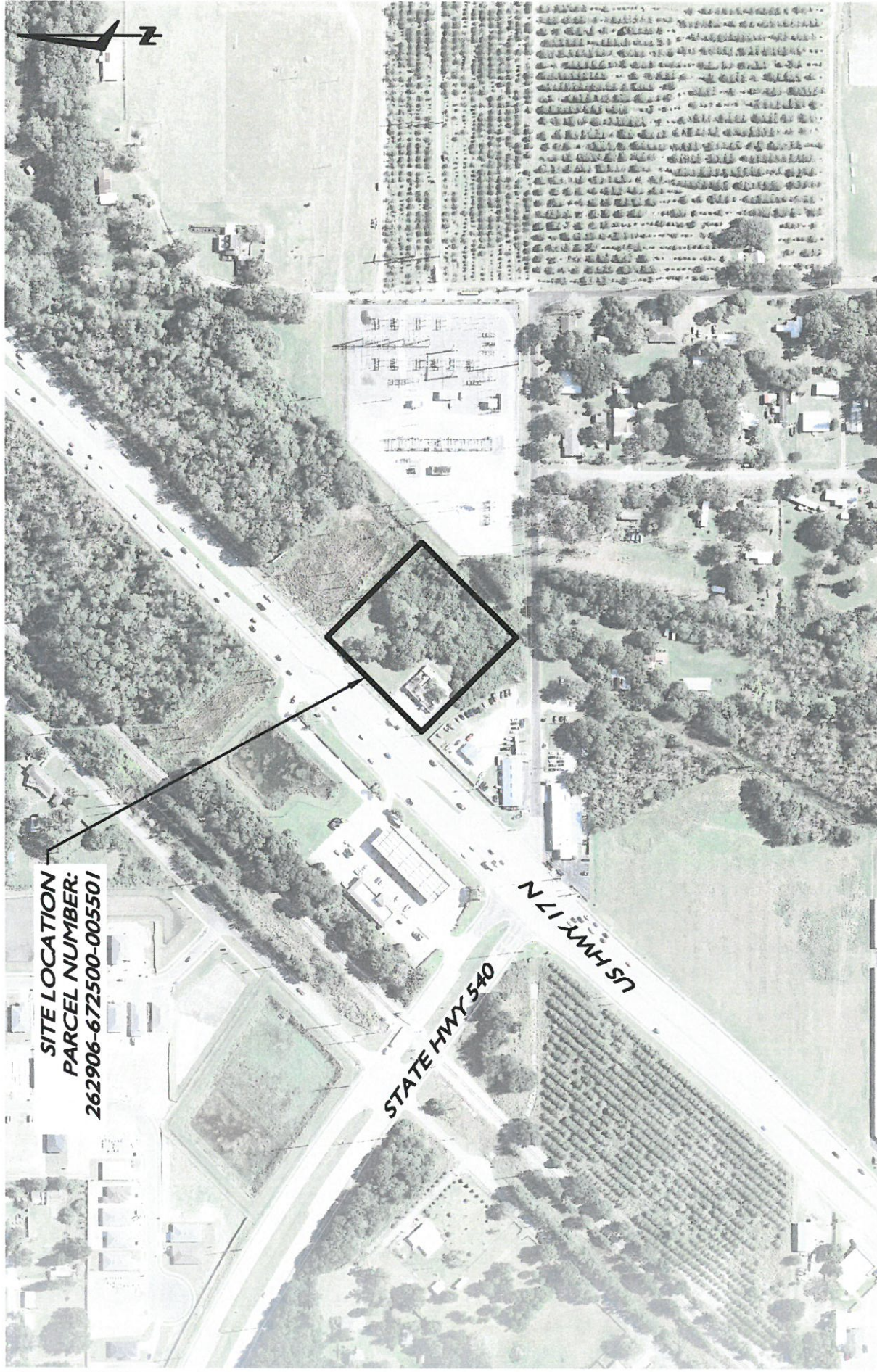
SITE LOCATION
PARCEL NUMBER:
262906-672500-005501

SOIL LEGEND

MAP NO.	MAP UNIT NAME
13	SAMSULA MUCK, FREQUENTLY PONDED, 0 TO 1 PERCENT SLOPES
14	SPARR SAND, 0 TO 5 PERCENT SLOPES
21	IMMOKALEE SAND
25	PLACID AND MYAKKA FINE SANDS

**EXHIBIT D
SOILS MAP**

**A&E PLAZA
EAGLE LAKE, FL**

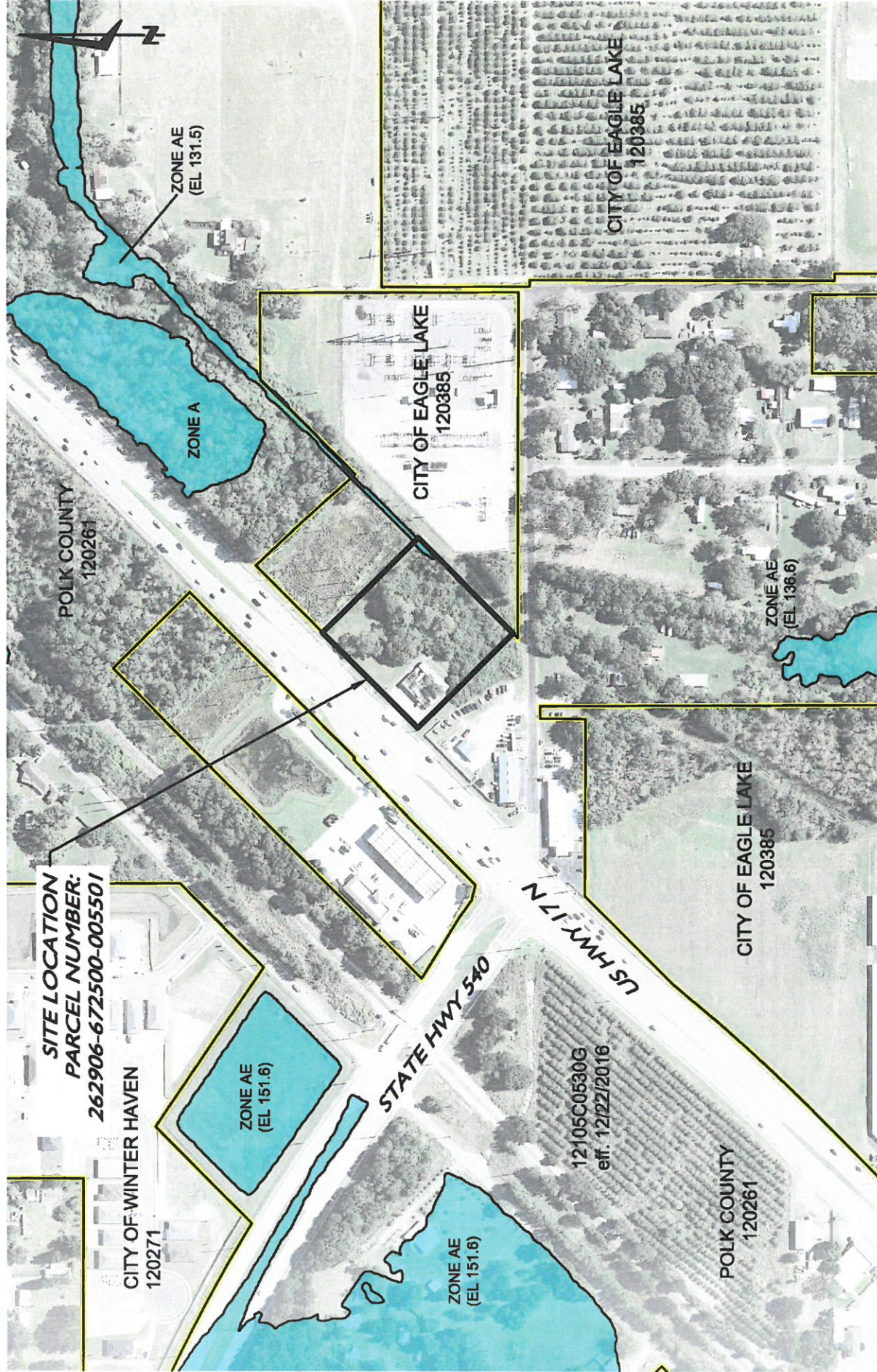


**SITE LOCATION
PARCEL NUMBER:
262906-672500-005501**

STATE HWY 540
US HWY 17N

EXHIBIT E AERIAL MAP

A&E PLAZA EAGLE LAKE, FL



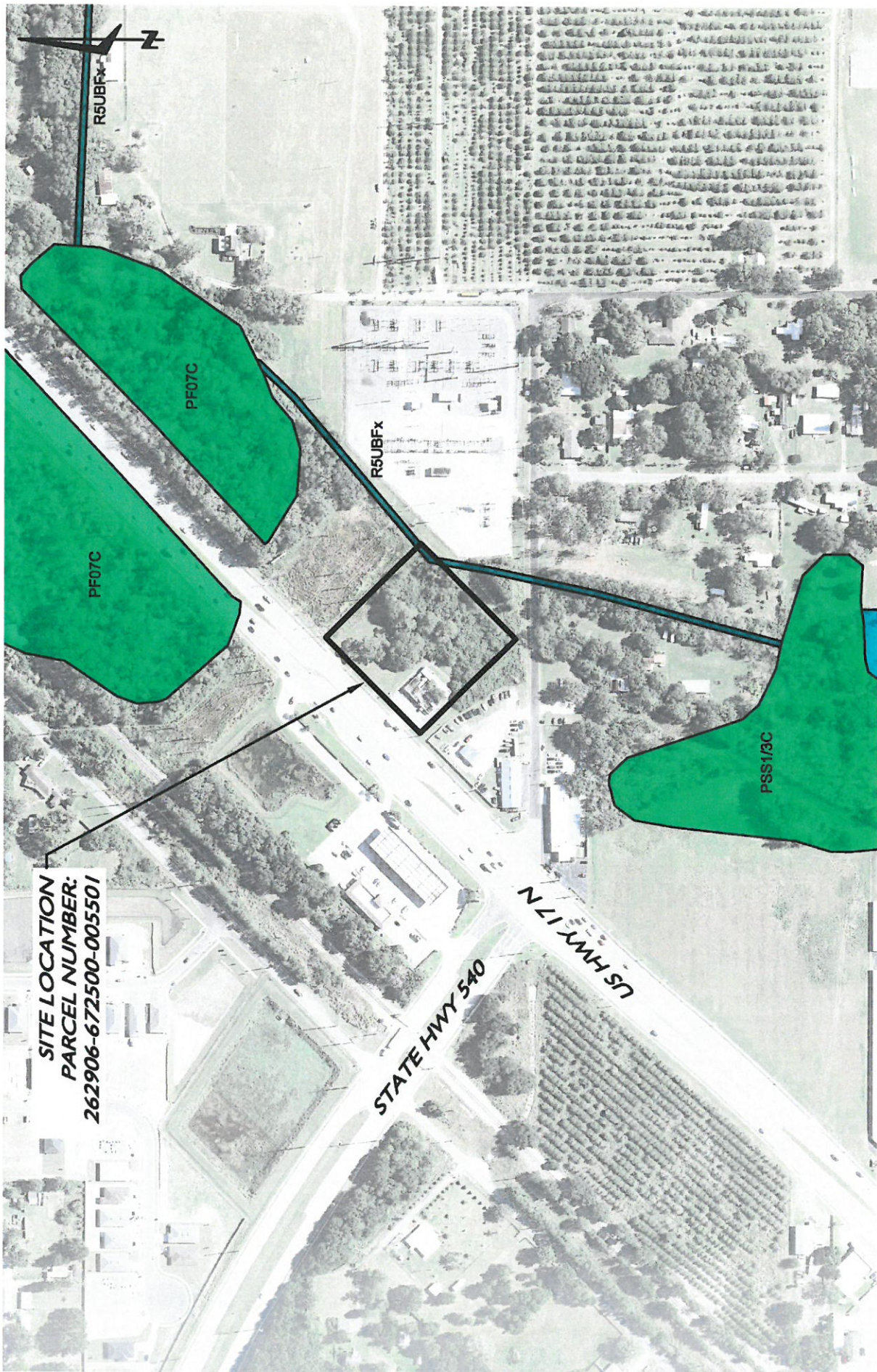


EXHIBIT G
WETLANDS MAP

A&E PLAZA
EAGLE LAKE, FL

MEMORANDUM

TO: Tom Ernharth, City Manager, City of Eagle Lake
FROM: Merle Bishop, FAICP, Senior Planner
DATE: July 13, 2022
SUBJECT: A&E Plaza (A&E Auto property annexation/Comprehensive Plan Amendment)
PROJECT: ELAKX22012

In response to the City's request, we have completed our review of the annexation/Comprehensive Plan (Map) Amendment/Zoning application submitted by Sarah Case, Next Level Planning & Permitting, on 6/28/22 to the City of Eagle Lake for one parcel of approximately 2.07 acres and generally located on the southeast side of U.S. Highway 17 and north of Cameron Road.

BACKGROUND:

Applicant/Owner: A&E Auto Body, Inc.
12002 U.S. Highway 17, N.
Eagle Lake, FL 33839-5401

Site Location: 11000 U.S. Highway 17, N.
Eagle Lake, FL 33839-5401

Parcel ID #: 262906-672500-005501

Total Site Size: 2.07 acres +/-

Current Land Use: One 4,800 +/- square foot commercial building. The property was formerly used for a veterinary clinic.

Future Land Use Designation: Polk County – Residential Low (RL)

Zoning Designations: Polk County – Residential Low (RL-1)

Proposed Future Land Use Designation: Neighborhood Activity Center

Proposed Zoning Districts: General Commercial (CG)

The applicant requests the City annex the parcel and amend its Comprehensive Plan by adding the parcel to the Future Land Use Map with a Neighborhood Activity Center designation. Additionally, the applicant requests that the parcel be assigned a General Commercial (CG) zoning designation. The owner intends to continue to use the existing 4,800 square foot commercial building for a commercial retail plaza.

The parcel has approximately 300 feet of frontage on North U.S. Highway 17, a divided, six (6) lane principle arterial roadway maintained by the State of Florida. The existing right-of-way width for U.S. Highway 17 at this location is approximately 150 feet. Additionally, the parcel is adjacent to other commercial properties surrounding the intersection of two arterial roadways: State Road 540 and U.S. Highway 17. Any new access to this road will require a roadway access permit from Florida DOT, District 1.

SURROUNDING LAND USES:

NW – U.S. Highway 17; access road and stormwater retention pond owned by RaceTrac within the City of Eagle Lake.	N – U.S. Highway 17: vacant property owned by Tampa Electric Co. within the City of Eagle Lake	NE – Vacant parcel, electric transmission lines owned by Tampa Electric Co. within the City of Eagle Lake
W – U.S. Highway 17, RaceTrac gas station and convenience store within the City of Eagle Lake.	Subject Property (4,800 sq. ft. commercial building)	E – Electrical utility substation owned by Tampa Electric Co. within the City of Eagle Lake.
SW – A&E Auto Body business currently located in unincorporated Polk County	S – Cameron Road, Single family houses located in unincorporated Polk County	SE – Electrical substation, Cameron Road, single family houses.

PUBLIC INFRASTRUCTURE:

The existing (Polk County) RL-1 zoning would permit 2 dwelling units. Additional residential units/density may be achieved through the use of density bonus points and the approval of a Planned Development pursuant to the Polk County Land Development Code. The requested Neighborhood Activity Center Future Land Use and CG zoning for 2.07 acres would potentially permit an estimated total of 20,000 square feet of commercial retail space (based on 70% impervious surface requirement in CG zoning for buildings, paved parking spaces & drives, ancillary uses, etc.). Subtracting the existing 4,800 square feet from the potential of 20,000 square feet results in a net increase of approximately 15,200 square feet.

The City's Level of Service (LOS) for City facilities and services is established in the 2030 Comprehensive Plan. Impacts on LOS should be evaluated based on the impact resulting from the potential net increase in development for the property of 15,200 square feet since the request is not limited to a specific site plan or development conditions.

POTENTIAL INFRASTRUCTURE IMPACTS			
Current Available Capacity	Current Vested Demand	Demands from 15.2K sq. ft Commercial Retail	Remaining Capacity
Potable Water (LOS: 300 gpd¹/ERC²)			
1.584 mgpd	896,687 gpd	2,736 gpd	893,951 gpd
Sanitary Sewer (LOS: 275 gpd¹/ERC²)			
750,000 gpd	619,789 gpd	2,508 gpd	617,281 gpd
Recreation (LOS: 4.5 acres/1,000 population³)			
17.45 acres	11.34 acres	0.00 acres	6.11 acres
Transportation – US Highway 17 – LOS: B			
2,000 trips ⁴ (PM Peak Hr.)	N/A	201.25 trips ⁵ (PM Peak Hr.)	1,799 trips (10% of capacity)

¹ City of Eagle Lake 2030 Comprehensive Plan, Administrative Section, Capacity Needs Assessment (pages 9 & 22)

² Equivalent Residential Connection (dwelling unit) for retail commercial is calculated based on 0.6 ERU/1,000 sq. ft.

³ City of Eagle Lake, 2030 Comprehensive Plan, Recreation and Open Space Element, Policy 6.1 (page 2)

⁴ Polk TPO Roadway Database 2022 (Effective date: April 2022)

⁵ ITE TripGen – Retail Shopping Plaza <40K Sq. ft. (Trip Generation Manual, 11th Edition)

Sufficient capacity exists in all of the infrastructure areas evaluated for a development of an additional 15,200 square feet of retail commercial development without diminishing the adopted level of service.

CONSISTENCY WITH COMPREHENSIVE PLAN:

The consistency of the proposed amendment with the Comprehensive Plan has been reviewed. Specifically, we find that the proposed amendment is consistent with or complies with the following applicable policies.

A. FUTURE LAND USE ELEMENT

Policy 2.8, Neighborhood Activity Centers: *Neighborhood Activity Centers are intended to accommodate the shopping, business, and service needs of residents of the City and the adjacent surrounding population. Permitted uses include supermarkets, office, convenience store, service station, Post Office, and related commercial services. Neighborhood Activity Centers must be located at the intersections of major collectors and arterial roadways or along an arterial road.*

The requested Neighborhood Activity Center Future Land Use and CG zoning designation is located at the intersection of a principle arterial roadway (U.S. Highway 17) and a minor arterial roadway (S.R. 540) with access to existing infrastructure with sufficient capacity for development of the property for commercial uses. The requested Neighborhood Activity Center Future Land Use is consistent with the existing commercial uses at this intersection. Continuation of the existing commercial use and expansion of commercial uses on the property will accommodate the shopping, business and service needs of residents.

Policy 3.1, *The City shall identify development constraints created by soil conditions, topography, natural features, and resources and regulate densities and intensities where such constraints exist.*

The property is located above the flood zone for Eagle Lake and has well-drained soils which are suitable of a low-rise multi-family development on the property.

Policy 4.1, *The City shall direct development to areas where public facilities and services are available or shall be available at the time of development. High density/intensity land uses shall be directed to areas where the greatest level of service of public facilities and services exist.*

Policy 4.2, *The City shall issue development orders and plan public facility improvements and expansions in a manner which supports implementation of the Future Land Use Element and Map and is consistent with the Capital Improvements Element.*

The location of the property will enable development to be served by public facilities and services that are currently available or will be available prior to the issuance of any development orders.

Policy 9.1, *The City shall locate Future Land Uses at densities and intensities that will discourage urban sprawl and leap-frog development patterns.*

The proposed Neighborhood Activity Center Future Land Use and CG zoning will allow for the continuation of the existing commercial development of the property and expansion of the established commercial development pattern at the intersection of two arterial roadways.

Policy 12.2, *The City shall enforce land development regulation criteria to achieve compatibility between adjacent land uses.*

The proposed Neighborhood Activity Center Future Land Use and CG zoning will allow the continuation of the existing commercial use and additional commercial uses that are compatible with the surrounding development pattern and anticipated future development of nearby properties.

B. TRANSPORTATION ELEMENT

Policy 4.1, *When reviewing development proposals for properties abutting or impacting traffic on State or County-maintained roadways, coordinate with the FDOT and Polk TPO to ensure consistency with state, regional and county standards, and determine impacts on adopted levels of service.*

The property has access to U.S Highway 17, which is a State maintained principle arterial road. Prior to final construction plan approval, the applicant will be required to coordinate a traffic analysis and driveway access with the Florida DOT, District 1.

C. INFRASTRUCTURE ELEMENT

The requested Neighborhood Activity Center Future Land Use and CG zoning will permit development consistent with several policies of the Infrastructure Element with respect to maximizing the use of existing facilities to ensure capacity is available for existing and proposed development throughout the City.

CONCLUSION:

The requested Future Land Use Map Amendment to assign Neighborhood Activity Center Land Use and assign General Commercial (CG) zoning to the property are consistent with the Eagle Lake Comprehensive Plan. Additionally, the Neighborhood Activity Center Future Land Use and CG zoning is consistent with the future land use designation and zoning of the adjacent parcel, west of Eagle Avenue.

Based on this analysis, we find that the requested Neighborhood Activity Center Future Land Use designation and CG zoning are consistent with the applicable goals, objectives and policies of the Eagle Lake 2030 Comprehensive Plan, as amended. Furthermore, the requested future land use and zoning is consistent and compatible with the existing Neighborhood Activity Center and CG zoning located adjacent to the eastern and southern property boundary and north, across U.S. Highway 17.

As required by Section 6.1.2.10 of the City's Land Development Regulations, our findings after review of the application for a Comprehensive Plan Amendment to assign Neighborhood Activity Center future land use and assign a zoning designation of CG to the property are the following conditions are satisfactorily met:

- A. The rezoning petition is consistent with the City of Eagle Lake Comprehensive Plan.
- B. The rezoning petition will not result in a lowering of the adopted level of service below the minimum level of service as set forth in the Comprehensive Plan for any public facilities or services; unless binding commitments for mitigation to maintain the adopted level(s) of service established in the comprehensive plan have been or will be written into a developer's agreement between the city and applicant;
- C. The proposed rezoning and all permitted uses within the category sought will be compatible with the development of surrounding properties;
- D. The need and justification for the change has been satisfactorily demonstrated by the applicant;
- E. There will be no detrimental effect of the change on the property and on surrounding properties;

- F. There is not sufficient undeveloped land in the general area and in the City with the same classification as the request to allow for the proposed development;
- G. The proposed rezoning and all permitted uses are compatible with development on surrounding property; or compatibility can be achieved.

RECOMMENDATION:

The requested Comprehensive Plan Amendment to amend the Future Land Use Map and assign Neighborhood Activity Center to the subject parcel and assign General Commercial (CG) zoning is hereby recommended for approval.

ATTACHMENTS:

- EXHIBIT A – Location Map
- EXHIBIT B – Aerial Photograph
- EXHIBIT C – Future Land Use
- EXHIBIT D – Legal Description

EXHIBIT A – LOCATION MAP

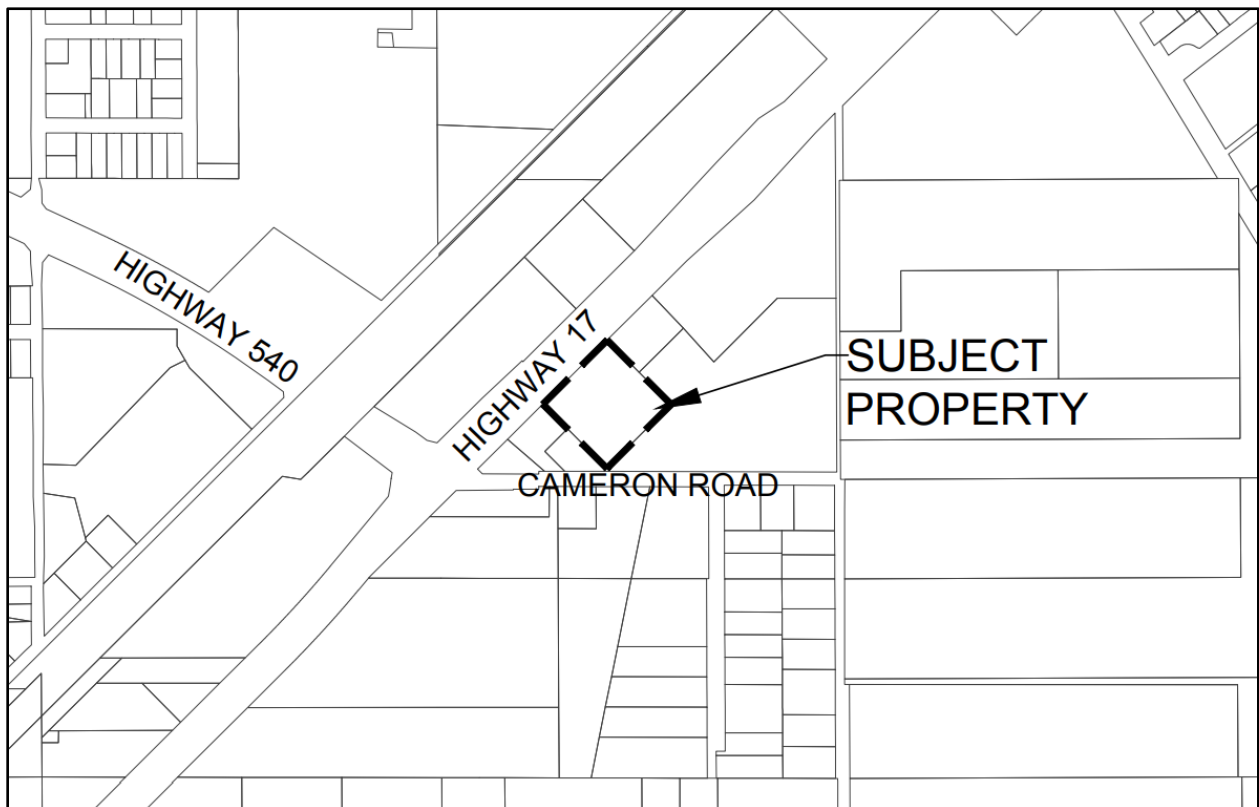


EXHIBIT B – AERIAL PHOTOGRAPH

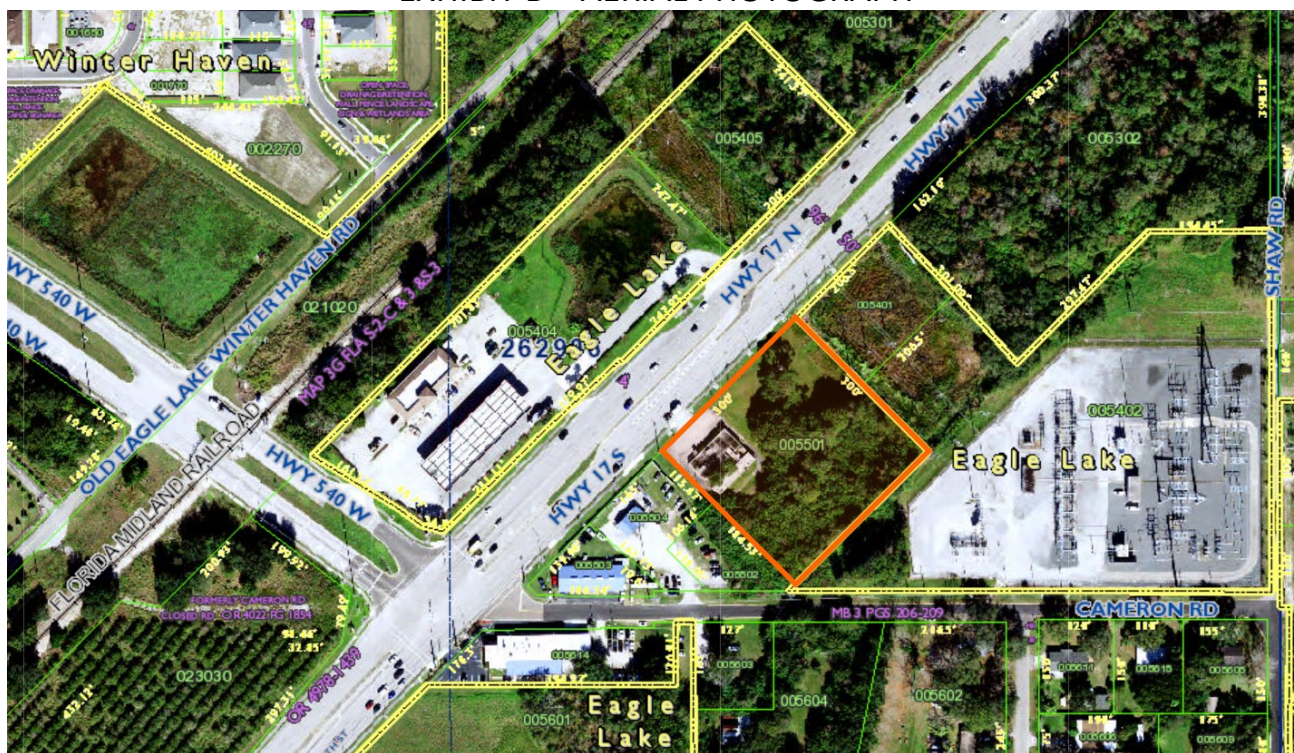


EXHIBIT C – FUTURE LAND USE

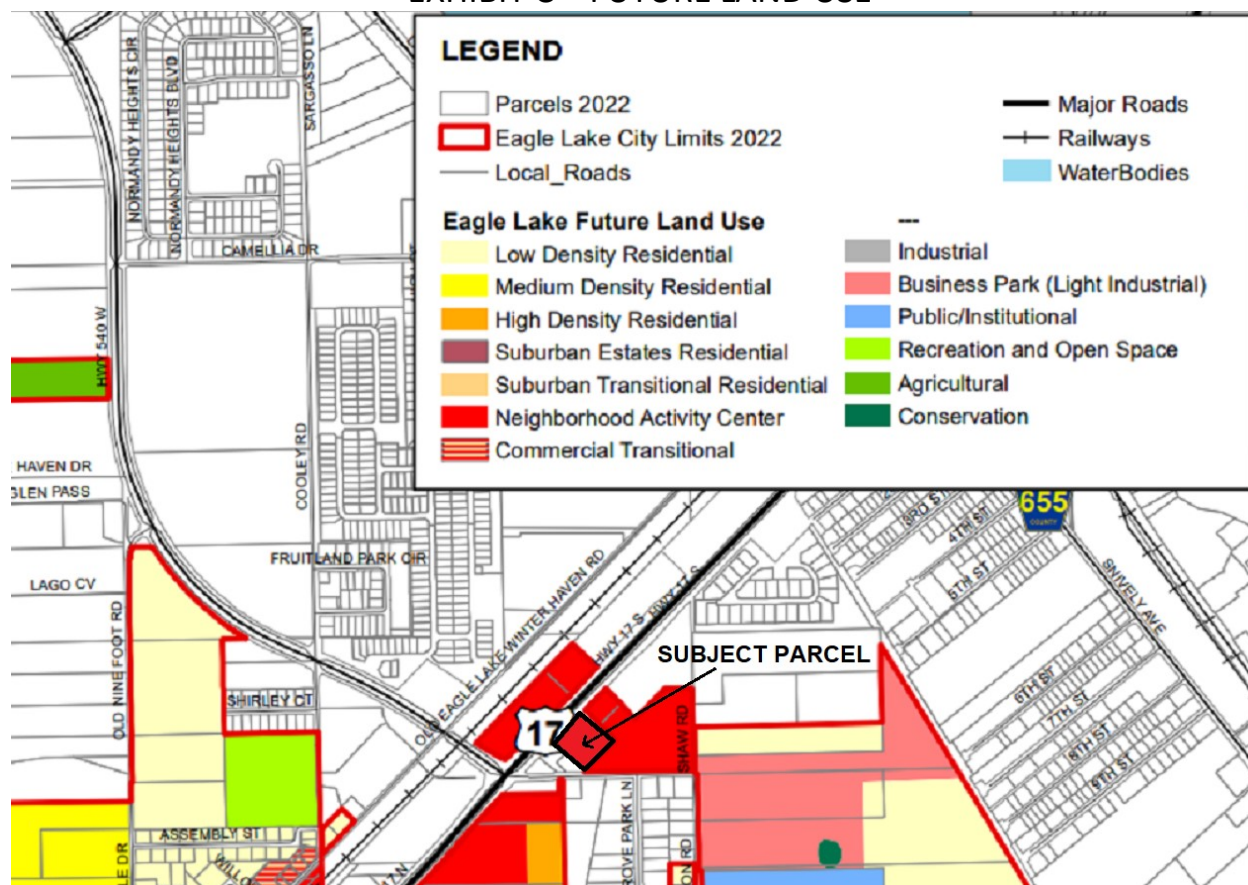


EXHIBIT D – LEGAL DESCRIPTION

Starting at the intersection of the South boundary of Lot 55 of Wahenta Farms Subdivision as recorded in Plat Book 1, Pages 82A and 82B of the Public Records of Polk County, Florida, and the Southeasterly R/W boundary of U.S. Highway 17, said point being 1,236.25 feet Westerly of the Southeast corner of said Lot 55 of Wahneta Farms Subdivision, run thence in a Northeasterly direction along the Southeasterly boundary of said U.S. Highway 17 for a distance of 350 feet for the point of beginning; run thence Northeasterly along said Southeasterly boundary of U.S. Highway 17 for a distance of 300 feet to a concrete marker, run thence Southeasterly on a line perpendicular to the Southeasterly boundary of said Highway 17 for a distance of 300 feet to a concrete marker, run thence Southwesterly along a line parallel to the Southeasterly boundary of said U.S. Highway 17 for a distance of 300 feet to a concrete marker, run thence Northwesterly along a line perpendicular to said Southeasterly boundary of U.S. Highway 17 for a distance of 300 feet to the point of beginning.

EAGLE LAKE PLANNING COMMISSION
REGULAR MEETING
MONDAY, FEBRUARY 7, 2022 at 6:30 P.M.
COMMISSION CHAMBERS
675 E EAGLE AVE
EAGLE LAKE, FLORIDA 33839

I. CALL TO ORDER

Chairwoman Metosh called the meeting to order at 6:30 p.m.

II. INVOCATION

Commissioner Eriksen gave the invocation.

III. PLEDGE OF ALLEGIANCE TO THE FLAG

The Commission and audience said the Pledge of Allegiance to the Flag.

IV. ROLL CALL

PRESENT: Spofford, Eriksen, Roe, Metosh

ABSENT: Aleman

V. STAFF REPORTS

There were no Staff Reports.

VI. PUBLIC HEARING

- A.** Consideration of a **Proposed Ordinance No.: O-22-04**, An Ordinance An Ordinance of the City of Eagle Lake, Florida, providing for Implementation of Water Conservation Measures; Recommended by the Southwest Florida Water Management District; Providing Definitions; Providing for Efficient Indoor Plumbing Requirements; Providing for Landscape Design and Installation Standards; Providing for Irrigation System Design and Installation Standards; Providing for Enforcement; Providing for Codification; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

City Attorney Maxwell tabled this item until March 7, 2022.

- B.** Consideration of **Proposed Ordinance No.: O-22-06**, An Ordinance Amending the City of Eagle Lake, Comprehensive Plan by Revising the Future Land Use Map Series to Assign Medium-Density Residential Future Land Use to Two (2) Annexed Parcels; Amending the City of Eagle Lake, Florida Zoning Map to Apply General Residential (RG) Zoning to the Same Certain Parcels; Repealing all Ordinances in Conflict Herewith; and Providing an Effective Date. (General Location: two parcels of land totaling approximately 19.96 acres in size, lying West of N. Eagle Drive and East of Eagle Lake, with a street address of 0 Eagle Drive and 555 Eagle Drive, Eagle Lake, Florida 33839) Donley Property

Attorney Maxwell read proposed Ordinance No.: O-22-06 by title only.

Attorney Maxwell stated that when this ordinance goes to the City Commission for second reading, she will have a modification to the effective date language.

MOTION was made by Commissioner Eriksen and seconded by Commissioner Roe to recommend approval of the Proposed Ordinance No. O-22-06 and forward to the City Commission for approval.

Chairwoman Metosh asked for audience and Commission discussion; there was none.

The roll call vote was as follows:

AYES: Spofford, Eriksen, Roe, Metosh

NAYS: None

VII. OLD BUSINESS

There was no Old Business.

VIII. NEW BUSINESS

A. Election of Chairperson

MOTION was made by Commissioner Eriksen and seconded by Commissioner Spofford to nominate Commissioner Metosh as Chairperson.

Chairwoman Metosh asked for discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

B. Election of Vice-Chairperson

MOTION was made by Commissioner Roe and seconded by Commissioner Spofford to nominate Commissioner Eriksen as Vice Chairperson.

Chairwoman Metosh asked for discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

IX. CONSENT AGENDA

A. Approval of the Planning Commission Minutes -----12/06/2021

MOTION was made by Commissioner Eriksen and seconded by Commissioner Spofford to approve the Planning Commission Meeting Minutes of 12/06/2021.

Chairwoman Metosh asked for audience and Commission discussion; there was none.

The vote was as follows:

AYES: 4

NAYS: 0

X. AUDIENCE

There were no comments from the audience.

XI. PLANNING COMMISSION

There were no comments from the Planning Commission.

XII. ADJOURNMENT

MOTION was made by Commissioner Eriksen and seconded by Commissioner Spofford to adjourn at 6:37 p.m.

The vote was as follows:

AYES: 4

NAYS: 0

CHAIRWOMAN MICHELLE METOSH

ATTEST:

CITY CLERK DAWN WRIGHT