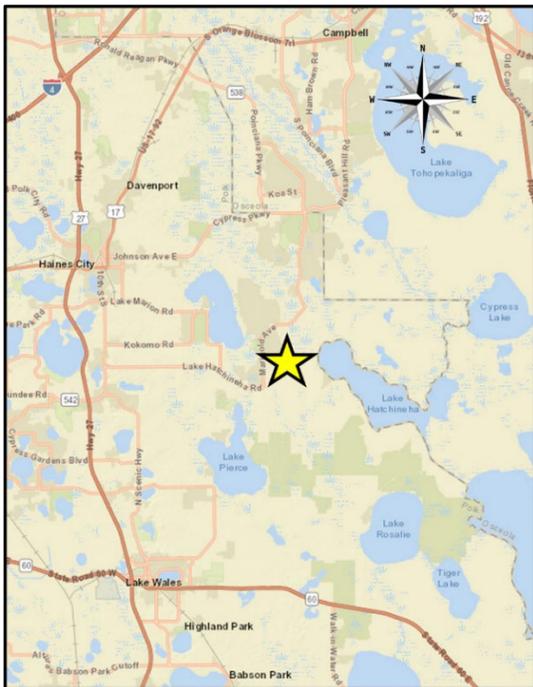
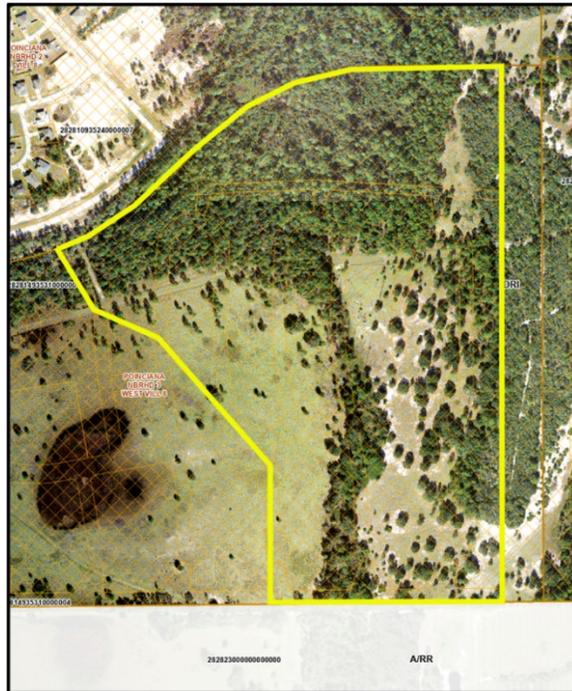


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

ID #:	108
DRC Date:	June 26 th , 2025
Planning Commission Date:	September 10 th , 2025
BoCC Dates:	November 4, 2025 January 6, 2026
Applicant:	John Adams, RJWA Inc.
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAL-2025-6 Poinciana Bayberry St CPA
Request:	Large Scale Comprehensive Plan map amendment from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) on 72.27 +/- acres of a total 189.43-acre parcel.
Location:	South of Bayberry Street, west of Lake Hatchineha, north of County Road 542 (Lake Hatchineha Road), east of Marigold Avenue, and east of Haines City, in Section 14, Township 26, Range 27.
Property Owner:	KK Cattle Company LLC
Parcels Size:	± 72.27 acres (282814-935310-000001, 282814-935310-000002)
Development Area/Overlays:	Rural Development Area (RDA)
Future Land Use:	Development of Regional Impact (DRI)
Nearest Municipality	Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (7-0)
Florida Commerce:	No objections, comments, or recommendations (Polk Co. No. 25-08ESR)
Case Planner:	Johnathan (JP) Sims, Planner II



Location



Current Land Use Map

Summary

This is an Applicant-Initiated request for a Future Land Use designation change from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA). The change is anticipated to be used in preparation for a new high school. The subject site includes a 72.27-acre portion of a larger 189.43-acres spread across two parcels.

Compatibility Summary

The subject site is bordered by already existing Residential uses to the northwest. The other lands immediately surrounding the site are undeveloped. Changing the subject site from DRI to INST will increase the amount of non-residential development. The site falls within the Rural Development Area, and Institutional is an allowable use within this Development Area.

Infrastructure Summary

The subject site feeds into Marigold Avenue, an Urban Collector. Exits from the development are anticipated on Bayberry Street, also an Urban Collector. Changing the designation from DRI to INST on the subject site will likely have a major impact on the amount of traffic on Bayberry Street as the new use is exceptionally more intense. The subject site is within the Toho Water Authority service area. There is already water, wastewater, and reclaimed lines that run along Bayberry Street per Toho's letter to the applicant. Duke Energy will be providing electricity to the subject site.

Environmental Summary

The nearest lake to the parcel is Deer Lake to the west at 0.28 miles away. There are no nearby floodplains or basins. The soil available in this area is a combination of Samsula muck, Smyrna and Myakka fine sands, Pompano fine sand, and Satellite sand per the USDA NRSC soil survey completed August 15th, 2025. The closest park to the site is Poinciana Community Park 1.63 miles to the south. The subject site does sit within a Flood Zone A. There is a large patch of wetlands on the north end of the subject site totaling about 8.3 acres.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10: Location Criteria
- Policy 2.107(A1-A5): Utility Enclave Area (UEA)
- Policy 2.116(A1-5): Institutional (INST)
- Policy 2.130-A: Poinciana Pre-DRI

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for a Large-Scale Future Land Use designation change from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) on 72.27 +/- acres of a total 189.43-acre site in the Rural Development Area (RDA) and Poinciana Master Plan.
- Subject site is currently slated for Duplex, Mult-Family Medium Density, and Single Family Residential per the Poinciana Master Plan.
- The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

Compatibility

- The existing uses surrounding the site are
 - North – DRI. Single family residential
 - West – DRI; undeveloped.
 - East – DRI; undeveloped
 - South – A/RR; undeveloped
- The subject site is bordered by residential land that has been developed to the northwest. To the east, south, and west of the site is all undeveloped, with the land either falling into A/RR or DRI.
- The property to the south of the subject site was approved for 1,876 single family residential lots, associated commercial area, open space, amenities, roadways, sidewalks, public utilities, stormwater and other associated improvements as part of LDPD-2023-12. After it had gone before the Board of County Commissioners on September 19th, 2023, and garnered an Approval vote of 3 to 1, the property was purchased by the State of Florida for Conservation.

Infrastructure

- The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City High School.
- Polk County Fire Rescue Station 46 will be the response unit for fire and EMS for this site. It is located at 9500 Marigold Avenue, Kissimmee, with an approximate travel distance of 1.5 miles.

- The subject site is within the Sheriff Department's Northeast District. The Northeast District Office is located at 100 Dunson Road in Davenport.
- Per a letter from Toho to the applicant, the subject site will be serviced by Toho Water Authority's Service Area for potable water and wastewater.
- Bayberry Street does not have sidewalks. Marigold Avenue also does not have sidewalks. The closest sidewalk connection is north at the intersection of Lake Marion Creek Drive and Marigold Avenue which is 1.78 miles from the subject site.
- The closest mass transit route is Line 426, the Poinciana Circulator route serviced by Lynx Transit Systems located within Osceola County. The closest stop is 8.5 miles away to the northeast of the subject site.
- The nearest park is the Poinciana Community Park 1.63 miles to the south of the subject site.

Environmental

- The subject site's elevations range from 76 feet in the northeast corner, 93 feet along Bayberry Street to the west, and 79 feet at the southeast corner. Highest elevation is 93, low is 76 feet.
- The site does have a partial wetland on the north end sitting at a little over eight (8) acres.
- The soil type for the subject site includes a combination of Samsula muck, Smyrna and Myakka fine sands, Pompano fine sand, and Satellite sand.
- Per the Polk Species Observation Map, there have not been any endangered species sightings on the subject site.
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- Site does reside within a Possible Network Connection for the Polk Green District. However, with the land to the south now Conservation and the land to the east of the site untouched, it could still be a viable connection point.
- There are no wells on the subject site and it is not located in a wellfield.
- The site is not within an Airport Impact District.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize

energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.
- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.
- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.
- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
 - a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
 - b. nearness to agriculture-production areas;
 - c. distance from populated areas;
 - d. economic issues, such as minimum population support and market-area radius (where applicable);
 - e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
 - 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
 - 2. sanitary sewer and potable water service;
 - 3. storm-water management;
 - 4. solid waste collection and disposal;
 - 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
 - 6. emergency medical service (EMS) provisions; and
 - 7. other public safety features such as law enforcement;
 - 8. schools and other educational facilities
 - 9. parks, open spaces, civic areas and other community facilities
 - f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;
 2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
 3. wetlands and primary aquifer recharge areas;
 4. soil characteristics;
 5. location of potable water supplies, private wells, public well fields; and
 6. climatic conditions, including prevailing winds, when applicable.
- **POLICY 2.107-A1 DESCRIPTION** - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.
 - **POLICY 2.107-A2 DESIGNATION AND MAPPING** - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:
 - a.it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s);
 - b.it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and
 - c.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed.
 - **POLICY 2.107-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within UEAs:
 - a. **ACTIVITY CENTERS:** Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.
 - b. **RESIDENTIAL:** Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
 - c. **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.
 - **POLICY 2.107-A4: OVERLAY DISTRICTS** - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria.
 - **POLICY 2.107-A5: DEVELOPMENT CRITERIA** - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:

- a. All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay.
 - b. Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element.
 - c. Provide access to parks, green areas, and open space and other amenities.
 - d. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section (Section 2.1251).
- POLICY 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures.
 - POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave.
 - POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:
 - a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.
 - b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).
 - c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
 - d. Proximity to similar and compatible uses providing opportunities for shared facilities.
 - e. Plans of the School Board and other public service agencies with jurisdiction in the County.

The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-

development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.

Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.

- POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria:
 - a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include: 1. public and private educational facilities; 2. government-administration buildings; 3. public-safety structures (e.g. police and fire); 4. cultural facilities (e.g. libraries, museums, and performing-arts theaters); 5. health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].
 - b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.
 - c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.
 - d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.
 - e. Institutional sites shall be designed to provide for:
 - 1. Adequate parking to meet the present and future demands of the use.
 - 2. Buffering 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 which may require special buffering provisions.
 - f. Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:
 - 1. Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.
 - 2. Residential development shall be intended to primarily meet the housing needs for students and faculty members of the nearby educational institution
 - g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.
- POLICY 2.116-A5: MISCELLANEOUS - Electric-Power Generating Facilities established for the purpose of implementing Polk County's Solid-Waste Management Plan, as the Polk County Board of County Commissioners, shall be specifically permitted in the Institutional land use category provided that all applicable federal, state, and local regulations, including Section 2.125-I are satisfied.
- POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use

development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAL 2025-6**.

Planning Commission Recommendation: On September 10th, 2025, in an advertised public hearing, the Planning Commission voted (7:0) to recommend **APPROVAL of LDCPAL-2025-6**.

Department of Florida Commerce Objections, Recommendations, and Comments: Florida Commerce review the request and has no comments on the proposed amendment (Polk Co. No. 25-08ESR).

***NOTE:** This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

***NOTE:** All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*

***NOTE:** Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

Analysis

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses

Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest DRI; residential neighborhood, single family detached	North DRI; residential neighborhood, single family detached	Northeast DRI; undeveloped
West DRI; undeveloped	Subject Site DRI; undeveloped pasture land	East DRI; undeveloped
Southwest A/RR; undeveloped pasture land	South A/RR; undeveloped pasture land	Southeast A/RR; undeveloped pasture land

Source: Polk County Geographical Information System and site visit by County staff

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County’s Comprehensive Plan, “land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.” The “development criteria” and the “density and dimensional regulations” of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as “a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”

A. Land Uses

The purpose of UEA's is to recognize existing isolated areas of urban development that contain centralized water and sewer systems. UEA's are those areas within the County that are not located within a TSDA, UGA, or SDA and have developed at urban or suburban densities with County owned, municipal or County-franchised potable water systems, and small scale public or County franchised centralized sewer facilities, or private sewer systems with capacities in excess of 400,000 GPD.

The subject site is 72.27 acres of a total 189.43 acres which is currently designated as Development of Regional Impact (DRI) and is part of the Poinciana Master Plan. The conversion from DRI to Institutional (INST) will allow for the future development of a high school, which is sorely needed in this area.

B. Infrastructure

The subject site will be able to connect to water and sewer per a letter received from the Toho Water Authority.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	0 students	119%	2.6 ± miles driving distance
Lake Marion Creek Middle School	0 students	89%	2.7 ± miles driving distance
Haines City High School	0 students	120%	12.8 ± miles driving distance

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

There is not capacity in two of the zoned schools for the subject site, but this request is changing the land use to an institutional designation, which does not typically generate residential uses which create students. However, final concurrency is determined at Level 2 Review approval and not at Comprehensive Plan amendment or Planned Development approvals. Site is intended to be used for a school, so no student generation should occur.

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff’s substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	Northeast District Command Unit (1100 Dunson Rd in Davenport)	25.3 +/- miles Priority 1 – 9:58 Priority 2 – 30:57
Fire/ EMS	Station #46 (9500 Marigold Avenue, Kissimmee, FL)	1.5 +/- miles

Source: Polk County Sheriff’s Office & Polk County Fire Rescue. Response times for July 2025.

Water and Wastewater

A. Estimated Demand and Service Provider

The subject site is within the Toho Water Authority Service Area for potable water and wastewater per the applicant’s Impact Assessment Statement and a letter from Toho. This was confirmed by the service area map on the Toho website. The current land is undeveloped so generates no demand on water or wastewater, so the Institutional land use would be greater than what is currently used.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use DRI in Poinciana Master Plan	Maximum Permitted in Proposed INST in Poinciana Master Plan
72.27 +/-acres 3,148,081 sf	72.27 +/- acres X 7 du/ac = 506 du	72.27 +/- acres X 0.25 FAR = 787,021 sf
Potable Water Consumption	506 du X 198 GPD = 100,188 GPD	787,021 X 0.24 GPD = 188,885 GPD
Wastewater Generation	506 du X 180 GPD = 91,080 GPD	188,884 X 80% of water = 151,108 GPD

Source: Concurrency Manual: *Density used was for multifamily at 198 GPD per unit for water and 180 GPD for sewer.* INST uses 0.24 X square footage for water, and 80% of water for wastewater.

B. Service Provider

The subject site is within the Toho Water Authority Service Area for water and wastewater. This was confirmed by the service area map on the Toho website. There are water and wastewater lines that run along Bayberry Street, and there supposedly is available capacity.

The nearest fire hydrant is 0.17 miles to the northwest of the subject site on Violet Court.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by Toho Water Authority. However, a letter was provided to applicant from Toho Water Authority that they do in fact have capacity in water and sewer lines to serve this site.

D. Planned Improvements

Toho has announced that they are developing a plan for utilizing new water sources and reclaimed water usage.

Per a statement from Toho on the letter given to the applicant; “Toho staff has determined that Toho has potable water, reuse, and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project.”

Roadways/Transportation Network

A. Estimated Demand

Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The proposed request will generate a more traffic than the current Future Land Use designation.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use DRI in Poinciana Master Plan	Maximum Permitted in Proposed INST in Poinciana Master Plan
72.27 +/- acres 3,148,081 sf	72.27 +/- acres X 7 du/ac = 506 du	72.27 +/- acres X 0.70 FAR = 2,203,657 sq ft / 2500 students = 881 sf
Average Annual	506 du X 6.74 AADT = 3,411 Trips (100% New Trips)	881 sf X 1.94 AADT = 1,521 Trips (89% New Trips)
PM Peak	506 du X 0.51 AADT = 259 Trips	881 sf X 0.14 AADT = 123 Trips

Source: CPA Concurrency Analysis where LDA for RMX Multifamily Housing (Low-Rise) 6.74 AADT, 0.51 peak; High School for INST at 1.94 AADT, 0.14 peak. Impact Assessment provided by applicant shows High School is expected to serve 2,500 students.

B. Available Capacity

The roads surrounding the subject site are all projected to have insufficient capacity available. Marigold Avenue is an Urban Collector Road with a “C” Level of Service, but is projected to be F within five (5) years. Bayberry Street is also an Urban Collector, but is not tracked for concurrency and level of service.

Link #	Road Name	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr Projected LOS
8431N	Marigold Avenue (Poinciana Parkway to Palmetto Street)	C	64	D	F
8431S	Marigold Avenue (Poinciana Parkway to Palmetto Street)	D	31	D	F

Source: 2023 Roadway Network Database

C. Roadway Conditions

Bayberry Street is currently showing a condition of Poor. This will need to be improved when development begins.

D. Sidewalk Network

The closest sidewalk connection is 1.78 miles north of the subject site at the intersection of Marigold Avenue and Lake Marion Creek Drive.

E. Planned Improvements:

Marigold Avenue is already being improved in this area. There are no other planned improvements at the moment.

F. Mass Transit

The closest mass transit route is Line 426, the Poinciana Circulator route serviced by Lynx Transit Systems located within Osceola County. The closest stop is 8.5 miles away to the northeast of the subject site.

Park Facilities:

A. Location:

The nearest park is Poinciana Community Park at 1.63 miles to the south of the subject site, at the intersection of Marigold Avenue and County Road 542 (Lake Hatchineha Road).

B. Services:

This park has baseball fields, a tot lot, a soccer field, basketball court, and open pavilion space.

C. Multi-use Trails:

The closest free hiking trail is in the Poinciana Community Park which is 1.63 +/- miles to the south of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Kissimmee Chain of Lakes 0.69 miles to the east of the subject site. Site does sit within the Polk Green Possible Network Connections.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

The subject site's elevations range from 76 feet in the northeast corner, 93 feet along Bayberry Street to the west, and 79 feet at the southeast corner. Highest elevation is 93, low is 76 feet.

A. Surface Water:

There are no surface waters on the subject site. Site does reside within a Possible Network Connection for the Polk Green District. However, with the land to the south now Conservation and the land to the east of the site untouched, it could still be a viable connection point.

B. Wetlands/Floodplains:

There are is a sizeable portion of wetlands on the northern part on the subject site, about eight (8) acres in size. The majority of the site does reside with a Flood Zone A, but not sit within a flood plain or basin. This request is subject to review by the Florida Department of Commerce and, when permitted, is regulated in accordance with the land use standards of the Polk County Comprehensive Plan and Land Development Code.

C. Soils:

The subject site is comprised of a combination of Samsula muck, Smyrna and Myakka fine sands, Pompano fine sand, and Satellite sand. While site grading and preparation will be necessary to support site development, these soils are generally considered difficult for development.

Table 8 (Per the Applicant's IAS)

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Samsula muck	Severe: ponding; poor filter	Severe: ponding, low strength	11%
Smyrna and Myakka fine sands	Severe: seepage, wetness	Severe: wetness	0.5%
Pompano fine sand	Severe: seepage, wetness	Severe: wetness	47.1%
Satellite sand, 0 to 2 percent slopes	Severe: seepage, wetness	Severe: wetness	41.4%

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

The subject site will be connecting to Toho Water Authority for water and sewer, so septic usage will not be a problem.

Per the applicant's Impact Assessment Statement; "The subject parcel consists of soils identified as Pompano Fine Sand, Satellite Sand, and Samsula Muck according to the US Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS) soil maps. Generally speaking, the Samsula Muck is limited to the wetland area in the northern portion of the subject parcel. The remaining soil types, are characteristic of poorly drained soils with estimated seasonal high-water levels within 12 inches and rapid soil permeability.

As part of the due diligence effort, we have obtained a subsurface soil exploration and geotechnical engineering evaluation for the subject site. This study included fifty-nine (59) borings of varying depths up to seventy (70) feet. Review of this study shows consistency with the soil types and their locations. In general, the upper 15-20 feet are identified as either SP or SP-SM types soils, and per the geotechnical engineering evaluation, "the existing soils other than the organic muck and organic topsoil are suitable for supporting the proposed buildings on a conventional shallow foundation system."

Accordingly, the development of the site will include the removal of the organic muck and organic topsoil from any developed areas. The development of the site will also include the placement of fill, from an on-site and/or an off-site source, for the purpose of establishing final grading on the site that addresses the high groundwater table. In order to meet stormwater management requirements, the designed stormwater system will consist of both dry retention ponds and wet detention ponds."

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

F. Wells (Public/Private)

The subject site is not located on a wellfield and does not have a well on site. The site will be connecting to water from Toho Water Authority Utilities.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

No Economic Factors are present on this site.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The Comprehensive Plan permits Institutional to be designated in rural areas and contribute to a combination of non-residential buildings.

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</p>	<p>The lands surrounding the subject site are a combination of low density residential, and agricultural land. Toho Water utilities are readily available in this area per a letter provided to the applicant.</p>
<p>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</p>	<p>The timing is consistent with the growth in the area as the schools currently developed are reaching capacity and new schools will need to be constructed. There is already infrastructure in place with water, sewer, and emergency services. Site will need sidewalks and the roads will need to be improved to accommodate the additional traffic in the area.</p> <p>Per a statement from Toho on the letter given to the applicant; “Toho staff has determined that Toho has potable water, reuse, and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project.”</p>
<p>POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <ul style="list-style-type: none"> a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable); e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: <ul style="list-style-type: none"> 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2. sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: <ul style="list-style-type: none"> 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil 	

Comprehensive Plan Policy	Consistency Analysis
<p>characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.</p>	
<p>POLICY 2.107-A1 DESCRIPTION - UEA's shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEA's are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.</p>	<p>Poinciana is rapidly developing and this is a large open area. It was originally designated for a mixture of residential uses, but a school is also needed for this area to alleviate capacity issues.</p>
<p>POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEA's:</p> <ul style="list-style-type: none"> o a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria. o b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation 	<p>Institutional is an allowable use within the Utility Enclave Area. High School would be considered a Conditional Use Level 3. It will be able to connect to water and sewer per Toho Water Authority. Emergency services are available.</p>
<p>POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEA's shall conform to the following criteria as further specified by the Land Development Code:</p> <ul style="list-style-type: none"> o a. All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. Connection to public sewer shall 	

Comprehensive Plan Policy	Consistency Analysis
<p>be required as regulated by the Nutrient Restoration Plan Overlay.</p> <ul style="list-style-type: none"> o b. Incorporate design features that promote healthy communities, green building practices, mixed use development, transit-oriented `design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element. o c. Provide access to parks, green areas, and open space and other amenities. o d. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section (Section 2.1251). 	
<p>POLICY 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures.</p> <p>POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave.</p> <p>POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:</p>	<p>The subject site is proposed to be in the Utility Enclave Area (UEA). Institutional is an allowable use in the UEA. Site will be able to connect to water and sewer through Toho Water Authority. Site has accessibility to Marigold Avenue, an Urban Collector. Roads will need to be improved leading to the site to accommodate increase to traffic volume. Educational facilities are allowed within Institutional land uses.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.</p> <p>b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).</p> <p>c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.</p> <p>d. Proximity to similar and compatible uses providing opportunities for shared facilities.</p> <p>e. Plans of the School Board and other public service agencies with jurisdiction in the County.</p> <p>The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.</p> <p>Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.</p> <p>POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria:</p> <p>a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include: 1. public and private educational facilities; 2. government-administration buildings; 3. public-safety structures (e.g. police and fire); 4. cultural facilities (e.g. libraries, museums, and performing-arts theaters); 5. health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].</p>	

Comprehensive Plan Policy	Consistency Analysis
<p>b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.</p> <p>c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.</p> <p>d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.</p> <p>e. Institutional sites shall be designed to provide for:</p> <ol style="list-style-type: none"> 1. Adequate parking to meet the present and future demands of the use. 2. Buffering 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 which may require special buffering provisions. <p>f. Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:</p> <ol style="list-style-type: none"> 1. Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution. 2. Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution <p>g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.</p>	
<p>POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family,</p>	<p>Subject site is within the Poinciana Development of Regional Impact. This site in particular was designated for a variety of residential uses, including duplex and single-family homes. Poinciana is in need of a new school to alleviate capacity at the high school</p>

Comprehensive Plan Policy	Consistency Analysis
<p>multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.</p>	<p>level. The other sites that were considered for schools in this area are not large enough to accommodate a modern school site.</p>

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	Sections where referenced in this report
a. <i>Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.</i>	Summary of analysis
b. <i>Allows a significant amount of urban development to occur in rural areas.</i>	Summary of analysis
c. <i>Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.</i>	Summary of analysis, surrounding Development, compatibility
d. <i>Fails to adequately protect and conserve natural resources and other significant natural systems.</i>	Summary of analysis, surrounding Development, compatibility
e. <i>Fails to adequately protect adjacent agricultural areas.</i>	Compatibility with Surrounding Land Uses
f. <i>Fails to maximize existing public facilities and services.</i>	Summary of Analysis, Infrastructure
g. <i>Fails to minimize the need for future facilities and services.</i>	Summary of Analysis, Infrastructure
h. <i>Allows development patterns that will disproportionately increase the cost of providing public facilities and services.</i>	Summary of Analysis, Infrastructure
i. <i>Fails to provide a clear separation between urban and rural uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
j. <i>Discourages infill development or redevelopment of existing neighborhoods.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
k. <i>Fails to encourage an attractive and functional mixture of land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
l. <i>Will result in poor accessibility among linked or related land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
m. <i>Results in the loss of a significant amount of open space.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses

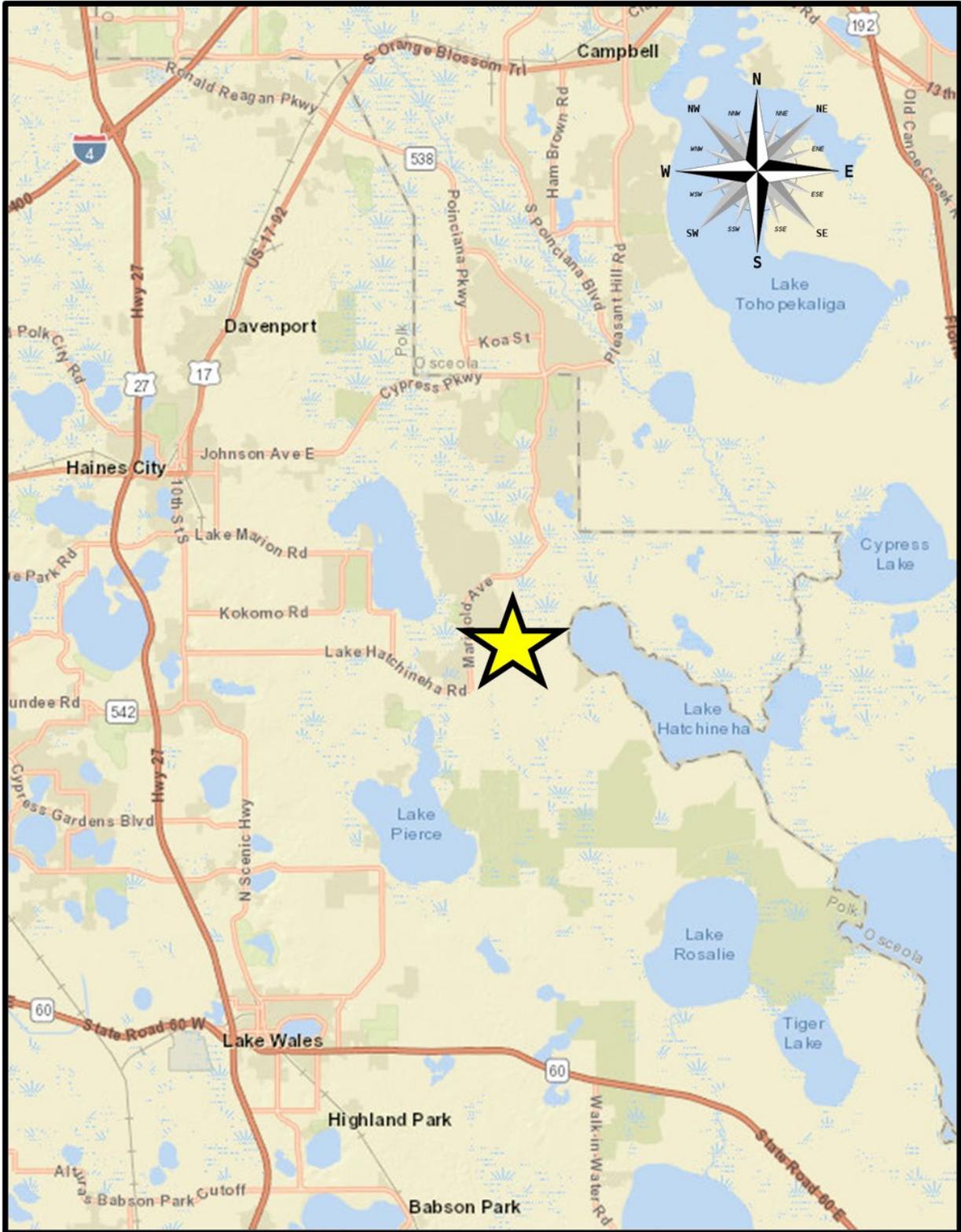
Comments from other agencies

No comments

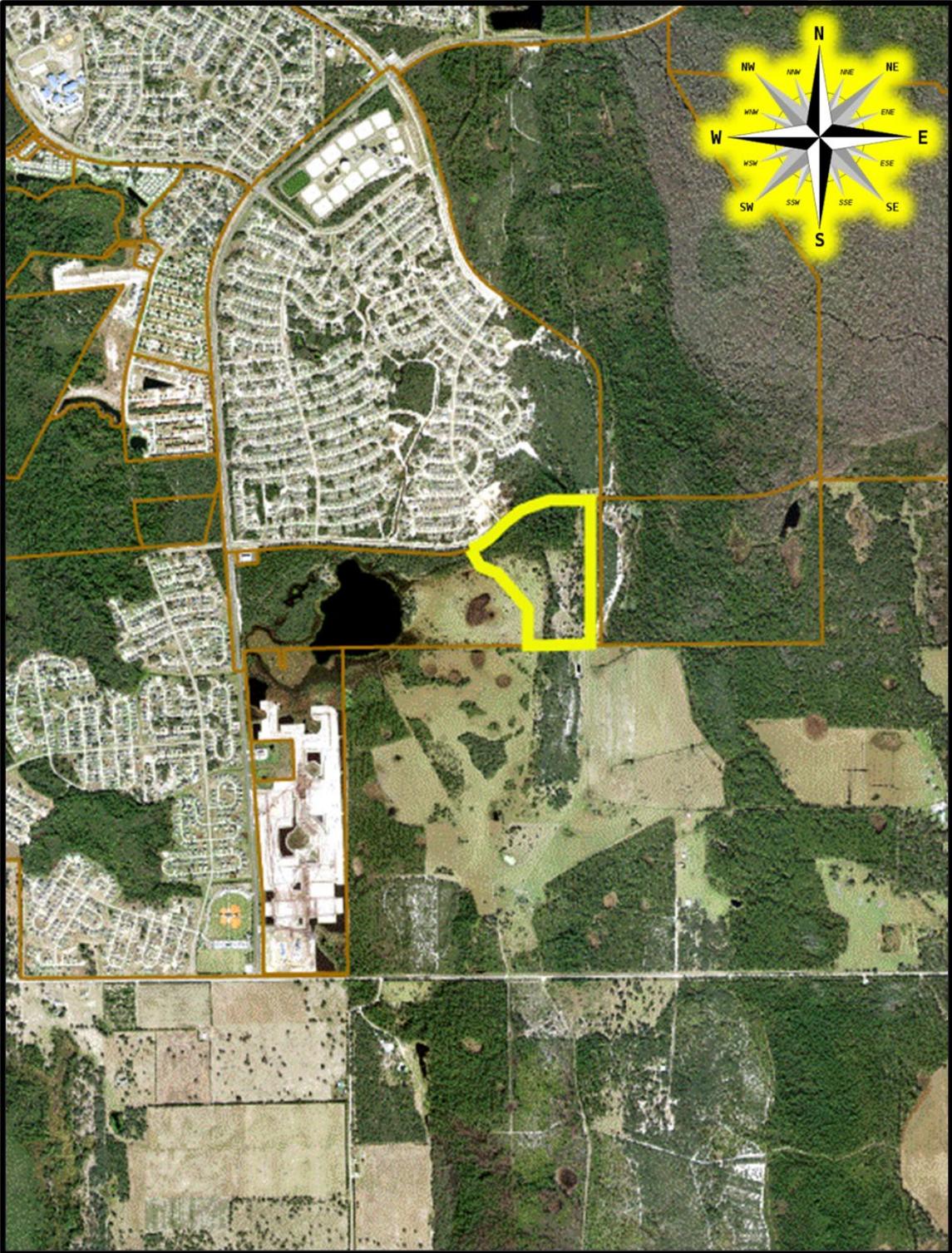
Exhibits:

Exhibit 1	Location Map
Exhibit 2	2023 Aerial Context Map
Exhibit 3	2023 Aerial Close Up
Exhibit 4	Current Future Land Use Map
Exhibit 5	Proposed Future Land Use Map
Exhibit 6	INST-1 Conditional Uses
Exhibit 7	Poinciana Master Plan Site

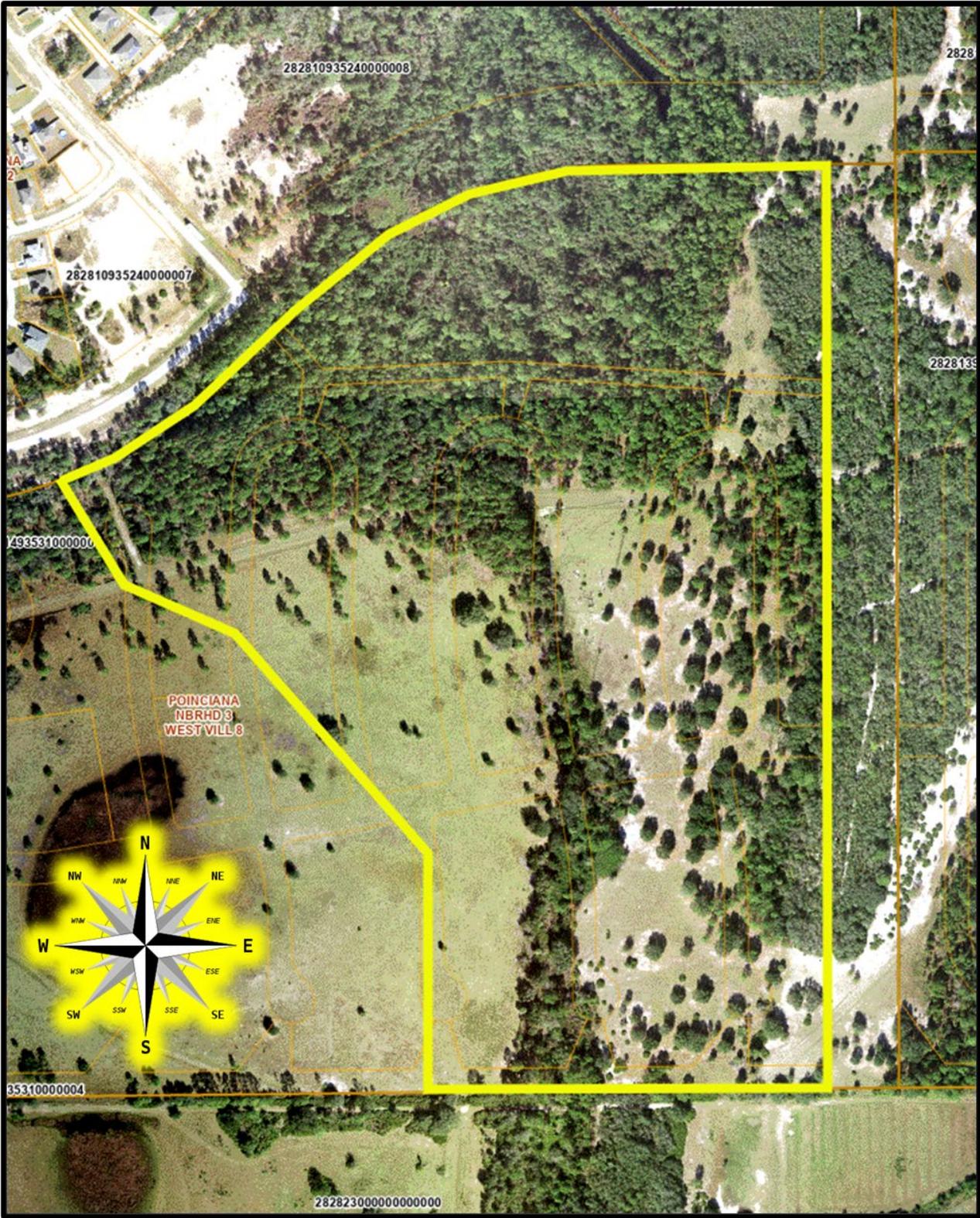
Applicant's submitted documents and ordinance as separate files



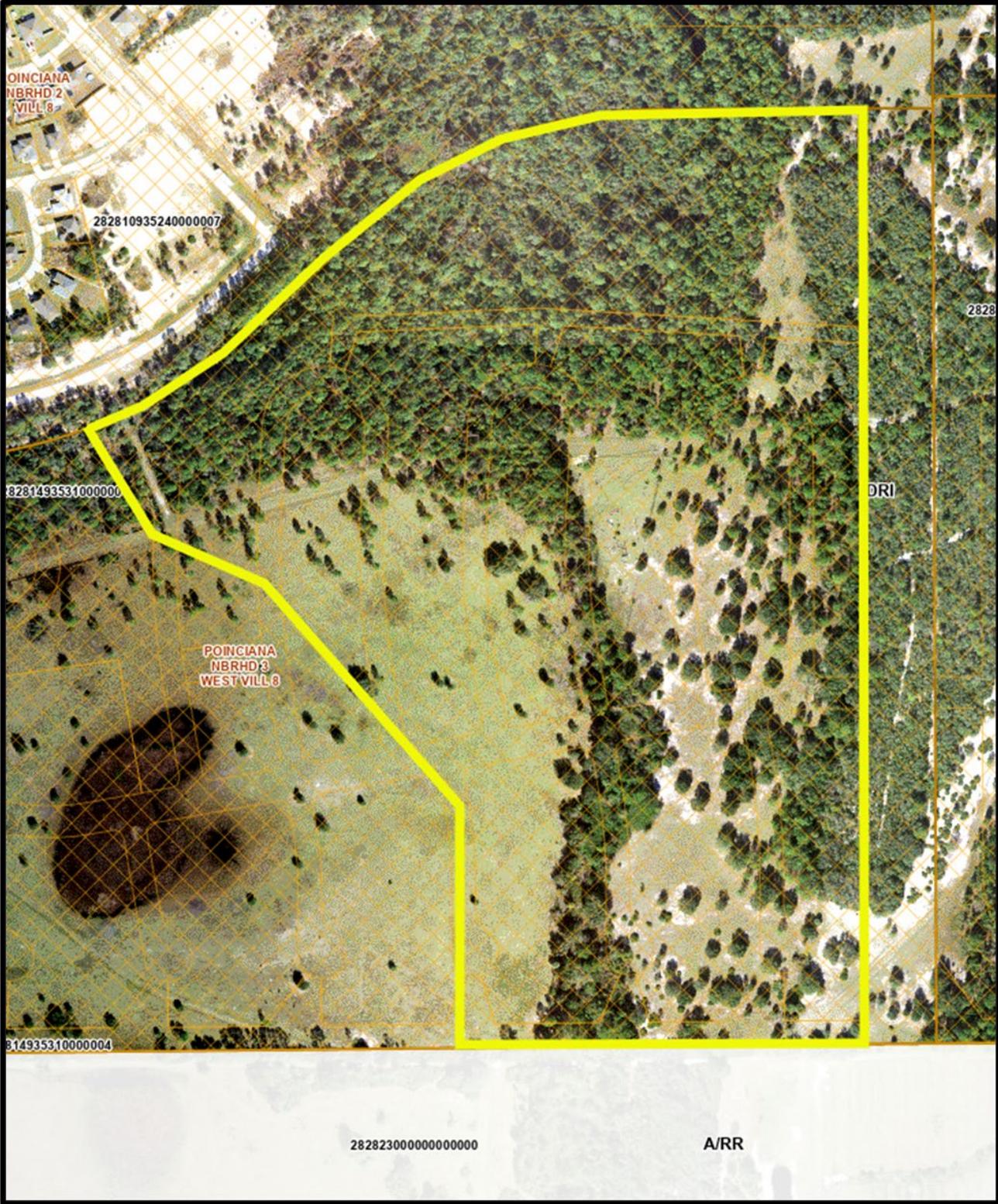
LOCATION MAP



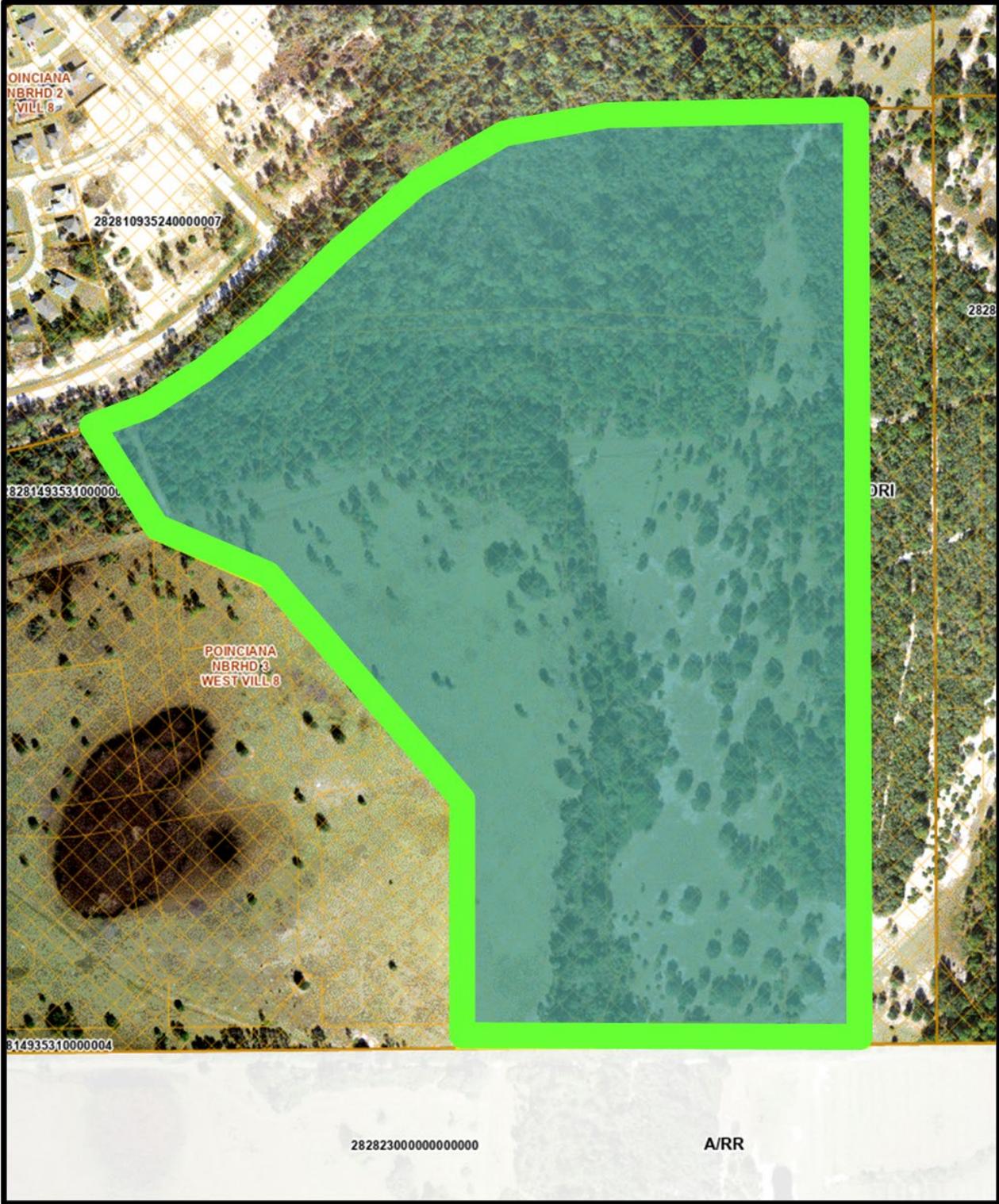
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



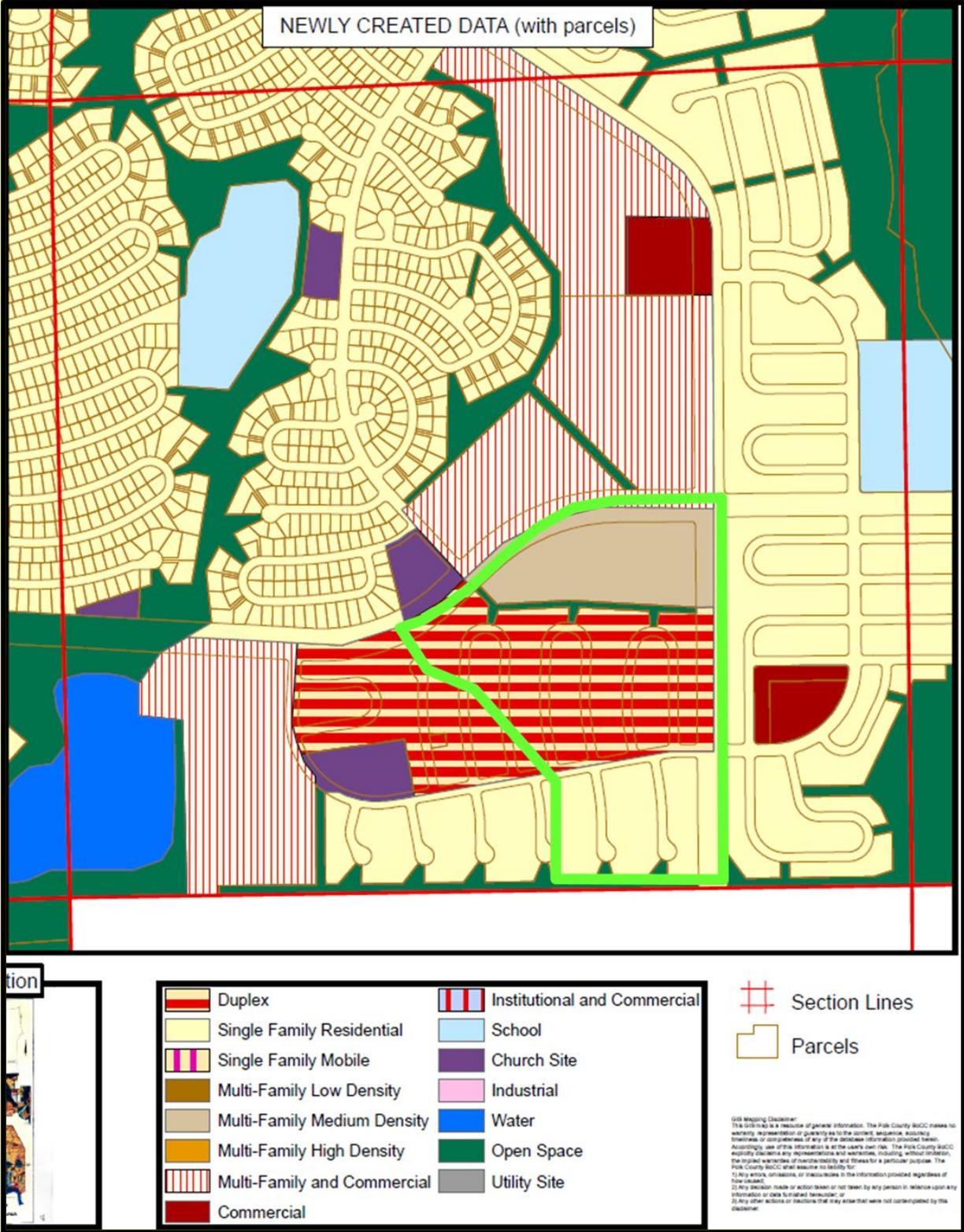
CURRENT FLUM
Development of Regional Impact (DRI)



PROPOSED FLUM
Institutional (INST)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
INST1	Childcare Center, Farming General, Government Facility, Lodges and Retreats, School-Elementary, School-Leisure/Special Interest, School-Middle, Studio- Production, Transit- Facility, Utilities- Class I, Utilities- Class II	Group Home- Large (7-14 residents), Emergency Shelter-Medium (7-14 residents), Golf Course, Recreation- High Intensity, Recreation- Low Intensity, Recreation- Passive, Group Living Facility (15 or more residents), Adult Day Care Center (7 or more clients), Cemetery, Clinics & Medical Offices, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Heliports, Helistops, Nursing Home, Office, Office Park, Recreation- Vehicle Oriented, Religious Institution, Research & Development, Solar Electric-Power Generation Facility	Multi-family, Planned Development, Gas Station, Hospitals, Lime Stabilization Facility, Mining-Non-phosphate, School- High, School- Technical/Vocational/Trade & Training, School-University/College, Seaplane Base, Utilities- Class III, Water Ski Schools, Residential Treatment Facility

INST-1 CONDITIONAL USES



POINCIANA MASTER SITE PLAN