

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

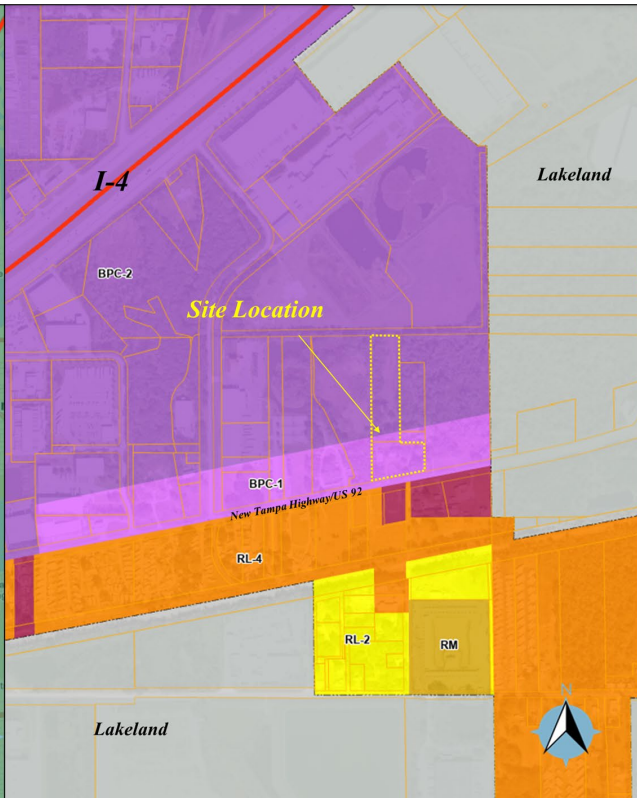
DRC Date: April 25, 2024	Level of Review: 4
PC Date: July 10, 2024	Type: LDC Sub-District Change
BoCC Date: August 6, 2024	Case Numbers: LDCD-2024-3
	Case Name: New Tampa Highway BPC-2
Applicant: Esteban Mazuela	Case Planner: Ian Nance

Request:	Applicant is requesting a Sub-District Change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2).
Location:	4815 New Tampa Highway (US-92), west of Galloway Road, east of Kraft Road, north of Old Tampa Highway, south of I-4, north and west of the city of Lakeland in Section 20, Township 28, Range 23.
Property Owner:	Antarctic Cold Lakeland, LLC
Parcel Number (Size):	232820-000000-012010 (± 2.22 Acres) 232820-000000-012150 (± 3.70 Acres)
Future Land Use:	Business Park Center (BPC-1)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Hearing

Site Location



Future Land Use Map



Summary:

The applicant requests a Sub-District Change from Business Park Center-1 (BPC-1) to BPC-2 to accommodate a new warehousing facility on two parcels near I-4 and the Polk Parkway near Lakeland. The subject parcels are currently split between the two sub-districts with different development standards. Essentially, this sub-district change will allow outdoor storage as an accessory use and an increase in height from a maximum of 75 feet to 100 feet.

The nature of this application is relatively benign when considering similar surrounding uses, and the primary benefit of this request is to create conformity between the entirety of the subject site and increase the height to accommodate the design of the warehousing facility. This site is located along New Tampa Highway (US-92), a portion of the County that has developed with warehousing & distribution and light manufacturing uses as well as office complexes. There is one non-conforming residential use to the east of the site within the BPC district, and compatibility standards found in LDC Section 220 must be followed, including increased buffering and a minimum setback of 50 feet from the primary residential structure.

Approving the change from BPC-1 to BPC-2 will not create a situation where the uses that can be gained would be drastically different from what is already allowable onsite. Exhibit 5 outlines the differences in use between the two sub-districts. The proximity of the site to the Polk Parkway, County Line Road, I-4, and US-92 is excellent for the use of the property as warehousing and distribution. The proposed change will have negligible impact utilities or generate additional traffic. Traffic counts and road impacts will be addressed during a Level 2 Review once a specific site plan is established, but the differences in potential uses, intensity, and demands on infrastructure that would result from this change are minimal. There are existing wetlands and flood hazard areas onsite which hinder development on this site and forces vertical development. The site is being redeveloped from an old motel. This request is consistent with the LDC and Comprehensive Plan and compatible with surrounding land use districts. Staff recommends approval.

Findings of Fact

- *The applicant is requesting to change the Future Land Use Designation sub-district on Parcel ID #232820-000000-012010 (± 2.22 Acres) and # 232820-000000-012150 (± 3.70 Acres) from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2).*
- *According to Section 204.C.3 of the LDC, “The purpose of the BPC-2 district is to provide areas for light-industrial activities. The BPC-2 district permits light manufacturing, fabrication, assembly, distribution and wholesaling activities, and some retail uses to support the businesses and activities within the Business Park Center.”*
- *POLICY 2.104-A5 of Polk County’s Comprehensive Plan states, “development within the Transit Supportive Development Areas shall conform with the following criteria consistently with the requirements of the Land Development Code:*
 - a. provide access to transit facilities;*
 - b. connect to centralized potable water and sanitary sewer systems;*
 - c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;*
 - d. implement “Complete Street’ and “Conservation Development” principles as established under Section 2.1251, Community Design, of this element;*
 - e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;*
 - f. provide access to civic space, parks, green areas, and open space and other amenities;*
 - g. be supported by public safety (i.e., fire, EMS and law enforcement);*
 - h. have access to public schools;*
 - i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.*
 - j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.”*
- *According to POLICY 2.113-B-1 of the Comprehensive Plan, “Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there.”*

- *According to Comprehensive POLICY 2.113-B-4.a, developments within BPC land use districts shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better.*
- *Section 206.O of the LDC states, “Outdoor storage shall be allowed as an accessory use in accordance with the following:*
 - 1. Bona fide agricultural uses are permitted outdoor storage of equipment, supplies and other items customary to an agricultural operation;*
 - 2. Outdoor storage shall be allowed in the following land use districts as an accessory use: LCC, CE, HIC, BPC-2, IND, and PM (non-residential use only). Outdoor storage shall be screened from off-site view in LCC, CE, and BPC-2.*
 - 3. All outdoor storage shall be a minimum of 50 feet from any residential use or residential land use district;*
 - 4. Additional restrictions regarding outdoor storage are found within this Code. The more restrictive provisions shall apply.”*
- *The subject property is served by the Polk County Sheriff’s Northwest District, located at 1045 Wedgewood Estates Boulevard, Lakeland.*
- *Fire & EMS response will be from PCFR Station 24, located at 1140 North Galloway Road, Lakeland. The travel distance is 6.5 miles with an estimated 12-minute response time.*
- *The subject property is within the city of Lakeland’s Utility Service Area.*
- *The subject site has direct frontage on New Tampa Highway AKA US-92 (Road No. 009320). It is a state-maintained Principal Arterial roadway with a paved surface width of 32 feet.*
- *The nearest public school is Winston Elementary, located approximately two (2) miles to the northeast.*
- *The closest regional park to the subject site is Walker Road Park, located at 1285 Walker Road, Lakeland.*
- *The property is comprised of Pomona Fine Sand and Sandy Arents, according to the USDA Natural Resources Conservation Service GIS Database.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting.*
- *There are no known historical or archeological resources onsite, according to the Secretary of State’s Department of Historical Resources Florida Master Site File.*
- *There are no natural surface water features on or immediately abutting the subject property.*
- *There are wetlands or flood hazard areas on this property. Development here must adhere to LDC Sections 620 and 630.*

- *This site is not within a Wellfield Protection District.*
- *The site is located within the Airport Impact District of the Lakeland Linder Airport. Development here must adhere to Section 641 of the LDC.*
- *The Comprehensive Plan defines Compatibility in Section 4.400 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.”*
- *This request has been reviewed for consistency with LDC Tables 2.1 & 2.2 and 907.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, and the staff report, the Development Review Committee (DRC) finds that 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; therefore, the DRC recommends **APPROVAL of LDCD-2024-3**.

GENERAL NOTES

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

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

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: Approval of this request is only for Level 4 Review and only for those development decisions within the Planning Commissioners’ jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

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.

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them near the subject site.

Table 1

Northwest: BPC-2 Pasture & Stormwater Ponds	North: BPC-2 Pasture & Stormwater Ponds	Northeast: BPC-2 Pasture & Stormwater Ponds
West: BPC-1 Vacant Commercial	Subject Property: BPC-1 & BPC-2 Proposed Warehouse	East: BPC-1 Single-Family Home/Vacant
Southwest: RL-4 US-92/Vacant Residential	South: LCC/RL-4 US-92/Vacant Commercial	Southeast: LCC US-92/Motel

The subject site is located west of Lakeland in a portion of the County that has transitioned from rural residential uses, when US-92 FKA US-17 was the main thoroughfare to Tampa, to warehousing, manufacturing, and distribution. Several Mobile Home Parks dating back to the mid-1960's area located along the south side of New Tampa Highway. The subject site itself was once developed with a roadside motel until 2007, judging by aerial photography. The structures were demolished by 2023. Since the earliest County zoning ordinances, this area has been designated for industrial and commercial uses. Given the proximity to I-4 and Lakeland, and since the construction of the Polk Parkway in the late 1990's, these uses have proliferated. Wetlands and flood zones hinder more development along this stretch of US 92, however.

Compatibility with the Surrounding Land Uses and Infrastructure:

The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion."

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

This overall project area is split between BPC-1 and BPC-2 land use sub-districts as established by the Future Land Use Map (*Exhibit 2*). Prior to the FLUM, the site was divided similarly between Commercial-3 and General Industrial zoning. The BPC-1 runs linear to New Tampa Highway at a depth of approximately 315 feet. A BPC-2 district does exist along the roadway in conjunction with the Ruthven Commerce Center, approximately 0.40 miles to the west.

The BPC land use districts are intended for warehousing uses. The applicant is finalizing engineering plans for a warehousing facility at this location. The BPC-1 land use district allows a maximum structure height of 75 feet. However, the properties are divided between BPC-1 and BPC-2 sub-districts, the latter of which allows for a 100-foot height limit. A non-conforming single-family residence is located to the

east of the site. Final approval of the proposed warehousing development will require the applicant to adhere to compatibility standards in LDC Section 220, including a 50-foot setback between non-residential and residential structures, enhanced landscaping, and shielded lighting.

This approval will not allow any uses not already permitted in the BPC-1 land use district. Warehousing & Distribution is the purpose of the BPC and is a “P” permitted use.

B. Infrastructure:

The site is located within the Transit Supportive Development Area (TSDA) that has adequate levels of urban infrastructure and services with capacity to serve it. There is available capacity on all major roadways adjacent to and near the subject property. Public safety facilities and services are at urban levels. Mass transit is available. There are no wastewater connections or sidewalks available at this time, however.

Nearest Zoned Elementary, Middle, and High School

This sub-district change will have no impact on local schools. The nearest public school is Winston Elementary, located approximately two (2) miles to the northeast. The zoned public schools are Wagner Elementary; Kathleen Middle; and Kathleen Senior High; however, school capacity is not pertinent to this request as these parcels are intended for commercial uses.

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to unincorporated Polk County and the municipalities of Eagle Lake, Polk City, Mulberry, Lake Hamilton, and Hillcrest Heights. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Fire & EMS response will be from PCFR Station 24, located at 1140 North Galloway Road, Lakeland. The travel distance is 2.0 miles with an estimated seven-minute response time. Fire hydrants are located onsite. Development at this site will require review by the Fire Marshal for adequate fire suppression.

Table 2

	Name and Address of Station	Distance	Response Time*
Sheriff	Polk County Sheriff’s Northwest District 1045 Wedgewood Estates Boulevard, Lakeland	8.0± miles	P1: 10:34 minutes P2: 28:23 minutes
Fire/EMS	PCFR Station 24 1140 North Galloway Road, Lakeland	2.0 ± miles	7 minutes

*Source: Polk County Sheriff’s Office and Public Safety *Response times are based from when the station receives the call and not from when the call is made to 911.*

The nearest Sheriff’s substation is the Polk County Sheriff’s Sheriff’s Northwest District, located at 1045 Wedgewood Estates Boulevard, Lakeland. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. At any

rate, Sheriff's 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.

The PCSO improves response times, especially for Priority 1 Calls, by employing new technologies such as Emergency 1 Dispatch (E1D) and Live911. E1D is a program designed to alert deputies at the earliest possible moment of a call for service that is being classified as a true emergency. E1D alert notifications are sent to deputies via their agency-issued smart phones as text messages, alerting deputies of the call type and address of the emergency. Similarly, Live911 technology allows deputies to hear emergency calls in real-time as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-dispatch to these in-progress, high-risk incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

Patrol staff in each district also monitors the response times for their areas and tries to manage their shifts according to manpower, hotspots, traffic obstructions/construction sites, etc. Areas that are more spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Since patrol deputies are not sitting in the office waiting on a call, it is easier for patrol staff to assign them to certain sectors or beats based on areas with higher call volume to reduce response time; however, this cannot be predicted precisely.

Water and Wastewater Demand and Capacity:

The subject property is within the city of Lakeland's Utility Service Area. The site is located within the TSDA where utility connections are required by LDC Section 702.

A. Estimated Demand and Service Provider:

There are not enough distinctions between allowable uses in BPC-1 and BPC-2 land use districts that by approving this request would result in significant differences in the utilization of utilities. This site is within the city of Lakeland's Utilities Service Area. Potable water connections are directly available to the site with lines adjacent to the property. The applicant estimates the potable water demand to be 10,832 gallons per day (GPD).

Wastewater is not available to the site. The nearest sewer line is located over one mile from the site and is owned by the City of Lakeland. Pursuant to LDC Section 702, non-residential development in the TSDA shall be required to connect to the centralized wastewater system within one year of it becoming available. Prior to the availability of centralized wastewater, the developer may construct temporary septic tanks provided that the necessary on-site collection apparatus for the future centralized facility is provided via the construction of a dry-line system, by the developer, at the time the development is built. A waiver, per the requirements of Section 932, may be granted, if it can be shown that the parcel proposed for development cannot, or will not, be served by public wastewater within the County's 10-year Master Utility Plan, and the utility provider provides written verification that the extension of the centralized public wastewater is not economically feasible from the public perspective, the total developable parcel may develop with septic tanks and without the installation of dry lines.

B. Available Capacity:

At the time of the Level 2 Review, the applicant must provide documentation from the City of Lakeland demonstrating potable water capacity is available.

C. Planned Improvements:

According to the County’s CIP, no utility projects are scheduled in the immediate area. This site is within the City of Lakeland’s Utility Service Area.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of ‘A’ to ‘F’ with LOS ‘A’ being the best (free-flow traffic) and LOS ‘F’ being the worst (severe traffic congestion).

A. Estimated Demand:

There are not enough distinctions between allowable uses in BPC-1 and BPC-2 land use districts that by approving this request would result in significant differences in traffic generation. Furthermore, traffic generated by any development will be dependent upon the ultimate use and size of the facility. Travel times are also variable depending on work schedules.

For an example, the applicant supplied a traffic analysis of the planned warehouse at this location. According to the Impact Assessment Statement, the warehouse’s maximum service capacity is 120 trucks per day, factoring in the 6 service doors and a 30-minute service interval per truck. This is based on the nature of this facility, however.

B. Available Capacity:

Table 3, to follow, summarizes the generalized capacity on the most affected transportation link on New Tampa Highway (Links 5300 E/W). These links have the capacity to assimilate all the trips from new development and not fall below the Level of Service (LOS) standard.

Table 3

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
5300E	New Tampa Highway (US-92) County Line Road to SR 572 (Airport Road)	C	423	D
5300W	New Tampa Highway SR 572 (Airport Road) to County Line Road	C	404	D

Source: Polk County Transportation Planning Organization, 2023 Roadway Network Database.

Based on the usage proposed above, the applicant will need to submit a Minor Traffic Study prior to approval of the Level 2 Review.

C. Roadway Conditions:

The subject site has direct frontage on New Tampa Highway AKA US-92 (Road No. 009320). It is a state-maintained Principal Arterial roadway with a paved surface width of 32 feet. Access and any improvements to the roadway or increased in right-of-way will be decided upon by the Florida Department of Transportation.

D. Planned Improvements:

No County improvements are noted in the current CIP.

E. Mass Transit

A bus stop is located directly in front of the subject site for the Citrus Connection's Lemon Line that primarily serves US-92 between County Line Road and North Florida Avenue. A complete sidewalk system is not available to reach the nearest stop at this time.

F. Sidewalks

No sidewalks are located along the subject site or on either side of New Tampa Highway. LDC Section 707 requires sidewalks along the frontage of the site, but the right-of-way is under the management of FDOT.

Park Facilities:

Given that this is a sub-district change and the uses found within BPC land use districts are largely non-residential, impacts to local parks are not anticipated.

A. Location:

Walker Road Park is located at 1285 Walker Road, approximately three miles to the north.

B. Services:

According to Central Florida's Polk County Sports Marketing, Walker Road Park is a County-owned facility featuring four lighted 300-foot fields, two multipurpose fields and a nature trail. This is a popular location for softball and soccer.

C. Multi-use Trails:

A hiking trail can be found at the Itchepackesassa Creek Wetland Park in association with Walker Road Park.

D. Environmental Lands:

Tenoroc Fish Management Area is a state-owned park offering hunting and fishing opportunities, a shooting range and sporting clays course, as well as trails for hiking and equestrian activities. This was once the site of the Coronet phosphate mine. Before phosphate mining began in the 1960s, the eastern portion of Tenoroc was part of a large wetland system at the headwaters of Saddle Creek, the upper-most tributary of the Peace River. The western portion of Tenoroc was part of a wetland system associated with

Lake Parker. It has since been reclaimed and used for the outdoor activities mentioned above. The managed habitats contribute to clean water to the Peace River today.

E. Planned Improvements

There are no planned improvements to parks in this area.

Environmental Conditions:

Multiple environmental factors exist on this site that will influence its development.

A. Surface Water:

There are no surface water bodies on the subject parcels. No natural lakes are within two miles of the site. The project site is located on uplands with surface water draining to the adjacent low areas. Any development cannot significantly alter the site's natural drainage features or drainage patterns. Compensation areas will be designed on site to provide additional stormwater storage. Post-development run-off will not exceed pre-development run-off.

B. Wetlands/Floodplains:

The subject property is located on an old motel site and has an area of wetlands and a ditch located north of the old building areas. Other wetlands are located on the northern end of the site. Impacts to the wetlands are limited to those allowed in LDC Section 620 after mitigation with the agency having jurisdiction.

Polk County's GIS mapping system identifies an AE Flood Hazard area with a Base Flood Elevation of 125 to 126' over most of the property. LDC Section 630 requires a flood study and "cup-for-cup" onsite compensation for impacted flood zones. This will lead to a substantial use of stormwater facilities that will limit the available land.

C. Soils:

The property is comprised of Pomona Fine Sand and Sandy Arents, according to the USDA Natural Resources Conservation Service GIS Database. Construction will take place primarily on the Pomona Sand. The Pomona series consists of very deep, poorly, and very poorly drained soils that formed in sandy and loamy marine sediments. Arents soils have a variable water table that is dependent upon the water table of the surrounding soils. Permeability is variable but generally ranges from very rapid to moderately rapid. Natural fertility is low. The content of organic matter and the available water capacity are variable. Without centralized wastewater connections, advanced septic treatment will be required.

D. Protected Species

According to the 2011 Polk County Endangered Habitat Map, the proposed development is not located within a one-mile radius of an endangered animal species sighting.

E. Archeological Resources:

There are no protected archeological resources according to the Florida Department of State, Division of Historical Resource.

F. Wells (Public/Private)

The applicant’s Impact Statement Assessment states there is one well located on site that will be abandoned at the time of development. This project is not within a Wellfield Protection District.

G. Airports:

The site is located within the Airport Impact District of the Lakeland Linder Airport. Development here must adhere to Section 641 of the LDC.

Economic Factors:

The subject properties are located in an area intended for business and commercial uses. The change from BPC-1 to BPC-2 will minimally affect the uses already allowed in this area. However, there are some uses that are allowed in BPC-2 that are not allowed in BPC-1 (See Exhibit 4). This is an area of Polk County that has been long-designated for warehousing and distribution and manufacturing.

Consistency with the Comprehensive Plan:

The following polices have been found to be the most relevant to the proposed request. In this case, the request is consistent with the Comprehensive Plan. The proposed change to the Future Land Use Designation from BPC-1 to BPC-2 is on par with the type of development and uses found in the surrounding area.

Table 4

Comprehensive Plan Policy	Consistency Analysis
<p><i>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.</i></p>	<p>The proposed change to BPC-2 is compatible with neighboring properties and there is adequate infrastructure to support it as well.</p>
<p><i>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.</i></p>	<p>The site is located in an area where public services are available. This is a parcel surrounded by warehousing and distribution uses, light manufacturing, and offices.</p>

Comprehensive Plan Policy	Consistency Analysis
<p><i>POLICY 2.102-A3: DISTRIBUTION - 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.</i></p>	<p>The proposed development is consistent with public services available in TSDA.</p>
<p><i>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.</i></p>	<p>The site is located within an area that has the appropriate public services available for the type of development proposed.</p>
<p><i>POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).</i></p>	<p>The subject property is located within an area of the county that has an adequate level of public safety services as identified in the staff report.</p>

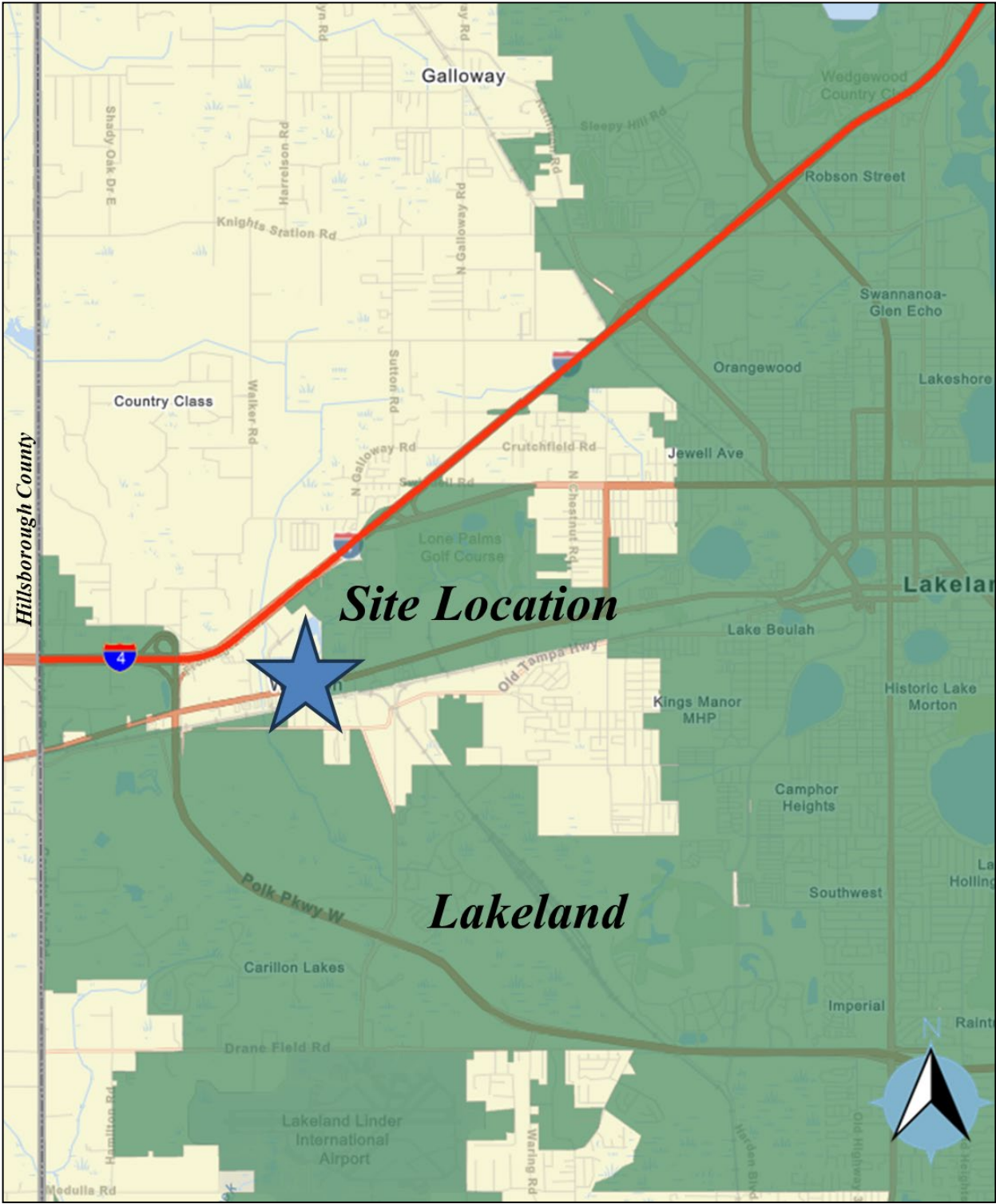
Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	<i>Yes, this request is consistent with the LDC; however, any development on this site will require further levels of review.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>Yes, this request is consistent with the Comprehensive Plan. This area has been identified as appropriate for a BPC land use. This request changes the sub-district to BPC-2.</i>
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	<i>Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 6-7 of this staff report for data and analysis on surrounding uses and compatibility.</i>
How the concurrency requirements will be met if the development were built.	<i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 7-10 of the staff report.</i>

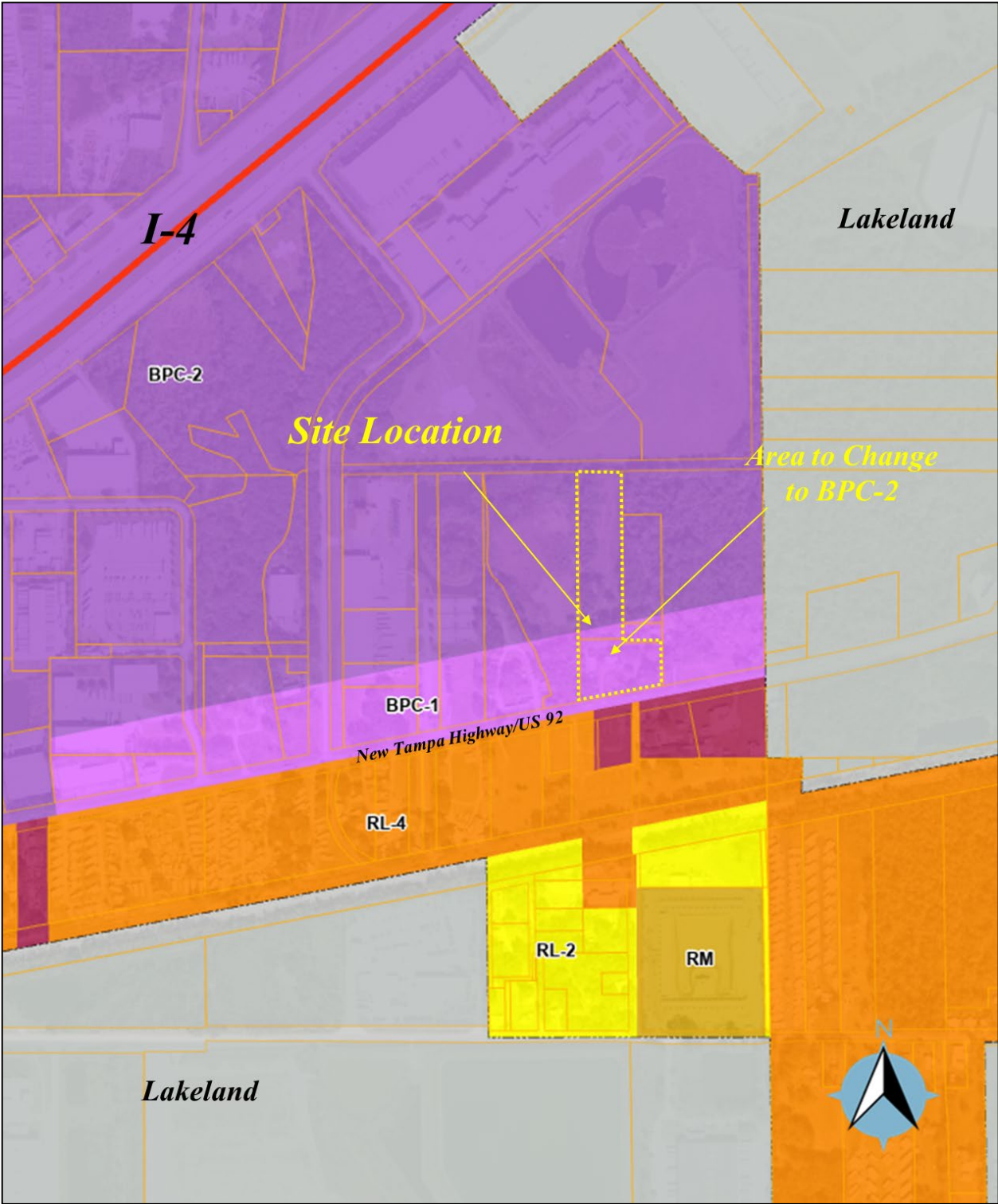
Comments from other Agencies: None.

Exhibits

- Exhibit 1: Site Location
- Exhibit 2: Future Land Use Map
- Exhibit 3: Aerial Image – Context
- Exhibit 4: Aerial Image – Close
- Exhibit 5: Comparison of Permitted & Conditional Uses in BPC-1 vs BPC-2



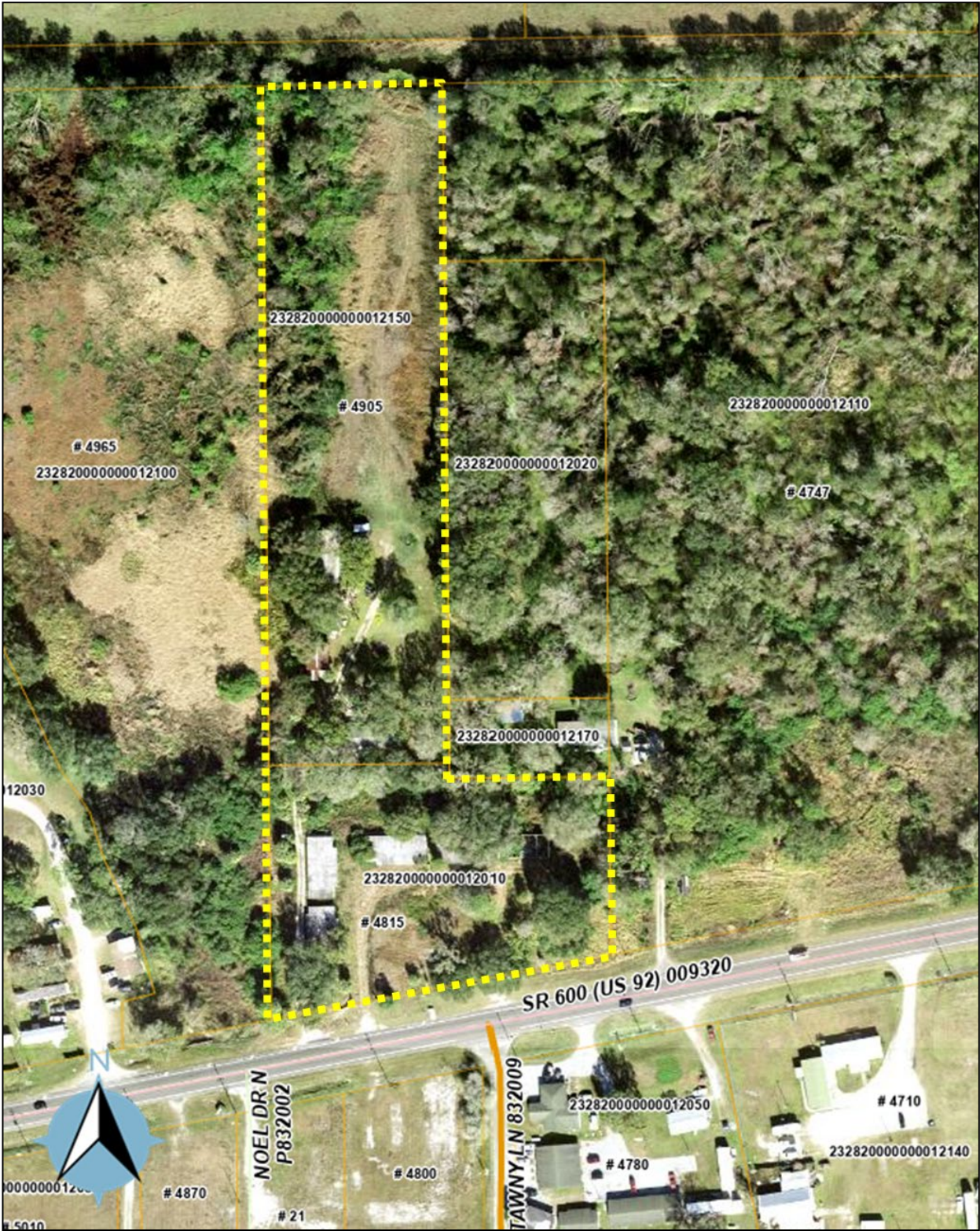
Site Location



Future Land Use Map



Aerial Image – Context



Aerial Image – Close

District	BPC-1	BPC-2
"P"	Government Facility Office Personal Service Research & Development Utilities, Class I & II Warehousing/Distribution Wholesale/Enclosed	Commercial Vehicle Parking Government Facility Light Manufacturing Motor Freight Terminal* Office Outdoor Storage (Accessory)* Personal Service Research & Development Retail, Outdoor Sales/Display* Utilities, Class I & II Vehicle Repair, Auto Body* Vehicle Service, Mechanical Warehousing/Distribution Wholesale/Enclosed
"C1"	Alcohol Package Sales Golf Course Passive Recreation	Alcohol Package Sales Golf Course Passive Recreation
"C2"	Bars, Lounges, Taverns Childcare Center Commercial Vehicle Parking Monopole Communication Tower Community Center Cultural Facility Financial Institution Gas Station Heavy Machinery Sales/Service Hotels/Motels Light Manufacturing Retail Nurseries Religious Institution Restaurants Retail < 65,000 sq.ft. Schools, Leisure/Special Interest Schools, Technical Schools, University/College Self-Storage Facility Truck Stop Vehicle Sales/Leasing	Bars, Lounges, Taverns Childcare Center Monopole Communication Tower Community Center Cultural Facility Financial Institution Gas Station Heavy Machinery Sales/Service Hotels/Motels Kennels, Boarding, Breeding Retail Nurseries Religious Institution Restaurants Retail < 65,000 sq.ft. Schools, Leisure/Special Interest Schools, Technical Schools, University/College Self-Storage Facility Truck Stop Vehicle Recovery Service* Vehicle Sales/Leasing Veterinary Service*
"C3"	Multi-family* Planned Development Kennels, Boarding, Breeding Retail > 65,000 sq.ft. Utilities, Class III Vehicle Service, Mechanical	Planned Development Retail > 65,000 sq.ft. Utilities, Class III
	BOLD – Different Levels of Approval BOLD* - Not Permitted in other BPC	

Comparison of Permitted & Conditional Uses in BPC-1 vs BPC-2