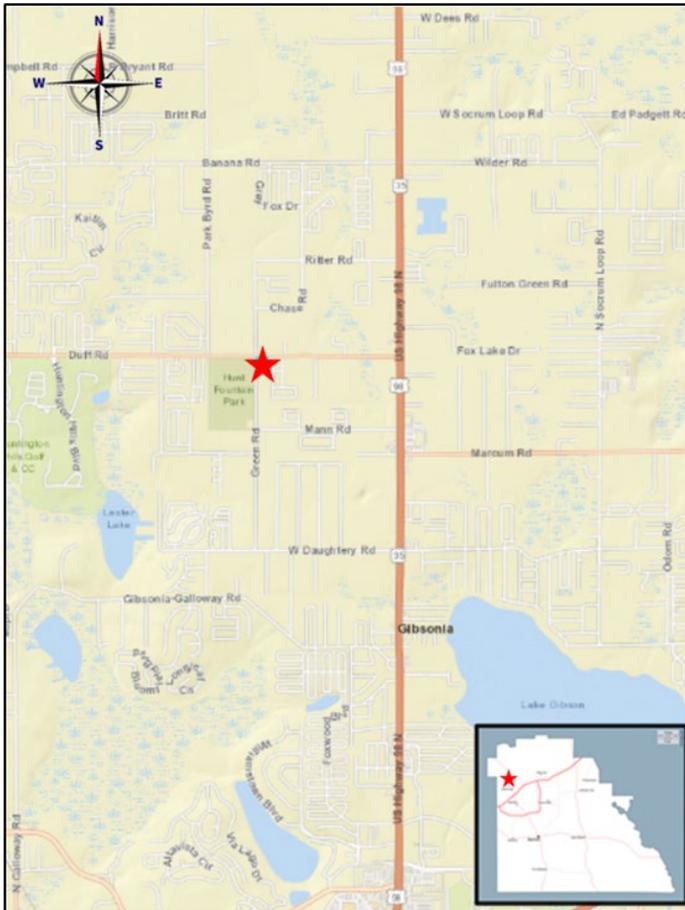


**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

DRC Date: January 6, 2024	Level of Review: Level 3 Review
PC Date: March 6, 2024	Type: PD Major Modification
BoCC Date: N/A	Case Numbers: LDPD-2022-15-M1
Applicant: Sarah Case	Case Name: Jemma Estates PD Mod
	Case Planner: Aleya Inglima, Planner II

Request:	The applicant is requesting modification to LDPD-2022-15 to revise the development from two triplexes and two single family units to eight duplexes.
Location:	The subject site located west of Cedarcrest Blvd, north of Mann Rd, south of Duff Rd, and east of Green Rd, in Section 14, Township 27, Range 23.
Property Owner:	Bright Future Retirement Fund LLC
Parcel Size (Number):	1.66+/- acres (232714-000000-041110)
Land Use District:	Residential Medium (RM)
Development Area/Overlays:	Urban Growth Area (UGA)
Nearest Municipality/County:	City of Lakeland
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Site Location



2023 Aerial



Summary of Analysis:

The applicant is requesting approval of a Planned Development (PD) major modification to revise the development from two triplexes and two single family units to eight duplexes (sixteen units) within a Residential Medium (RM) land use district. PDs and multi-family developments both require Level 3 Reviews in RM, according to Table 2.1 of the Land Development Code (LDC). The subject site is approximately 1.66 acres, and the density is 9.64 dwelling units per acre (DU/AC).

This site is one of the last vacant properties along Duff Road. Local residential uses include generational site-built homes on large properties and newer higher density subdivisions built to today's standards. Individual mobile homes and mobile home parks are located nearby. Duplexes are located to the northeast. These eight proposed duplexes will add to the diversity of the local housing stock. The site plan shows the project site will be on the southeast corner of the intersection of Duff Road and Green Road with a large open space area separating the structures from existing development to the east. Buffers and landscaping will be constructed in accordance with Ch.7 of the LDC.

This site is located in an Urban Growth Area (UGA), and the services found within this development area are at urban levels with capacity to accommodate this request. This includes utilities, schools, transportation, parks, and emergency services. The site is situated between Kathleen Road and US Highway 98, two major north-south thoroughfares north of Lakeland. No environmental issues are located on the site which would hinder development.

Residential Medium allows 7 units per acre by right. This request increases the units by right from 11 to 16. In short, the number of units requested are small enough that there are no compatibility issues as defined in Chapter 10 of the LDC and prescribed in Policy 2.102-A2 of the Comprehensive Plan. Eight duplexes (sixteen units) will not have adverse effects on public infrastructure; in fact, single-family residential uses have higher impacts. This development adds a bit more housing diversity to the area and should fit seamlessly into the surrounding community. The request is consistent with the Polk County Comprehensive Plan and Section 303 of the LDC as it pertains to PDs and multi-family developments. Staff recommends approval.

Findings of Fact

- *LDPD-2022-15-M1 is a request for approval of a Planned Development consisting of eight duplexes for a total of sixteen (16) residential units on Parcel #232714-000000-041110 (1.66 +/- acres).*
- *This property is located in a Residential Medium (RM) land use district. Section 204.A.8 of the LDC states, “the purpose of the RM district is to provide areas for medium density residential development within urban areas. The RM district permits single-family dwelling units, duplex units, multi-family units, group living facilities, and community facilities.”*
- *Per Table 2.2 of the LDC, the RM district allows a maximum density of seven (7) dwelling units per acre (du/ac). Interior side setbacks within RM are seven (7) feet for principal structures and five (5) feet for accessory structures. Rear setbacks are ten (10) feet for principal structures and five (5) feet for accessory structures. Setbacks from Urban Collector roadways are 35 feet from the right-of-way and 65 feet from the centerline.*
- *This property is located within an Urban Growth Area (UGA). Per Section 202.B of Polk County’s Land Development Code (LDC), “the purpose of UGAs is to serve as a foundation from which a future urban pattern is established, and to provide future areas for development at urban densities and intensities. UGAs are areas within the County that, at a minimum, are currently served, or are programmed within the applicable Comprehensive Plan Capital Improvement Program to be served within years 10 through 20 of the Comprehensive Plan’s planning period. UGAs are also supported by, or programmed to be supported by, other services typically found to accompany urban development such as public safety services, an urban road network, and developed parks.”*
- *POLICY 2.105-A5 of Polk County’s Comprehensive Plan requires development in UGAs to connect to centralized water unless a waiver is granted by the Board of County Commissioners. This policy also requires connection to centralized sanitary sewer systems if available.*
- *According to Table 2.1 of the LDC, “Multifamily” is a “C3” conditional use in RM land use districts requiring a Level 3 Review approval from Polk County’s Development Review Committee and a public hearing before the Planning Commission.*
- *Per Section 303 of the LDC, “Multi-family development within residential low density districts (RCC-R, RL-1, RL-2, RL-3, and RL-4) shall:*
 - a. consist of structures comprised of no greater than four dwelling units attached,*
 - b. consist of structures with two above ground level floors or less,*
 - c. place all non-residential accessory structures in center of the development and separated from property boundaries by residential structures within the development,*
 - d. limit parking to either individual driveways or located in the rear yard where ample screening is provided,*
 - e. position the doorways of at least 50% of the units towards the street,*
 - f. resemble single family style development to the greatest extent possible,*

- g. limit fencing within the front setback to no greater than four feet in height,*
- h. limit signage to no greater than one 20 square foot sign of less than 4 feet in height, and*
- i. the items above may be varied by the Planning Commission or the Board through the approval of a Conditional Use or Planned Development within the Transit Supportive Development Area.”*

- *According to Table 2.1 of the LDC, “Planned Development” is a “C3” conditional use in RM land use districts requiring a Level 3 Review approval from Polk County’s Development Review Committee and a public hearing before the Planning Commission.*
- *According to Section 303 of the LDC, “Planned Development may be established in appropriate locations, with respect to intended function; in conformance with the goals, objectives, and policies of the Comprehensive Plan; compatible with the surrounding land uses and future land use districts; where they will not adversely impact facilities and services of the County; where they will not set a precedent for the introduction of an inappropriate use into an area; and so as not to encourage non-residential strip development along streets.”*
- *Per Section 303 of the LDC, Planned Developments containing less than 100 acres shall devote at least ten percent of the gross developable project area to open space or as prescribed in Section 750 whichever is greater.*
- *The proposed residential density of this project is 9.64 du/ac.*
- *This project is located within Polk County’s Utility Northwest Regional Water Service Area. An eight-inch potable water transmission main is located in the eastern right-of-way of Green Road. An eight-inch potable water transmission main is located in the northern right-of-way of Duff Road.*
- *This project is located within Polk County’s Utility Northwest Regional Wastewater Service Area. A six-inch wastewater force main is located in the southeastern intersection of Duff Road and Green Road. This line crosses Green Road and extends south within the western Green Road right-of-way and east within the southern Duff Road right-of-way.*
- *A six-inch reclaimed water transmission main is located in the southeastern intersection of Duff Road and Green Road. This line extends south within the eastern Green Road right-of-way and east within the southern Duff Road right-of-way.*
- *The property is comprised of Smyrna and Myakka Fine Sands (100%).*
- *Direct ingress/egress to the development is proposed from Green Road. Green Road (Road Number 732303) is a County-maintained Urban Collector roadway with a paved surface width of 20 feet. It is tracked for concurrency by Polk County’s Transportation Planning Organization (Link 8314 N/S).*
- *Fire response is from Fire Station 6 located at 8936 Highway 98 North, Lakeland 33809. The travel distance is approximately 2.66 miles, and the travel time is estimated to be eight minutes.*

- *Ambulance response is from Fire Station 6 located at 8936 Highway 98 North, Lakeland 33809. The travel distance is approximately 2.66 miles, and the travel time is estimated to be eight minutes.*
- *The site is served by Polk County Sheriff's Northwest District, located at 1045 Wedgewood Estates Blvd, Lakeland 33809. The response times for December 2013 were: P1 – 12:39 minutes, P2 – 25:14 minutes.*
- *The zoned schools for the proposed project are Dr. NE Roberts Elementary, Sleepy Hill Middle, and Kathleen Senior High. The proposed sixteen multifamily units are expected to generate three elementary, one middle, and five high school students.*
- *The Hunt Fountain Sports Complex is directly to the west of the subject site across Green Road.*
- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
- *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.*
- *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."*
- *LDPD-2022-25 was approved December 4, 2019 for a two story quadplex, LDRES-2020-50 was approved February 10, 2021, LDPD-2022-15 was approved October 5, 2022 for two triplexes and two single family units, LDCPAS-2023-12 was future land use map change from Residential Low (RL) to Residential Medium (RM) approved on October 17, 2023.*
- *Planning Commission Decision: October 5, 2022, in an advertised public hearing, the Planning Commission voted 7:0 to APPROVE of LDPD-2022-15 request of two triplexes and two single family units.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, the findings of fact, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDPD-2022-15-M1.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends APPROVAL of LDPD-2022-15-M1 with the following Conditions:

1. This Planned Development (PD) approval shall be for eight duplexes (sixteen units) on approximately 1.66 acres within a RM land use district. [PLG]
2. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDPD-2022-15-M1, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]
3. The applicant shall provide sidewalks along all internal roadways. [PLG]

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 3 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.

Table 1

Northwest: RL-2 Duff/Green Rd. Intersection Mobile Home	North: RL-2 Duff Road Site-Built Residential	Northeast: RL-2 Duff Road Site-Built Residential
West: ROS Green Road Hunt Fountain Sports Complex	Subject Property: RM Vacant Residential	East: RL-2/PD 05-04 Site-Built Residential
Southwest: ROS Green Road Hunt Fountain Sports Complex	South: RL-2 Mobile Home	Southeast: RL-2/PD 05-04 Site-Built Residential

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

According to aerial photos and satellite images available on Polk County’s DataViewer, this property has been vacant as far back as 1941. Hunt Fountain Sports Complex is directly to the west across Green Road in a Recreation and Open Space (ROS) land use district. Cedar Crest is a 96-lot subdivision (Plat Book 148 Pages 3 & 4) located to the east and was approved by the Planning Commission on March 8, 2005 (PD 05-04). The typical lot size for the development is 6,000 square feet with an interior side-yard setback reduction from ten to five feet. RL-2 land use districts are located to the north and south. To the south and northwest are individual mobile homes. To the north and northeast are site-built residential home on acreage exceeding three acres.

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with surrounding land uses and infrastructure.

A. Land Uses:

The dominant land uses in the area are residential development. These include a Planned Development with lot sizes that are well below the standards for RM land use districts, mobile homes, and site-built residential structures on properties exceeding three acres. The Hunt Fountain Sports Complex presents no incompatibilities. On the east side of the park is Cedarcrest subdivision.

The LDC defines compatibility 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.”

Last year LDCPAS-2023-12 was created as a small-scale Comprehensive Plan Amendment request to change the future land use designation from Residential Low (RL) to Residential Medium (RM). There was no public comment, and it was heard by Planning Commission September 6, 2023. The request was adopted by BoCC on October 17, 2023.

The site plan shows duplexes will be in excess of 40 feet from the eastern property line. Type “B” landscaping buffers will be required along the southern and eastern property lines. Type “A” buffers will be required along the frontage of Green Road and Duff Roads. Duplexes are found less than a half-mile to the northeast. The development within a mile radius of this property is truly a mixture of all types of residential development. The addition of these units will add to this housing diversity. This request adds 5 more units to the site than what is allowed by right.

B. Infrastructure:

This site is located in a UGA. Potable water, wastewater, and reclaimed water are available to the site. A large County Park is to the west. Green Road and Duff Road have ample capacity. Sidewalks are available across the street. This project will connect to the existing sidewalk network. The impact of this development will create negligible burdens on these services.

Nearest Elementary, Middle, and High School

The closest schools are Dr. NE Roberts Elementary (± 0.46 miles); Lake Gibson Middle (± 2.3 miles); and Lake Gibson Senior (± 2.5 miles). According to information from the Polk County School Board’s website, the subject site is zoned for Dr. NE Roberts Elementary, Sleepy Hill Middle, and Kathleen Senior. These zoned schools have capacity to accommodate the proposed development. The applicant will apply for a binding school capacity determination at the time of the Level 2 Review submittal.

Table 2, to follow, illustrates the driving distances from the site to the zoned schools, in addition to the annual estimated demand for students and available capacity based on the 2023-24 utilization projections.

Table 2

Name of School	Annual Estimated Demand	% Capacity 2023-2024 School Year	Average driving distance from subject site
Dr. NE Roberts Elementary	3 student	86%	±0.46 miles driving distance
Sleepy Hill Middle	1 student	93%	±4.6 miles driving distance
Kathleen Senior	5 student	73%	±7.8 miles driving distance

Source: Polk County School Board, GIS, Google Maps

Nearest Sheriff, Fire, and EMS Station

Fire and Ambulance response is from Fire Station 6, located at 8936 Highway 98 North. The travel distance is approximately 2.66 miles, and the travel time is estimated to be eight minutes. A fire hydrant is located on the western property line.

This property is served by the Polk County Sheriff's Office's Northwest District substation, located at 1045 Wedgewood Estates Blvd. The response times for the NW District for December 2023 were: Priority 1 – 12:39 & Priority 2 – 25:14. 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. 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.

Table 3

	Name of Station	Distance	Response Time *
Sheriff	PCSO Northwest District Substation 1045 Wedgewood Estates Blvd	±3.5 miles	P1: 12:39 P2: 25:14
Fire	Polk County Fire Station 6 8936 Highway 98 North	±2.66 miles	8 minutes
EMS	Polk County Fire Station 6 8936 Highway 98 North	±2.66 miles	8 minutes

Source: Polk County Sheriff's Office and Public Safety

*Response times are based from when the station receives the call, not from when the call is made to 911.

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The proposed development is for sixteen multi-family dwelling units. The site is located in Polk County's Northwest Regional Utility Service Area for water and wastewater services. Multi-family dwelling units utilize 198 gallons per day (GPD) of potable water and generate 180 GPD of wastewater, on average. The estimated demand for potable water is 3,168 GPD. The estimated demand for wastewater is 2,880 GPD.

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands. Assuming other development standards could be met, the maximum density for a

Planned Development in Residential Medium land use districts is ten (10) dwelling units/acre, according to Section 303 of the LDC. The number of multi-family units will be the same though will have less of an impact on utilities than single-family residences. At any rate, the number of units for either option would have a negligible impact.

B. Available Capacity:

There is currently more than adequate capacity to serve the proposed development.

Table 4

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted RM (2 DU/AC)	Maximum Permitted in the District RM (10 DU/AC)	Proposed Plan (9.64 DU/AC)
±1.66 acres RM			
Permitted Intensity	3 multi-family dwelling units	8 multi-family dwelling units	16 multi-family development
Potable Water Consumption (GPD)	594 GPD	3,168 GPD	3,168 GPD
Wastewater Generation (GPD)	540 GPD	2,880 GPD	2,880 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

Polk County’s Northwest Regional Utility Service Area has ample water capacity to serve the site. The Northwest Regional Service Area is permitted for 4,639,600 GPD of potable water with 1,060,400 GPD of uncommitted capacity. It will be over 20 years before permitted flow capacity is exceeded, according to the Polk County Utilities Water and Wastewater Capacity Summary as of June 30, 2021. An eight-inch potable water transmission main is located in the eastern right-of-way of Green Road. An eight-inch potable water transmission main is located in the northern right-of-way of Duff Road.

According to the Polk County Utilities Water and Wastewater Capacity Summary, the current working wastewater permit is for 3,000,000 GPD with no anticipated improvements to the system. The average daily flow is 151 gallons per day. It will be over 20 years before flow capacity is exceeded, at the current growth rate. A six-inch wastewater force main is located in the southeastern intersection of Duff Road and Green Road. This line crosses Green Road and extends south within the western Green Road right-of-way and east within the southern Duff Road right-of-way.

A six-inch reclaimed water transmission main is located in the southeastern intersection of Duff Road and Green Road. This line extends south within the eastern Green Road right-of-way and east within the southern Duff Road right-of-way. This project will be required to connect to all three utility services.

C. Planned Improvements:

The 2013 NWRUSA Potable Water Production Regionalization Study and 2016 Master Plan Update recommended that the six (6) existing Water Production Facilities (WPFs) in the Northwest Potable Water System be consolidated into these three facilities. Of importance to this project, the Cherry Hill WPF (CU 18-10) will replace the existing Indian Woods WPF and is intended to provide additional WPF capacity needed to serve existing and future development in the area. The anticipated improvements to the system are expected to generate 1.060 MGD of

potable water. Improvements to the wastewater system are planned to generate an additional 1.485 MGD to the system.

Roadways/ Transportation Network

The surrounding roadway network is more than suitable for the proposed project. The roadway conditions are adequate, and there is ample available capacity. Sidewalks and accessibility to mass transit are also available.

A. Estimated Demand:

Sixteen multi-family units are anticipated to generate 108 AADT and 8 PM Trips (ITE Code 220). Table 5, to follow, shows the traffic that is projected for the proposed six-unit multi-family and two single family detached development versus what would be permitted by right without the Planned Development process and what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted RM (7 DU/AC)	Maximum Permitted in the District RM (10 DU/AC)	Proposed Plan (9.64 DU/AC)
±1.66 acres RM			
Permitted Intensity	11 multi-family units	16 multi-family units	16 multi-family units
Average Annual Daily Trips (AADT)	74	108	108
PM Peak Hour Trips	6	8	8

Source: Polk County Concurrency Manual

The plan is to have one access for all sixteen proposed units to Green Road. Generally, there will be approximately eight vehicles exiting the site during the peak hour as single-family residences remove more traffic from the road than they add. A Minor Traffic Study will be required during the Level 2 Review process because the AADT is estimated to be above 50 but less than 750.

B. Available Capacity:

There is currently more than adequate capacity to serve the proposed development. A development of this size has negligible impacts on the roadway system or function of traffic. Table 6, to follow, displays the generalized capacity on the adjacent transportation links. Direct ingress/egress is from Green Road. Duff Road is the other important thoroughfare in the area. This leads to US Highway 98 to the east and Kathleen Road to the west.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8314 N	Green Road From Daughtery Road West to Duff Road	C	495	D
8314 S	Green Road From Daughtery Road West to Duff Road	C	482	D
4088 E	Duff Road From Kathleen Road to US Highway 98	C	371	D

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4088W	Duff Road From Kathleen Road to US Highway 98	C	354	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database October 13, 2023

During the peak PM hours, the project is anticipated to generate approximately eight trips. These are trips that will be entering the roadways during a two-hour span during the evening when traffic is generally considered the most intense. These roadways have the capacity to assimilate all the peak hour traffic generation from this project and not fall below the Level of Service standard set by the Board.

C. Roadway Conditions:

According to Polk County’s Road Inventory, Green Road (Road No. 732303) is a County-maintained Urban Collector roadway with a pavement width of 20 feet and a PCI Rating of 6-8 describing it as “Good” to “Very Good” through the PASER pavement surface evaluation and rating system devised by the University of Wisconsin-Madison. The posted speed limit is 45 MPH where it abuts the subject site.

Duff Road (Road No. 731704) is a County-maintained Urban Collector roadway with a pavement surface width of 28 feet and a PCI Rating of 6-8 describing it as “Good” to “Very Good.” The posted speed limit is 45 MPH where it abuts the subject site.

D. Sidewalk Network

A sidewalk is located in the western right-of-way of Green Road. Its northern end is at the intersection of Duff Road. It runs south, uninterrupted, along Hunt Fountain Park, past Dr. NE Roberts Elementary, to Daughtery Road West. A sidewalk approaches the property from the west through the right-of-way of Duff Road. This originates in front of the Sheffield subdivision. The subject property represents a gap in the network that will be filled by this development, connecting with existing sidewalks in front of Cedar Crest to the east.

E. Planned Improvements:

This proposed development will not depend upon any upcoming transportation system improvements, and none are currently found in the area.

F. Mass Transit

The nearest Citrus Connection Transit Route is the Blue Line which serves portions of the Kathleen area, north to Highway 98, and Duff Road. The closest stop (1565) - located at 7325 Park-Byrd Road - is approximately 0.32 miles to the northwest.

Park Facilities and Environmental Lands:

The project site is adjacent to a County park. Environmental lands and a multi-use trails are located within a reasonable distance of the property.

A. Location:

The Hunt Fountain Sports Complex is across Green Road from the subject site. Tenoroc Management Area is located approximately 3.65 miles to the east. Gator Creek Preserve is located approximately 2.35 miles to the northeast.

B. Services:

The Hunt Fountain Sports Complex features baseball/softball fields, a tennis court, three basketball courts, two football fields, soccer fields, and an equestrian area with amenities. This park is owned by Polk County.

C. Multi-use Trails:

The Tenoroc Trail is a proposed multi-use trail that is projected to run from Lake Parker Park near SR 33 to the Auburndale Trail at Braddock Road. The distance of this trail is expected to be 10.66 miles. This has only been identified as a possible use by 2035. Other nature and hiking trails are currently located within the Tenoroc Fish Management Area.

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.

Gator Creek Preserve is a mosaic of cypress swamps, hardwood forests and marshes interspersed with slightly elevated areas. With a series of adjoining loop trails, one of which is paved, this 2,700-acre reserve offers hiking, biking, photography, and nature watching opportunities through several unique habitats. The Polk County Board of County Commissioners and the Florida Communities Trust jointly acquired this Environmental Land site for the purpose of protecting important water wildlife and wilderness resources. Gator Creek Reserve falls within the Green Swamp Area of Critical State Concern, a designation protecting a resource of major statewide significance.

Environmental Conditions

There are no known environmental limitations with the development of this property in the manner proposed by the applicant. There are no wetlands nor floodplain on the property. The site is not located within an Airport Impact District or within a wellfield protection district. No significant archeological resources have been reported.

A. Surface Water:

There is no natural surface water onsite. The nearest natural lake is Lake Lester, approximately one mile to the southwest. Lake Gibson is approximately 1.60 miles to the southeast. This development will have no discernible impact on these or other local waterbodies.

B. Wetlands/Floodplains:

There are no wetlands or floodplains on the property. The nearest wetlands are located less than a half-mile to the northeast of the subject site, associated with an AE Floodway that comprises the headwaters of the Hillsborough River.

C. Soils:

The entirety of the project site has soils that present limitations to dwellings; however, these challenges can be manipulated and mitigated through a sound lot grading plan. It is likely fill material will be brought to the site for this purpose. Future development of the site will be subject to Section 2.303: “Soils” of the County’s Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection’s (DEP) Florida Development Manual. The project will connect to centralized wastewater.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Smyrna & Myakka Fine Sand	Severe: Wetness, Poor Filter	Severe: Wetness	100%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

The elevation is between 173 to 171 feet above sea level. The property slopes slightly to the northeast. The proposed stormwater pond will meet all requirements from the LDC and those from SWFWMD. Post-development run-off rates will not exceed pre-development run-off rates.

D. Protected Species

According to the Florida Natural Area Inventory (FNAI) Biodiversity Matrix, this site is not within one mile of a documented endangered species sighting.

E. Archeological Resources:

The property has no recorded archaeological resources or historical sites, according to the Florida Department of State’s Division of Historical Resources.

F. Wells (Public/Private)

The property is not located within a Wellfield Protection District. No private wells were indicated by the applicant.

G. Airports:

The proposed PD is not within any Airport Impact District.

Economic Factors:

This area of Polk County is a mosaic of different housing styles. Within a mile of the subject site, site-built homes on large-acre properties are within close distances to higher-density subdivisions with 6,000 sq. ft. lots. Individual mobile homes and mobile home parks are found nearby. A duplex development is found to the northeast. Some of these homes have been in the area for

generations; others represent new development. The diversity in the housing stock is healthy for a community.

Additionally, this site is within a mile of US 98, north of Lakeland. Urban level services - including potable water, reclaimed water, wastewater, mass transit, nearby schools, parks etc. – make this area an attractive place to live. This is also one of the last developable vacant lands along Duff Road. It will not place additional burdens on any of a forementioned services. The limited number of units here should not have an impact on existing development, either.

Consistency with the Comprehensive Plan:

This project is consistent with the Comprehensive Plan. Table 8, to follow, outlines the pertinent Comprehensive Plan policies.

Table 8

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 multi-family development is compatible with neighboring properties and there is adequate infrastructure to support it, as well. The number of units is small. Buffering will be in accordance with the guidelines described in Ch. 7. Measures beyond this are unwarranted</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 planned for urban-level development. It is one of the last vacant properties along Duff Road and is represents infill, to a certain degree. No environmental concerns are found on this property.</p>
<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>Public utilities, mass transit, parks, schools, etc. are readily available to the subject site. The proposal is infill along Duff Rd.</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 a significant amount of capacity with potable water, traffic, and public schools. Emergency services are within a reasonable time and distance.</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 adequate public safety services as identified in the staff report.</p>

Consistency with the LDC:

This request is consistent with the LDC. Development criteria for multi-family developments are detailed under Section 303 of the LDC. This section will be applied during the Level 2 Review. The proper landscaping has been proposed and sidewalks will be constructed as set forth by Chapter Seven of the LDC.

Furthermore, Staff has analyzed the criteria in Section 303 for PDs. PDs may be established in appropriate locations, with respect to intended function; in conformance with the goals,

objectives, and policies of the Comprehensive Plan; compatible with the surrounding land uses and future land use districts; where they will not adversely impact facilities and services of the County; where they will not set a precedent for the introduction of an inappropriate use into an area; and so as not to encourage non-residential strip development along streets. Table 9, to follow, outlines how these standards are addressed.

Table 9

LDC Section 303 – Planned Development	Consistency Analysis
<i>The site shall be suitable, or it shall be possible to make the site suitable for development in the manner proposed without negative impact to persons or property, on or off the property. Conditions of soil, ground water level, drainage and topography shall all be appropriate to both type and pattern of use intended. Erosion, flood hazard and damage to natural resources shall be avoided.</i>	During the Level 2 Review, the applicant will submit a lot grading plan that shall be reviewed by the Development Review Committee.
<i>Planned Development shall be so located in relation to transportation systems, sanitary sewers, emergency services, schools, public safety, water lines, storm and surface drainage systems and other utilities systems and installations that services can be available at the time of request for Certificate of Concurrency.</i>	All listed services are available, as identified in the Staff Report, and have ample capacity for this development.
<i>Planned Development, where appropriate because of the size or intensity of the proposed project, shall be so located with respect to expressways, arterial and collector streets or mass transit facilities. Planned Development shall be designed to provide access to and from its location without creating excessive traffic along minor streets in residential neighborhoods outside the Planned Development.</i>	The subject area is at the intersection of two Urban Collector roadway, as described in the Staff Report. It will have direct ingress/egress onto Green Rd.
<i>Planned Development shall be located and designed so as to minimize the negative effects of external impacts resulting from factors such as traffic, noise, or lights. Project control shall be accomplished through such techniques as buffering, architectural design, site design, height limitations, and density or intensity limitations.</i>	The proposed development will be buffered from surrounding residential development in accordance with Ch. 7 of the LDC. The traffic generated from this project is minimal, as described in the Staff Report.
<i>Planned Development shall be responsive to the character of the area. When located in an area where land use types, intensities, or densities vary, Planned Development shall be designed in such a manner as to provide for gradual changes in intensity or density.</i>	The surrounding residential types are diverse in this area. The addition of multi-family to this site should not result in an incompatibility of uses.
<i>All Planned Development proposing specific approval of requirements for development under standard district regulations shall be designed so as to be sensitive to the impacts of the specific approval requested.</i>	The proposed development will deviate from the development standards of the RM land use district but provide more open space.
<i>Planned Development shall include additional screening, buffering, transitional uses or other design features as necessary to adequately protect existing or probable uses of surrounding property; and shall provide functional and logical linkages to activity centers and circulation facilities on such adjacent property.</i>	This development will adhere to buffering and landscaping practices as described in Ch. 7 of the LDC. The project is at the intersection of two Urban Collector roadways.
<i>Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Accel/decel lanes or medians shall be required where existing or anticipated traffic flows indicate need.</i>	Changes to the public roadway system will be reviewed at the time of the Level 2 submission
<i>Streets, drives, parking and service areas shall provide safe and convenient access to all buildings and uses. Uses shall be grouped to minimize internal vehicular movements. Facilities and access routes for deliveries, servicing and maintenance shall be located and arranged to prevent interference with pedestrian traffic.</i>	The applicant has submitted a site plan that reflects these standards. Further details will be available for review at the time of the Level 2 submission.
<i>Planned Development shall provide internal or external walkways where pedestrian circulation requires them. The site plan shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, facilities and open spaces in a manner facilitating pedestrian movement between major origins and destinations, within and adjacent to the site, with a minimum of conflicts with vehicular traffic.</i>	The proposed development will incorporate sidewalks per the requirements of Ch. 7 of the LDC.
<i>Planned Development shall be designed to preserve the natural features such as wetlands, wildlife and plant species. Project design shall address protection of well fields, flood plains, surface water, and archaeological and historic sites, as much as possible.</i>	No wetlands, surface waters, endangered habitats, or historical site are located on the subject site.

LDC Section 303 – Planned Development	Consistency Analysis
<i>Density or intensity shall not exceed maximums established in the Comprehensive Plan. Planned Development densities/intensities shall be established after consideration of the Comprehensive Plan criteria and limits, neighborhood compatibility, transitions, and site design.</i>	The residential density of this PD (9.62 DU/AC) is below the maximum density allowed in a RM district.
<i>Height in a Planned Development shall be determined after review of the surrounding land uses to ensure that the proposed development will not create any external impacts that would adversely affect surrounding development, existing or proposed.</i>	These buildings will not exceed the height limit of the RM land use district. They will be setback from adjacent property so as to prevent encroaching on existing residents.
<i>Fences, walls, or vegetative buffers shall be provided where appropriate to protect occupants from undesirable views, lighting, noise or other off-site influence, or to protect occupants of adjoining properties from similar adverse influences.</i>	This development will adhere to buffering and landscaping practices as described in Ch. 7 of the LDC.
<i>Yard and setback requirements shall promote general health, safety, welfare, design excellence and neighborhood compatibility in each Planned Development. All setbacks within a Planned Development shall be measured from property lines and shall be shown on the development plans in either graphic or tabular form.</i>	The applicant has submitted a site plan with the requested setbacks. The setbacks are in accordance with the requirements of the RM land use district.
<i>All central refuse, trash, and garbage collection containers shall be screened from sight or located in such a manner so as not to be visible from any public area within or adjacent to the Planned Development.</i>	Dumpsters and trash collection will be in accordance with Sections 209 & 213 of the LDC and reviewed at the time of the Level 2 submission.
<i>The provisions of the Planned Development approvals may be more restrictive, as necessary, to meet the other standards contained in this Section but not less restrictive than required in Section 760.</i>	The applicant will adhere to the signage requirements of Section 760. Should the applicant deviate from this section, a Sign Plan and Level 3 Review will be required as stated in Section 760.J.
<i>Landscaping shall be equal to or exceed the standards stipulated under Section 720, Landscaping and Buffering.</i>	This development will adhere to buffering and landscaping practices as described in Ch. 7 of the LDC.
<i>Stormwater Management facilities shall adhere to the requirements of Section 740, Stormwater Management and the Technical Manual.</i>	Stormwater Management facilities have been identified on the site plan, will adhere to the pertinent standards, and will be reviewed at the time of the Level 2 submission.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 11 in accordance with Section 906.D.7 of the Land Development Code.

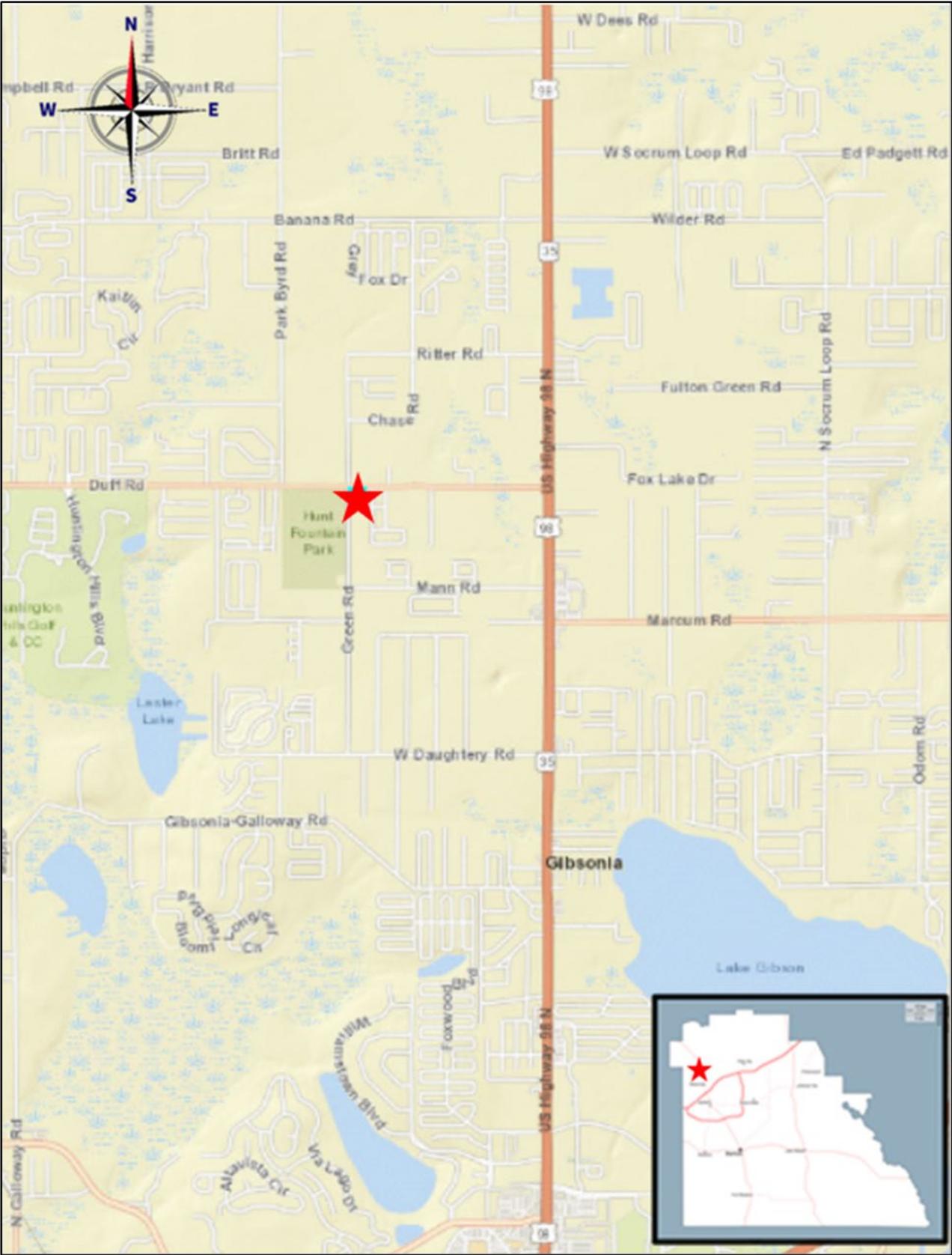
Table 10

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, specifically Sections 906.D and Section 303.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>Yes, this development is consistent with the Comprehensive Plan because it meets the density requirements.</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. Conditions are recommended to achieve better compatibility. 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>The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 7-12 of this staff report for data and analysis.</i>

Comments from other Agencies: None

Exhibits:

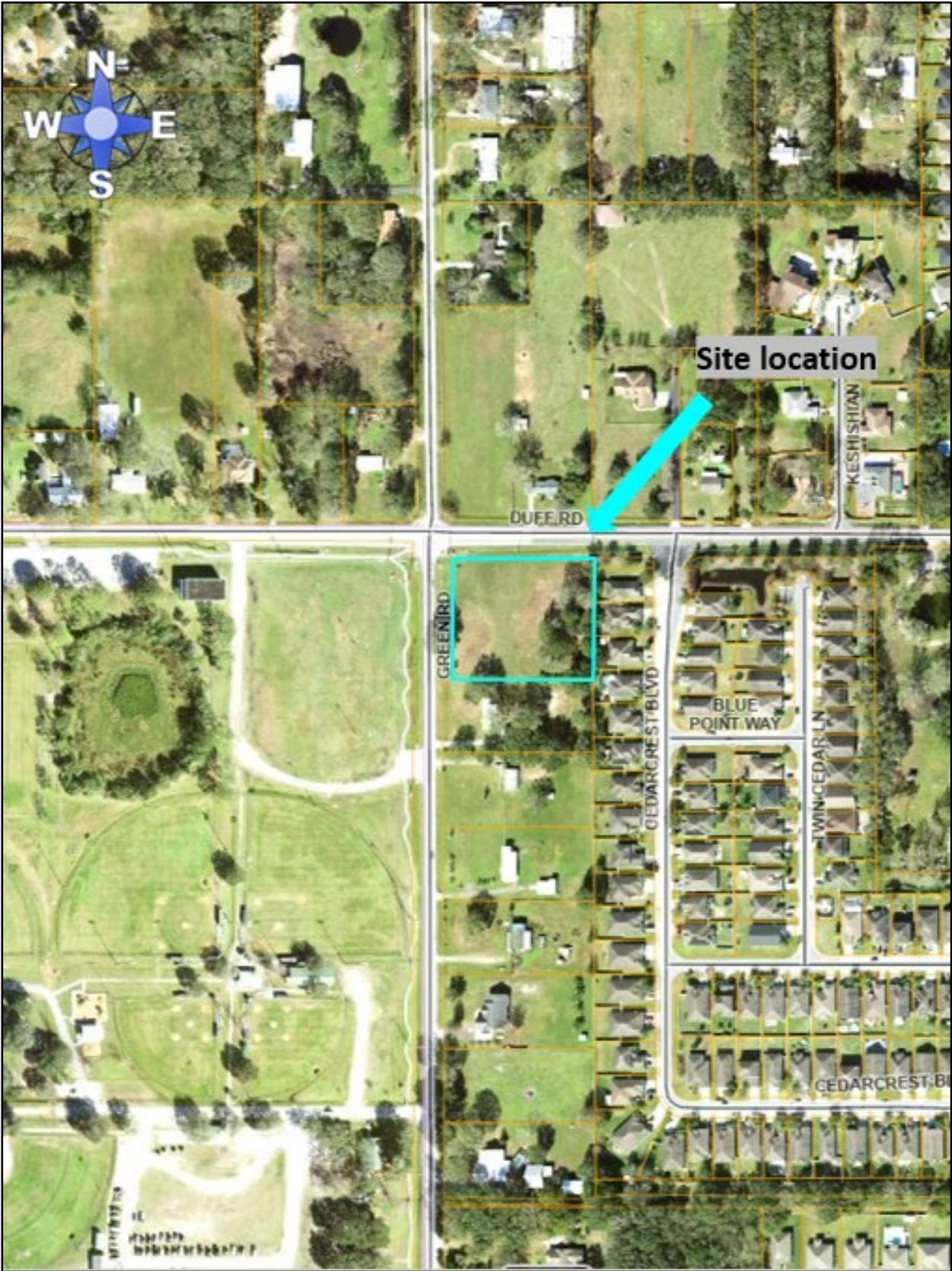
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Photograph (context)
- Exhibit 4 Aerial Photograph (close-up)
- Exhibit 5 Site Plan



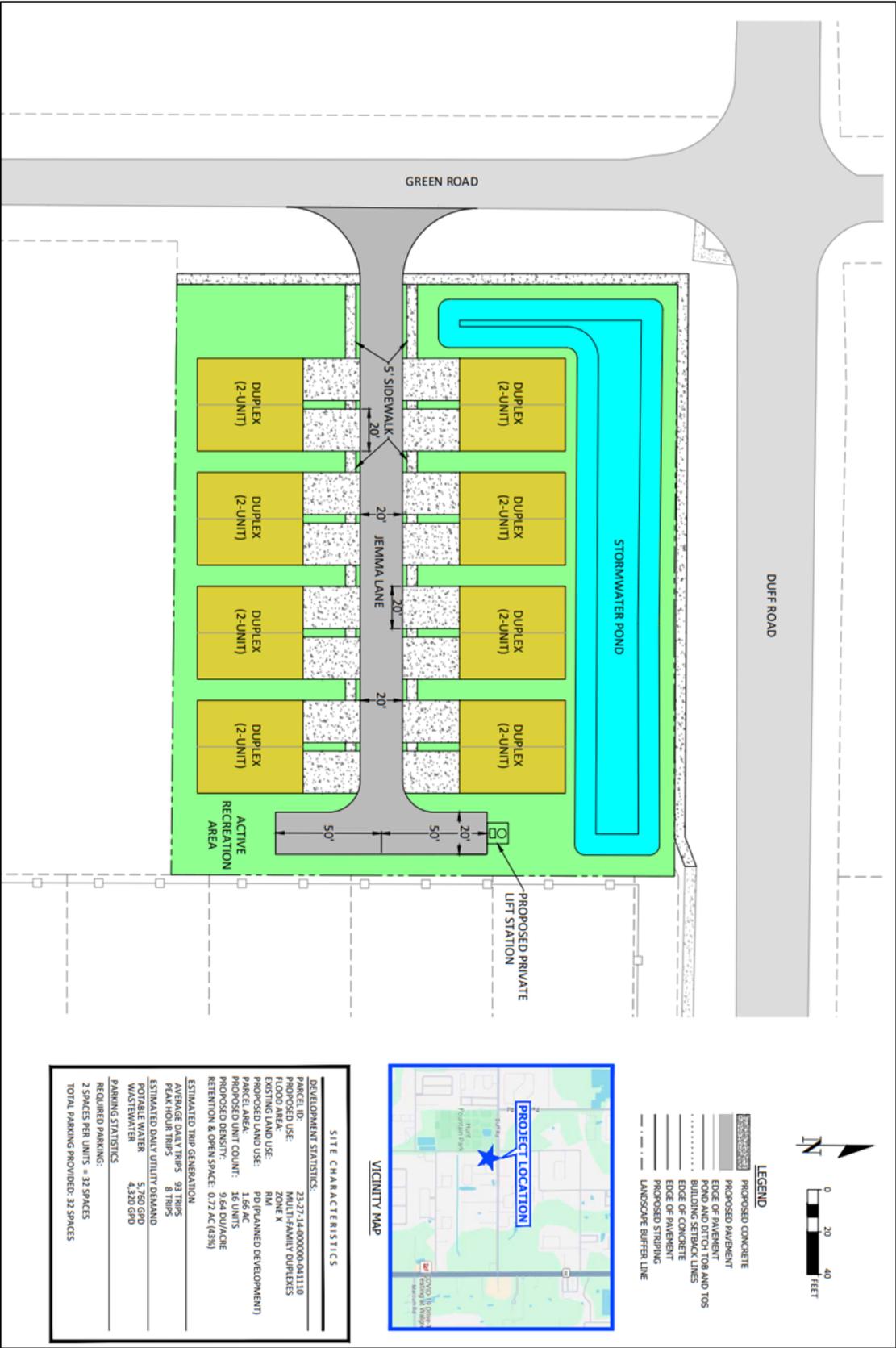
Location Map



Future Land Use Map



2023 Google Satellite Image – Context



Site Plan