

Westgate River Ranch Multifamily Redevelopment

River Ranch PD 81-24 Variance
Polk County, Florida

GAI Project Number: R220884.03

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This report was prepared to assist Polk County in understanding the variance request in relation to the existing River Ranch PD 81-24.

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1.0 Site Introduction

Westgate River Ranch, originating in the 1970s, is a dude ranch resort and rodeo in southeast unincorporated Polk County on the west side of the Kissimmee River and three miles south of FL SR-60. The site has various activities such as bungee jumping, golfing, and fishing, among others. Westgate River Ranch is adjacent to River Ranch’s marina along Kissimmee River and at the eastern end of River Ranch Blvd.

Westgate River Ranch is part of PD 81-24 of which was established on November 11, 1981, prior to the Polk County Comprehensive Plan in 2000. The property is also within the River Ranch DRI, and a Rural Development area (RDA), and its closest municipality is City of Lake Wales. The project site encompasses the existing marina’s restaurant, retail, and parking. It is an approximately 4.4-acre subarea of the larger 187.04-acre parcel (#31312300000012010) in Section 23, Township 31, Range 31.

2.0 Site Information

Table 1: Site Information

Site Identification	Entitlements At-A-Glance
<ul style="list-style-type: none"> ▪ Parcel Number: 31312300000012010 ▪ Address: 3200 River Ranch Blvd, #32 River Ranch, FL 33867 ▪ Jurisdiction: Polk County ▪ Parcel Acreage: 187.04 ▪ Project Acreage: ±4.4 Acres ▪ Year Purchased: 2001 	<ul style="list-style-type: none"> ▪ Future Land Use: L/R - Leisure/Recreation (Polk County) ▪ PD: 81-24 (County) ▪ DRI: #8 / River Ranch, Resolution No. 21-183 ▪ Pre-App: LDDRC-2023-86
Owner/Developer Information	Authorized Agent Information
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3.0 PD 81-24 Height Variance Request

To our knowledge, PD 81-24 did not establish its own maximum height and therefore, defaulted to the Leisure/Recreation (L/R) FLU height limit once the Polk County Comprehensive Plan was enacted. According to Section 205, the L/R FLU has a maximum structure height of fifty (50) feet.

The project proposes to develop four-story, mixed-use buildings with non-residential uses (retail, food & beverage, etc.) on the first story and multifamily on the upper stories replacing the existing marina building. Each building would be a maximum of 64 feet - 6 inches in height. The requested variance is to permit an additional fourteen feet and six inches (14’ – 6”) in maximum structure height (i.e., 64’ – 6”) to achieve an architectural style that is consistent with the surrounding ranch-resort.



Image A: Preliminary Conceptual Renderings

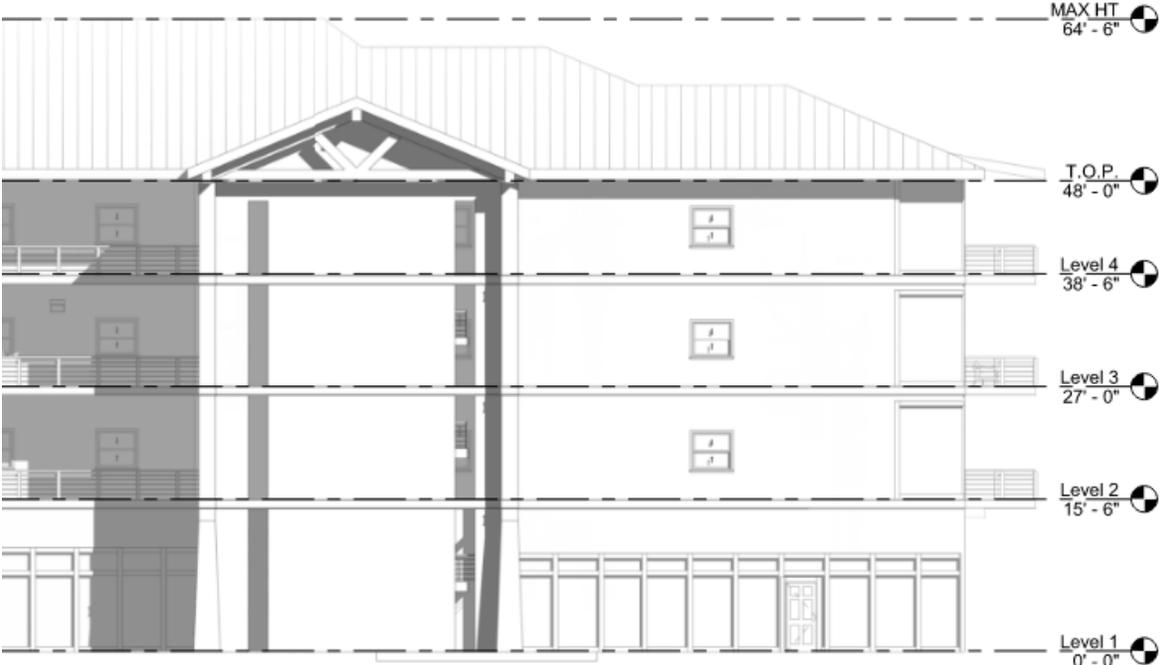


Image B: Midrise Building Elevations

3.1 Criteria For Granting Variance

1. *Will the variance be injurious to the area involved or detrimental to the public welfare?*

The proposed variance of a 64' – 6" maximum structure height will not cause injurious effects to the surrounding area or endanger the public welfare in any way. The project site is internal to the existing resort and no permanent/full-time residents live within the resort, or directly adjacent to the resort. The proposed variance will not be detrimental to the public welfare, rather will expand upon the cohesion of the resort's architectural style and as well as the short-term rental options.

2. *What special conditions exist that are peculiar to the land, structure, or building involved?*

This request is unique in that the PD did not establish its own height maximums due to its early establishment prior to the Polk County Comprehensive Plan. Westgate River Ranch resort is inherently a unique establishment that will require specific architectural style to remain consistent with its surrounding amenities. The property has more than 2,000 "Resort Residential" units permitted under the River Ranch DRI.

3. *When did you buy the property and when was the structure built? Permit Number?*

The property was purchased by the current owner, Westgate Resorts LTD DBA River Ranch America Resorts, Inc., on November 27, 2001, but existed prior. The proposed structure is not yet built.

4. *What is the hardship if the variance is not approved?*

If this variance is not approved, the building design will have to be altered such as removing the roof detail and/or lowering the number of stories/units per building. The architectural style may not be as cohesive with the surrounding buildings and amenities.

The proposed location of the new mixed-use buildings represents the most logical location since it is in the heart of the campus, is located adjacent to existing roads, parking, and amenities, and has available utility capacity. To relocate the units elsewhere at lower densities would require more land, additional roads, and extensions to utilities.

5. *Is this the minimum variance required for the reasonable use of the land?*

The minimum height variance is being requested to accommodate the roof detailed as designed.

6. *Do you have Homeowners Association approval for this request?*

Not applicable.

3.2 FAA Response

The Project has been reviewed by the Federal Aviation Administration (FAA) via their Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) Division. The review analyzed the Temporary/ During Construction Condition of the Project (Contractor Staging Area Equipment/ Material Storage and Construction Crane Operations) impacts and the Permanent/ After Construction Condition impacts of the Project related to Civilian and Military Flight Operations.

To facilitate the OE/AAA review, a graphic (See attached Exhibit 1) was prepared for the Project. The graphic included the Staging Area, The Crane Operating Area, and the Final Roof Line of the Project Building. The graphic provided Points with the location coordinates and elevation of the outer

boundaries of the Staging area (Point S1 to Point S4), Crane Operation Limits (Point C1 to Point C4), and the Constructed Building Roof Line (Point R1 to Point R4). The FAA OE/AAA review has determined:

- a) Temporary/ During Construction Condition- Staging Area: The OE/AAA Aeronautical study confirmed that the temporary Staging Area will have no effect on any existing or proposed arrival, departure or en route instrument/visual flight rules (IFR/VFR) operations or procedures. Additionally, the aeronautical study confirmed that the temporary Staging Area will have no physical or electromagnetic effect on the operation of air navigation and communications facilities and will not impact any airspace and routes used by the military. Hence, the Staging Area does not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. See the attached Letters for Point S1 to Point S4 as depicted in Exhibit 1.
- b) Temporary/ During Construction Condition- Construction Crane: The OE/AAA Aeronautical study confirmed that the temporary crane will have no effect on any existing or proposed arrival, departure or en route instrument/visual flight rules (IFR/VFR) operations or procedures. Additionally, the aeronautical study confirmed that the temporary Crane will have no physical or electromagnetic effect on the operation of air navigation and communications facilities and will not impact any airspace and routes used by the military. Hence, the Temporary Construction Crane Operating Area does not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary.

As a condition to the FAA's determination, the Crane is to be marked/lighted in accordance with FAA Advisory Circular 70/7460-1 M, Obstruction Marking and Lighting. Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number. Further, the Manager of River Ranch Resort Airport (2RR), shall be contacted at (863) 692-1321 and notified at least 3 business days prior to the temporary Crane being erected and again when the structure is removed from the site. See the attached Letters for Point C1 to Point C4 as depicted in Exhibit 1.

- c) Permanent/ After Construction Condition – Constructed Building Roof Line: The FAA review determined the Project posed no impact on air navigation. Based on this evaluation, marking and lighting are not necessary for aviation safety. See the attached Letters for Point R1 to Point R4 as depicted in Exhibit 1.
- d) Military Airspace/ Military Compatibility Zone: As a part of the FAA review, the US Military was consulted for input regarding the Project. No impacts to Military Aeronautical Operations were noted per the FAA Letters.

END NARRATIVE