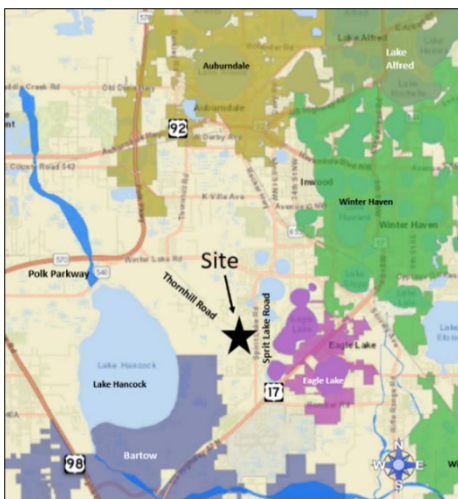


**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
Staff Report**

<b>DRC Date:</b> August 1, 2023	<b>Level of Review:</b> Level 4 Review
<b>PC Date:</b> January 3, 2024	<b>Type:</b> Small-Scale Comprehensive Plan Amendment
<b>BoCC Date:</b> February 6, 2024 February 20, 2024	<b>Case Numbers:</b> LDCT-2023-21
<b>Applicant:</b> David Norris, Eng.	<b>Case Name:</b> Graceway – Thornhill Road INST
	<b>Case Planner:</b> Chanda Bennett, AICP

<b>Request:</b>	Amend Appendix E of the Land Development Code to remove the southern 30 feet of the subject site and the NAC in Appendix E (Parcel Specific Land Use). This case is related to LDCPAS-2023-20 which is a Future Land Use designation change on 5.8 +/- acres from Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC) to Institutional (INST) and amend text in Appendix 2.135.
<b>Location:</b>	West of Spirit Lake Road, south of Thornhill Road, east of Varner Heights subdivision and east of Summerview Circle, and north of Grady Polk Road, west of the City of Eagle Lake, Florida, in Section 11 and 2, Township 29, Range 25
<b>Property Owners:</b>	First Baptist Church of Inwood, Inc
<b>Parcel Number:</b>	5.86 +/- acres portion of 252911-000000-031020 (6.14 +/- acres), and all of 252902-000000-042020 (1.7 +/- acres)
<b>Future Land Use:</b>	Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC)
<b>Development Area:</b>	Transit Supportive Development Area (TSDA)
<b>Nearest Municipality:</b>	Eagle Lake
<b>DRC Recommendation:</b>	Approval
<b>Planning Commission:</b>	6:0 Approval
<b>Florida Commerce</b>	N/A



**Location Map**



**Current Future Land Use**

## **Summary of Analysis:**

This is an applicant-initiated request for land development actions:

1. A Future Land Use designation change (LDCPAS-2023-20) from Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC) to Institutional (INST) and amend text in Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions.
2. A Land Development Code text amendment (LDCT-2023-21) to Appendix E Parcel Specific Land Use).

In both text amendments, the purpose is to remove the portion of parcel 252911-000000-031020 that was included in the land area for CPA 17A-02 and LDC 16T-10. The portion of the property currently designated as Business Park Center was part of CPA 17A-02 and LDC 16T-10. The CPA was to change the Future Land Use designation from Residential Low to Business Park Center and amend Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions. The Land Development Code (LDC) text amendment was to add development conditions to limit the intensity of the BPC. In 2021, the Board of County Commissioners approved LDCPAS-2020-7 to establish the Neighborhood Activity Center at the southwest corner of Thornhill Road and Spirit Lake Road. This case did not remove it from Appendix 2.135 of the Comprehensive Plan or Appendix E of the LDC.

### **Compatibility Summary**

The subject site is located very near the southwest corner of the intersection of Thornhill Road and Spirit Lake Road. It is in a growing area of the County with close access to the expansion of the Polk Parkway, many residential subdivisions, and other non-residential uses.

The policies for the Institutional Future Land Use designation include religious institutions and intend for these to be located throughout the urban, suburban, and rural areas of the County. The subject site is well suited for a non-residential use being adjacent to an existing NAC that is at an intersection of two collector roads and more commercial uses on the north site of Thornhill. The applicant for this request also owns to the NAC to the east. Therefore, access can be better coordinated. There are many residential subdivisions in the area (See Exhibit 2). Therefore, the requested land use change is compatible with the surrounding uses.

### **Infrastructure Summary**

The proposed CPA is not anticipated to degrade the Level of Service (LOS) standard for transportation, water, sewer, and school facilities. There is transportation capacity available in the surrounding roadways. Water and wastewater service is available to the site. Appropriate parks and public safety services are nearby.

### **Environmental Summary**

The subject site does not have any wetlands or floodplains currently. However, 1964 aerial imagery displays a wetter vegetation associated with old drainage patterns to Lake Hancock. This is reflected by the Immokalee Sand on the southern center of the property. The applicant will be required to provide a buffer on the western and southern property lines. The subject site is found within the Height Notification zone and the In-Flight Visual Interference Zone, which will be reviewed in detail at the level 2 stage.

## **Comprehensive Plan and Land Development Code**

The relevant sections of the Comprehensive Plan and Land Development Code that are applicable to the project request:

- Section 2.102 – General Growth Management policies
- Policy 2.108-A1 TSDA Description
- Policy 2.116 Institutional
- Policy 3.204-D1: Airport Impact District
- Policy 3.204-D4: Development Criteria in the Airport Impact District
- Appendix 2.125 - Parcel Specific Future Land Use Map Amendments with Conditions
- Appendix E in the Land Development Code (Parcel Specific Land Use

## **Request and Legal Status**

- This is an applicant-initiated request for land development actions:
  - 1. A Future Land Use designation change (LDCPAS-2023-20) from Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC) to Institutional (INST) and amend text in Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions.
  - 2. A Land Development Code text amendment to Appendix E Parcel Specific Land Use).
- In both amendments, the purpose of the text changes is to remove the portion of parcel 252911-000000-031020 that was included in the land area for CPA 17A-02 and LDC 16T-10 from Appendix 2.135 of the Comprehensive Plan and Appendix E of the LDC respectively.
- The portion of the subject property currently designated as Business Park Center and the southern 30 feet of the NAC was part of CPA 17A-02 and LDC 16T-10. The CPA was to change the Future Land Use designation from Residential Low to Business Park Center and amend Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions. The Land Development Code (LDC) text amendment was to add development conditions to limit the intensity of the BPC.
- In 2021 the Board of County Commissioners approved LDCPAS-2020-7 to establish the Neighborhood Activity Center at the southwest corner. This case did not remove it from Appendix 2.135 of the Comprehensive Plan or Appendix E of the LDC.
- Per Chapter 2 of the LDC, Institutional has two (2) districts, Institutional-1 (INST-1) and Institutional-2 (INST-2). The default land use district is INST-1 and what the land use district will be in this case if LDCPAS-2023-20 is approved.
- A Religious Institution is a Level 2 Conditional Use (C2) per Table 2.1 in Chapter 2 of the LDC in both INST-1 and INST-2.
- A non-residential site plan was approved in 2020 for a sheet metal fabrication facility consisting of two buildings totaling 32,000 square feet. The development was not constructed and has not expired as it has been over three years.

## **Compatibility**

- The existing uses surrounding the site are
  - North and northeast – RM and NAC; Sunridge Village East single-family detached subdivision; convenience store with gas station, and Dollar General and some vacant property
  - East – NAC; vacant
  - West - RL-1 and RM; Nursery in the RL and Varner Heights subdivision in the RM with lots sizes between 5,000 and 6,000 square feet South – A/RR developed with citrus.
  - South – BPC; vacant
- The subject site is vacant. Staff has observed cones, a tent, and portable bathroom facilities on site. Staff has not found any permits for any temporary uses.
- The policies for the TSDA will require an interconnection with the NAC to the east and vice versa.

## **Infrastructure**

- The zoned schools for the site are Eagle Lake Elementary, Westwood Middle School, and Lake Region High School.
- The Sheriff's Regional Command that serves the area is the Polk County Sheriff Office's Central District located at 3635 Avenue G NW, Winter Haven.
- Fire and EMS response to this project is from Polk County Fire Rescue Station 17 located at 185 S 3rd Street, Eagle Lake about 1.5 miles away.
- The subject site is within the Central Regional Utility Service Area (CRUSA). There is available capacity for potable water and wastewater with appropriately sized pipes nearby for connection.
- The subject site fronts Thornhill Road on the north. The applicant owns the NAC to the east and will need direct access to Spirit Lake Road to meet the TSDA Development criteria for cross access. Both roads are Urban Collectors and have available capacity.
- There is no mass transit within walking distance to the subject site. The closest routes include Route 4044 traveling on SR 540 into Winter Haven and to Eloise and Wahneta and the express Route 22 XW between Winter Haven and Bartow along US 17.
- The closest public park facilities include the Gordonville Park and the Marshall Hampton Reserve.

## **Environmental**

- There are no wetlands or floodplains on the subject property.
- There are no surface waters on the subject site. The site's highest elevation is on the northeast corner at 137 feet and slopes to the southwest at the lowest elevation of 132 feet.
- The soil types include St. Lucie Fine Sand (29), which has slight development limitations, and Immokalee Sand (21), which has severe limitations.
- There has been an endangered species sighting within one mile of the subject site, according to the Endangered Habitats map for Polk County based on 2015 data. If any species discovered, the applicant will be required to address any required mitigation with the appropriate agency with jurisdiction.
- There are no known archeological or historical resources on the subject site.
- The applicant has indicated there are no potable wells on the subject site.
- There are three public wellfields within two miles of the subject property. Two are located south of Sheffield Road to the south of the subject site for the County's Central Utilities Service Area and another one north of SR 540 which is north of the subject site.

## **Comprehensive Plan Policies**

- Policies 2.102-A1 through A15 address Growth Management in unincorporated Polk County relating to location, compatibility, distribution, timing, development policies and standards, topography considerations, soils, public facilities and utilities, location criteria, urban sprawl, redevelopment, and community vision.
- POLICY 2.102-A9: PUBLIC FACILITIES AND UTILITIES - Public facilities and utilities shall be located to:
  - a. maximize the efficiency of services provided,
  - b. minimize their cost, and
  - c. minimize their impacts on the natural environment.
- Policies 2.102-A1 through A15 address Growth Management in unincorporated Polk County relating to location, compatibility, distribution, timing, development policies and standards, topography considerations, soils, public facilities and utilities, location criteria, urban sprawl, redevelopment, and community vision.
- POLICY 2.104-A1: DESCRIPTION - Transit Supportive Development Areas shall meet the following criteria:
  - a) be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development;
  - b) be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon;

- c) be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting circulator routes, in order to increase mobility and travel options;
  - d) include development criteria that: 1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities; 2. improve access to employment areas, schools, shopping and recreational opportunities;
- Policy 2.116-A1: Characteristics states Institutional areas are primarily characterized by private and public-service structures.
  - Policy 2.116-A3: Location Criteria lists the following factors to be considered in designating this Future Land Use designation on property in Polk County: roadway accessibility; proximity to incompatible land uses; locational criteria enumerated in Policies-A9 and A10; proximity to similar and compatible uses providing opportunities for shared facilities; and the plans of the School Board and other public service agencies within jurisdiction in the County.
  - Policy 2.116-A4: Development Criteria lists several required standards for development within the Institutional Future Land Use designation.
  - Policy 3.204-D1: PURPOSE The Airport Impact District (AID) overlay is established to ensure that land uses and the operation of public use airports are compatible. The County will address public health and safety issues by minimizing conflicts between airport operations and surrounding land uses. All development shall be in conformance with the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board.
  - POLICY 3.204-D4: DEVELOPMENT CRITERIA The County's Land Development Code shall refer to the Airport Impact District (AID) and the Polk County Airport Zoning Regulations to address height, noise and land use compatibility issues relative to the protection and operation of public use airports.

**Development Review Committee Recommendation:** Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2023-20**.

**Planning Commission:** On January 3, 2024, in an advertised public hearing, the Planning Commission voted 6:0 to recommend **APPROVAL of LDCPAS-2023-20 and LDCT-2023-21**.

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

***NOTE:** All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance*

with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

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

**Analysis**

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

**Surrounding Uses**

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

Table 1 Surrounding Uses

<p><b>Northwest</b> RM; Sunridge Village East single-family detached subdivision with approximately quarter acre lots</p>	<p><b>North</b> RM and NAC; Sunridge Village East single-family detached subdivision; convenience store with gas station, and Dollar General and some vacant property</p>	<p><b>Northeast</b> NAC; Convenience store with gas station, and Dollar General and some vacant property</p>
<p><b>West</b> RL-1 and RM; Nursery* in the RL and Varner Heights subdivision in the RM with lots sizes between 5,000 and 6,000 square feet</p>	<p><b>Subject Site</b> RL-1, NAC, BPC; Vacant</p>	<p><b>East</b> NAC; Vacant and then Spirit Lake Road</p>
<p><b>Southwest</b> RL; Vacant</p>	<p><b>South</b> BPC; Vacant</p>	<p><b>Southeast</b> BPC; Vacant</p>

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

The subject site is located very near the southwest corner of the intersection of Thornhill Road and Spirit Lake Roads. It is in a growing area of the County with close access to the expansion of the Polk Parkway, many residential subdivisions, and other non-residential uses.

**Compatibility with the Surrounding Uses**

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

The policies for the Institutional Future Land Use designation include religious institutions and intend for these to be located throughout the urban, suburban, and rural areas of the County. The subject site is well suited for a non-residential use being adjacent to an existing NAC that is at an intersection of two collector roads and more commercial uses on the north site of Thornhill. The applicant for this request also owns to the NAC to the east. Therefore, access can be better coordinated. There are many residential subdivisions in the area (See Exhibit 2). Therefore, the requested land use change is compatible with the surrounding uses.

**Nearest Elementary, Middle, and High School**

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Residential units in the Institutional Future Land Use designation are only permitted as multifamily associated with a university.

**Table 2**

<b>Name of School</b>	<b>Average driving distance from subject site</b>
Eagle Lake Elementary (Zoned)	1.5 ± miles driving distance
Westwood Middle (Zoned)	4 ± miles driving distance
Lake Region Senior High School (Zoned)	2.85 ± miles driving distance

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS and School Board Zone Finder GIS

**Nearest Sheriff, Fire, and EMS Station**

Table 3 below displays the public safety response times. The responding Sheriff’s substation will be out of the Central District in Winter Haven. The first responding station for Fire and EMS services is in Eagle Lake.

Table 3 Public Safety Information

	<b>Name of Station</b>	<b>Distance</b>
<b>Sheriff</b>	Polk County Sheriff Office’s Central District 3635 Avenue G NW, Winter Haven.	Priority 1 – 11:30 Priority 2 – 23:20 4 +/- miles
<b>Fire/ EMS</b>	Station 17 (1 <sup>st</sup> Response) 185 S 3 <sup>rd</sup> St, Eagle Lake Station 15 (2 <sup>nd</sup> Response) 333 American Spirit Rd, Winter Haven	2 +/- miles 3.3 +/- miles

Source: Polk County Sheriff’s Office for October 2023 and Polk County Fire Rescue.

**Water and Wastewater**

**A. Estimated Demand and Service Provider**

Table 4 below provides the generalized estimates of anticipated water and wastewater demands. The subject site is in the Central Regional Utility Service Area and can be served by public water and sewer. There is an 6’ wastewater line on the north side of Thornhill adjacent to the site in the right-of-way and a 12” water line adjacent to the site on the south side of Thornhill Road in the right-of-way and in the right-of-way on the west side of Spirit Lake Road. There is a 24” gravity wastewater main in the right-of-way on the east side of Spirit Lake Road.

Table 4 Estimated Water and Sewer Impact Analysis

<b>Permitted Intensity (5.86 acres)</b>	<b>Demand as permitted in Existing Land Use*</b>	<b>Maximum Permitted in Proposed Land Use*</b>
RL-1 = 2.88 +/- acres (approx.) NAC = 3.15 +/- acres (approx.) BPC = 0.17 +/- acres (approx.)	RL-1 @ 2 du/ac = 2 units NAC @ 0.25 FAR = 10,890 sf BPC @ 0.75 FAR = 5,554 sf	INST @ 0.75 FAR = 191,446.2 sq. ft.
<b>Potable Water Consumption</b>	RL-1 @ 2 units * 360 = 720 NAC @ 10,890 sf * 0.24 = 2,613.6 GPD BPC @ 5,554 *0.24 = 1,333 GPD <b>4,307 GPD</b>	191,446.2 sq. ft. x 0.24 GPD <b>45,947 GPD</b>
<b>Wastewater Generation</b>	RL-1 @ 2 units * 270 = 540 NAC @ 2,613.6 * 80% = 2,090 GPD BPC @ 1,333 *80% = 1,066 GPD <b>3,696.4 GPD</b>	45,947 GPD x 80% <b>36,758 GPD</b>

Source: Polk County Concurrency Manual and Service Provider data \*Gallons per Day (GPD), RS single-family is 360 GPD Water, 270 GPD Wastewater, commercial uses, warehouse uses and office in INST 0.24 GPD per sq. ft. water, wastewater is 80%.

**B. Available Capacity**

The current working permit for water service is 1.9192 million gallons per day (MGPD). The current average flow is 1.3076 MGPD. There is 522,000 GPD in uncommitted capacity. There is enough capacity in the system to provide water for a more intense use.

**C. Planned Improvements**

The major planned improvements are for the long-term water supply needs beyond 2025. The year 2025 is significant because the water management districts will not permit additional withdrawals from the Floridan Aquifer. The Polk Regional Water Cooperative (PRWC) is a non-profit, special district of the State of Florida created to plan, develop, and deliver a future high-quality drinking water

supply. The PRWC was created by interlocal agreement among member governments and is a regional utility funded by contributions from the member governments and State agency grants. The 16 member governments have equal voting rights and share the cost of developing new water supplies and environmental stewardship. Policies are established by a 16-member board of directors that includes one representative from Polk County and one representative from each of the 15 member cities: Auburndale, Bartow, Davenport, Dundee, Eagle Lake, Fort Meade, Frostproof, Haines City, Lake Alfred, Lake Hamilton, Lake Wales, Lakeland, Mulberry, Polk City, and Winter Haven.

The Southeast Wellfield and Water Supply Facility is to utilize the brackish, Lower Floridan Aquifer (LFA) in Southeast Polk County as a “non-traditional” water supply. The Southeast Wellfield is a permitted supply, and after treatment via reverse osmosis, will deliver up to 12.5 million gallons per day (MGD) of high-quality drinking water to the member governments for the next 30 to 40 years.

Desalination removes dissolved substances in groundwater, seawater and municipal wastewaters to make water fit for human consumption, irrigation, industrial and other uses. Desalination is usually accomplished through a process called reverse osmosis, which purifies salt or brackish water by forcing it through semi-permeable membranes. These membranes act as filters that collect heavy metals and other compounds while the water passes through. This technology is already used throughout Florida.

## Roadways/Transportation Network

### A. Estimated Demand

The subject site fronts Thornhill Road on the north. The applicant owns the NAC to the east and will need direct access to Spirit Lake Road to meet the TSDA Development criteria for cross access. Both roads are Urban Collectors and have available capacity. Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The highest intensity use based on traffic volume in the proposed Future Land Use designation will generate more vehicle trips on the surrounding roadways. However, a religious institution is anticipated to generate much less at 1,182 AADT @ 6.95 AADT per 1,000 square feet and 87 PM Peak Hour trips @ 0.49 PM Peak Hour trips per 1,000 square feet with 89% new trips.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity (5.86 acres)	Demand as permitted in Existing Land Use*	Maximum Permitted in Proposed Land Use*
RL-1 = 2.88 +/- acres (approx.) NAC = 3.15 +/- acres (approx.) BPC = 0.17 +/- acres (approx.)	RL-1 @ 2 du/ac = 2 units NAC @ 0.25 FAR/1,000 = 11 sf BPC @ 0.75/1,000 FAR = 6 sf	INST @ 0.75 FAR/1,000 = 191 sq. ft.
<b>Average Annual Daily Trips (AADT)</b>	RL-1 @ 2 units * 7.81 * 100% = 720 AADT NAC @ 11 sf * 24.92 * 92% = 273 AADT BPC @ 6 * 1.40 * 92% = 9 AADT <b>1,002 AADT</b>	191 sq. ft. x 34.80 x 92% <b>= 6,116 AADT</b>
<b>PM Peak Hour Trip</b>	RL-1 @ 2 units * 1 * 100% = 2 PM Peak NAC @ 11 sf * 3.71 * 92% = 38 PM Peak BPC @ 6 * 0.10 * 92% = 1 AADT <b>41 AADT</b>	191 sq. ft. x 3.46 x 92% <b>= 608 PM Peak</b>

Source: Polk County Concurrency Manual, INST Clinic Medical/dental facility at 34.80 AADT per 1,000 square feet and 3.46 PM Peak Hour Trips per 1,000 square feet with 92% new trips; Residential typical use of Single-Family at 7.81 AADT per unit and 1 PM Peak Hour Trips per unit and 100% new trips, business park center for High Cube warehouse is 1.40 AADT per 1,000 square feet and 0.10 PM Peak Hour Trips per 1,000 square feet with 92% new trips and shopping center at 24.92 AADT per 1,000 square feet and 3.71 PM Peak Hour Trips with 76% new trips.

### B. Available Capacity

Table 6 below displays the available capacity for Thornhill Road and Spirit Lake Road. There is available capacity in the PM Peak Hour for maximum buildout. More specifically, there is about 30 percent (%) availability is the traffic capacity for Spirit Lake Road and about 20% on Thornhill Road.

Table 6 Roadway Link Concurrency

Link #	Road Name	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr. Projected LOS
4170N	Thornhill Road (SR 540 to SR 655 (Recker Highway))	C	1,211	E	C
4170S		C	1,199	E	C
4149N	Spirit Lake Road (US 17 to SR 540)	C	263	D	C
4149S		C	237	D	C

Source: Polk County Transportation Planning Organization Roadway Network Database 2023



**B. Services:**

Located on Richardson Road in Bartow, Gordonville Park has a playground, baseball and softball field, and a basketball court.

**C. Multi-use Trails:**

The closest trails are within the Marshall Hampton Reserve.

**D. Environmental Lands:**

The closest Environmental Land is Marshall Hampton Reserve. It is on the northeast edge of Lake Hancock, across the lake from Circle B Bar Reserve. The Reserve has a blend of oak hammock areas canoping over mesic flatwoods, hardwood forest wetlands and a 60-acre pond. The site, just more than 1,100 acres, is mostly dominated by live oaks, slash pine, sweet gum and palmettos. The two loop trails provide very different views of the property. The site is open for horseback riding, hiking, and jogging.

The Marshall Hampton Reserve was acquired by the Southwest Florida Water Management District in 2008. Polk County entered into an agreement with the Water Management District in 2010 to oversee the management of the property. The acquisition of this property also protected a significant amount of shoreline and floodplain swamp on the edge of Lake Hancock. Lake Hancock is often referred to as the headwaters of the Peace River.

**E. Planned Improvements:**

There are no further recreation improvements scheduled for this area by the County in the five-year Capital Investment Plan.

**Environmental Conditions**

There are few environmental limitations for development of this property.

**A. Surface Water:**

There are no surface waters on the subject site. The site's highest elevation is on the northeast corner at 137 feet and slopes to the southwest at the lowest elevation at 132 feet.

**B. Wetlands/Floodplains:**

There are no wetlands or floodplains on the subject property.

**C. Soils:**

The soil types and limitations, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, are listed in Table 8. The subject site is mostly St. Lucie Fine Sand with about 25% of the site within Immokalee Sand. St. Lucie Fine Sand drains well and is supportive of dwellings and septic tanks. The site will be required to connect to public water and sewer.

**Table 8**

<b>Soil Name</b>	<b>Septic Tank Absorption Field Limitations</b>	<b>Limitations to Dwellings w/o Basements</b>	<b>% of Site (approximate)</b>
St. Lucie Fine Sand (29)	Slight	Slight	75%
Immokalee Sand (21)	Severe: Wetness	Severe: Wetness	25%

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

**D. Protected Species**

There has been an endangered species sighting within one mile of the subject site according to the Endangered Habitats map for Polk County based on 2015 data. If any species discovered, the applicant will be required to address any required mitigation with the appropriate agency with jurisdiction.

**E. Archeological Resources:**

There are no identified sites on the subject property per the Florida Department of State, Division of Historical Resources.

**F. Wells (Public/Private)**

The applicant has indicated there are no potable wells on the subject site. There are three public wellfields within two miles of the subject property. Two are located south of Sheffield Road to the south of the subject site for the County’s Central Utilities Service Area and another one north of SR 540 which is north of the subject site.

**G. Airports:**

The subject site is within an Airport Impact District. Specifically, it is within the Height Notification Subzone 1 and the In Flight Visual or Electronic Interference Zone of the Bartow Airport. During the Level 2 review, development will be reviewed for consistency with the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board.

**Economic Factors:**

The proposed request will provide more mixture of uses and interconnection between the subject site and the NAC to the east. The more diversity of uses at this intersection provides more options for nearby residents, encourages more non-residential uses to locate in the vacant areas of the exiting NAC which in turn decreases overall vehicle trip lengths. The request will increase the efficiency of the surrounding infrastructure.

**Consistency with the Comprehensive Plan and Land Development Code**

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

- Section 2.102 – General Growth Management policies
- Policy 2.108-A1 TSDA Description
- Policy 2.116 Institutional
- Policy 3.204-D1: Airport Impact District
- Policy 3.204-D4: Development Criteria in the Airport Impact District
- Appendix 2.125 - Parcel Specific Future Land Use Map Amendments with Conditions
- Appendix E in the Land Development Code (Parcel Specific Land Use

*Table 8 Comprehensive Plan and Land Development Code*

Comprehensive Plan Policy	Consistency Analysis
<p>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.</p>	<p>The subject site fronts a collector road and is adjacent to the remainder of the Neighborhood Activity Center (NAC). In addition, the site is at the intersection of Thornhill Road and Spirit Lake Road, two major collector roads. There is a gas station and a Dollar General on the northwest corner of this intersection. This request is a non-residential use and part of the uses that are appropriate at a major intersection.</p>
<p>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</p>	<p>The subject site provides a location for an institutional use which is a non-residential use adjacent to a NAC. This certainly keeps non-residential development around an intersection that is consistent with compact and nodal development. Therefore, the request is consistent with the Development Location Policy and the Distribution Policy.</p>
<p>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.</p>	
<p>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</p>	<p>The location is near an intersection of two collector roads which provide good access to the populations along Spirit Lake Road and those growing on Thornhill Road. In addition, the subject site adjacent to an existing NAC and is three (3) miles from the new interchange of the Polk Parkway and SR 540.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <p>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;</li> <li>2. sanitary sewer and potable water service;</li> <li>3. storm-water management;</li> <li>4. solid waste collection and disposal;</li> <li>5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;</li> <li>6. emergency medical service (EMS) provisions; and</li> <li>7. other public safety features such as law enforcement;</li> <li>8. schools and other educational facilities</li> <li>9. parks, open spaces, civic areas and other community facilities,</li> <li>f. environmental factors, including, but not limited to: <ol style="list-style-type: none"> <li>1. environmental sensitivity of the property and adjacent property;</li> <li>2. surface water features, including drainage patterns, basin characteristics, and flood hazards;</li> <li>3. wetlands and primary aquifer recharge areas;</li> <li>4. soil characteristics;</li> <li>5. location of potable water supplies, private wells, public well fields; and</li> <li>6. climatic conditions, including prevailing winds, when applicable.</li> </ol> </li> </ol>	<p>The subject site is in the TSDA. This report provides data that the site is well supported by urban levels of infrastructure.</p>
<p>POLICY 2.104-A1: DESCRIPTION - Transit Supportive Development Areas shall meet the following criteria:</p> <p>a.be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development;</p> <p>b.be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon;</p> <p>c.be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting</p>	<p>There is available capacity in the water and wastewater system and nearby pipe connections in the rights-of-way of Thornhill and Spirit Lake Road. The Polk Parkway is currently being extended south to the west of the site with an interchange at three (3) miles to the northwest of the subject site. The site does lack direct access to a transit route. However, as the area continues to grow this will increase the demand for a new transit route.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>circulator routes, in order to increase mobility and travel options;</p> <p>d.include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;</p>	
<p>POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:</p> <p>a. Accessibility to roadways, with consideration being given to regional transportation issues for large-scale institutional developments having a regional market.</p> <p>b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).</p> <p>c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.</p> <p>d. Proximity to similar and compatible uses providing opportunities for shared facilities.</p> <p>e. Plans of the School Board and other public service agencies with jurisdiction in the County</p> <p>The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.</p> <p>Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.</p>	<p>The request for a Future Land Use designation to INST meets the requirements of the location criteria by being adjacent to collector roadways. The site will provide public services near County residents and connect to the public utilities nearby.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 3.204-D1: PURPOSE - The Airport Impact District (AID) overlay is established to ensure that land uses and the operation of public use airports are compatible. The County will address public health and safety issues by minimizing conflicts between airport operations and surrounding land uses. All development shall be in conformance with the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board.</p> <p>POLICY 3.204-D4: DEVELOPMENT CRITERIA - The County's Land Development Code shall refer to the Airport Impact District (AID) and the Polk County Airport Zoning Regulations to address height, noise and land use compatibility issues relative to the protection and operation of public use airports.</p>	<p>The subject property is found with the AID overlay, In-Flight Visual Interference Zone and the Height Interference Zone. Further review will be required at the level 2 stage to check for compliance with the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board.</p>
<p>Appendix 2.135 - F. CPA 17A-02 - Parcel ID#: 252911-000000-0310201. Applicability The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 25, Township 29, Section 11. The site is legally described as:</p> <p>The remainder is a legal description</p>	<p>The are of the request that includes the existing BPC needs to be removed from this section of the Appendix. The conditions listed in the LDC, Appendix E are meant for BPC uses rather than a church.</p>
<p>Appendix E. - CPA 17A-02 - Parcel ID#: 252911-000000-031020</p> <p>1. Applicability The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 25, Township 29, Section 11. The site is legally described as:</p> <p>Legal description is herein referenced (See Exhibits 7a through d)</p> <p>2. Revised Use Table The following modified Use Table (Table E4) replaces Table 2.1 and specifies the type of uses, and levels of approval required for those uses, allowable within this BPC-1 site. All conditions outlined in Section 303 of this Code shall apply to each use listed below:</p> <p>The use table is herein referenced (See Exhibit 7a through d)</p>	<p>These conditions from the LDC limits the uses in the land area of CPA 17A-02 which was all one parcel at that time. The subject site now includes a portion of that BPC in a different parcel number.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>3. Additional Site Development Standards - In addition to all applicable standards of this Code, all allowable uses shall comply with the following additional site development standards prior to site alteration or development:</p> <ul style="list-style-type: none"> <li>a) All proposed development or redevelopment of the site adjacent to a residential use or residential future land use designation shall be conditioned upon a 50-foot wide buffer area that shall include the plantings of a Type “C” Landscape Buffer as outlined in Section 720 of this Code and a minimum six foot high opaque fence.</li> <li>b) All development shall submit a lighting plan. All lighting shall be directional and fully shielded with cut-off, non-glare fixtures directed straight downward onto the subject site. The maximum height of on-site lighting fixtures shall be limited to 17 feet. All light fixtures shall be setback a horizontal distance of at least 50 feet from any residentially used or designated property. Illumination onto adjacent properties and rights-of-way shall not exceed 0.5 foot candles, measured at the property line of the site.</li> <li>c) All loading and unloading areas shall be at least fifty (50) feet from all property lines abutting residentially used or designated property.</li> <li>d) All doors and loading bays shall remain closed except while being accessed for loading and/or unloading.</li> <li>e) All activities shall be conducted within the enclosed building. There shall be no outdoor activities or storage.</li> <li>f) Structures shall not exceed fifty (50) feet in height.</li> <li>g) Hours of operation shall be limited to between 7 a.m. and 9 p.m. Monday-Friday. There shall be no activity on-site on Saturday or Sunday.</li> </ul>	

## Urban Sprawl Analysis

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

**Table 9 Urban Sprawl Criteria**

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

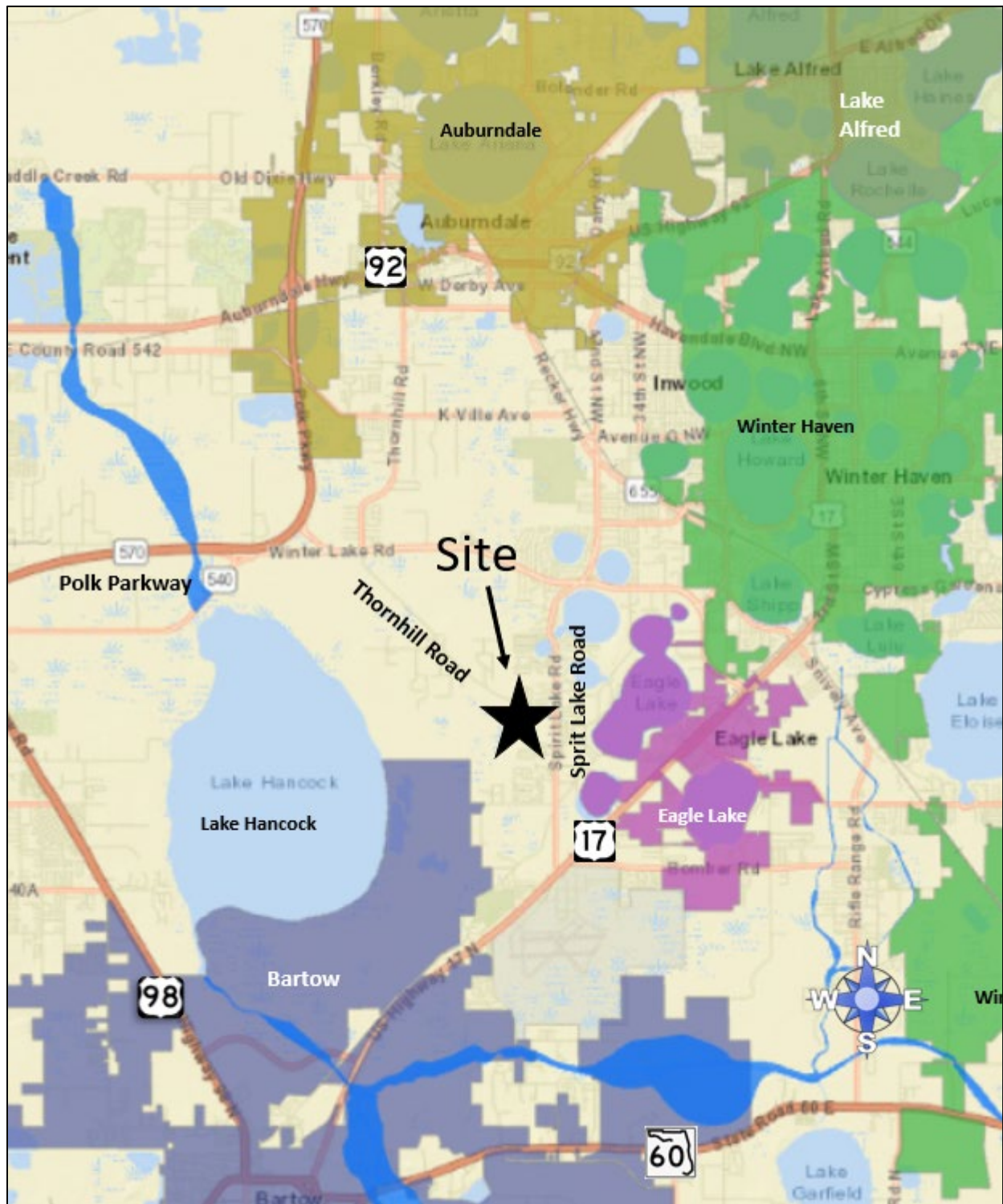
### Comments from other agencies

No comments

### Exhibits:

Exhibit 1	Location Map
Exhibit 2	2023 Aerial Context Map
Exhibit 3	2023 Aerial Close Up
Exhibit 4	Current Future Land Use Map
Exhibit 5	Proposed Future Land Use Map
Exhibit 6a and b	INSTX and RL-1 Permitted and Conditional Uses

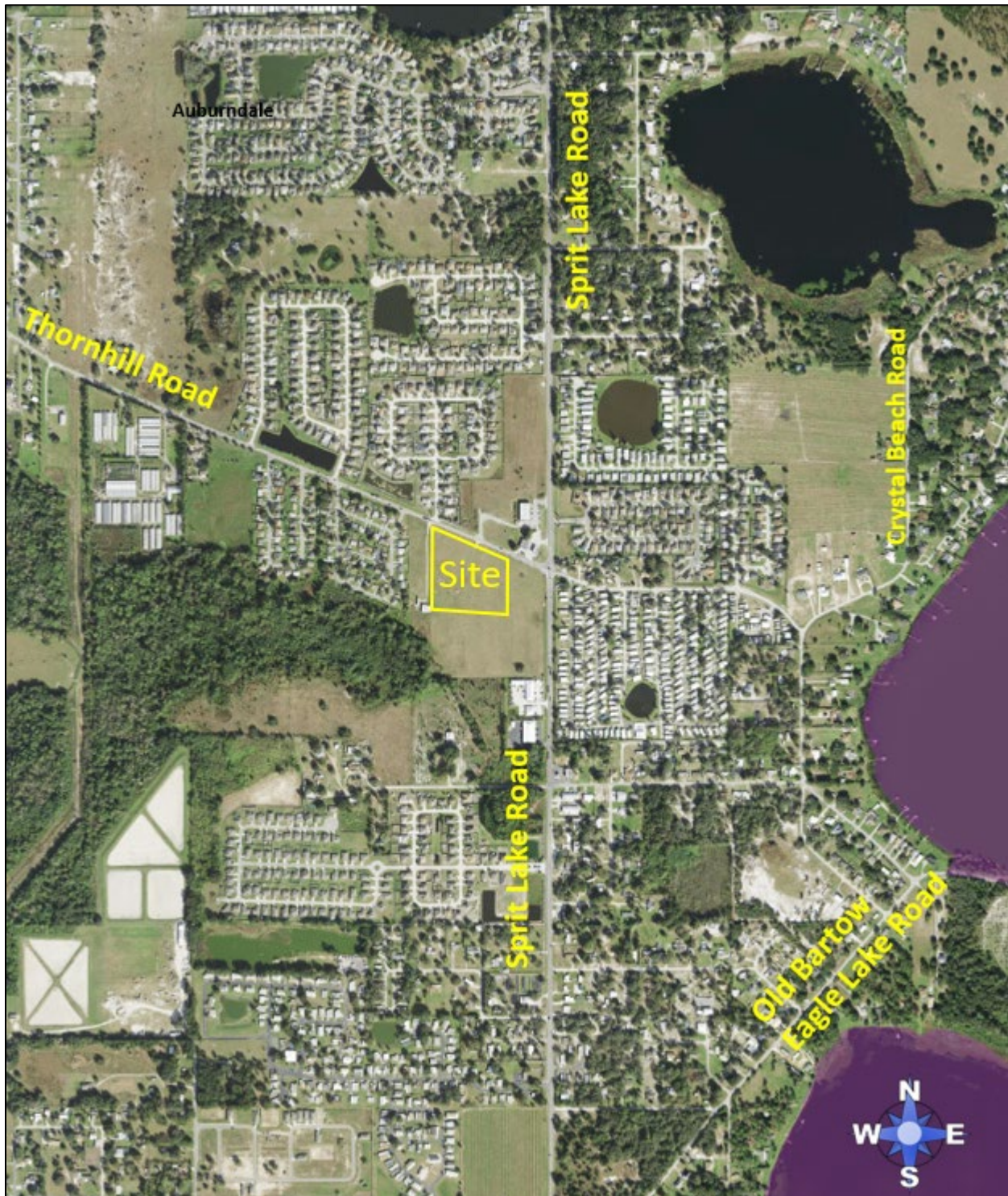
Exhibit 7a through 7e Section 2.135 Parcel Specific Future Land Use Map Amendments with  
Conditions and Appendix E - Section E105., F. – Parcel Specific  
Comprehensive Plan amendments with Conditions and proposed changes



Location Map



## Aerial 2023 Context

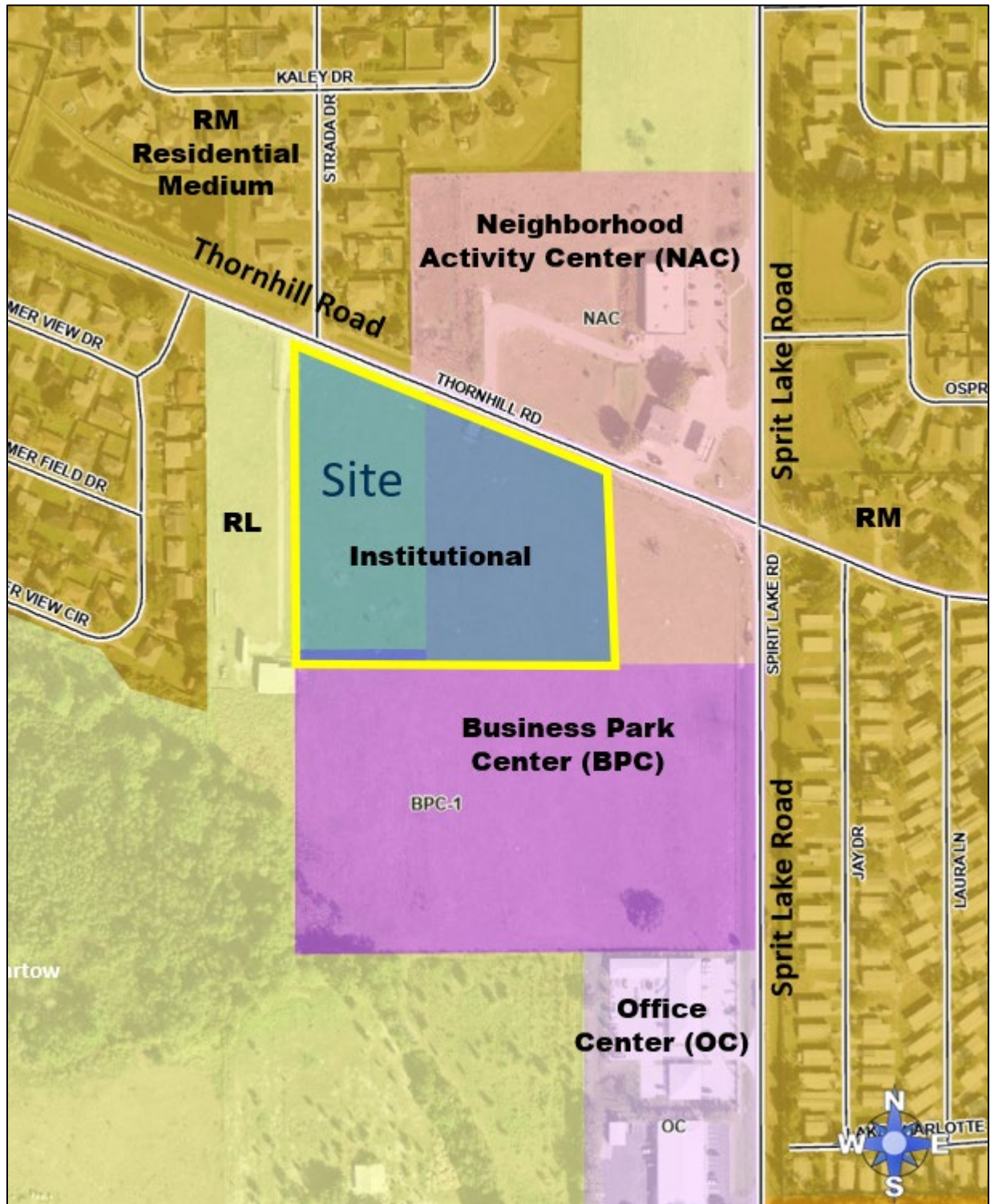


Aerial 2023 Close Up



### Current Future Land Uses

Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC)



## Proposed Future Land Use Institutional (INST)

Institutional -1 (INST-1) in the Transit Supportive Development Area (TSDA)			
Technical Staff Review -Level 1& 2		Public Hearing (s) Required-Level 3 & 4	
<b>All Other Uses:</b>	Group Home, Large (7-14 residents), C1 Group Living Facility (15 or more residents), C2 Adult Day Care Center (7 or more clients), C2 Cemetery, C2 Childcare Center, P Clinics & Medical Offices, C2 Communication Towers, Guyed & Lattice, C2 Communication Tower, Monopole, C2 Community Center, C2 Cultural Facility, C2 Emergency Shelter, Medium, (7-14 residents), C1 Emergency Shelter, (Large 15 or more residents), C2 Farming General, P Golf Course, C1 Government Facility, P Heliports, C2 Helistops, C2 Institutional Campground, P Lodges & Retreats, Private, P Nursing Home, C2 Office, C2 Office Park, C2 Recreation Passive, C1 Recreation High Intensity, C1 Recreation Low Intensity, C1 Recreation, Vehicle Oriented, C2 Religious Institution, C2 Research & Development, C2 School, Elementary, P School, Middle School, P School, Leisure/Special Interest, P Studio Production, P Solar Electric-Power Generation Facility, C2 Transit, Facility, P Utilities, Class, I, P Utilities, Class II, P	<b>Mixed Uses:</b>	Multi-family, C3
		<b>All Other Uses:</b>	Gas Station, C3 Hospitals, C3 Lime Stabilization Facility, C3 Mining, Non-Phosphate, C3 Residential Treatment Facility, C4 School, High, C3 School, Technical/Vocational/Trade & Training, C3 School, University/College, C3 Seaplane Base, C3 Utilities Class, III, C3 Water Ski Schools, C3

## PERMITTED AND CONDITIONAL USES Institutional (INST)

Residential Low (RL-1)			
Technical Staff Review -Level 1& 2		Public Hearing (s) Required-Level 3 & 4	
<b>Residential Uses:</b>	Group Home, Small (6 or less residents), C1	<b>Residential Uses:</b>	Group Living Facility (15 or more residents), C3
	Group Home, Small (6 or less residents), C1		Mobile Home Park, C4
<b>All Other Uses:</b>	Mobile Homes, Individual, C1	<b>Mixed Uses:</b>	Mobile Home Subdivision, C4
	Residential Infill Development, C2		Multi-family, C3
	Single-family Detached Home & Subdivision, P	Planned Development, C3	
	Animal Farm, Intensive, C1	Residentially Based Mixed Development (RBMD), C3	
	Emergency Shelter, Small (6 or less residents), C1	Transitional Area Development, C3	
	Farming General, P	<b>All Other Uses:</b>	Adult Day Care Center (7 or more clients), C3
	Golf Course, C1		Agricultural Support, Off-Site, C3
	Livestock Sale, Auction, C1		Bed and Breakfast, C3
	Nurseries and Greenhouses, C1		Childcare Center, C3
	Recreation, Passive, C1		Community Center, C3
Recreation, Low Intensity, C2	Emergency Shelter, Large (15 or more residents), C3		
School, Elementary, C2	Government Facility, C3		
Utilities, Class I, P	Helistops, C3		
Utilities, Class II, C1	Mining, Non-phosphate, C3		
Veterinary Service, C2	Recreation, High Intensity, C3		
	Recreation, Vehicle Oriented, C3		
	Religious Institution, C3		
	Riding Academies, C3		
	School, High, C3		
	School, Leisure/special Interest, C3		
	Utilities, Class III, C3		

## PERMITTED AND CONDITIONAL USES Residential Low-1 (RL-1)

**SECTION 2.135-F - Development Guidelines for Parcel IDs #: A portion of 252911-000000-031020, CPA 17A-02.**

OBJECTIVE 2.135-F: Through the adoption of CPA 17A-02, this section of the plan enable this specific property to be developed with Business Park Center (BPC) land uses in a limited fashion as established in the Polk County Land Development Code with conditions adopted into the Land Development Code through LDC 16T 10. This agreement fulfills the objectives of the applicant and the County.

POLICY 2.135-F1: DESIGNATION AND MAPPING - The portion of the parcel referenced in this Section shall be designated and mapped on the Future Land Use Map Series as Business Park Center (BPC).

POLICY 2.135-F2: LOCATION CRITERIA - This section applies to the property legally described as:

THE SOUTH 530.00' OF THE FOLLOWING DESCRIBES THE PROPERTY.

A PARCEL OF LAND LYING IN THE NORTHWEST ¼ OF SECTION 11 AND THE SOUTHWEST ¼ OF SECTION 2 OF TOWNSHIP 29 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHWEST ¼ OF SECTION 11, THENCE S89°47'18"-W ALONG THE SOUTH BOUNDARY OF SAID NORTHWEST ¼ OF SECTION 11 A DISTANCE OF 40.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SPIRIT LAKE ROAD ACCORDING TO MAP BOOK 4, PAGE 741, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE N00°00'25"-W ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 1788.60 FEET TO THE POINT OF BEGINNING; THENCE S89°37'40"-W A DISTANCE OF 826.37 FEET; THENCE NORTH 00°00'25"-W A DISTANCE OF 870.33 FEET TO THE SOUTH BOUNDARY OF SAID SOUTHWEST ¼ OF SECTION 2; THENCE CONTINUE N-00°00'25"-W A DISTANCE OF 252.22 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THORNHILL ROAD ACCORDING TO MAP BOOK 1, PAGES 31—33, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG SAID SOUTH RIGHT-OF-WAY THE FOLLOWING SIX COURSES; S67°30'17"-E A DISTANCE OF 29.14 FEET; THENCE S67°47'29"-EAST A DISTANCE OF 200.00 FEET; THENCE S67°30'17"-E A DISTANCE OF 200.00 FEET; THENCE S67°47'29"-E A DISTANCE OF 217.56 FEET TO THE NORTH BOUNDARY OF SAID NORTHWEST ¼ OF SECTION 11; THENCE CONTINUE S67°47'29"-E A DISTANCE OF 177.40 FEET TO A POINT ON A RIGHT-OF-WAY LINE FOR SPIRIT LAKE ROAD, ACCORDING TO MAP BOOK 3, PAGE 117, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE S-46°18'50"-EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 88.33 FEET TO SAID WEST RIGHT-OF-WAY LINE OF SPIRIT LAKE ROAD, THENCE S-00°00'25"-E ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 743.62 FEET TO THE POINT OF BEGINNING.

Less and except – approximately the southern 30 feet so that the portion of parcel 252911-000000-031020 that is within this conditional land use amendment is removed so that the uses in what changes to Institutional (INST) is regulated by Table 2.1 rather than the table in this section.

CONTAINING 10.05 ACRES MORE OR LESS.

POLICY 2.135-F3: DEVELOPMENT CRITERIA - Development within this BPC area shall conform to the criteria established in Section 2.113-A of this Comprehensive Plan consistent with the development standards adopted for this parcel in the Polk County Land Development Code.

F. CPA 17A-02 - Parcel ID#: 252911-000000-031020

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 25, Township 29, Section 11. The site is legally described as:

THE SOUTH 530.00' OF THE FOLLOWING DESCRIBES THE PROPERTY.

A PARCEL OF LAND LYING IN THE NORTHWEST ¼ OF SECTION 11 AND THE SOUTHWEST ¼ OF [SECTION 2](#) OF TOWNSHIP 29 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID NORTHWEST ¼ OF SECTION 11, THENCE S89°47'18"-W ALONG THE SOUTH BOUNDARY OF SAID NORTHWEST ¼ OF SECTION 11 A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY LINE OF SPIRIT LAKE ROAD ACCORDING TO MAP BOOK 4, PAGE 741, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE N00°00'25"-W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1788.60 FEET TO THE POINT OF BEGINNING; THENCE S89°37'40"-W A DISTANCE OF 826.37 FEET; THENCE NORTH 00°00'25"-W A DISTANCE OF 870.33 FEET TO THE SOUTH BOUNDARY OF SAID SOUTHWEST ¼ OF [SECTION 2](#); THENCE CONTINUE N-00°00'25"-W A DISTANCE OF 252.22 FEET TO THE SOUTH RIGHT OF WAY LINE OF THORNHILL ROAD ACCORDING TO MAP BOOK 1, PAGES 31-33, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG SAID SOUTH RIGHT OF WAY THE FOLLOWING SIX COURSES; S67°30'17"-E A DISTANCE OF 29.14 FEET; THENCE S67°47'29"-EAST A DISTANCE OF 200.00 FEET; THENCE S67°30'17"-E A DISTANCE OF 200.00 FEET; THENCE S67°47'29"-E A DISTANCE OF 217.56 FEET TO THE NORTH BOUNDARY OF SAID NORTHWEST ¼ OF SECTION 11; THENCE CONTINUE S67°47'29"-E A DISTANCE OF 177.40 FEET TO A POINT ON A RIGHT OF WAY LINE FOR SPIRIT LAKE ROAD, ACCORDING TO MAP BOOK 3, PAGE 117, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE S-46°18'50"-EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 88.33 FEET TO SAID WEST RIGHT OF WAY LINE OF SPIRIT LAKE ROAD, THENCE S-00°00'25"-E ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 743.62 FEET TO THE POINT OF BEGINNING.

Less and except – approximately the southern 30 feet so that the portion of parcel 252911-000000-031020 that is within this conditional land use amendment is removed so that the uses in what changes to Institutional (INST) is regulated by Table 2.1 rather than the table in this section.

CONTAINING 10.05 ACRES MORE OR LESS.

2. Revised Use Table

The following modified Use Table (Table E4) replaces Table 2.1 and specifies the type of uses, and levels of approval required for those uses, allowable within this BPC-1 site. All conditions outlined in Section 303 of this Code shall apply to each use listed below:

**TABLE E4 - BPC ALLOWABLE LAND USES FOR CPA 17A-02 AND LDC 16T-10**

<u>LEVEL 1 OR 2 REVIEW</u>	<u>LEVEL 3 REVIEW</u>	<u>LEVEL 4 REVIEW</u>
Communication Towers (Monopole) Community Center Convenience Stores (Isolated) Cultural Facility Farming Financial Institution Gas Station Golf Course Government Facility Nurseries/Greenhouses Nurseries, Retail Offices Office Park Manufacturing, Light Passive Recreation Personal Service Printing and Publishing Production Studio Religious Institution Research & Development Restaurant, Sit-down/Take-out Retail (0-64,999 s.f.) School (special interest, technical, university/college) Self-storage Solar Power Production Facility Transit Facility Utilities, Class I & II Warehousing	Agriculture (Off-site) Animal Farm (intensive) Communication Towers (Guyed/Lattice) Mining Non-Phosphate Multi-family Planned Development Retail (65,000 or more s.f.) Utilities, Class III Water Ski Schools	Power Plants, Non-Certified (low)

3. Additional Site Development Standards

In addition to all applicable standards of this Code, all allowable uses shall comply with the following additional site development standards prior to site alteration or development:

- a) All proposed development or redevelopment of the site adjacent to a residential use or residential future land use designation shall be conditioned upon a 50-foot wide buffer area that shall include the plantings of a Type “C” Landscape Buffer as outlined in Section 720 of this Code and a minimum six foot high opaque fence.
- b) All development shall submit a lighting plan. All lighting shall be directional and fully shielded with cut-off, non-glare fixtures directed straight downward onto the subject site. The maximum height of on-site lighting fixtures shall be limited to 17 feet. All light fixtures shall be setback a horizontal distance of at least 50 feet from any residentially used or designated property. Illumination onto adjacent properties and rights-of-way shall not exceed 0.5 foot candles, measured at the property line of the site.
- c) All loading and unloading areas shall be at least fifty (50) feet from all property lines abutting residentially used or designated property.
- d) All doors and loading bays shall remain closed except while being accessed for loading and/or unloading.
- e) All activities shall be conducted within the enclosed building. There shall be no outdoor activities or storage.
- f) Structures shall not exceed fifty (50) feet in height.
- g) Hours of operation shall be limited to between 7 a.m. and 9 p.m. Monday-Friday. There shall be no activity on-site on Saturday or Sunday.