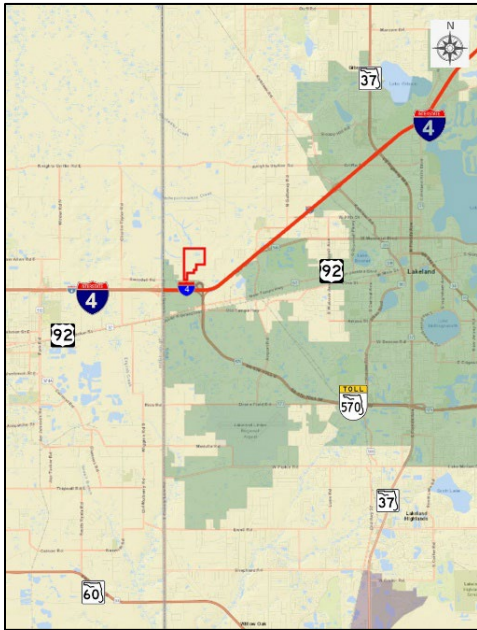


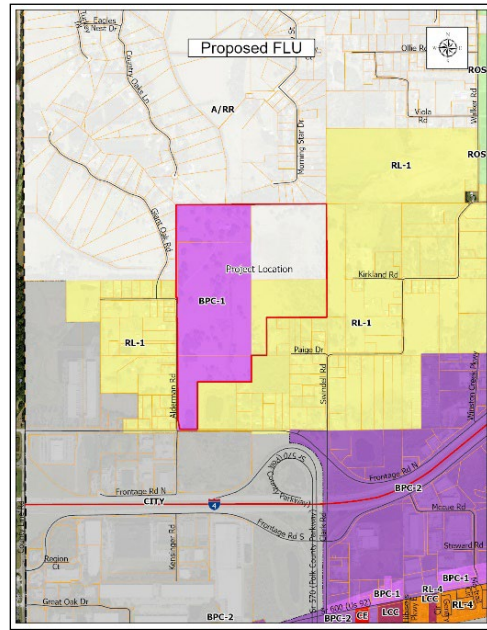
**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

<b>DRC Date:</b> January 4, 2024	<b>Level of Review:</b> 4
<b>PC Date:</b> July 10, 2024	<b>Type:</b> Large Scale Map Amendment (CPA)
<b>BoCC Date:</b> August 6, 2024 (transmittal) October 1, 2024 (adoption)	<b>Case Numbers:</b> LDCPAL-2023-10
<b>Applicant:</b> Stantec Consulting Services, Diane Chadwick	<b>Case Name:</b> Alderman Rd BPC
	<b>Case Planner:</b> Robert Bolton, Planner III

<b>Request:</b>	Large Scale Comprehensive Plan Future Land Use designation change from Agricultural/ Residential Rural (A/RR) and Residential Low (RL) to Business Park Center (BPC) on 101.0± acres of a parent tract of 166.0± acres, and a text amendment to Appendix 2.135 adding a reference that the subject site has development conditions in Appendix E of the Land Development Code (LDCT-2023-23), and a sub-district change from Business Park Center-1 (BPC1) to Business Park Center-2 (BPC2) on 67.0± acres (LDCD-2023-13).
<b>Location:</b>	The subject property is located on the north side of Swindell Road, east of N. Alderman Rd., south of Musket Drive, and west of Swindell Road, north of Lakeland city limits, in Section 18, Township 28 and Range 23.
<b>Property Owners:</b>	Keith D. Knight, and James E. & Noel Morgan Kelso
<b>Parcel Size/number:</b>	101.0± acres of 166.0± acres (Parcel #(s) (232818-000000-014010, 232818-000000-012000, 232818-087000-000701, and 232818-000000-021090)
<b>Development Area:</b>	Rural Development Area (RDA), Transit Supportive Development Area (TSDA), and Transit Corridors and Centers Overlay (TCCO)
<b>Nearest Municipality:</b>	City of Lakeland
<b>DRC Recommendation:</b>	Denial
<b>Planning Commission Vote:</b>	Pending
<b>Public Comment:</b>	Pending
<b>Florida Commerce</b>	Pending



**Location**



**Proposed Land Use**

## Summary:

The applicant, Stantec Consulting Services, Diane Chadwick, initiated the request for three (3) land development actions (LDCPAL-2023-10, LDCD-2023-13, and LDCT-2023-23). (1) LDCPAL-2023-10 is a Large-Scale Comprehensive Plan Map Amendment (CPA) request to change the Future Land Use (FLU) designation on a total of 101.0± acres, of which 60.5± acres from Residential Low (RL) in the Transit Supportive Development Area (TSDA), and 40.5± acres from Agricultural/Residential Rural (A/RR) in the Rural Development Area (RDA) to Business Park Center (BPC), in the Transit Supportive Development Area (TSDA) and Rural Development Area (RDA) (Exhibit 5). The LDCPAL-2023-10 also includes a text amendment to Appendix 2.135 to add a reference that the property for this case has development standards listed in the Land Development Code. (2) LDCT-2023-23 is a sub-district change request on 67.0± acres of the 101.0± acres of Business Park Center (BPC) to Business Park Center-2 (BPC-2). (3) LDCT-2023-23 includes an amendment to Appendix E of the Land Development Code to add Conditions for development on the parent tracts 166.0± acres (Exhibit 3). The subject property is located on the north side of Swindell Road, east of N. Alderman Rd., south of Musket Drive, and west of Swindell Road, north of Lakeland city limits, in Section 18, Township 28 and Range 23.

The primary concern of this application is the bifurcation and intrusion of the BPC northward separating a large developed Residential Low-1 (RL1) Future Land district and intruding into a predominantly developed Agricultural/Residential Rural (A/RR) to the north. The application has two (2) related requests as noted previously. The Text Amendment has been submitted with conditions that are intended to mitigate the effects of requested proposed BPC. Conditions include a reduction in total building square footage to a maximum of 685,000 square feet, 640,000 square feet shall not exceed industrial/warehouse uses and 45,000 square feet shall not exceed commercial uses. All warehouses shall be located 850 feet or more north of Swindell Road. Buildings are limited to 60 feet in height. Site access exclusively from Swindell Road, access from Alderman Road is prohibited. All loading and unloading shall be at least 120 feet from all property lines abutting residentially designated property. Refrigeration trucks shall not be operated between 9:00 pm and 7:00 am within the BPC-1 land use designation and shall not be operated between 9:00 pm and 5:00 am within the BPC-2 and use designation. All loading bay doors shall remain closed except while being accessed for loading or unloading purposes. An enhanced buffer along the frontage of Alderman Road. Northward for 850 feet there shall be a 20 foot wide buffer with a minimum Type C buffer. Start 850 feet north of Swindell Road along Alderman Road a 70 wide buffer with a 6 foot high berm and a minimum 6 foot high PVC fence with a minimum Type C buffer. Starting at the northwestern development line, the buffer shall be a minimum of 70 feet in width with a Type C landscape buffer.

## Compatibility Summary

The request is for a FLU designation change to Business Park Center (BPC) in an area that is historically rural and agricultural in nature. A major concern with this application is the bifurcation of a large Residential Low-1 (RL-1) and intrusion into a large Agricultural/Residential Rural (A/RR) Future Land Use district. The subject site is located on the north side Swindell Road and the east side of Alderman Road. The request would sandwich the developed residential neighborhood, west of Alderman Road between the warehouses near County Line to the west. Eagles Landing has a developed depth of approximately 1,400 feet,

from Swindell Road's right-of-way. The applicants request would start warehouse development at 850 feet north of the Swindell Road right-of-way. See Exhibit 10. The subject's requested Land Use extends approximately 3,950 feet north of the Swindell Road right-of-way. Eagles Landing, the nearest warehouse use north of Swindell Road represent approximately 35% of the depth of the requested Land Use site's depth. The southern 850 feet of the request, or approximately 21.5% of the depth will restrict warehousing uses with the remaining 78.5% of the depth intended for distribution warehouse uses. Currently the Residential Low-1 (RL-1) district has frontage along the north side of Swindell Road of approximately one (1) mile between the City limits of Lakeland, to the west, and the Business Park Center (BPC) Future Land Use district to the east. The BPC district to the east fronts N Frontage Road and represents small warehouse buildings with the newest and largest being the National Powersport Auction property which is located within that BPC Future Land Use district.

A related request, LDCT-2023-23, for a site-specific Text Amendment to limit various aspects of the proposed site including restrictions to the requested Business Park Center-1 (BPC-1), Business Park Center-2 (BPC-2), Residential Low-1 (RL-1), and Agricultural/Residential Rural (A/RR) Future Land Use districts. The applicant is proposing, in LDCT-2023-23, an increased buffering standard, along the western property boundary. Beginning 850 feet north of Swindell Road, the enhanced buffer with "70 foot wide minimum Type "C" Landscape, buffer, including a minimum 6 foot high PVC fence atop a 6 foot high berm..." This increased buffering is intended for the 60 residential lots that have their sole access from Alderman Road to Swindell Road. Eighteen of these residential lots have frontage along the west side of Alderman Road, with an additional five (5) residential parcels having a common property boundary with the subject site on the west side and four (4) residential parcels to the north, that would abut the development area. An additional requirement is an increased building setback requirement for the western side of the subject site. The enhanced building setback shall not be less than 165 feet from the western property line and will begin 850 feet north of Swindell Road. The building setback on the southern 850 feet along Alderman Road will remain the same, 30 feet from the property line, or 60 feet from the centerline of the road, whichever is greater. The additional site development standards as proposed within LDCT-2023-23 are not considered sufficient provisions to buffer the existing acreage lot residential development, that is located on all sides of the subject property, north of Swindell Road, with the proposed BPC's bifurcation of the RL-1 and intrusion into the A/RR Land Use districts that surround the subject site.

Swindell Road is urban collector road that runs from County Line Road to the west of the subject site to Galloway Road northwest of the subject site. Swindell Road between N Frontage Road and Galloway Road is monitored by the Polk County TPO with a LOS of "C". All of Swindell Road has a pavement width of 20 feet and is considered a substandard road. During the site visit it was noted that the conditions of Swindell Road between N. Frontage Road and County Line Road, subject site's road frontage, are the same as the portions of Swindell Road that are monitored by the TPO. The pavement width is 20 feet with no shoulders. The Land Development Code addresses road improvements when needed due to the increased impact of a development and the subject site's road frontage would need to be brought up to County standards. Typical developments of this magnitude have significantly more road frontage than the subject site, at approximately 313 feet. A Business Park Center (BPC) Future Land Use designation, with the anticipated increase in predominantly semi-tractor use, is disproportionate to the limited improvements to Swindell Road that may be required.

With consideration to the preceding discussion and analysis within this report, the requested Future Land Use change is not considered to be compatible and consistent with the Comprehensive Plan and Land Development Code. The related request, LDCT-2023-23, for a site-specific Text Amendment does not accomplish the needed compatibility and consistency with the Comprehensive Plan and Land Development Code.

### **Infrastructure Summary**

The subject site is within the City of Lakeland Service area and has issued a water and wastewater commitment for this project as submitted to the City of Lakeland Utilities Department. Fire and Sheriff response times are appropriate for this area of the County. BPC does not permit elementary, middle, or high schools but does permit other types of training and vocational schools. Based on the Land Use request with the Text amendment intensity limitation, the additional traffic would not significantly degrade the road capacity.

### **Environmental Summary**

There are some environmental limitations with the development of this property. The property is in a flood plain with wetlands on the eastern central portion of the property. According to the USDA Soils Survey of Polk County the soils are predominantly Smyrna & Myakka fine sand, with six (6) other soil types. There are no reported wells or public Wellfields on site and the property is within an airport restriction zone. The site is also located within a one (1) mile radius of an Eagle's Nest according to the Florida Fish and Wildlife Conservation Commission (2015).

### **Comprehensive Plan**

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

- Section 2.102 – General Growth Management policies
- Policy 2.104-A3 Transit Supportive Development Area (TSDA) Land Use Categories
- Policy 2.104-A5 Transit Supportive Development Area (TSDA) Development Criteria
- Policy 2.108 -A1 Rural Development Area (RDA) Description
- Policy 2.108 -A3 Rural Development Area (RDA) Land Use Categories
- Policy 2.108 -A5 Rural Development Area (RDA) Development Criteria
- Policy 2.113-B Business Park Center (BPC)
- Policy 2.113-B-3, and B-4 Location Criteria, and Development Criteria
- Policy 2.123-C-2 Wetland-Protection Area, Development Criteria

## **Findings of Fact**

### **Request and Legal Status**

- The applicant is requesting a Future Land Use (FLU) designation change for 101.0± acres from Agricultural/Residential Rural (A/RR) and Residential Low (RL), of parent tracts which total 166.0± acres, to Business Park Center (BPC) in the Rural Development Area (RDA) and Transit Supportive Development Area (TSDA) and a text amendment to Appendix 2.135 parcel specific Comprehensive Plan Amendment to add a reference that the subject property has development conditions in the Land Development Code.

- The applicant submitted the request on four (4) parcels totaling 166.0± acres, 1) LDCPAL-2023-10 a Land Use change 101.0± acres to Business Park Center (BPC). 2) LDCD-2023-13 a requested Sub-district change from Business Park Center-1 (BPC1) to Business Park Center-2 (BPC2) on 67.0± acres of the 101.0± acres, 3) LDCT-2023-23 a Text Amendment to Appendix E of the Land Development Code which includes a limitation to the maximum building square footage for the development, some increased buffering standards, some increased setback standards, decreased building height maximum, and other restrictions.
- The overall subject site is located on the north side of Swindell Road, east of N. Alderman Rd., south of Musket Drive, and west of Swindell Road, north of Lakeland city limits, in Section 18, Township 28 and Range 23.
- The subject site, for the plan amendment and LDC text amendment, total four (4) parcels, two (2) have agricultural use classification as a pasture, two (2) parcels have agricultural use classification with a residence.
- Access to one of the residences is from Alderman Road, the second residence is assumed to have an access easement to Swindell Road.
- The Text Amendment (LDCT-2023-23) includes more property than the Comprehensive Plan Amendment (LDCPAL-2023-10).

### **Compatibility**

- The description of the existing uses surrounding the subject site, request for Business Park Center-1 (BPC-1), are as follows:
  - North of the subject site are single-family residential within an A/RR district and a vacant Planned Development within a RL-1 district,
  - East of the subject site is acreage single-family residential,
  - South of the subject site single-family residential and the city of Lakeland with Industrial-1 Zoning,
  - West of the subject is single-family residential and agricultural uses.
- The proposed request includes an accompanying Sub-district change to Business Park Center-2 (BPC-2) (LDCD-2024-13) on 67.0± acres located on the eastern portion of the proposed Business Park Center-1 (BPC-1)
- The proposed request includes an accompanying Text Amendment (LDCT-2023-23) that places conditions on future development of the parcels for the Future Land Use designation change as well as other parcels. These general conditions include the following:
  - A reduction of total developable area to a maximum building area of 685,000 square feet, 640,000 square feet shall not exceed industrial/warehouse uses and 45,000 square feet shall not exceed commercial uses. All Warehouses shall be located 850 feet or more from Swindell Road.
  - Site access exclusively from Swindell Road, access from Alderman Road is prohibited.

- Buildings are limited to 60 feet in height.
  - All Loading and unloading shall be at least 120 feet from all property lines abutting residentially designated property.
  - Refrigeration trucks shall not be operated between 9:00 pm and 7:00 am within the BPC-1 district and not operated between 9:00 pm and 5:00 am within the BPC-2.
  - All loading bay doors shall remain closed except while being accessed for loading or unloading purposes.
  - An enhanced buffer along the frontage of Alderman Road. Northward for 850 feet there shall be a 20 foot wide buffer with a minimum Type C buffer. Start 850 feet north of Swindell Road along Alderman Road a 70 wide buffer with a 6 foot high berm and a minimum 6 foot high PVC fence with a minimum Type C buffer. Starting at the northwestern development line, the buffer shall be a minimum of 70 feet in width with a Type C landscape buffer.
- The residential development surrounding the subject site have a median residential density of approximately 1.8 acres per dwelling unit.
  - The only similar Land Use district or Lakeland Zoning adjacent to the subject site is located to the south subject's approximate 313 foot road frontage on Swindell Road. The site is located within the City of Lakeland and has an Industrial Zoning. It is also noted the northern 2/3rds of the site is conservation land with the development to occur to the south facing Interstate 4.
  - Similar size warehouse uses are located south of Interstate 4, along County Line Road in Polk County and Hillsborough County as well as S Frontage Road, Old Tampa Highway and New Tampa Highway within a large Polk County BPC Future Land Use district as well as the City of Lakeland's Industrial areas.
  - The nearest large warehouse facilities, north of Interstate 4 are located approximately a quarter of a mile west along Swindell Road, Eagles Landing. The two (2) warehouses combined total less than half the requested maximum density and approximately half the height of the requested maximum height limitation within the proposed LDCT-2023-23 Text Amendment.
  - The nearest 50 foot high warehouse is approximately 1 mile southeast of the sit and is a portion of the Southern Wine & Spirits warehouse site. ER Carpenter, south of Interstate 4 and south of the subject has portions that are 40 feet in height. The nearest development that represents similarity in height and size is located south of Interstate 4. See Exhibits 11a and 11b.
  - Without a Planned Development, the existing 166.0± acres of Agricultural/Residential Rural (A/RR), in the RDA, and Residential Low-1 (RL1) in the TSDA, an estimated 240 single-family detached units may be achieved.

## **Infrastructure**

- The subject site is located within the City of Lakeland Service area for water and wastewater. There is a water distribution main along the northside of N. Frontage Road

adjacent to the overall site. The City of Lakeland stated that the wastewater tap location would be determined closer to the time of connection.

- It is anticipated at the highest use, the demand for potable water would be 164,400 Gallons Per Day (GPD) and 131,520 GPD for wastewater based on 101.0± gross acres and of this an estimated 94.9± upland acres of the requested Land Use change to Business Park Center (BPC) in the Rural Development Area (RDA) and the Transit Supportive Development Area (TSDA). The City of Lakeland has confirmed that they have committed to 163,692 gallons per day for water and sewer, subject to Hydraulic Feasibility Review Requirements.
- The zoned schools for the site are Medulla Elementary, Kathleen Middle, and Kathleen Senior High School. The requested change would not impact school capacity.
- The subject site is approximately 2.8 miles from the nearest Fire and Emergency Management Station (EMS), Fire Station #24, located at 1140 N Galloway Road, Lakeland.
- The nearest Sheriff's office is the Northwest District Office, 1045 Wedgewood Estates Boulevard in Lakeland, approximately 8.2 miles from the subject site.
- Swindell Road is an urban collector, it runs northeast and east and west from County Line Road to N. Frontage Road and is not monitored by the Polk County Transportation Planning Organization (TPO). This section of Swindell Road is 20 feet wide with no shoulders, and is substandard to Polk County standards.
- Swindell Road is an urban collector, it runs northeast and southwest from Galloway Road to N. Frontage Road and is monitored by the Polk County Transportation Planning Organization (TPO) with a Level of Service (LOS) of C.
- N. Frontage Road is an urban collector, it runs east and west from County Line Road to Galloway Road and is monitored by the Polk County Transportation Planning Organization (TPO) with a Level of Service (LOS) of C.
- Clark Road is an urban collector, it runs north and south and is monitored by the Polk County Transportation Planning Organization (TPO) with a Level of Service (LOS) of "C".
- County Line Road is an urban collector, it runs north and south from Interstate 4 to Pipkin Road and is monitored by the Polk County Transportation Planning Organization (TPO) with a Level of Service (LOS) of C.
- The nearest mass transit route is along New Tampa Highway to Clark Road to Swindell Road to County Line Road. (Lemon Line). The nearest stop is approximately 1/3 mile west of the site.

- There are currently two (2) parks within two (2) miles of the subject site. Walker Road Park and Itchepackesassa Creek Wetland.

## **Environmental**

- According to the soil survey by the United States Department of Agriculture, the subject site is made up of seven (7) soil types; Smyrna & Myakka fine sand, Sparr sand 0 to 5% slopes, Placid and Myakka fine sands, depressional, Ona-Ona, wet, fine and 0 to 2% slopes, Tavares fine sand, 0 to 5 % slopes, Samsula muck, frequently ponded, 0 to 1% slopes, Eaton mucky fine sand, depressional. 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 too implement Best Management Practices based on the Department of Environmental Protection’s (DEP) Florida Development Manual.
- The subject site is located within the Itchepackesassa Creek Stressed Drainage Basin / Watershed.
- The subject area has experienced significant alterations of the natural and historic wetland and drainage patters over the past 50+ years. (Exhibit 8)
- The subject site’s northern half, or more, is located Flood Zone AE. See Exhibit 7. A flood study will be required at the time of a Level 2 Review.
- The subject site is not located within an Airport Notification Zone.
- The subject site is located within a one-mile radius of an eagle’s nest as well as reported protected animals, according to the Florida Fish and Wildlife Conservation Commission (2015).
- There are no known historical or archeological resources onsite, according to the Secretary of State’s Department of Historical Resources Florida Master Site File.
- There are no known or reported wells on the site and is not in a wellhead protection zone.

## **Comprehensive Plan Policies**

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.
- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other



through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.
- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.
- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  - a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  - b. nearness to agriculture-production areas;
  - c. distance from populated areas;
  - d. economic issues, such as minimum population support and market-area radius (where applicable);
  - e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
    1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
    2. sanitary sewer and potable water service;
    3. storm-water management;
    4. solid waste collection and disposal;
    5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
    6. emergency medical service (EMS) provisions; and
    7. other public safety features such as law enforcement;
    8. schools and other educational facilities
    9. parks, open spaces, civic areas and other community facilities
  - f. environmental factors, including, but not limited to:
    1. environmental sensitivity of the property and adjacent property;
    2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
    3. wetlands and primary aquifer recharge areas;
    4. soil characteristics;
    5. location of potable water supplies, private wells, public well fields; and
    6. climatic conditions, including prevailing winds, when applicable.
- POLICY 2.104-A3: LAND USE CATEGORIES -- The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria

**ACTIVITY CENTERS:** Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.

**RESIDENTIAL:** Residential-High, Residential-Medium, and Residential-Low Districts.

**OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.

Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.

- **POLICY 2.104-A5: DEVELOPMENT CRITERIA** -- Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:
  - a. provide access to transit facilities;
  - b. connect to centralized potable water and sanitary sewer systems;
  - c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  - d. implement “Complete Street” and “Conservation Development” principles as established under Section 2.1251, Community Design, of this element;
  - e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
  - f. provide access to civic space, parks, green areas, and open space and other amenities;
  - g. be supported by public safety (i.e., fire, EMS and law enforcement);
  - h. have access to public schools;
  - i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
  - j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.
  
- **POLICY 2.108-A3: LAND USE CATEGORIES** -- The following land use categories shall be permitted within Rural-Development Areas:
  - a. **ACTIVITY CENTERS:** Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria.
  - b. **RESIDENTIAL:** Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria.
  - c. **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Agri-related Business-Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional.Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.
  
- **POLICY 2.108-A5: DEVELOPMENT CRITERIA** -- Development within RDAs shall be guided by the following criteria:
  - a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;

- b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and
  - c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement).
- POLICY 2.113-B-3: LOCATION CRITERIA - for Business Park Center states-Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:
    - a. arterial roads;
    - b. collector roads, if the proposed district is within 2 mile of an intersecting arterial road;
    - c. local commercial roads or private roads under the following conditions:
      - 1. the road has full median access onto to an arterial road;
      - 2. the road does not serve existing or expected future residential traffic from the surrounding area; and
      - 3. the road has a structural integrity and design characteristics suitable for truck traffic.
    - d. properties abutting an Industrial (IND) district or railroad line.
  - POLICY 2.113-B-4: DEVELOPMENT CRITERIA- Development within a Business-Park Center shall conform to the following criteria:
    - a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
    - b. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
    - c. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.
    - d. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park.
    - e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.
    - f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.

- g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering).
  - h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.
  - i. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank septic.
  - j. Planned Developments within the Business Park Center district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district.
  - k. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the Department of Health for water and wastewater usage, whichever allowed intensity is the lesser.
- POLICY 2.113-B-4: DEVELOPMENT CRITERIA- Development within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:
    - a. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.
    - b. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for:
      - 1. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;
      - 2. access to the site;
      - 3. necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;
      - 4. utility transmission and collection lines;
      - 5. pre-treated storm-water management;
      - 6. mining that meets state and federal regulations; or
      - 7. expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact.
    - c. Commercial and industrial development shall locate on the non-wetland portion of a development site.
    - d. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:

1. a maximum of one dwelling unit per Lot of Record; or
  2. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel.
- e. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.
  - f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.
  - g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.
  - h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.

**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 NOT COMPATIBLE** with the surrounding land uses and general character of the area, **IS NOT CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **DENIAL of LDCPAL-2023-10**.

**Planning Commission Recommendation:** On July 10, 2024, at an advertised public hearing, the Planning Commission recommend **0:0**, to **APPROVE or DENY LDCPAL-2023-10**.

**Department of Florida Commerce (Florida Commerce) Objections, Recommendations, and Comments (ORC Report):** The Florida Commerce report is expected in mid-September 2024. This report will be updated when comments are received and prior to the agenda review. Their report will be provided under separate cover.

***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> A/RR Single-family Residential Country Class Meadows</p>	<p><b>North</b> A/RR Single-family Residential Country Class Meadows Country Class Estates</p>	<p><b>Northeast</b> RL-1 PD-2020-24 Nov 3, 2020 (BoCC De Novo) Vacant Agricultural</p>
<p><b>West</b> RL-1 Single-family Residential Agricultural</p>	<p><b>Subject Site</b> RL-1 &amp; A/RR SFR and Pasture</p>	<p><b>East</b> RL-1 Single-family Residential</p>
<p><b>Southwest</b> City of Lakeland Industrial-1</p>	<p><b>South</b> City of Lakeland Industrial-1 and Conservation Vacant</p>	<p><b>Southeast</b> RL-1 Single-family Residential</p>

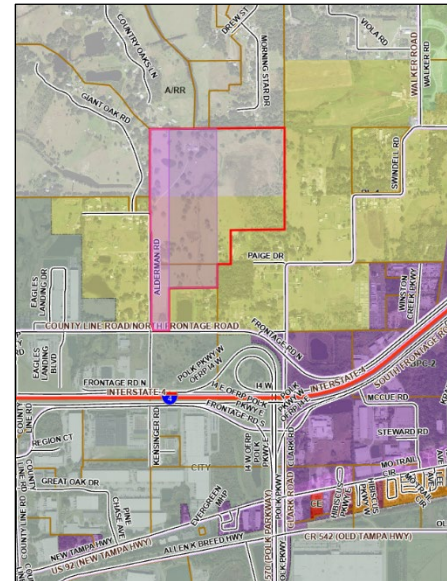
Source: Polk County Geographical Information System and site visit by County staff

## Compatibility with the Surrounding Uses

Compatibility is often regarded as a subjective term used to express ones' opinion or feeling about the appropriateness of locating differentiating uses rather than being based upon facts or evidence to support those opinions or feelings. 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 subject site is located within the Transit Supportive Development Area (TSDA). According to *Policy 2.104-A* of Polk County's Comprehensive Plan, Transit Supportive Development Area (TSDA) shall provide areas for development of urban-intensity growth and be in areas where the availability of infrastructure and other community services promotes and supports the location of higher density and intensity development.

The Applicant has submitted three (3) requests, this Comprehensive Plan Land Use change (LDCPAL-2023-10) and text amendment request, a sub-district change request (LDCD-2023-13) and a LDC text amendment limiting various aspects of development and increasing the LDC's buffering requirement (LDCT-2023-23). The Text Amendment (LDCT-2023-23) limits the allowable maximum intensity for the Business Park Center district to a maximum of 685,000 square feet and provides for maximum height limitation for the structures at 60 feet, and increased buffering generally along the western property boundary of Alderman Road.

The surrounding uses of the subject site include Residential Low-1 (RL-1) and Agricultural/Residential Rural (A/RR) to the west, A/RR to the north, RL-1 to the east, with the majority of the southern exposure within the RL-1 Land Use district and approximately 313 feet having frontage along Swindell Road, the city of Lakeland to the south with an Industrial-1 Land Use. The industrial parcel within the city of Lakeland is currently in the permitting process with the city of Lakeland for distribution warehousing. The northern 20.75± acres of the 30.4± acres site has a recorded (OR 12649/0970) Deed of Conservation Easement recorded. This portion of the site has areas of conservation and mitigation for stormwater detention. The warehouse development will be located on the southern portion of the property adjacent to Interstate 4. North of Swindell Road and south of the subject site includes 31 parcels; 29 improved residential parcels, one (1) vacant residential parcel, one (1) pasture parcel, and a stormwater detention for FDOT. The residential parcels range in size form 0.82± acres to 4.04± acres, with a median size of 1.60± acres. East of the subject site are 15 improved residential parcels, two (2) vacant residential parcels, two (2) vacant agricultural use parcels. The residential parcels range in size form 0.32± acres to 25.13± acres, with a median size of 5.01± acres. North of the subject are Country Class Estates and County Class Meadows. Within close proximity to the subject site are 46 improved residential lots, and three (3) vacant residential lots. The residential parcels range in size from 0.76± acres to 14.49± acres, with a median size of 1.77± acres. West of the subject site is Country Class Farms, residential lots of record, all of which have sole access from Swindell Road via Alderman Road. With close proximity to the subject site are 53 improved residential lots, and fifteen vacant residential lots. The residential parcels range in size from 0.22± acres to 29.91± acres, with a median size of 1.82± acres. The surrounding residential lots with close proximity to the subject site or have sole access to their site via Alderman Road have a median size of 1.80± acre.



The subject property of the request bifurcates the Residential Low-1 Land Use district that begins approximately 730 feet east of the Polk County and Hillsborough County Line, west of the subject site, and extends well past Walker Road east of the site. The proposed site also intrudes into an Agricultural/Residential Rural district that extends well into the Kathleen area. See Exhibits 4 and 5. With the improved residential uses surrounding the subject site, the applicant submitted an application for a Text Amendment to augment characteristics of the Business Park Center district to help in buffering the BPC use from dissimilar RL-1 and A/RR uses.

A compatibility standard that is addressed is buffering from Residential Land Use districts, which, per the Land Development Code Section 720, will require a minimum of a Type C landscape buffer. The applicant is proposing, in LDCT-2023-23, an increased buffering standard, along the western property boundary. The proposed buffer along the frontage of Alderman Road begins at Swindell Road and going northward for 850 feet there shall be a 20 foot wide buffer with a minimum Type C landscape buffer. Starting 850 feet north of Swindell Road along Alderman Road a 70 wide buffer with a 6 foot high berm and a minimum 6 foot high PVC fence with a minimum Type C landscape buffer. Starting at the northwestern development line, the buffer shall be a minimum of 70 feet in width with a Type C landscape buffer. This increased buffering is intended for the 60 residential lots that have their sole access from Alderman Road to Swindell Road. Eighteen of these residential lots have frontage along the west side of Alderman Road, with an additional five (5) residential parcels having a common property boundary with the subject site on the west side and four (4) residential parcels to the north, that would abut the development area. An additional requirement is an increased building setback requirement for the western side of the subject site. The enhanced building setback shall not be less than 165 feet from the western property line and will begin 850 feet north of Swindell Road. The building setback on the southern 850 feet along Alderman Road will remain the same, 30 feet from the property line, or 60 feet from the centerline of the road, whichever is greater. The additional site development standards as proposed within LDCT-2023-23 are not considered sufficient provisions to buffer the existing acreage lot residential development, that is located on all sides of the subject property, north of Swindell Road, with the bifurcation and intrusion of the RL-1 and into the A/RR Land Use districts that surround the subject site. Staff believes there really is no amount of buffer that can mitigate the proposed BPC.

Additional proposed changes include a reduction of overall intensity of the BPC district with a limitation in the maximum square footage allowable within the BPC district as well as a reduced maximum allowable building height within the district. The subject site's location may be considered to be within an area of Polk County and Hillsborough County that, over the previous 20± years has become a distribution warehouse hub. An analysis of the local area and the allocation of warehouse and light manufacturing uses interact within the market was done. Approximately a quarter of a mile west of Alderman Road, within the city limits of Lakeland, are the two (2) warehouses in Eagles Landing. The eastern warehouse is 152,500 square feet with the western warehouse being 155,716 square feet, with a combined square footage of 308,216 square feet, or approximately 45% of the requested maximum buildout for the subject. Both buildings are 30 feet in height, or approximately 50% of the requested height limitation. On the north side of Interest 4, within Polk County, the next largest warehouse is the recently constructed National Powersports Auctions warehouse approximately 1.4 miles east of the site on North Frontage Road, with 141,960 square feet and a height of 34 feet. All other large warehousing is located on the south side of Interstate 4 along County Line Road, US Highway 92, Old Tampa Highway, or South Frontage Road. Some of the notable larger warehouses in this area include the Advanced Auto Parts warehouse on South Frontage Road (Exhibits 11a & 11b) a 565,896 square foot warehouse with a 33-foot height. ER Carpenter light



Southern Wine & Spirits Warehouse –  
 Left 32' height, Right 50' height  
 Sidewalk 410± feet from Building



manufacturing and warehouse on South Frontage Road a 451,505 square foot building with a 40-foot height. A couple of the larger warehouses and some of the tallest warehouses within Polk County include the southern Wine and Spirits location on Old Tampa Highway and the Polk Parkway at 993,955 square feet and approximately half the building is 32-feet in height with the other half 50-feet in height. The Publix distribution center on County line Road is a 1,124,535 square foot facility, with the front portion at 32-feet in height and the rear 50-feet in height.

The tallest warehouse or light manufacturing building in Polk County is located at the Lakeland International Airport, the Amazon air transit hub at 60-feet in height. As can be seen in Exhibit 11b the warehouse and light manufacturing district in eastern Polk County is located south of Interstate 4. While there is a Business Park Center district north of Interstate 4, it is located and has access via North Frontage Road. The City of Lakeland has an Industrial and Commercial use PUD on the south side of Swindell and Eagle Landing, north of Swindell, none of these areas approach the requested intensity of the Land Use request with the Text Amendment limitations. It is also noted that Plant City recently annexed and approved a large warehouse distribution project, known as Blue Steel, located on the north side of Interstate 4. One of conditions for development was no access to Swindell Road. The developer will be required to provide all access via a northern extension of County Line Road to the project site.

The Polk County Land Development Code 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.” The Text Amendment’s restricted development size criteria allows for a commercial use building(s) not to exceed 45,000 square feet in the area 805 feet north of Swindell Road. The 640,000 square feet of warehouse uses are restricted to the northern 3,100± feet of the subject site BPC area. See Exhibits 9 and 10. The nearest non-residential Land Use or Zoning district, on the north side of Swindell Road is approximately 1/4 mile to the west, and approximately 1/2 mile to the east. The subject site has approximately 313 feet of frontage on the north side of Swindell Road. On the south side of Swindell Road in this location is a parcel, within the City of Lakeland, with an Industrial zoning. The northern portion of this parcel is conservation and mitigation for stormwater detention, not development. The requested Land Use change creates an effective island of Business Park Center within developed Residential Low-1 (RL-1) and Agricultural/Residential Rural (A/RR) Land Use districts. Warehouses of similar size to the requested size exist south of Interstate 4. See Exhibit 11a.

As to Policy 2.113-B-5 which states Adjacent Development states “relating to Transitional Areas, development adjacent to a Business-Park Center may include the following uses: Office, Self-storage Facilities, Medium-density Residential, Institutional, and Recreation and Open Space.” The closest Land Use or Zoning is to the south and shares the sites approximate 313-foot frontage along Swindell Road. The adjacent Land Uses do not meet his policies criteria.

The subject’s Land Use request totals 101.0± acres, portions of the area appear to be encumbered by wetlands. The Land Development Code, Section 620 Wetland Protection restricts the impact of wetlands. The applicant has stated that they have had a Jurisdictional Wetland Survey completed for the site. As of this writing, the approved wetland delineation has not been provided. For purposes of this Staff Report and analysis estimated wetlands are utilized. The estimated wetlands were determined utilizing the wetland GIS data provided within the Polk County GIS Data viewers. The subject site also is divided between two (2) different

Development areas, the Rural Development Area (RDA) and the Transit Supportive Development Area (TSDA). The following is the acreage allocation utilized within this Staff Report and analysis. Staff reserves the right to update any information and/or analysis that may materially affect any portion of the Staff Report from a Wetland Delineation provided at a later date. The subject's Existing Land Uses and acreage totals 101.0± acres and has the following Future Land Use designations:

A/RR (RDA) 40.5± gross acres	5.1± wetland acres	35.4± upland acres
RL-1 (TSDA) 60.5± gross acres	2.8± wetland acres	57.7± upland acres

The subject's proposed Land Use acreage is as follows:

BPC (RDA) 40.5± gross acres	5.1± wetland acres	35.4± upland acres
BPC (TSDA) 60.5± gross acres	2.8± wetland acres	57.7± upland acres

The subject property totals 166.0± acres, 80.5± acres are within the Rural Development Area (RDA), and 85.5± acres are within the Transit Supportive Development Area (TSDA)., the Transit Corridors and Centers Overlay (TCCO) overlays the entire site. The TCCO densities and intensities are only permitted within the TSDA and not within the other Development Areas, like the RDA.

While the Overlay allows for higher Densities and Intensities within the centers and corridors, development to these densities and intensities will need to comply with the development standards within the Land Development Code. Table 2.104.1 of the Transit Corridors and Centers Overlay (TCCO) Policy 2.104-A7: Densities and Intensities, indicates that a maximum allowable density for the Core may reach 25 du/ac, with the Center allowing a maximum density of 12 du/ac for residential development. Development at these densities is typical of a multi-family density. Development of multi-family is not allowable within the A/RR and within Residential Low-1 (RL1) would require a Conditional Use-3 (C3) or Planning Commission approval, requiring a public hearing. Single-family detached development with lot widths less than 50 feet, will also require a C3 or Planning Commission approval. Table 2.104.2, indicates that a maximum allowable intensity may reach 3.0 FAR. Floor Area Ratios within this range require multiple storied building(s). The current proposal is for warehouse and light industrial use single story buildings, with the exception of office type space, and require parking and truck courts, and stormwater retention, further limiting a maximum achievable FAR for the site.

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

The schools zoned for the subject property, as shown in Table 2, include Medulla Elementary, Kathleen Middle and Kathleen Senior High School. The applicant does not need to address capacity for the described project as it is not anticipated to generate a use impacting school concurrency. BPC only allows multifamily as part of a mixed-use development and is listed as a prohibited use within the LDCT-2023-23 Text Amendment.

Table 2: Schools

Name of School	Average driving distance from subject site
Medulla Elementary	9.6 ± miles driving distance
Kathleen Middle School	7.8 ± miles driving distance
Kathleen Senior High School	3.9 ± miles driving distance

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

### Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office is northeast of the site and the Fire and Emergency Management Station is located southeast of the site.

Table 3: Public Safety Information

	Name of Station	Distance Response Time*
<b>Sheriff</b>	Polk County Sheriff Office’s Northwest District Office, 1045 Wedgewood Estates Blvd., Lakeland	8.2 ± miles NE Priority 1: 11:38 Priority 2: 22:24
<b>Fire/ EMS</b>	Polk County Fire and Emergency Management Station #24, 1140 N Galloway Road, Lakeland	2.8 ± miles north 6 minutes

Source: Polk County Sheriff’s Office and Polk County Fire Rescue. \*Response times are based on March 2024 data.

Sheriff response times are not as much a function of the distance to the nearest Sheriff’s substation, but more a function of the overall number of patrol officers within the County.

### Water and Wastewater

#### A. Estimated Demand and Service Provider

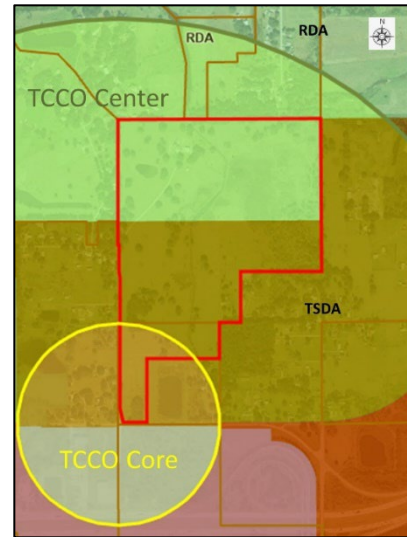
The subject site is in City of Lakeland’s Utility Service Area. The site is located within the Transit Corridors and Centers Overlay (TCCO), specifically it is within the Core, and Center. The subject’s Existing Land Uses and acreage totals 101.0± acres and has the following Future Land Use designations:

A/RR (RDA) 40.5± gross acres	5.1± wetland acres	35.4± upland acres
RL-1 (TSDA) 60.5± gross acres	2.8± wetland acres	57.7± upland acres

The subject’s proposed Land Use acreage is as flows:

BPC (RDA) 40.5± gross acres	5.1± wetland acres	35.4± upland acres
BPC (TSDA) 60.5± gross acres	2.8± wetland acres	57.7± upland acres

For residential use districts the dwelling use density is calculated on the upland acreage with an allowed density transfer from the wetland acreage. Within the Agricultural/Residential Rural (A/RR) Land Use district the wetland density transfer rate is one (1) dwelling unit per five (5) acres, with the Residential Low-1 (RL-1) Land Use district transferring at a rate of one (1) dwelling unit per acre, both would be rounded down. The subject site is located within the Transit Corridors and Centers Overlay (TCCO) which allows for higher densities and intensities of development within the overlays of the TCCO district. The allowable increases in density and intensity development of the TCCO only applies to the property located within the Transit Supportive Development Area (TSDA) and not the Rural Development Area (RDA), or the A/RR district. These densities and intensities are considered by right; however, the Land Development Code and setbacks of the district are still applied, and in many cases will not allow development to the full density or intensity without a Level 3 or higher review and approval. An analysis of residential development that would not need special provisions, requiring a Level 3 review or higher for relief of the standards, indicates that developments may achieve densities, on a net useable acreage, between 3.5 units per acre to 4.0 units per acre upland for the RL-1 Land Use district, for this analysis an upland density of 4.0 dwelling units per acre shall be utilized. Within the A/RR Land Use district a density of one (1) dwelling unit per five (5) acres and a wetland density transfer of one (1) dwelling unit per five (5) acres.



The subject’s proposed Land Use of Business Park Center (BPC) would replace the same 101.0± acres, previously described. Non-residential Land Use districts do not provide for intensity wetland transfer like the residential density transfer, intensity is based on the net upland acres. The BPC within the Rural Development Area (RDA) allows for a maximum Floor Area Ratio (FAR) of 0.35 and within the Transit Supportive Development Area (TSDA) a maximum FAR of 3.0. The applicant has a related application for a Site-Specific Land Use Text Amendment (LDCT-2023-23) which will limit the maximum square footage of building development to 685,000 square feet, 640,000 square feet of warehouse and 45,000 square feet of commercial space, and this shall be utilized for this analysis. It should be noted that within the indicated development area, for the 685,000 square feet, there are areas that indicate wetlands that are shown on the Polk County Data Viewers wetland overlays. Development within wetlands is not permitted according to the Comprehensive Plan and Land Development Code. The applicant is working on a jurisdictional wetland survey. The jurisdictional wetland survey will may prove to be significant in the final design, placement and maximum size of the proposed developed land, building and impervious surface area.

This same density and intensity analysis is used for the Roadways/Transportation Network analysis and Table 5.

The following Table 4 represents the existing Future Land Use and proposed Future Land Use estimated demand for potable water at is 164,400 Gallons per Day (GPD) for water and 131,520 GPD capacity for wastewater.

Table 4: Estimated Water and Sewer Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use – A/RR & RL without a Planned Development	LDCT-2023-23 Permitted in Proposed Land Use – BPC (LDCT-2023-23 Limitations)
<b>101.0± acres 4,399,560 sq. ft. Without LDCT-2023-23</b>	(A/RR) 35.4 x 1 du/5 ac = 7 du (A/RR) 5.1 x 1 du/5ac = 1 du (RL-1) 57.7 x 4 du /1ac = 230 du (RL-1) 2.8 x 1 du /1ac = 2 du	685,000 sq ft
<b>Potable Water Consumption</b>	8 du x 360 = <b>2,880 GPD</b> 232 du x 360 = <b>83,520 GPD</b> <b>Total = 86,400 GPD</b>	685,000 x 0.24 GPD <b>164,400 GPD</b>
<b>Wastewater Generation</b>	240 du x 270 = <b>64,800 GPD</b>	164,440 x 0.80 percent = <b>131,520 GPD</b>

Source: Polk County Maximum Feasible Buildout Methodology (TCCO); A/RR 540 GPD, RL 360 GPD per unit for water and 270 GPD for wastewater; BPC; Warehousing 0.24 per square foot Water and 80% Wastewater

As previously stated, a portion of the subject site is located within the Transit Corridors and Centers Overlay (TCCO) and the Transit Supportive Development Area (TSDA), allowing for higher residential densities and non-residential intensities. The prior analysis was based on development of the property in a residential manner that would not require a minimum of Planning Commission approval for development. Development standards that would require such approval include setback reductions, lot width reductions, multi-family, and/or a Planned Development. The TCCO allows for maximum densities in the Residential Low Future Land Use designation within the TCCO’s Center of 12 dwelling units per acre and within the Core of 25 dwelling units per acre. As stated previously, all development must conform to the Land Development Code and deviations or relief from these standards typically requires a Level 3, Public Hearing, or higher review and approval. The subject site is located in both the Transit Supportive Development Area (TSDA) and Rural Development Area (RDA), each having different development standards that would have to be met.

The subject’s TCCO site is comprised of:

<u>TCCO Area</u>	<u>Gross Acres</u>	<u>Wetland Acres</u>	<u>Upland Acres</u>	<u>Density</u>
RDA Non-TCCO	40.5± gross acres	5.1± wetland acres	35.4± upland acres	1 du/ac
Center - RL-1	46.4± gross acres	2.8± wetland acres	43.6± upland acres	12 du/ac
Core - RL-1	<u>14.1± gross acres</u>	<u>0.00± wetland acres</u>	<u>14.1± upland acres</u>	25 du/ac
	101.0± gross acres	7.9± wetland acres	93.1± upland acres	

The TCCO’s Center has a maximum residential density of 12 dwelling units per acres, and the TCCO Core has a maximum residential density of 25 dwelling units per acre. The 101.0± residential acres have a maximum potential for 875 dwelling units and an estimated water usage of 315,000 gpd and wastewater of 236,250 gpd.

As previously stated, a portion of the subject site is located within the Transit Corridors and Centers Overlay (TCCO) and the Transit Supportive Development Area (TSDA), allowing for higher non-residential intensities. The prior analysis was based on development based on the approval of the Land Use change request and the associated Text Amendment (LDCT-2023-23) that limits the building development or Floor Area Ratio (FAR) to 685,000 square feet. The TCCO provides for a minimum recommended FAR of 1.0 and a maximum FAR of 3.0. A FAR of 1.0 to 3.0 would require at least one multiple story building. The most common use within

BPC districts is warehousing and light industrial. Warehouse and light industrial are not compatible with multi-story buildings; therefore, within a BPC district a maximum FAR of 1.0 is considered to represent the maximum possible buildout. The subject site's 40.5± acres, 35.4± acres of uplands, of the site are in the Rural Development Area (RDA), allows for a maximum FAR of 0.35, with the remaining 60.5± gross acres, or 57.7± upland acres in the Transit Supportive Development Area (TSDA) and TCCO allows for a maximum FAR of 0.35 in the RDA and 1 in the TSDA. The 101.0± non-residential BPC acres have a maximum potential for 4,038,883 square feet and an estimated water usage of 732,039 gpd and wastewater of 585,632 gpd, which is considerably more intense than the amount proposed by the applicant and limited by LDCT-2023-23.

#### B. Available Capacity

Table 4 provides a scenario of the buildout of the subject site, as well as the impacts it may have on water and wastewater services based upon the development potential using the current and proposed Future Land Use designation. The existing residential impact analysis is based on an estimated maximum development that may occur without a Level 3 review and approval. The proposed non-residential impact is based upon the maximum buildout to be permitted under the proposed LDCT-2023-23 Text Amendment. The proposed development is anticipated to have a higher need for potable water and generate more wastewater than the current Future Land Use designation. There is capacity available in the utility system for the City of Lakeland. The City of Lakeland has issued a commitment for water and sewer based upon the City of Lakeland Utilities analysis for the project as submitted to the City of Lakeland.

#### C. Planned Improvements

There are no known utility improvements near the subject site or for the Lakeland Utility Service Area.

### **Roadways/Transportation Network**

#### A. Estimated Demand

Table 5 see below, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The site is located within the Transit Corridors and Centers Overlay (TCCO), specifically it is within the Core, and Center. The explanation of the density and intensity analysis utilized within this analysis is explained within the Water and Wastewater analysis section for this report.

The current Land Use districts of A/RR and RL, indicates an AADT of 1,890 trips and PM Peak Hour Trips of 242 trips and the Proposed BPC, with the proposed LDCT-2023-23, indicates an AADT of 1,078 trips and PM Peak Hour Trips of 114 trips.

Table 5: Estimated Transportation Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use – A/RR & RL without a Planned Development	LDCT-2023-23 Permitted in Proposed Land Use – BPC (LDCT-2023-23 Limitations)
<b>101.0± acres</b> <b>4,399,560 sq. ft.</b> <b>Without LDCT-2023-23</b>	(A/RR) 35.4 x 1 du/5 ac = 7 du (A/RR) 5.1 x 1 du/5 ac = 1 du (RL-1) 57.7 x 4 du /1ac = 230 du (RL-1) 2.8 x 1 du /1ac = 2 du	685,000 sq. ft. / 1000 = 685
<b>Average Annual Daily Trips (AADT)</b>	8 du x 7.81 AADT = 63 Trips 232 du x 7.81 AADT = 1,812 Trips <b>1,875 AADT Trips</b>	685 x 1.74 x 92%= <b>1,078 AADT Trips</b>
<b>PM Peak Hour Trip</b>	8 du x 1.0 PM Peak = 8 Trips 232 du x 1.0 PM Peak = 232 Trips <b>240 PM Peak Trips</b>	685 x 0.18 x x92% = <b>114 Trips</b>

Source: Concurrency Manual August 2022: ITE 210 Single family rate per unit 7.81 AADT and 1.00 AADT PM Peak Hour; ITE 150 Warehousing 1.74 AADT and 0.19 PM Peak Hour per 1,000 sq. ft.

B. Available Capacity

Table 6 below displays the available capacity for County Line Road and the surrounding road network. There is available capacity in the PM Peak Hour for maximum buildout. The related LDCT-2023-23 Text Amendment prohibits any vehicle access to or from Alderman Road and the subject site, all vehicle traffic will access the site from along the 313± foot frontage of Swindell Road, east of Alderman Road. A portion of Swindell Road and all of Alderman Road are not included in Table 6, as they are not tracked for capacity by the Polk Transportation Planning Organization.

Table 6: Roadway Link Concurrency

Link #	Road Name	Current Level of Service (LOS)	Type	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr. Projected LOS
8413E	Swindell Road	C	UC	774	D	C
8413W	N. Frontage Rd to Galloway Road N.	C		770	D	C
8414N	County Line Road	C	UC	968	D	C
8414S	Pipkin Road to Interstate 4	C		928	D	C
8414E	N. Frontage Road	C	UC	695	D	C
8414W	Interstate 4 to Galloway Road N.	C		687	D	C
8415E	Clark Road	C	UC	521	D	C
8415W	Old Tampa Hwy to N. Frontage Rd	C		511	D	C
5500E	Interstate 4	C	PA	2,239	D	D
5500W	Hillsborough County Line to SR 570	C		2,507	D	D

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

### C. Roadway Conditions

N. Frontage Road is an urban collector road that runs generally east and west paralleling Interstate 4 (I-4) along the northern side between Clark Road/Swindell Road to the west and Galloway Road to the east and is monitored by the Polk County TPO with a LOS of “C”. Clark Road is an urban collector road west of the subject site and runs south from N. Frontage Road and is monitored by the Polk County TPO with a LOS of “C”. Swindell Road is an urban collector road that runs from County Line Road to the west of the subject site to Galloway Road northwest of the subject site and is monitored by the Polk County TPO with a LOS of “C”. Swindell Road has a pavement width of 20 feet and is considered a substandard road which would need to be brought up to county standards for development that would have access to the road. During the site visit it was noted that the conditions of Swindell Road between N. Frontage Road and County Line Road are the same as the portions of Swindell Road that are monitored by the TPO. The pavement width is 20 feet with no shoulders. The Land Development Code addresses road improvements when needed due to the increased impact of a development. Typical developments of this magnitude have significantly more road frontage than the subject site, at approximately 313 feet. A Business Park Center (BPC) Future Land Use designation, with the anticipated increase in predominantly simulator use, is disproportionate to the limited improvements to Swindell Road that may be required.



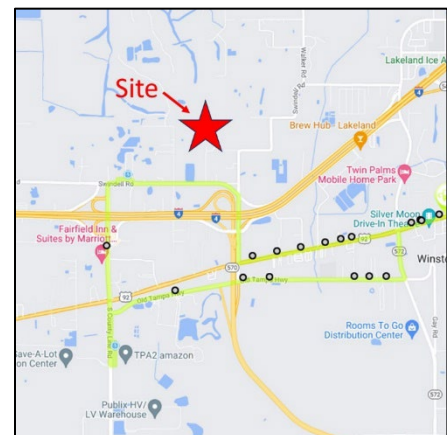
Swindell Road Looking West, Alderman Road at the Stop Sign

### D. Planned Improvements

There are no planned improvements for this area.

### E. Mass Transit and Sidewalk Network

The nearest mass transit route runs on Swindell Road between Clark Road and County Line Road. The nearest stop is located at Welldyne, approximately 1/3 of a mile west of the subject site. However, Swindell Road does not have sidewalks. The subject is located within the TSDA and sidewalks will be required along Swindell Road.



### Park Facilities

The Walker Road Park and Itchepackesassa Creek Wetland are within about two (2) miles of the subject site.



A. Location:

Walker Road Park is located northeast of the site at 1285 Walker Road, Lakeland. Hours of operation are from 5 AM to 10 PM daily.

B. Services:

Walker Road Park is the closest park, and it includes softball fields with lighting, dugouts and bleacher shelters complete with a concession building and restrooms. There are pedestrian trails around the park and a playground area and multi-purpose fields.

C. Multi-use Trails:

The closest multi-use trail is within the and Itchepackesassa Creek Wetland, located approximately about two miles north of the subject site at 1285 Walker Road, Lakeland. The trail offers hiking with wheelchair access.

D. Environmental Lands:

The closest multi-use trail is within the and Itchepackesassa Creek Wetland, located approximately two (2) miles north of the subject site at 1285 Walker Road, Lakeland. The trail offers hiking with wheelchair access.

E. Planned Improvements:

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

## **Environmental Conditions**

The subject site, included in the Land Use change request, currently has a homesteaded single-family residence, with the remainder of the property utilized for pasture. The subject site appears to have both wetlands and Special Flood Hazard Areas. A wetland delineation will determine the wetlands on the subject site. During a Level 2 review of development for the site development around the wetland areas will be fully analyzed and addressed. Polk County's Land Development Code Section 620 Wetland Protection will have to be address to development of wetlands and/or wetland buffers within the development area. Should wetlands be located within the development area of the requested Land Use change request it could present significant development considerations for the site. It should be noted that the wetland data available to staff includes wetland designations on portions of the proposed 685,000 square foot limitation in development area included in LDCT-2023-23. These wetlands will need to be confirmed with a jurisdictional wetland survey, and may pose development issues at the time of a Level 2 review.

A. Surface Water:

The site has several areas of water or ponds as well as drainage ditches. The applicant has stated that a wetland delineation will be done for the entire property of the Land Use change request as well as the LDCT-2023-23 Text Amendment on the overall 166.0± acres. Two of the wet pond areas are located within the "Industrial" use area of the applicant's "Map C", and displayed in Exhibit 9 of this report.

B. Wetlands/Floodplains:

According to the Polk County GIS Viewer, the parcel appears to have both wetlands and Special Flood Hazard Area. Development is regulated in accordance with the land use standards of the Polk County Comprehensive Plan and Land Development Code. It is recommended that the

property owner obtain a wetland delineation to verify wetland boundaries. Development is required to meet a 25 ft setback from any wetland boundary. In the event application of that requirement precludes use of the property, development of one dwelling unit may be allowed. If the unit is located partially or entirely within a wetland, the development is subject to wetland impact review by the Florida Department of Environmental Protection or Southwest Florida Water Management District.

**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 soils are not considered well drained. However, development on the subject site will connect to public water and sewer.

**Table 8 Soil Information**

<b>Soil Name</b>	<b>Septic Tank Absorption Field Limitations</b>	<b>Small Commercial Buildings</b>	<b>% of Site (approximate)</b>
Smyrna & Myakka fine sand (17)	Severe: wetness	Severe: wetness	56%
Sparr sand 0 to 5% slopes (14)	Severe: wetness	Moderate: wetness	12%
Placid and Myakka fine sands, depressionnal (25)	Severe: ponding	Severe: ponding	9%
Ona-Ona, wet, fine and 0 to 2% slopes (23)	Severe: wetness	Severe: wetness	8%
Tavares fine sand, 0 to 5 % slopes (15)	Moderate: wetness	Slight	8%
Samsula muck, frequently ponded, 0 to 1% slopes (13)	Severe: ponding	Severe: ponding	7%
Eaton mucky fine sand, depressionnal (6)	Severe: ponding	Severe: ponding	7%

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

**D. Protected Species**

According to Polk County Endangered Habitat Maps, the subject site is located within a one-mile radius of an endangered species sighting, and Eagle Nests. (Source: Florida Department of Environmental Protection, 2015). The burden of identifying endangered species is on the developer, at the time of a Level 2 review.

**E. Archeological Resources:**

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

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

There are no public wells on-site and the subject site is not within a Wellfield Protection District. The nearest Well Field Protection District is approximately 1.9 miles to the east.

**G. Airports:**

The property is not within an Airport Impact District (AID) height notification zone and education restriction zone.

## Consistency with the Comprehensive Plan

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

- Section 2.102 – General Growth Management policies
- Policy 2.104-A3 Transit Supportive Development Area (TSDA) Land Use Categories
- Policy 2.104-A5 Transit Supportive Development Area (TSDA) Development Criteria
- Policy 2.113-B Business Park Center (BPC)
- Policy 2.113-B-3, and B-4 Location Criteria, and Development Criteria

*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:</p> <p>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 request is to change 101.0± acres of A/RR and RL-1 to a BPC land use. The area is predominantly developed with larger acreage residential lots, with a median density of 1.80 du/ac or greater. The main concern is bifurcation and intrusion of the BPC of the RL-1 and A/RR land use districts with no adjacent similar land use districts within Polk County. The only adjacent similar zoning is located on the south side of Swindell Road, in the City of Lakeland. The subject site only has 313± feet of frontage along Swindell Road.</p> <p>The accompanying Text Amendment (LDCT-2023-23) includes a number of conditions that are intended to alleviate compatibility concerns. These conditions include an enhanced buffer along the western an part of the northern side of the site. Portions of this buffer include increased buffer depth, addition of a 6 foot high berm and 6 feet PVC fence. The amendment includes a limitation of the total intensity of development to a total of 685,000 square feet. No access from Alderman Road. Building height limitation of 60 feet, as well as others. The requested Future Land Use change is not considered to be compatible and consistent with the Comprehensive Plan and Land Development Code. The related request, LDCT-2023-23, for a site-specific Text Amendment does not accomplish the</p>

Comprehensive Plan Policy	Consistency Analysis
	needed compatibility and consistency with the Comprehensive Plan and Land Development Code.
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.	The request for the Future Land Use designation is not consistent with the Development Location policy. The request is not contiguous and compact, it bifurcates a Residential Low-1 and intrudes into an Agricultural/Residential Rural Land Use district.
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.	
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.	The request for the Future Land Use designation is not consistent with the Location Criteria. Despite the elevated buffering requirements within LDCT-2023-23, they do not provide adequate buffering for the intrusion of the BPC district into the RL-1 and A/RR districts.
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: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable); e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2. sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental	

Comprehensive Plan Policy	Consistency Analysis
<p>sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.</p>	
<p><b>POLICY 2.104-A3: LAND USE CATEGORIES</b> - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria  <b>ACTIVITY CENTERS:</b> Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers. <b>RESIDENTIAL:</b> Residential-High, Residential-Medium, and Residential-Low Districts. <b>OTHER:</b> Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.</p>	<p>The requested Future Land Use designation is listed in this policy. Therefore, the request is consistent with this policy to permit BPC.</p>
<p><b>POLICY 2.104-A5: DEVELOPMENT CRITERIA</b> - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code: a. provide access to transit facilities; b. connect to centralized potable water and sanitary sewer systems; c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element; d. implement “Complete Street” and “Conservation Development” principles as established under Section 2.1251, Community Design, of this element; e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings; f. provide access to civic space, parks, green areas, and open space and other amenities; g. be supported by public safety (i.e., fire, EMS and law enforcement); h. have access to public schools; i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas. j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential</p>	<p>The request is consistent with the portion of this policy requiring access to public safety services. However, the site has limited road frontage along a collector road for improvements of Complete Streets, and minimal addition of sidewalks within the area. The site is an effective flag lot BPC district and therefore not consistent with this policy.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.</p>	
<p><b>POLICY 2.108-A3: LAND USE CATEGORIES --</b> The following land use categories shall be permitted within Rural-Development Areas: a. <b>ACTIVITY CENTERS:</b> Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria. b. <b>RESIDENTIAL:</b> Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria. c. <b>OTHER:</b> Linear Commercial Corridors, Commercial Enclaves, Industrial, Agri-related Business-Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.</p>	<p>The BPC District is an allowable use within the RDA.</p>
<p><b>POLICY 2.113-B-3: LOCATION CRITERIA -</b> Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on: a. arterial roads; b. collector roads, if the proposed district is within 2 mile of an intersecting arterial road; c. local commercial roads or private roads under the following conditions: 1. the road has full median access onto to an arterial road; 2. the road does not serve existing or expected future residential traffic from the surrounding area; and 3. the road has a structural integrity and design characteristics suitable for truck traffic. d. properties abutting an Industrial (IND) district or railroad line.</p>	<p>The request is to change 101.0± acres of A/RR and RL-1 to a BPC land use. The subject site is located on the north side of Swindell Road, a collector road, and east side of Alderman Road, a local residential road Swindell Road. Swindell Road to the east is residential in nature with the western site also being residential. Swindell Road is a substandard road.</p>
<p><b>POLICY 2.113-B-4: DEVELOPMENT CRITERIA -</b> Development within a Business-Park Center shall conform to the following criteria: a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical. b. Adequate parking shall be provided to</p>	<p>The subject site fronts Swindell Road, which is an Urban Collector Road as stated in A of the policy. A warehouse is the proposed use for the site. The elevated buffering requirements within LDCT-2023-23, do not provide adequate buffering for the intrusion of the BPC district into the RL-1 and A/RR districts. In reality there is no type of buffering to adequately address this incompatibility of the Business Park Center</p>

Comprehensive Plan Policy	Consistency Analysis
<p>meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic. c. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions. d. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park. e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development. f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser. g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering). h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures. i. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank septic. j. Planned Developments within the Business Park Center district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district. k. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters</p>	<p>(BPC) intruding into this developed low density residential use area.</p>

Comprehensive Plan Policy	Consistency Analysis
listed in the Land Development Code not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the Department of Health for water and wastewater usage, whichever allowed intensity is the lesser.	

### 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. 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 were 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



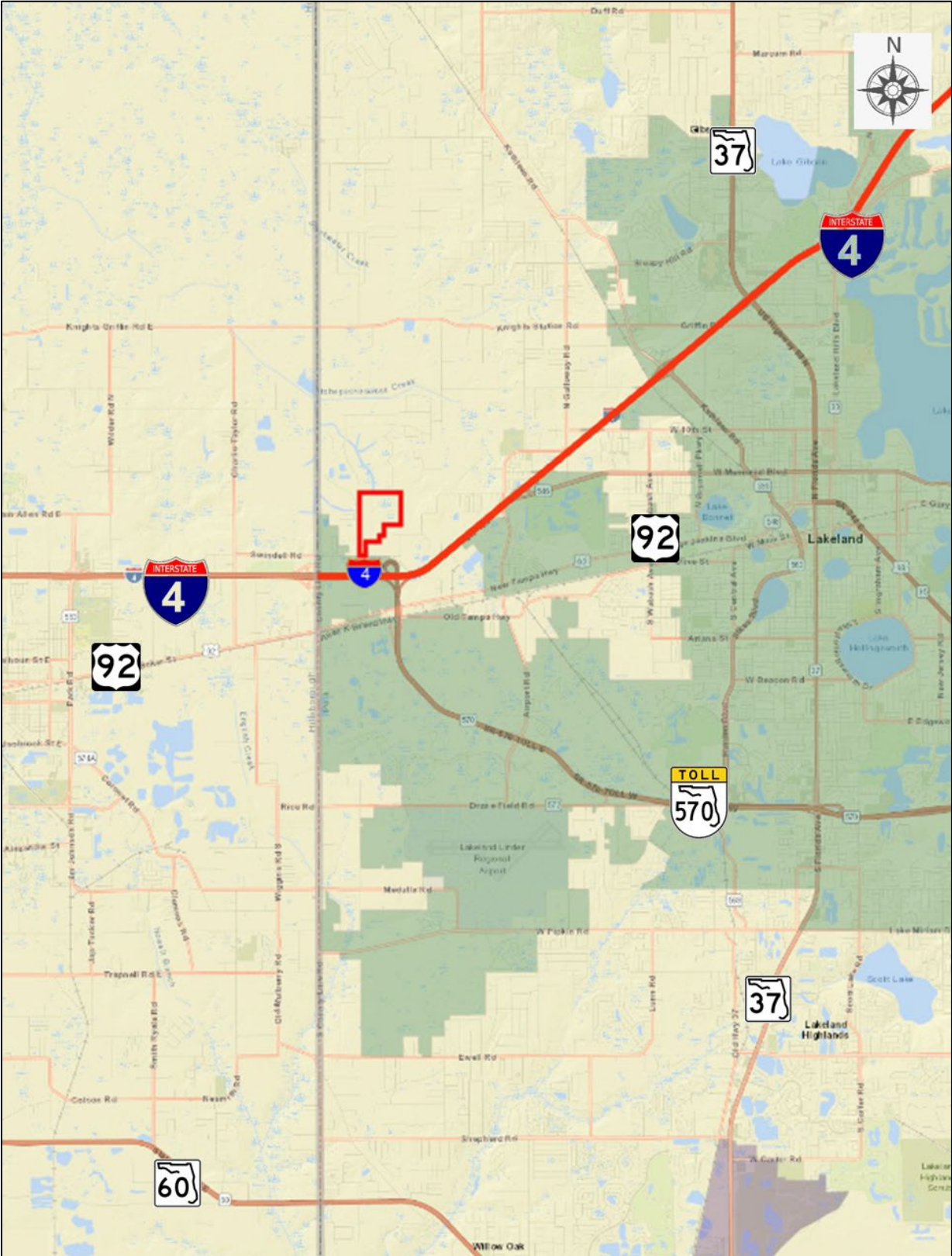
Comments from other agencies

No comments

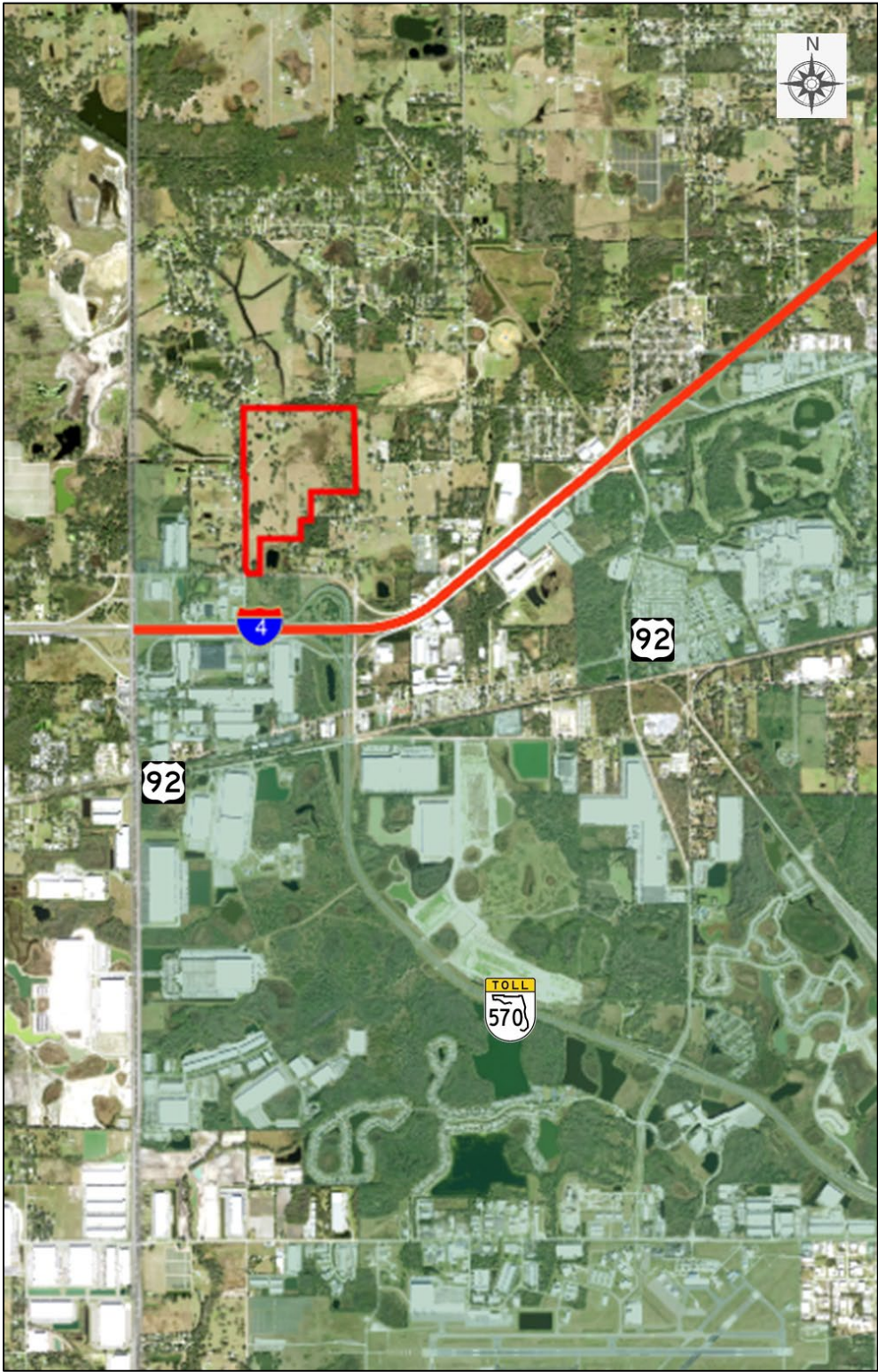
Exhibits:

- Exhibit 1 Location Map
- Exhibit 2 Aerial Context Map
- Exhibit 3 Aerial Close Up – Land Use & Text Amendment Change Area
- Exhibit 4 Existing Future Land Use Map
- Exhibit 5 Proposed Future Land Use Map
- Exhibit 6 TCCO and Development Districts Map
- Exhibit 7 Polk County GIS Data Viewer, Wetlands and Flood Zones
- Exhibit 8 Historic Wetlands
- Exhibit 9 Preliminary Use Plan
- Exhibit 10 Context Use Plan
- Exhibit 11a Warehouse/Light Industrial Square Footage
- Exhibit 11b Warehouse/Light Industrial Building Height
- Exhibit 12a Permitted and Conditional Uses – A/RR
- Exhibit 12b Permitted and Conditional Uses – RL-1
- Exhibit 12c Permitted and Conditional Uses – BPC-1

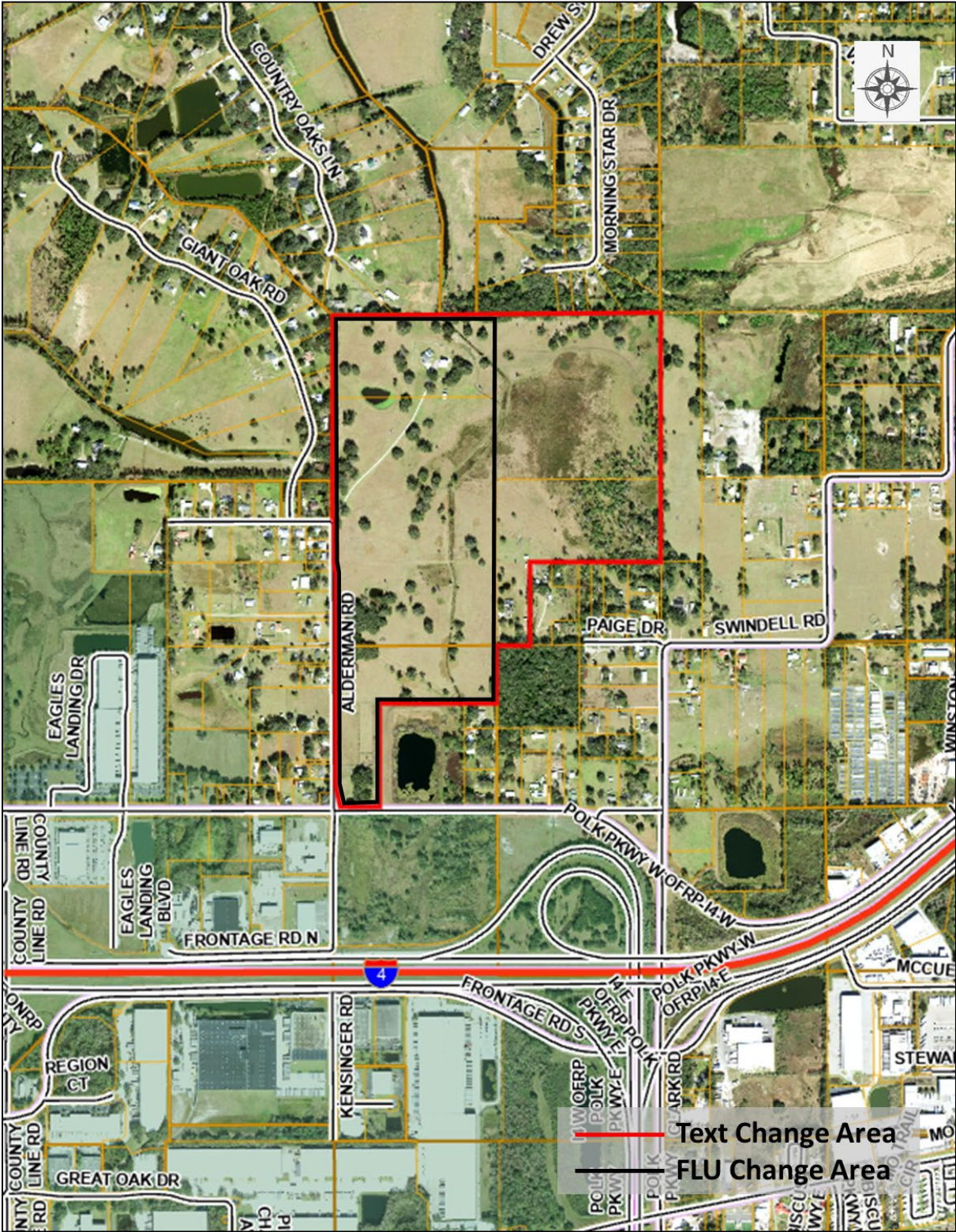
Applicant's submitted documents and ordinance as separate files



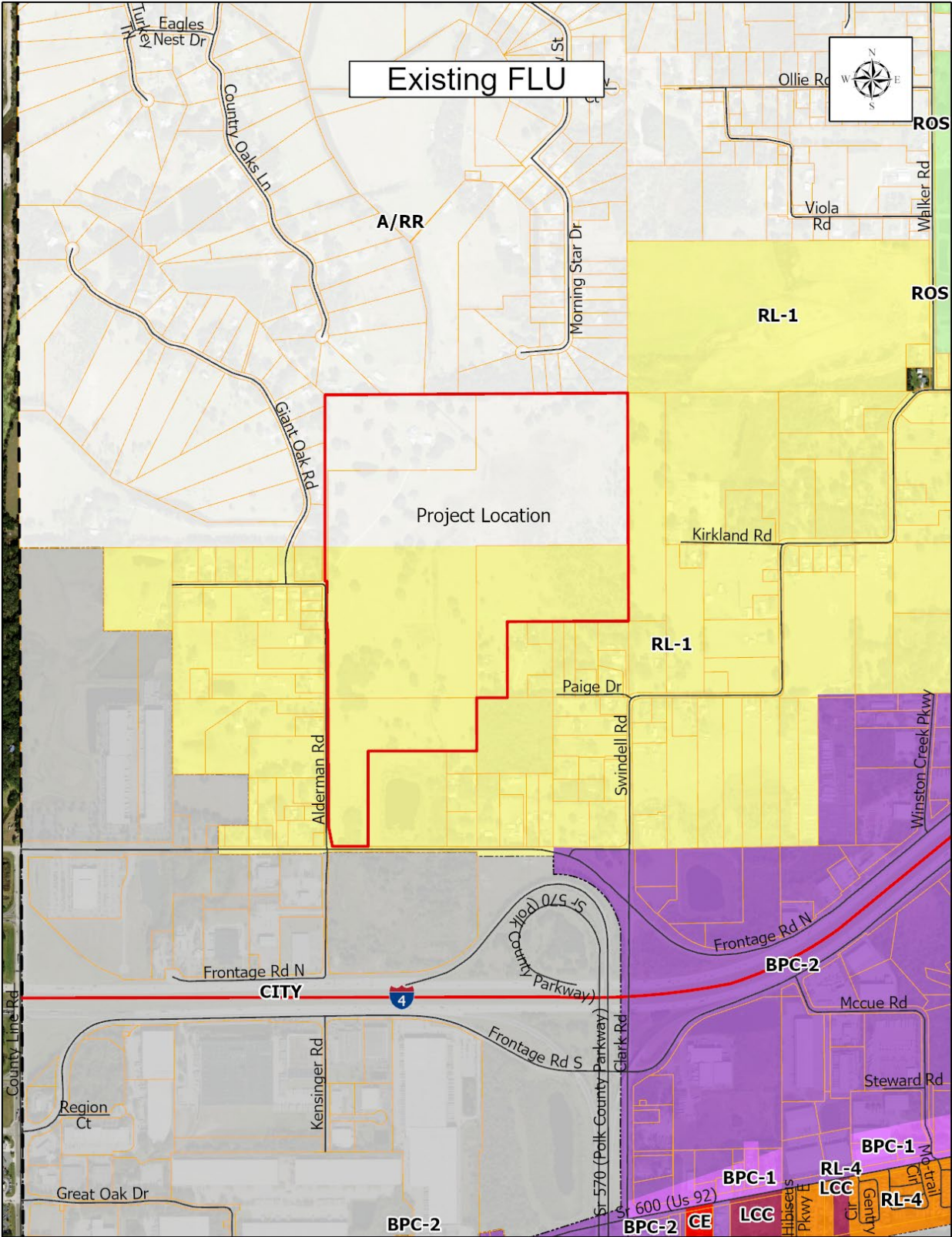
# LOCATION MAP



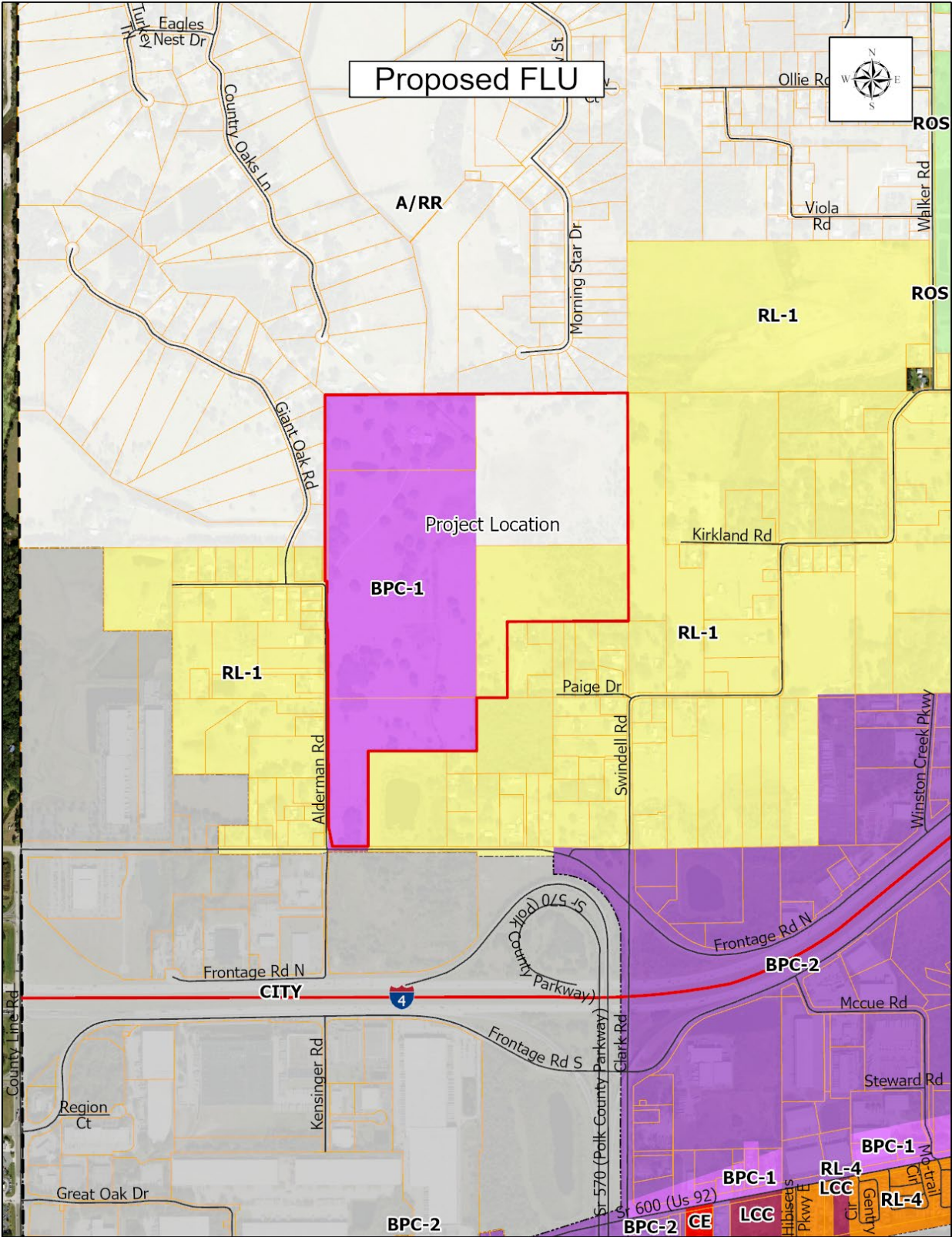
# AERIAL MAP CONTEXT



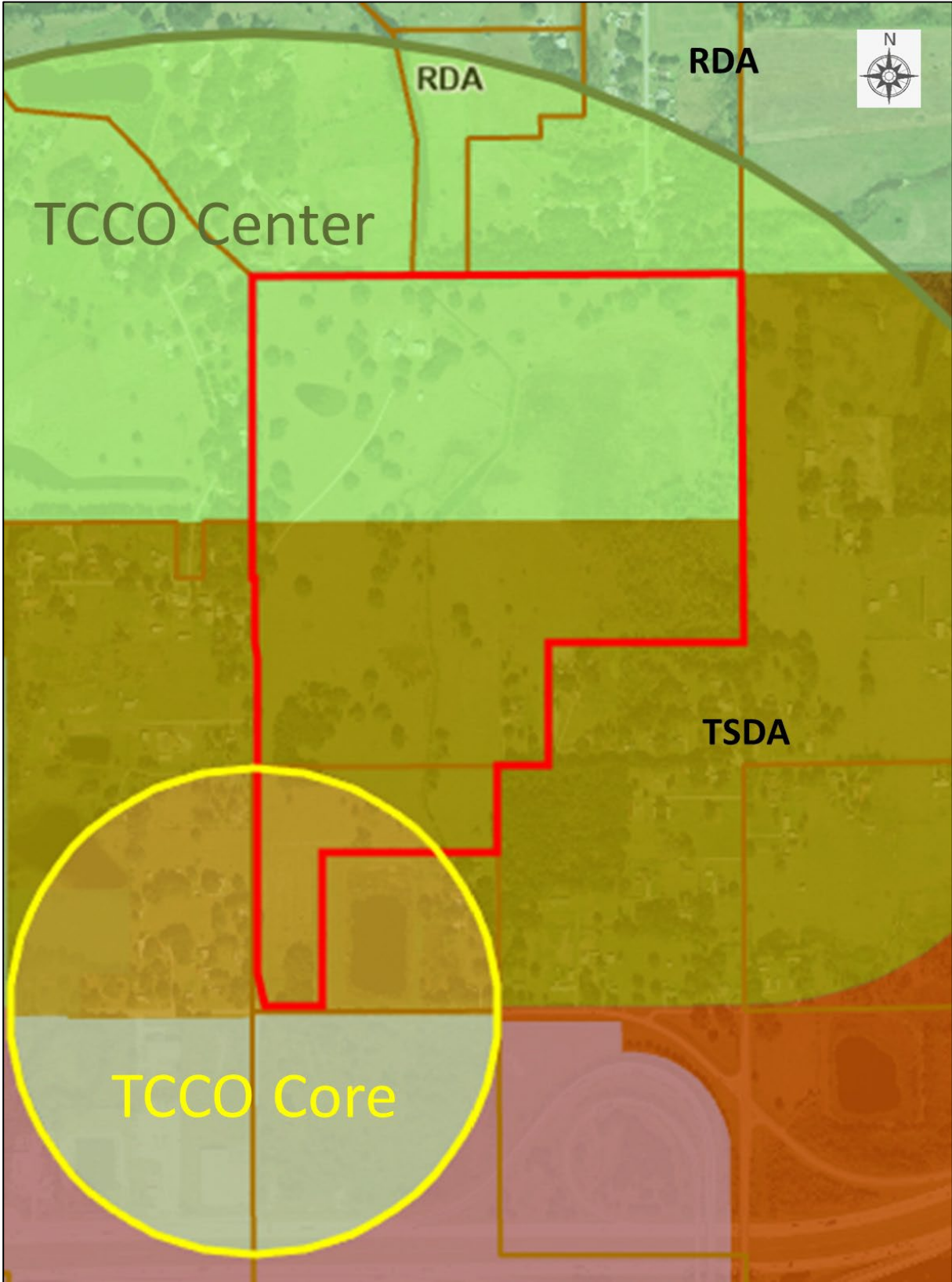
# 2023 AERIAL MAP (Land Use & Text Amendment Request Area)



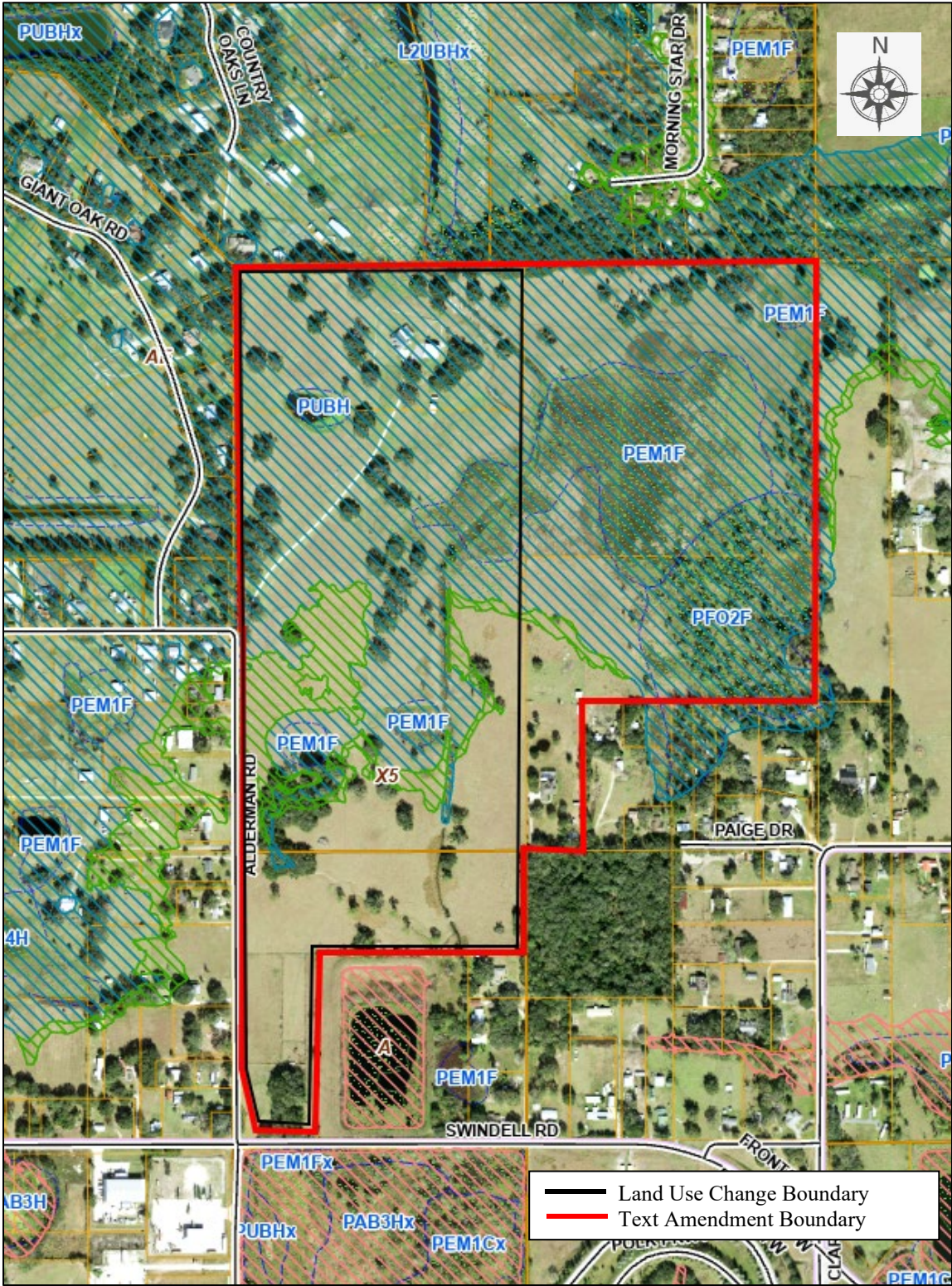
# EXISTING FUTURE LAND USE



# PROPOSED BPC-1 FUTURE LAND USE

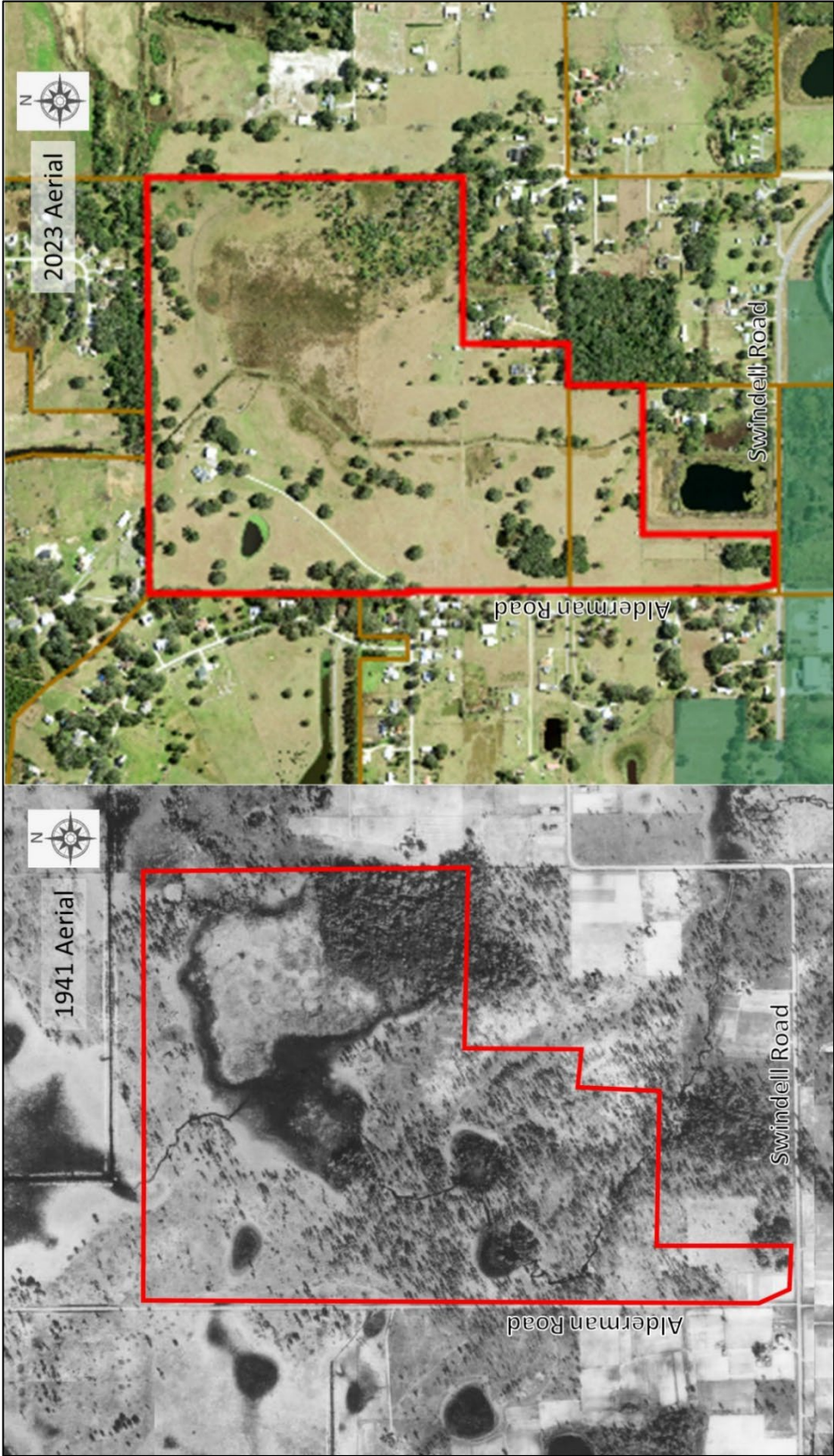


# TCCO and DEVELOPMENT DISTRICTS



# POLK COUNTY GIS DATA VIEWER WETLANDS AND FLOOD ZONES

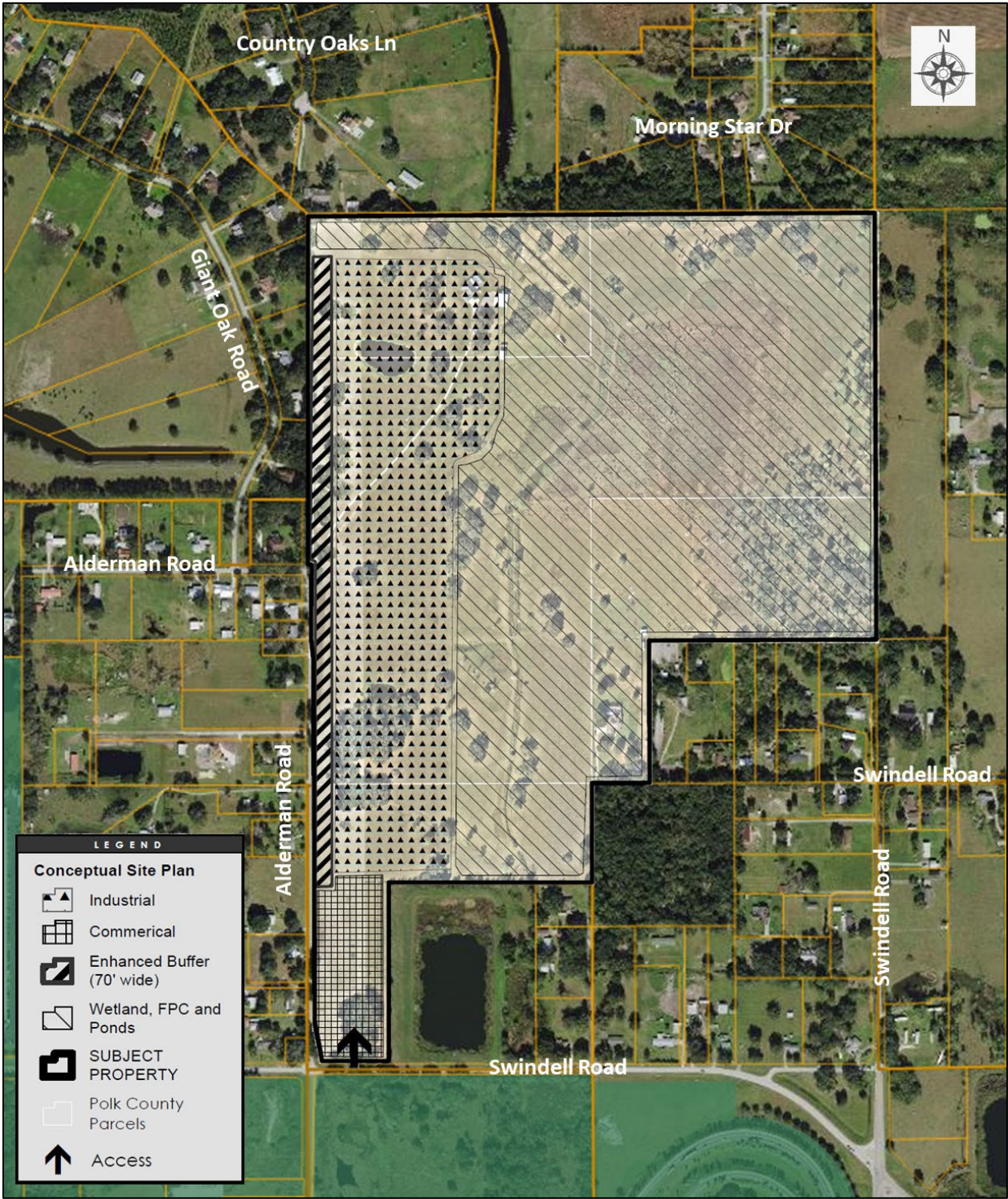




2023  
Aerial

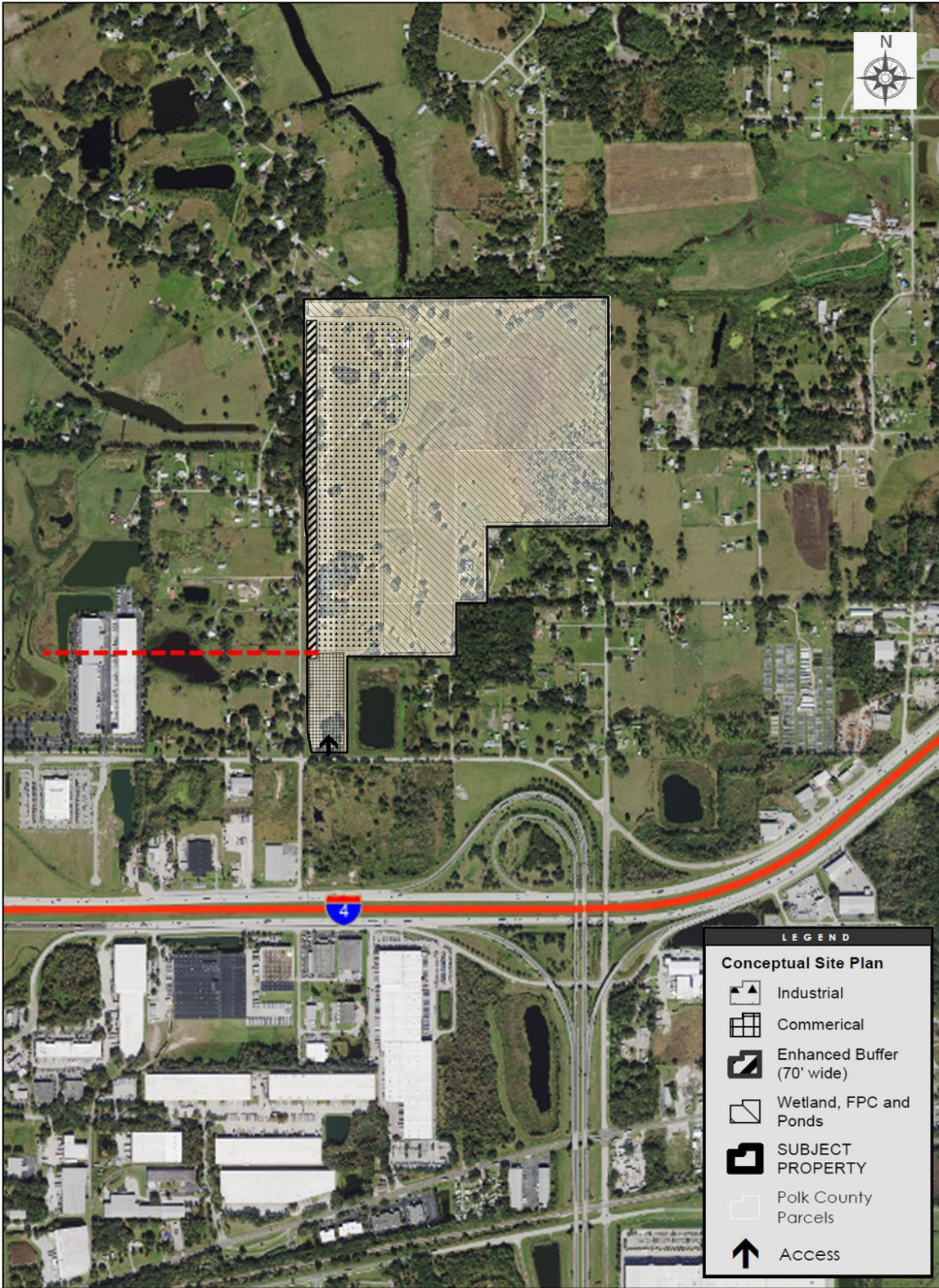
1941  
Aerial

# HISTORIC WETLANDS



# PRELIMINARY USE PLAN

Applicant's "Map C" Overlaid a Context Aerial



# CONTEXT USE PLAN

Applicant's "Map C" Overlaid a Context Aerial



# WAREHOUSE/LIGHT INDUSTRIAL SQUARE FOOTAGES



# WAREHOUSE/LIGHT INDUSTRIAL BUILDING HEIGHTS

Agricultural/Residential Rural (A/RR)	
Technical Staff Review -Level 1& 2	Public Hearing (s) Required-Level 3 & 4
<p><b>Residential Uses:</b></p> <p>Family Farm, C1            Group Home, Small (6 or less residents), C1            Farm Worker Dormitory, Apartment Style, C2            Mobile Homes, Individual, C1            Single family Detached Home &amp; Subdivision</p>	<p><b>Residential Uses:</b></p> <p><del>Fly in Community, C3</del>  <del>Group Home, Large (7-14 residents), C3</del>  <del>Group Living Facility (15 or more residents), C3</del>  <del>Farm Worker Dormitory, Barrack Style, C3</del>  <del>Mobile Home Park &amp; subdivision, C3</del>  <del>Rural Residential Development (RRD), C3</del></p>
	<p><b>Mixed Uses:</b></p> <p><del>Planned Development, C3</del>  <del>Residentially Based Mixed Development (RBMD), C3</del>  <del>Rural Mixed Development (RMD), C3</del></p>
<p><b>All Other Uses:</b></p> <p>Animal Farm, Intensive            Cemetery, C2            Communication Towers, Guyed and Lattice C2            Communication Tower, Monopole, C2            Convenience Stores, Isolated, C2            Emergency Shelter, Small (6 or less residents), C1            Farming General,            Golf Course, C1            Heliports, C2            Helistops, C2            Kennels, Boarding and Breeding            Livestock Sale, Auction            Nurseries and Greenhouses            Recreation, Passive, C1            Recreation, Low Intensity, C2            Riding Academies, C1            Solar Electric Power Generation Facility, C2            Utilities, Cass I            Utilities, Cass II, C1            Veterinary Service</p>	<p><b>All Other Uses:</b></p> <p><del>Adult Day Care Center (7 or more elients), C3</del>  <del>Agricultural Support, Off-Site, C3</del>  <del>Airport, C4</del>  <del>Airstrip, Private, C3</del>  <del>Bed and Breakfast, C3</del>  <del>Breeding, Boarding, and Rehabilitation Facility Wild or Exotic, C3</del>  <del>Childeare Center, C3</del>  <del>Community Center, C3</del>  <del>Correctional Facility, C4</del>  <del>Cultural Facility, C3</del>  <del>Emergency Shelter, Medium (7-14 residents), C3</del>  <del>Emergency Shelter, Large (15 or more residents), C3</del>  <del>Event Facility, C3</del>  <del>Government Facility, C3</del>  <del>Lime Stabilization Facility, C3</del>  <del>Lodges and Retreats, Private, C3</del>  <del>Marinas and Related Facilities, C3</del>  <del>Mining, Non phosphate, C3</del>  <del>Outdoor Concert Venue, C3</del>  <del>Recreation, High Intensity C3</del>  <del>Recreation, Vehicle Oriented, C3</del>  <del>Religious Institution, C3</del>  <del>Residential Treatment Facility, C4</del>  <del>School, Elementary, C3</del>  <del>School, Leisure/Special Interest C3</del>  <del>School Technical/Vocational/Trade &amp; Training, C3</del>  <del>Seaplane Base, C3</del>  <del>Utilities, Cass III, C3</del>  <del>Water Ski Schools, C4</del></p>

**PERMITTED AND CONDITIONAL USES**  
**AGRICULTURAL/RESIDENTIAL RURAL (A/RR)**

~~Strikethrough~~ – Prohibited Uses in LDCT-2023-23

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

PERMITTED AND CONDITIONAL USES  
RESIDENTIAL LOW-1 (RL-1)

~~Strikethrough~~ – Prohibited Uses in LDCT-2023-23

Business Park Center-1 (BPC-1)			
Technical Staff Review -Level 1& 2		Public Hearing (s) Required-Level 3 & 4	
All Other Uses:	Alcohol Package Sales, C1 <del>Bars, Lounges, and Taverns, C1</del> Cardboard & Shredded Paper Collection, C2 Commercial Vehicle Parking, C2 Communication Tower, Monopole, C2 <del>Community Center, C2</del> Convenience Stores, Isolated, C2 <del>Cultural Facility, C2</del> Farming General, P <del>Financial Institution, C2</del> <del>Financial Institution, Drive Through, C2</del> Gas Station, C2 <del>Golf Courses, C1</del> Government Facility, P <del>Heliports, C2</del> <del>Helistops, C2</del> <del>Hotels and Motels, C2</del> Manufacturing light, C2 Medical Marijuana Dispensaries, C2 Nurseries, Retail, C2 Nurseries and Greenhouses, P Office, P Office Park, P Personal Service, P Printing & Publishing, P Recreation Passive, C1 <del>Religious Institution, C2</del> Research & Development, P <del>Restaurant, drive thru/Drive in, C2</del> <del>Restaurant, sit down/Take out, C2</del> Retail, 10,000-34,999 sq. ft., C2 Retail, 35,000-64,999 sq. ft., C2 Retail less than 10,000 sq. ft., C2 <del>Schools, Leisure/Special Interest, C2</del> <del>School, Technical/Vocational/ Trade &amp; Training, C2</del> <del>School, University/College, C2</del> Self-Storage Facility, C2 Studio, Production, P <del>Solar Electric Power Generation Facility, C2</del> <del>Transit, Facility, P</del> <del>Utilities Class I, P</del> <del>Utilities Class II, P</del> Warehousing/Distribution, P	Mixed Uses:	<del>Multi-family, C3</del> Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Agricultural Support, Off-Site, C3 <del>Airport, C4</del> <del>Animal farm, Intensive, C3</del> Communication Towers, Guyed and Lattice, C3 <del>Lime Stabilization Facility, C3</del> <del>Mining, Non-phosphate, C3</del> <del>Power Plants Non-Certified, Low, C4</del> <del>Retail, more than 65,000 sq. ft., C3</del> Transitional Area Development, C4 <del>Utilities Class III, C3</del> <del>Water Ski Schools, C3</del>

**PERMITTED AND CONDITIONAL USES  
BUSINESS PARK CENTER-1 (BPC-1)**

~~Strikethrough~~ – Prohibited Uses in LDCT-2023-23