

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	February 27, 2025
Planning Commission Date:	June 4, 2025
BoCC Dates:	N/A
Applicant:	Charles Brooker
Level of Review:	Level 3 Review, Suburban Planned Development (SPD)
Case Number and Name:	LDSPD-2025-1 (Old Dixie Highway SF)
Request:	Proposing a Suburban Planned Development to develop eleven single family lots on approximately 5.29 acres with access via easement.
Location:	2610 Old Dixie Highway, South of Saddle Creek Road, west of Old Dixie Highway, west of the city of Auburndale in Section 6, Township 28, Range 25.
Property Owners:	Xe T Maresca
Parcel Number (Size):	252806-000000-042090 (+/- 5.29 acres)
Development Area:	Suburban Development Area (SDA)
Future Land Use:	Residential Suburban (RS)
Case Planner:	Aleya Inglima, Planner II

Location



Aerial Image



Summary of Analysis:

The applicant is requesting approval of a Suburban Planned Development to develop eleven single family lots on approximately 5.29 acres with access via easement within a Residential Suburban (RS) land use district. SPDs require Level 3 Reviews in RS, according to Table 2.1 of the Land Development Code (LDC). The subject site is approximately 5.29 acres, and the density is 2.08 dwelling units per acre (DU/AC) with achieving 22 locational points. Maximum density permitted for 28 locational points within an SPD per Table 3.4 of the LDC is 3 dwelling units per acre (DU/AC). This site is one of many vacant properties along Saddle Creek Road. Local residential uses include generational site-built homes on large properties. Individual mobile homes are located nearby.

Single family homes are located to the north, south, and east. Tower Manor Mobile Home Park is located to the west of the subject site. The proposed site plan will add eleven additional single-family homes to the area. Lots sizes range from 0.35 acres to 0.64 acres. The site is down the road from Tenoroc High and Saddle Creek Park & Campground, making it a prime location to live. 10% of the site is dedicated to open space at about +/- 0.76 acres and will serve to buffer the neighboring properties. Buffers and landscaping will be constructed in accordance with Ch.7 of the LDC.

This site is located in a Suburban Development Area (RDA), and the services found within this development area include utilities, schools, transportation, parks, and emergency services. The site is situated along Saddle Creek Road and Old Dixie Highway. Saddle Creek Road is an urban collector roadway that runs west-east. It connects Combee Road (SR 659) to Old Dixie Highway. Old Dixie Highway (CR 546) is an urban collector roadway that runs north-south and leads to US 92. No environmental issues are located on the site which would hinder development.

In short, the number of units requested are small enough that there are no compatibility issues, as defined in Chapter 10 of the LDC and prescribed in Policy 2.102-A2 of the Comprehensive Plan. Eleven single family homes will not have adverse effects on public infrastructure. This development adds a bit more housing to the area and should fit seamlessly into the surrounding community. The request is consistent with the Polk County Comprehensive Plan and Section 303 of the LDC as it pertains to PDs. Staff recommends approval.

Findings of Fact

- *LDSPD-2025-1 is a Suburban Planned Development (SPD) to develop eleven single family lots on Parcel No. 252806-000000-042090 (+/- 5.29 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*
- *Minimum principal structure setbacks will be ten (10) feet from the sides and fifteen (15) feet from the rear. Minimum accessory structure setbacks will be five (5) from the sides and ten (10) at the rear. Front yard setback will be 20 feet from the right of way and 40 feet from centerline.*
- *This property is located in a Residential Suburban (RS) land use district. Section 204.A.3 of the LDC states, "The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities".*
- *According to Table 2.1 of the LDC, "Suburban Planned Development" is a "C3" conditional use in RS land use districts requiring a Level 3 Review approval from Polk County's Development Review Committee and a public hearing before the Planning Commission.*
- *Direct ingress/egress to the development is proposed from Saddle Creek Road and Old Dixie Highway. Saddle Creek Road (Road Number 840304) is a County-maintained Urban Collector roadway with a paved surface width of 24 feet. Old Dixie Highway (Road Number 12590) is an Urban Collector roadway with a paved surface width of 20 feet. It is not tracked for concurrency by Polk County's Transportation Planning Organization.*
- *Per Table 2.2 of the LDC, the RS district allows a maximum density of one (1) dwelling units per five (5) acres (du/ac). Interior side setbacks within RS are ten (10) feet for principal structures and five (5) feet for accessory structures. Rear setbacks are fifteen (15) feet for principal structures and ten (10) feet for accessory structures. Setbacks from Local roadways are 20 feet from the right-of-way and 40 feet from the centerline.*
- *Table 3.4 SPD Density Conversion Table of the LDC, states that 22 points can achieve a density up to 2.25 (DU/AC).*
- *Per Section 303 of the LDC, Suburban Planned Developments (Revised 9/26/01 - Ord. 01-70)*

Suburban Planned Developments (SPDs) are conditional uses in the RS land use district. SPDs may contain single-family detached and duplex units at a gross density of up to, and including, three dwelling units per acre based upon a Locational Eligibility Score as determined by Tables 3.3 and 3.4 under Planned Developments.

1. For purposes of this Code, an SPD is:

a. Land to be planned as a whole;

- b. *To be built in a single phase or a programmed series of phases; and,*
 - c. *To include uses and development substantially related to the character and purposes of the land use category.*
 - 2. *A proposed SPD project shall not be approved if it is determined to be premature. When evaluating proposed SPD projects, in addition to Locational Criteria in Table 3.3, the following factors shall indicate whether it is premature:*
 - a. *If the condition and adequacy of the collector and arterial road network is deficient;*
 - b. *The availability of urban services, including but not limited to, police, fire, and EMS;*
 - c. *If there is considerable displacement of ongoing economically viable agricultural activities; and,*
 - d. *The degree of existing development surrounding the proposed SPD.*
 - 3. *All SPDs shall:*
 - a. *Be adjoining (touching) the right-of-way of an arterial, paved collector, or paved County-maintained local road meeting or exceeding adopted level-of service standards*
 - b. *Be connected to public or a franchised water system which meets LOS standards established within this Plan.*
 - c. *Meet Open Space and recreation standards for Planned Developments in Section 303.*
- *This subject property is located in the Suburban Development Area (SDA). According to POLICY 2.106-A1 of Polk County's Comprehensive Plan, "SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services".*

- *Fire and EMS Response is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland, FL 33801. This is located approximately 4.8 miles from the subject site with a response time of eight (8) minutes.*
- *The subject property is served by the Polk County Sheriff's Central District, located at 3635 Ave. G NW, Winter Haven.*
- *The development is zoned for Lena Vista Elementary, Jere L. Stambaugh Middle, and Tenoroc High. The site is 2.3 miles from Lena Vista Elementary; 4.4 miles from Jere L. Stambaugh Middle; and 0.7 miles from Tenoroc High.*
- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*
- *The property is composed of Pomona Sand and Kaliga Muck.*
- *The property has wetlands and flood hazard A zones.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*
- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
- *There are no Citrus Connection mass transit stops located nearby.*
- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*
- *Midway Gardens Park is approximately 0.41 miles from the subject site.*
- *Pursuant to LDC Section 705.B, the easement must:*
 - a. *Have a minimum width of 20 feet;*
 - b. *Not exceed 0.25 miles (1,320 feet) in length without a Waiver approved by the Planning Commission pursuant to LDC Section 932;*
 - c. *Provide for sufficient ingress and egress for fire trucks, ambulances, police cars, and emergency vehicles;*
 - d. *Be supported by the joinder and consent of all fee owners under easements to the use of the easement by the subject parcel(s). If joinders are provided for the easement, it shall be*

accompanied by an ownership and encumbrance report based on the legal description of the easement. In lieu of joinders, an applicant may provide a legal opinion from a licensed Florida attorney stating a lot has legal access, along with supporting documentation; and,

e. Be subject to a Level 1 Review and be provided written approval of same prior to obtaining a building permit.

- *This request has been reviewed for consistency with Section 303 of the LDC.*
- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREA (SDA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, the findings of fact, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the (DRC) recommends **APPROVAL of LDSPD-2025-1.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDSPD-2025-1 with the following Conditions:

1. LDSPD-2025-1 is approved for eleven single family detached lots on Parcel # 252806-000000-042090 as indicated in the site plan and staff report.
2. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDSPD-2025-1, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]
3. The open space shown on the site plan is binding. [PLG]
4. Minimum principal structure setbacks shall be ten (10) feet from the sides and fifteen (15) feet from the rear. Minimum accessory structure setbacks shall be five (5) from the sides and ten (10) at the rear. Front yard setback shall be 20 feet from the right of way and 40 feet from centerline. [PLG]
5. Waiver to Section 705.B shall be granted to allow access via easement for up to ten lots. [PLG]

GENERAL NOTES

- NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.*
- NOTE: *Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.*
- NOTE: *All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*
- NOTE: *Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.*
- NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

Surrounding Land Use Designations and Current Land Use Activity

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

Table 1

Northwest: Tower Manor MHP Residential Suburban (RS)	North: Single Family Residential Residential Suburban (RS)	Northeast: Convenience Store Convenience Center (CC)
West: Tower Manor MHP Residential Suburban (RS)	Subject Property: Vacant Residential Suburban (RS)	East: Single Family Residential Residential Suburban (RS)
Southwest: Tower Manor MHP Residential Suburban (RS)	South: Single Family Residential Residential Suburban (RS)	Southeast: Single Family Residential Residential Suburban (RS)

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

According to aerial photos and satellite images available on Polk County’s Data Viewer, this property has always been vacant. To the south, north, and east are single family homes. Some of these homes have been in the area since the 1960s. To the west is Tower Manor MHP.

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with surrounding land uses and infrastructure.

A. Land Uses:

This request is compatible with surrounding land uses and available infrastructure. The proposed development is located near Tenoroc High. The dominant surrounding use is single-family homes. Single family homes are interspersed north, south, and east of the property. To the west is Tower Manor MHP. Please refer to Exhibit 6 for the layout of the single-family homes in relation to the surrounding area. Landscaping, street lighting, and

The LDC defines compatibility as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”

sidewalks will be required for this development. Each home will be required to have a tree and 25-foot garage setback. The development meets the RS setbacks and the open space that is required. The development was able to achieve 22 locational points for the eleven single family lots based on its location. Ten out of eleven lots will be accessible via easement. Having one easement instead of two easements for the ten lots provides consistency. The eleventh lot will front Old Dixie Highway. In theory, this property could be subdivided through multiple easements and frontage. This eliminates more driveways on urban collector roads.

B. Infrastructure

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Additions to the subject site will not trigger school concurrency requirements; however, there is available capacity for zoned schools. The subject property is located within the City of Auburndale service area for potable water and will use septic for wastewater.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, this proposal is not anticipated to create any significant demand on these services.

Nearest Elementary, Middle, and High School

According to information from the Polk County School Board’s website, the zoned schools are Lena Vista Elementary (±2.3 miles), Jere L. Stambaugh Middle (±4.4 miles), and Tenoroc High (±0.7 miles). These zoned schools have the capacity to accommodate the proposed development.

Table 2, to follow, illustrates the driving distances from the site to the zoned schools, in addition to the annual estimated student demand generated by 10 additional single-family homes and available capacity for each school based on the 2024-25 utilization projections.

Table 2

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Lena Vista Elementary	2 students	79%	±2.3 miles driving distance
Jere L. Stambaugh Middle	1 student	85%	±4.4 miles driving distance
Tenoroc High	1 student	62%	±0.7 miles driving distance

Source: Polk County School Board, GIS, Google Maps

Nearest Sheriff, Fire, and EMS Station

Fire and EMS Response is from Polk County Fire Rescue Station 39 located at 3325 E Main St, Lakeland, FL 33801. This is located approximately 4.8 from the subject site with a response time of eight (8) minutes.

This property is served by the Polk County Sheriff’s Office’s Central District substation, located at 3635 Ave. G NW, Winter Haven. The response times for the Central District for April 2025 were: Priority 1 – 8:42 & Priority 2 – 19:28. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Sheriff’s response times are not as much a function of the distance to the nearest Sheriff’s substation but more a function of the overall number of patrol officers within the County.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	PCSO Central District Substation 3635 Ave. G NW, Winter Haven	±7 miles	P1: 8:42 P2: 19:28
Fire	Polk County Fire Station 39 & Auburndale Fire Department 3325 E Main St, Lakeland, FL 33801 100 Ariana Ave, Auburndale, FL 33823	±4.8 miles	8 minutes
EMS	Polk County Fire Station 39 3325 E Main St, Lakeland, FL 33801	±4.8 miles	8 minutes

Source: Polk County Sheriff’s Office and Public Safety

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

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands. Assuming other development standards could be met, the maximum density for Planned Developments in Residential Suburban land use districts within the Suburban Development Area is three (3) dwelling units/acre with 28 points achieved. At any rate, the number of units for either option would have a negligible impact.

Table 4

Subject Property	Maximum Permitted (SPD)	Proposed Plan (2.25 DU/AC)
±5.29 acres – RS (1 DU/ 5AC)		
Permitted Intensity	15 Single Family Home	11 Single Family Homes
Potable Water Consumption (GPD)	5,400 GPD	3,960 GPD
Wastewater Generation (GPD)	4,050 GPD	2,970 GPD

B. Available Capacity:

The site will be using the City of Auburndale for potable water and septic systems for wastewater. Applicant will need to demonstrate capacity at Level 2 review.

C. Planned Improvements:

The site has no planned improvements.

Roadways/ Transportation Network

The surrounding roadway network is more than suitable for the proposed project. The roadway conditions are adequate, and there is ample available capacity. Sidewalks are existing.

A. Estimated Demand:

Single family housing generates 7.81 Average Annual Daily Trips (AADT) and 1.00 Peak PM Hour Trips per unit (ITE Code 210). The proposed ten single family homes will equate to 79 AADT and 10 PM Trips (ITE Code 210). Table 5 shows the traffic that is projected for the proposed seven single family homes versus what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

Subject Property	Maximum Permitted (SPD)	Proposed Plan (2.25 DU/AC)
±5.29 acres – RS (1 DU/ 5AC)		
Permitted Intensity	15 Single Family Home	11 Single Family Homes
Average Annual Daily Trips (AADT)	117	86
PM Peak Hour Trips	15	11

The plan is to have an easement for ten proposed single-family homes accessing Saddle Creek Road and the other lot accessing Old Dixie Highway. Generally, there will be approximately 11 vehicles exiting the site during the peak hour. The addition of eleven single family homes to the subject site will require a Minor Traffic Study during the Level 2 Review process because the AADT is estimated to be more than 50 trips.

B. Available Capacity:

There is currently more than adequate capacity to serve the proposed development. A development of this size has negligible impacts on the roadway system or function of traffic. Table 6, to follow, displays the generalized capacity on the adjacent transportation links. Direct ingress/egress is from Saddle Creek Road and Old Dixie Highway.

Table 6

Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
CR 546 (SADDLE CREEK RD/OLD DIXIE HWY) From SR 659 (COMBEE ROAD) to LAKE ARIANA BLVD	B	755	D
CR 546 (SADDLE CREEK RD/OLD DIXIE HWY) From SR 659 (COMBEE ROAD) to LAKE ARIANA BLVD	B	736	D

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

C. Roadway Conditions:

The subject site has access through Saddle Creek Road and Old Dixie Highway. Saddle Creek Road and Old Dixie Highway are both County-maintained urban collector roadways. The nearest monitored link is CR 546. According to the 2025 Roadway Network Database, CR 546 (4050E) has approximately 755 available PM Peak Hour trips; CR 546 (4050W) has approximately 736 available PM Peak Hour trips. CR 546 current Level-of-Service (LOS) is “B” with an adopted LOS standard of “D”.

D. Sidewalk Network

A sidewalk is located nearby. Sidewalks exist on the frontage of the property.

E. Planned Improvements:

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

F. Mass Transit

The site has no Citrus Connection Transit Routes nearby.

Park Facilities and Environmental Lands:

Environmental lands and multi-use trails are located within a reasonable distance of the property.

A. Location:

Saddle Creek Park is off Saddle Creek Park Road approximately 4.4 miles southwest of the subject site.

B. Services:

Saddle Creek Park features a playground, picnic tables and picnic shelters, softball field, walking trails and a gun range. In addition, it also offers a campground with water, electricity and restrooms, there are also boat launch sites and bank/pier fishing. This park is owned by Polk County.

C. Multi-use Trails:

Saddle Creek has multi-use trails are located near the subject site.

D. Environmental Lands:

Environmental and conservation lands of Saddle Creek are near the subject site. Saddle Creek Park is a 740-acre park located between Winter Haven and Lakeland in Polk County, Florida. It is on the site of three main lakes and a great many other abandoned phosphate pits, providing a large area of fishable shoreline.

E. Planned Improvements:

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

Environmental Conditions

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The parcel has flood hazard A zones. The subject site is not located within any of the County’s identified Wellhead-Protection Areas. The subject property is not located within a one-mile radius of an endangered species, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed mostly of Pomona Sand. The soil is not such that it would limit compliance with applicable Land Development Code regulations for the proposed use. The subject property is level with a slight slope from southwest to northeast with contour elevations ranging from 127 to 125. The subject property is not located within a Historical Preservation area. The subject site is not located within an Airport Height Notification or In-Flight Visual Interference Zones.

A. Surface Water:

There are no surface water ponds on the subject property. The subject property has contour elevations of 127 to 125 for the proposed location of the homes.

B. Wetlands/Floodplains:

There are wetlands and flood zone A on the property.

C. Soils:

The property is composed mostly of Pomona Sand soils which provides some limitations for drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Pomona fine sand	Severe: wetness	Severe: wetness	85.9%
Kaliga muck	Severe: subsides, ponding	Severe: subsides, ponding	14.1%

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

The subject property is level with a slight slope from the southwest to northeast with contour elevations ranging from 127 to 125. The proposed development will meet all requirements from the LDC.

D. Protected Species

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

E. Archeological Resources:

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

F. Wells (Public/Private)

The property is not located within the Wellfield Protection District.

G. Airports:

The proposed PD is not within any Airport Impact District.

Economic Factors:

This area of Polk County has mostly single-family homes. Suburban level services make this area an attractive place to live. Demand for housing has come from two main markets: retirement and commuters to the greater Orlando metropolitan area. This is partially due to slightly lower land values in Polk compared to the other counties and convenient routes of travel to work and leisure opportunities. However, it is also related to the location of this portion of the County to the Orlando metro population center. This development is also close to the Polk Parkway which connects to the I-4 corridor.

Consistency with the Comprehensive Plan:

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

Table 8

Comprehensive Plan Policy	Consistency Analysis
<i>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</i>	The proposed development is compatible with neighboring properties.
<i>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are bypassed in favor of development more distant from services and existing Communities.</i>	The site is located in an area planned for suburban development. No environmental concerns are found on this property.

Comprehensive Plan Policy	Consistency Analysis
<p><i>POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.</i></p>	<p>Services are available such as parks and schools for the subject site. The proposal is along Old Dixie Highway.</p>
<p><i>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</i></p>	<p>The site is located within an area that has a significant amount of capacity with potable water, traffic, and public schools. Emergency services are within a reasonable time and distance.</p>
<p><i>POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).</i></p>	<p>The subject property is located within an area of the County that has adequate public safety services as identified in the staff report.</p>

Consistency with the LDC:

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

Table 10

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
<p>Whether the proposed development is consistent with all relevant requirements of this Code;</p>	<p><i>Yes, this request is consistent with the LDC, specifically Sections 906.D and Section 303.</i></p>
<p>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</p>	<p><i>Yes, this development is consistent with the Comprehensive Plan because it meets the density requirements.</i></p>
<p>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</p>	<p><i>Yes, the request is compatible with surrounding uses and the general character of the area. Conditions are recommended to achieve better compatibility. See Pages 6&7 of this staff report for data and analysis on surrounding uses and compatibility.</i></p>
<p>How the concurrency requirements will be met, if the development were built.</p>	<p><i>The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 7-12 of this staff report for data and analysis.</i></p>

Comments from other Agencies: None

Exhibits:

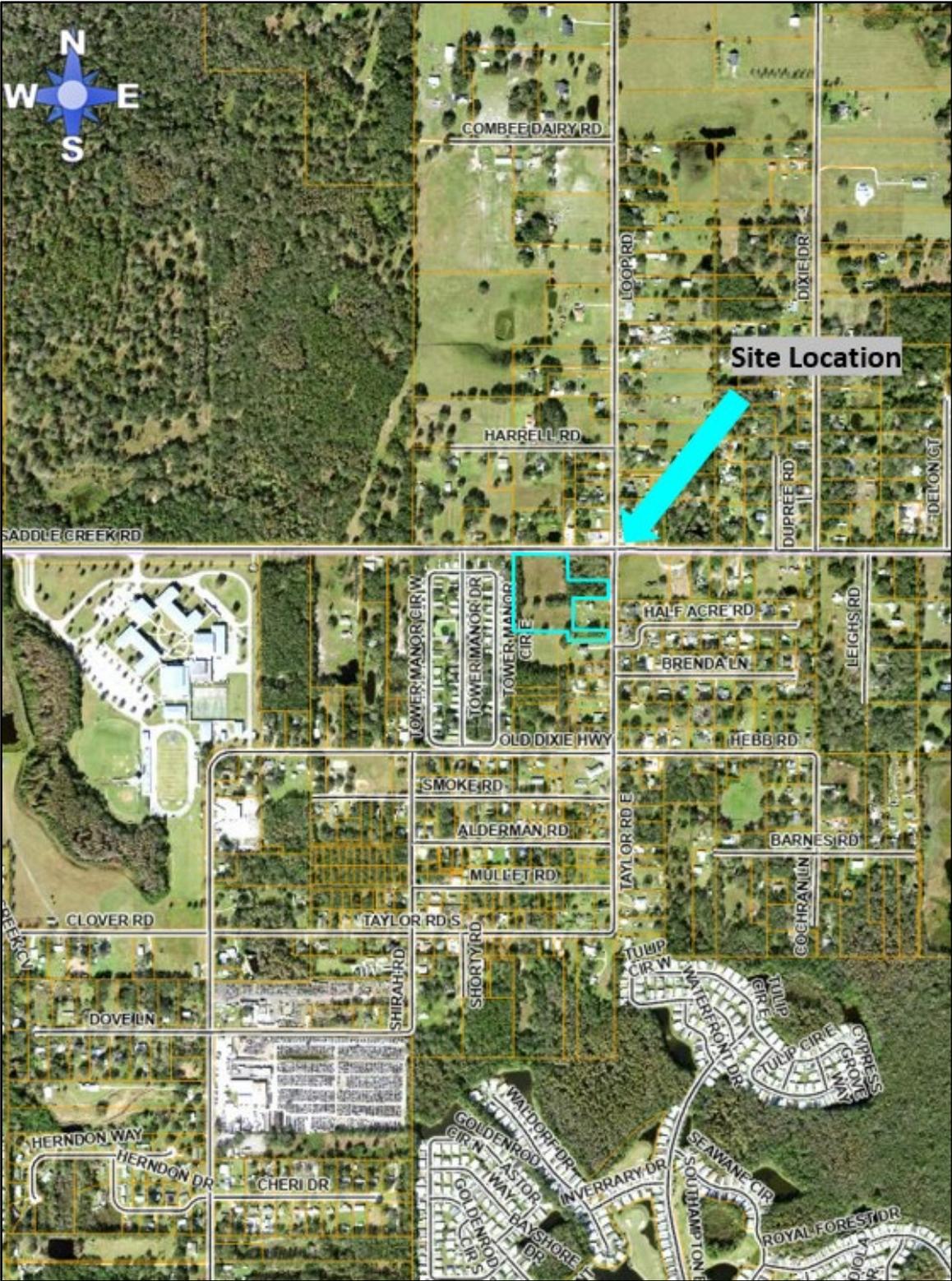
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Photograph (context)
- Exhibit 4 Aerial Photograph (close-up)
- Exhibit 5 Site Plan
- Exhibit 6 Waiver Criteria



Location Map



Future Land Use Map



Aerial Image (Context)

The proposed waiver is to allow more than 8 single family lots to have access via a shared access easement.

Section 932 - Waivers to Technical Standards:

Minimum Requirements for Consideration of Waivers

When considering the waiver application, the Development Review Committee shall consider all of the following criteria:

1. Whether the application of the provisions of the Code would cause unnecessary and undue hardship on the use of the property;
 - **Applicant Response: Approval of the waiver would create no hardship on the property. In fact, the approval of the waiver would provide better vehicular circulation through the site and reduce hardship on the County roads at each driveway location by dispersing trips. Additionally, the proposed layout would provide better access for fire and other emergency vehicles through the site.**

2. Whether the waiver granted is the minimum adjustment that will make possible the reasonable and permitted use of the property;
 - **Applicant Response: The granting of the waiver would simply connect the shared access driveways and provide dual access to the 8 lots. This connection is the minimum adjustment to improve the site layout.**

3. Whether the granting of the waiver will be in harmony with the general intent and purpose of this Code and that such waiver will not be injurious or detrimental to the public health, safety or welfare by, without limitation, creating unsafe traffic conditions or cause increased maintenance expenses in connection with the subdivision improvements;
 - **Applicant Response: Granting of the waiver would provide better vehicular circulation through the site and reduce hardship on the County roads at each driveway location by dispersing trips. Additionally, the proposed layout would provide better access for fire and other emergency vehicles through the site. All of this would increase public safety and improve traffic conditions.**

4. The granting of the waiver will not likely result in setting a precedent for a similar waiver request in the area; and
 - **Applicant Response: The surrounding area is largely developed, and few sites have double frontage on County roads. Due to this, it is unlikely there are other sites in the area that could have a similar waiver request. As such, no precedent will be set for other surrounding properties.**

5. Whether all other avenues of relief have been exhausted.
 - **Applicant Response: The applicant has met with the County several times to determine the best path forward to provide a single-family development that meets the criteria of the SPD as well as improves the surrounding project area. The proposed SPD plan layout and waiver request is the best option.**

Waiver Criteria