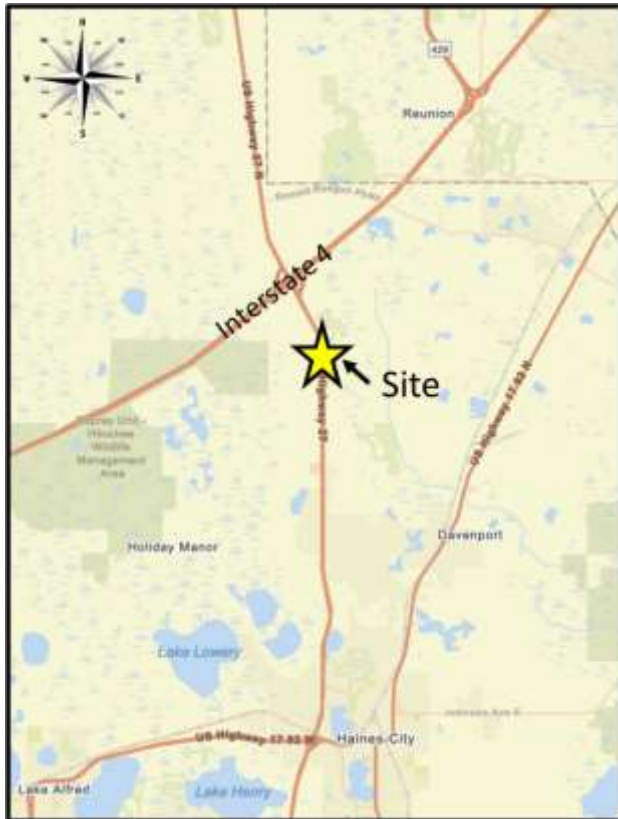


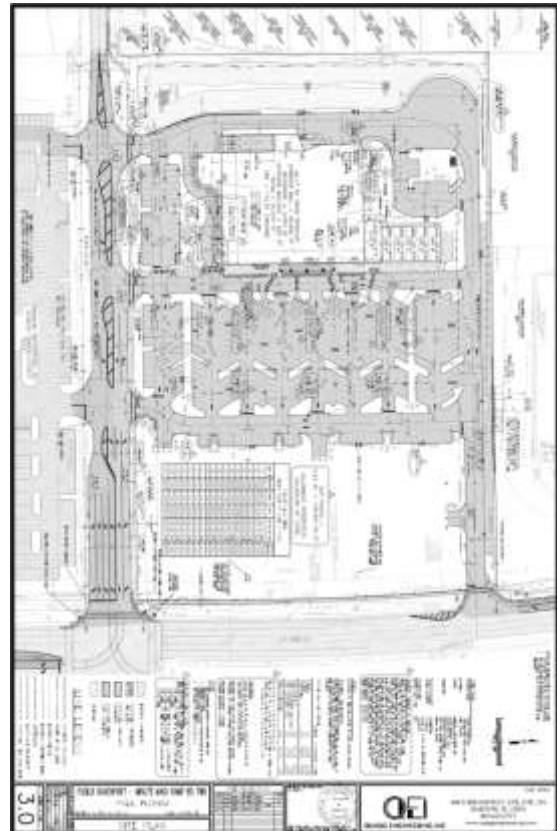
POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date: November 28, 2023	Level of Review: Level 3 Review
PC Date: June 5, 2024	Type: Planned Development
BoCC Date: N/A	Case Numbers: LDPD-2024-1
Applicant: David Holden	Case Name: Publix Davenport
	Case Planner: JP Sims, Planner II

Request:	The applicant is requesting a Planned Development to increase the retail and commercial use in excess of the thirty (30) percent limitation in Employment Center-X (ECX) and allow Conditional Level 3 (Gas Station and Retail Over 65k sq ft) uses in the North Ridge Selected Area Plan (SAP).
Location:	The subject site is located west of US Highway 27, north of Minute Maid Ramp Road 2, south of Heller Brothers Boulevard, east of FDC Grove Road, east of the City of Haines City in Section 19, Township 26, and Range 27.
Property Owners:	Mahalak Automotive LLC
Parcel Number (Size):	± 13.17 acres (272619-704500-010090, 272619-704500-010110)
Future Land Use:	Employment Center-X (ECX) North Ridge SAP
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Hearing



Location



Site Plan

Summary:

The applicant is requesting a Planned Development to allow for an excess of 30% commercial development and for uses that are Conditional Level 3 reviews within an Employment Center-X (ECX). The applicant is asking for a Gas Station and Retail above 65,000 square feet within an Employment Center-X (ECX) land use districts in the North Ridge Selected Area Plan (SAP). The Site is within a shopping plaza anchored by a Publix that has outlying parcels which are the subject of this request. The North Ridge SAP limits commercial and retail development within contiguous ECX districts to 30% of the overall area of ECX. This promotes the land use to be utilized for larger employers such as office centers, medical facilities, universities, and colleges. The Planned Development process allows staff the ability to review the proposed retail and commercial uses for compatibility with surrounding uses and to ensure the use is appropriate as a support service for nearby residents and tourists to the area.

This area of the county has seen exponential growth in the last few years. To the east, Town Grove at Citrus Ridge apartments have been approved and are under construction for 222 units. To the north of that, a mixed-use non-residential development is under construction to include a convenience store, restaurants, self-storage, and a retail plaza. The contiguous ECX land use on west side of US Highway 27 is approximately 25.9 acres, and of this, zero acres have been developed with commercial and retail uses. Development of the proposed site will cross the 30% threshold, and approval of this request will preserve the applicant's ability to develop the site with uses that are Conditional Level 3 reviews within the North Ridge SAP. There will be outlying parcels on the east side of the subject site, but nothing is currently known of what developments will go there.

No wetlands or flood zones are found onsite, and no other environmental constraints are present that would hinder development. Centralized potable water, wastewater, and reclaimed water are available to the site, and Section 303 of the LDC will require connection to reclaimed water. The site has frontage along US Highway 27 and Minute Maid Ramp Road 2, which will be required to be constructed and widened up to County standards prior to final approval of the grocery store. All surrounding roadways have insufficient capacity to assimilate the amount of traffic that will be generated from this development, but projects cannot be denied upon traffic concurrency.

Staff has found this request consistent with the Comprehensive Plan and LDC. A Planned Development (PD) is an appropriate usage when there are uses that would normally have to go through a separate process to get approved with a C3 designation on the North Ridge SAP use table, and since the site is exceeding the 30% of commercial development within the contiguous ECX land use. The site will meet all other standards including setbacks, FAR, ISR, lighting, and landscaping. Staff finds this request is compatible with the surrounding area and adjacent uses and recommends approval.

Findings of Fact

- *The applicant is requesting a Planned Development to allow for an excess of 30% commercial development and for uses that are Conditional Level 3 reviews within an Employment Center-X (ECX) land use district in the North Ridge Selected Area Plan (SAP) with Retail over 65,000 square feet and Gas Station. Site will include a Publix Grocery Store with outlying parcels.*
- *POLICY 2.131-Q4 of the Comprehensive Plan states, "The Employment Center is an Activity Center designated only within the County's Selected Area Plans (SAP). It is designed to allow*

office parks, light assembly, commercial, and other business uses to serve the needs of the growing population in the northeast area of the County.”

- *The Subject site is in the Green Swamp Area of Critical State Concern which requires 30% of pervious Open Space for non-residential uses. Existing Site Plan shows pervious surface to be 30.33% which is acceptable.*
- *POLICY 2.131-Q4: DEVELOPMENT CRITERIA - Development within an ECX shall conform to the following criteria:*

(i) Retail and commercial uses are limited to 30 percent of the ECX district. A higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Planned Development. The maximum floor area ratio for commercial uses shall be 1.0.

- *POLICY 2.104-A1 of the Comprehensive Plan states, “Transit Supportive Development Areas shall meet the following criteria:*

a. be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development;

b. be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon;

c. be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting circulator routes, in order to increase mobility and travel options;

d. include development criteria that:

1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;

2. improve access to employment areas, schools, shopping and recreational opportunities.”

- *POLICY 2.104-A7: DENSITIES AND INTENSITIES of the Comprehensive Plan states, “To promote energy efficient land use patterns and compact mixed-use development, the TSDA and the Transit Corridors and Centers Overlay (TCC Overlay) within the TSDA shall include higher densities and intensities of development. The maximum densities and intensities listed in Table 2.104.1 exceed those listed in Policy 2.109-A1 and Policy 2.119- A1 and the policies that include the description for each of the referenced land use category as provided for within this Element.” The minimum FAR suggested for the TSDA is 0.50; the maximum is 1.5.*

- *“Planned Development” is defined in Chapter 10 of the LDC as “A land use or uses prepared, constructed, and maintained according to a binding plan as a single entity containing one or more structures and accessory uses. Strict adherence to land use district standards may be relaxed for the purpose of accomplishing a greater objective such as increased internal vehicle trip capture, resource protection, further compatibility with adjacent uses, and more efficient use of public infrastructure. Multiple land uses contained within Planned Development shall have a functional relationship with each other as well as consistency with the land use district.” Development criteria for Planned Developments is found in Section 303 of the LDC.*
- *Table 4.16 of the LDC notes “Gas Station” and “Retail, More than 65,000 sq. ft.” uses are a “C3” Conditional Use which requires approval by the Planning Commission.*
- *According to LDC Table 4.17, setbacks from Principal Arterial rights-of-way are 65 feet. Setbacks from Local Road rights-of-way are 30 feet. Side and rear setbacks are 20 feet. The maximum height is 75 feet.*
- *The subject site has frontage on State Road 25/US 27 (Road No. 009040) and Minute Maid Ramp Road 2 (Road No. 671906). US 27 is a state-maintained, six-lane divided roadway classified as a Principal Arterial roadway. Minute Maid Ramp Road 2 is a paved, Rural Minor Collector roadway. Access is proposed from Minute Maid Ramp Road 2, which will need to be paved to non-residential county standards prior to development of the subject parcel.*
- *According to the National Wetland Inventory (NWI) Maps, no wetlands are located within the project site.*
- *According to the most recent Federal Management Inventory Map (FEMA) Federal Insurance Rate Maps (FIRM), no flood zones are located on the property.*
- *The general topography of the subject site has an elevation of 179’ at the southeast corner of the property slopes down to a low elevation of 162’ at the north end of the site and 166’ on the west end.*
- *The subject site consists of Candler Sand/0 to 5 Percent Slopes.*
- *Polk County Fire Rescue Station 38 will be the response unit for this site. It is located at 126 Cottonwood Drive, Davenport, FL 33837 approximately 1.1 miles from the site.*
- *The subject site is located within Polk County Sheriff’s Office Northeast District, headquartered at 1100 Dunson Rd in Davenport.*
- *The subject site is served by Polk County Utilities for potable water, wastewater, and reclaimed water services. These services are available, and the development will be required to connect to each. A 24-inch potable water main is located in the eastern right-of-way of Highway 27. A 16-inch pressurized force wastewater main is located in the western right-of-way of Highway 27. A 16-inch pressurized transmission reclaimed water main is located in the western right-of-way of Highway 27.*

- *The zoned schools for the proposed project are Bella Citta Elementary, Citrus Ridge Middle, and Ridge Community High.*
- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master File, no archeological sites are found within the parcel's boundaries.*
- *According to the Florida Natural Resources Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting.*
- *According to the 2030 Comprehensive Plan Map Series Airport Impact District Map, the site is not within the Height Notification zones.*
- *The site is not located within a well-field protection district.*
- *This request has been reviewed for consistency with Table 4.16 and Section 303 of the LDC.*
- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and SECTION 2.104 Transit Supportive Development Area (TSDA) of the Comprehensive Plan.*
- *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."*
- *Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." To achieve this, three options are provided:*
 - *Provisions made which buffer incompatible uses from dissimilar uses;*
 - *Incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and/or*
 - *Uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques.*
- *Development in the RIDGE-SPA shall comply with Section 750 and the following open space and impervious surface ratio (ISR) standards, whichever are more restrictive:*
 1. *All residential development up to or equal to four dwelling units per acre must provide a minimum open space set aside of no less than 30 percent of total land area. Residential development greater than four dwelling units per acre must provide a minimum open space set aside of no less than 40 percent of total land area.*
 2. *Single-family detached lots shall not exceed an impervious surface ratio of 50 percent unless 50 percent is accounted for in a planned development.*

3. *Non-residential development within Planned Development projects shall not exceed an impervious surface ratio of 60 percent.*
4. *Development within the TCX, BPCX, TCCX, RACX, CACX, INDX, NACX, PIX, L/RX, and INSTX land use districts shall not exceed an impervious surface ratio of 70 percent.*
5. *Open space may be used for passive and active recreation areas, environmental preservation, and drainage areas (if approved by the County as usable recreation areas).*
6. *The following shall not be considered as open space:*
 - a. *Roads and road rights-of-way.*
 - b. *Natural water bodies.*
 - c. *Impervious parking areas.*
 - d. *Fenced storm water management facilities.*
7. *Open space areas can be designated on the subdivision plat. In such cases, the applicant shall be required to indicate the entity or entities responsible for the perpetual maintenance of the open space areas. The open space areas shall be protected by covenants, running with the land, conveyances, or dedications.*
8. *Where an applicant proposes to phase a Planned Development, a phasing plan for open space shall be provided.*
9. *In cases where a parcel has been subdivided and sold after December 1, 1992, each sub-parcel of the original parent parcel would have to meet the same open space requirement percentage as required by the entire area of the parent parcel.*
10. *Where a phased development is proposed, a phasing schedule for open space shall be provided consistent with the amount of land to be developed in each phase.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that the proposed requests **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, and therefore, DRC recommends **APPROVAL of LDPD-2024-1.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, DRC recommends **APPROVAL** of LDPD-2024-1. DRC recommends the following conditions to be applied.

1. This PD approval shall allow for the development of a grocery store and accompanying outparcel commercial sites to exceed the 30% cap for commercial uses, including a gas station, and retail developments exceeding 65,000 square feet development within ECX land use districts in the North Ridge SAP.
2. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDPD-2024-1, 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.

3. Site falls within the Ridge Special Protection Area (SPA), which prohibits non-residential development within a PD from exceeding a 60% Impervious Surface Ratio (ISR) in its entirety. The Publix is part of the PD and that will have an ISR of 69.67%, meaning that the uses developed on the outparcels will need to reduce their ISR to meet the 60% requirement on the entirety of the PD.
4. Site will require that it all be platted to establish Open Space necessities.

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 Reviews. 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

Table 1 provides a reference point for notable and pertinent Future Land Use Map designations and existing land uses upon them in the vicinity of the subject site.

Table 1

Northwest: RMX Single-family residential	North: ECX Power Sub-Station	Northeast: ECX Retail/Motel
West: RMX Single-family residential	Subject Property: ECX Vacant	East: ECX Vacant
Southwest: RMX Single-family residential	South: TCCX Automobile Dealership	Southeast: ECX Gas Station

This area of the County has seen exponential growth in the last decade due to its proximity to Orlando attractions. Within approximately a one-mile radius, there are over 1,000 apartment and townhome units that have been recently approved and are under construction. There are a number of detached single-family subdivisions dating back to the late 1990s within this radius as well. The construction of a grocery store will provide the surrounding residents and tourists with a much-needed service.

Compatibility with the Surrounding Land Uses and Infrastructure:

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.”

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

The applicant is requesting PD approval to build outparcels for future commercial development that is part of a larger development that includes a 52,516 square foot grocery store in an ECX land use district. At present, the site does directly border a residential development to the west.

A Type “B” landscaping buffer will be required along the rear of the subject site that abuts the residential development, the north side that abuts an electric sub-station (Utilities), a Type “A” buffer along frontage of US Highway 27, and no buffer is required on the south side of the site since there is a Vehicle Sales across Minute Maid Ramp Road 2, in accordance with LDC Section 720. Building setbacks for development in the ECX district will be met, if not exceeded, and the parking requirements of one space per 300 sq ft Gross Floor Area (GFA). All lighting will meet the standards found in Sections 707 and 709 of the LDC, including shielded light fixtures.

Comprehensive Plan POLICY 2.102-A2 states, “Land shall be developed so that adjacent uses are compatible with each other” and provides three options to ameliorate incompatibilities. The tools for accomplishing higher standards of compatibility, as outlined in the Comprehensive Plan, are as follows:

- Buffering
- Limiting Scale & Intensity
- Transition through the use of innovative techniques

Landscaping, lighting, and setbacks have already been addressed above, as has the limited impacts of grocery stores relative to adjacent uses. In short, staff finds no practical incompatibilities with the plan as presented. However, the location warrants a need with its rapid growth for a grocery store and accompanying uses, such as a gas station and additional commercial or retail developments.

B. Infrastructure:

The subject site lies within the Transit Supportive Development Area (TSDA). As such, this parcel is located within an area that has a significant amount of urban infrastructure and services. For this site, all emergency services (fire and ambulance) are located within approximately 3 miles, and response times are within reasonable levels for urban areas. Potable water, wastewater, and reclaimed water are available to the site and have capacity. There is a bus stop being constructed on the south side of the site.

Nearest and Zoned Elementary, Middle, and High School

The closest schools are Bella Citta Elementary, Citrus Ridge Middle, and Ridge Community High. These schools are also the closest public facilities to the subject site. However, the site is not anticipated to generate any students, so capacity issues should not be an issue.

Table 2

Name of School	% Utilization	Average driving distance from subject site
Bella Citta Elementary	88%	± 5 miles driving distance
Citrus Ridge Middle	104%	±7.9 miles driving distance
Ridge Community High	113%	±5.2 miles driving distance

Source: Polk County School Board, GIS

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to all of unincorporated Polk County and the municipalities of Eagle Lake, Polk City, Mulberry, Lake Hamilton, and Hillcrest Heights. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Fire and EMS responses to this project are from Polk County Fire Station 38, located at 126 Cottonwood Drive, Davenport. The travel distance is approximately 1.1 miles with a response time of three minutes. Table 3, to follow, lists the locations, distances, and response times for emergency services that would respond to this site.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Polk County Sheriff’s Office Northeast District 1100 Dunson Road, Davenport	±2.9 miles	Priority 1 – 11:16 minutes Priority 2 – 28:07 minutes
Fire	Polk County Fire Station 38 126 Cottonwood Drive, Davenport	±1.1 miles	5 minutes
EMS	Polk County Fire Station 38 126 Cottonwood Drive, Davenport	±1.1 miles	5 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.

As noted in Table 3, the nearest Sheriff’s substation is the Northeast District located at 1100 Dunson Road, Davenport. 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. 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. Current response times are 10 minutes and 30 seconds for a Priority 1 Call and 26 minutes and 38 seconds for a Priority 2 Call based upon times from March 2024. Information provided by the Polk County Sheriff’s Office.

The PCSO is always trying to improve response times, especially for Priority 1 Calls, by employing new technologies such as Emergency 1 Dispatch (E1D) and Live911. E1D is a program designed to alert deputies at the earliest possible moment of a call for service that is being classified as a true emergency. E1D alert notifications are sent to deputies via their agency-issued smart phones as text messages, alerting deputies of the call type and address of the emergency. Similarly, Live911 technology allows deputies to hear emergency calls in real-time as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-dispatch to these in-progress, high-risk

incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

Patrol staff in each district also monitors the response times for their areas and tries to manage their shifts according to manpower, hotspots, traffic obstructions/construction sites, etc. Areas that are more spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Since patrol deputies are not sitting in the office waiting on a call, it is easier for patrol staff to assign them to certain sectors or beats based on areas with higher call volume to reduce response time; however, this cannot be predicted precisely.

Water and Wastewater Demand and Capacity:

There is adequate capacity available in the Northeast Regional Utility Service Area for water and wastewater services for the proposed development. Reclaimed water is also available.

A. Estimated Demand and Service Provider:

The site is located within the Transit Supportive Development Area (TSDA) where centralized water and sewer services typically exist, and connection to these services are required. The service provider in this area is Polk County Utilities.

In terms of existing infrastructure, a 24-inch potable water main is located in the eastern right-of-way of Highway 27. A 16-inch pressurized force wastewater main is located in the western right-of-way of Highway 27. A 16-inch pressurized transmission reclaimed water main is located in the western right-of-way of Highway 27. This project will be required to connect to all three services.

The Concurrency Manual shows that for Supermarkets and Grocery Stores generate 0.15 Gallons Per Day (GPD) per square foot of total roof area, which is 60,616 square feet for the proposed buildings. This calculates to 9,092 GPD for water, and 80% of that for wastewater which comes to 7,274 GPD.

Table 4

Permitted Intensity	Maximum Permitted in Employment Center (ECX) in the North Ridge SAP	Maximum Anticipated Intensity for PD
13.17 +/-acres 573,685 sq ft	13.17 +/- acres = 573,685 sq ft X 0.3 FAR = 172,106 sq ft	8.98 +/- acres = 391,169 sq ft X 0.3 FAR = 117,351 sq ft
Potable Water Consumption	172,106 sq ft x 0.24 GPD = 41,305 GPD	117,351 sq ft x 0.24 = 28,164 GPD
Wastewater Generation	41,305 GPD x 80% = 33,044 GPD	28,164 GPD x 80% = 22,531 GPD

B. Available Capacity:

Adequate capacity exists for the proposed development. The applicant is required to discuss their specific needs and potential necessary improvements with Polk County Utilities staff prior to any development on the property. The Northeast Utility Service Area is permitted for 13,940,400 GPD of potable water. Current flow is at approximately 8,917,000 GPD. There is approximately 794,000 GPD in uncommitted capacity. The system growth rate is such that it will take 2.3 years before capacity is reached. This system is located in the Central Florida Water Initiative (CFWI) area, an area with on-going impacts to water resources. If the Southwest Florida Water Management District determines that adverse impacts to water resources or existing legal users are occurring or are projected to occur because of the authorized withdrawals, the District may reduce permitted quantities.

The Northeast Utility Service Area wastewater system is permitted to treat up to 4,750,000 GPD. Current flow is at approximately 4,388,000 GPD. There is approximately 64,000 GPD in uncommitted capacity. With all of the developments coming in, this plant will have no available capacity once they are completed. Concurrency will need to be addressed at the Level 2 Review.

C. Planned Improvements:

According to the Polk County Community Investment Program (CIP) database, there is a pending project to add clarifiers to the Northeast Regional Wastewater Treatment Facility. The project is currently in the design stage, and upon completion, the clarifier addition will provide redundancy to the plant and allow for future expansion. There is anticipated improvement of 1,250,000 GPD to be added upon completion which will be able to service all of the incoming developments.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of ‘A’ to ‘F’ with LOS ‘A’ being the best (free-flow traffic) and LOS ‘F’ being the worst (severe traffic congestion).

A. Estimated Demand:

Trip generation for the proposed grocery store and outlying parcels was calculated per procedures published in the Table for Minor Traffic Study generated by the Transportation Planning Organization (TPO). The Table shows that for Supermarkets, divide 1,000 per square foot by the square feet of total roof area, which is 60,616 square feet for the proposed buildings, which comes out to 60.62. We then multiply that by the Average Annual Daily Trips (AADT) which is 60.06. This calculates to 3,641 Trips Per Day with 76% new trips. For the PM Peak Hour Trip Rate, we took the same Daily Trip Rate of 60.06 and multiply it by 8.95, which comes out to 538 PM Peak Hour Trips. What is being

constructed on the outlying parcels is unknown, so they were not included. Alone, this will trigger a Minor Traffic Study at the Level 2 Review stage.

To further analyze the traffic that could be created from this site, staff has compared the demand on the roadways that would be generated if a multi-family use was built here under the ECX land use district, similar to the property to the southeast of the subject property. Utilizing the CPA Concurrency Manual, for Low-Rise Multi-family Housing (one or two floors), each dwelling unit generates 6.74 Average Annual Daily Trips (AADT) and 0.51 Peak PM Trips. The Supermarket use generates more traffic than would normally be seen with a multifamily development.

Table 5

Permitted Intensity	Maximum Permitted in Employment Center (ECX) in the North Ridge SAP	Maximum Anticipated Intensity for PD
13.17 +/- acres 573,685 sq ft	13.17 +/- acres (573,685 sq ft) X 0.3 FAR = 172,106 sq ft / 1000 = 172 du	13.17 +/- acres (573,685 sq ft) X 0.3 FAR = 172,106 sq ft / 1,000 = 172 du
Average Annual	172 du X 6.74 AADT = 1,159 Trips (100% New Trips)	172 du X 60.06 AADT = 10,330 Trips (50% New Trips)
PM Peak	172 du X 0.51 PM Peak (100% New Trips) = 88 Trips	172 du X 8.95 PM Peak (50% New Trips) = 1,539 Trips

B. Capacity:

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
5110N	US 27 From CR 547 to Interstate-4	F	0	F
5110S	US 27 From CR 547 to Interstate-4	F	0	F

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 8, 2022.

Given the estimated Peak PM vehicle trips from Table 5 and the capacity available on the nearest roadway facility, there is not adequate capacity to accommodate the full development of this site. The road link is currently rated “F” for failing, but traffic concurrency is not a justified cause for

denial of a project. Florida Department of Transportation is responsible for the upkeep and improvement of US Highway 27, so the developer cannot be prevented from building on land they own due to an issue outside of their responsibility. However, the applicant is required to do a traffic study for the site.

The site has direct ingress/egress on Minute Maid Ramp Road 2, a paved Rural Minor Collector, but not sufficient to handle the traffic this site is anticipated to generate. The development will be required to expand and improve Minute Maid Ramp Road 2 to County standards before final approval. This site has no public transit availability and no sidewalks along its frontage. Sidewalks will be required to be installed along US Highway 27 and Minute Maid Ramp Road 2. On updated Site Plans, they do have a site chosen for a new bus stop which will help to service the site. The applicant will be required to provide a Minor Traffic Study to document the impact as the proposed development exceeds 50 AADT.

C. Roadway Conditions:

The subject site has frontage on US Highway 27, a State-maintained, six-lane divided principal arterial roadway, and Minute Maid Ramp Road 2, an unpaved local residential roadway. The current condition of Minute Maid Ramp Road Two is Fair per Roads and Drainage. The applicant will be required to bring the roadway up to County standards before final approval of the project.

D. Sidewalk Network

There are no sidewalks located in the vicinity of the subject parcel. The applicant will be required to construct sidewalks along both frontages of the site.

E. Planned Improvements:

Minute Maid Ramp Road 2 is currently paved but will be expanded to meet the needs of the development. The Jeep dealership on the south side of Minute Maid Ramp Road 2 has agreed to move their western entrance to align with the west-most entrance of the new Publix facility that is to be constructed. Documentation was provided by the applicant showing this agreement.

F. Mass Transit

The subject property has no access to public transit. The closest bus stop is located at the corner of Highway 17/92 and C Street in Haines City and is serviced by Line 15 through Citrus Connection. The bus stop is 7.4 miles away from the subject site. Route 20X, the Haines City to Davenport Express, runs along US 27 with stops only at Posner Park and Downtown Haines City. If there is higher density, there will be increased demand for transit to reach surrounding non-residential uses. The addition of new stops is likely given the ongoing development of adjacent lots.

Park Facilities and Environmental Lands:

The proposed grocery store with outlying parcels is located within proximity to a number of parks and environmental lands, including Loughman Park and Hilochee Wildlife Management Area – Osprey Unit. The proposed use is not likely to have an impact on any park facilities or environmental lands.

A. Location:

Loughman Park is located approximately 9.1 miles to the northeast of the subject property off Ronald Reagan Parkway at 6302 Old Kissimmee Road, Davenport.

B. Services:

Loughman Park provides a number of amenities for surrounding residents including soccer and multi-purpose fields, basketball courts, a playground, pavilions, and picnic tables. Hours of operation are from 5 a.m. to 10 p.m.

C. Multi-use Trails:

There are no multi-use trails within a reasonable distance to the subject site.

D. Environmental Lands:

Hilochee Wildlife Management Area – Osprey Unit was previously utilized for citrus, cattle ranching, sod farming, and sand and clay mining. The Florida Fish and Wildlife Conservation Commission began acquiring the land in 1995, with the Osprey Unit purchased in 2000. A mosaic of wetland and upland habitats, Hilochee Wildlife Management Area is part of a network of conservation lands comprising the Green Swamp ecosystem. The habitat helps to preserve and protect regional groundwater and surface water supplies, to provide a home for wildlife populations, and offers recreational opportunities including hunting, fishing and wildlife viewing. The subject site is located approximately 0.86 miles from Hilochee Wildlife Management Area and the proposed use is not anticipated to have any negative impacts on environmental lands.

E. Planned Improvements

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

Environmental Conditions

No flood zones or wetlands are noted in Polk County's DataViewer. No surface water is present. No endangered animal species have been documented. The primary soil type is suitable for non-residential development.

A. Surface Water:

There are no surface water bodies within the project area. The site is elevated in southeast corner at a high elevation of 179' and slopes to the northwest down to a low elevation of 166' on the west side of the site and 162' at the north end. The stormwater management system for the proposed PD site will be designed to meet regulatory requirements.

B. Wetlands/Floodplains:

According to Polk County's DataViewer, there are no flood zones or wetlands on the subject site. The nearest flood zones and wetlands are approximately 0.60 miles to the east of the subject site.

C. Soils:

The property primarily contains Candler Sand/0 to 5% Slopes. Candler Sand consists of well-drained soils found in upland areas. It presents few limitations to building construction or septic tanks, though this project will connect to centralized wastewater. Table 5, to follow, shows the approximate percentage of each of these soil types and limitations of each according to the Soil Survey of Polk County.

Table 7

Soil Name (at project area)	Limitations to Dwellings w/o Basements	Septic Tank Limitations	% of Site (approximate)
Candler Sand/0 to 5% Slopes	Slight	Slight	100

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

All future development is required by the LDC to implement best management practices for erosion-control, and the soils are not of such that would limit compliance with applicable LDC regulations for the proposed use.

D. Protected Species

According to the Florida Natural Resources Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

There are no protected archeological resources on this site, according to the Florida Master Site File.

F. Wells (Public/Private)

No public or private wells are known to exist on site.

G. Airports:

According to the 2030 Comprehensive Plan Map Series Airport Impact District Map, the site is not within a Height Notification zone. Heart of Florida Hospital Heliport is the closest landing site for aircraft located 2.9 miles to the south of the subject site.

Economic Factors:

This area of the county has seen exponential growth in the last few years. To the southeast, a mixed-use non-residential development is under construction to include a convenience store, restaurants, self-storage, and a retail plaza. East of that, Town Grove at Citrus Ridge apartments have been approved and are under construction for 222 units. There are also multifamily projects being proposed south of the subject site on Crescent Road, Minute Maid Ramp Road 2, and Minute Maid

Ramp Road 1. The proposed grocery store and outlying parcels for commercial development would help provide grocery and other commercial needs to a rapidly developing area.

Consistency with the Comprehensive Plan and Land Development Code:

Table 8, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan selected by staff for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 8

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</p>	<p>As proposed and conditioned, the request is compatible with the surrounding land uses. The applicant has worked to soften any impacts presented by the proposed development from the adjacent uses through buffering strategies and structural design.</p>
<p>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</p>	<p>The site is located in an area planned for urban development. There has been a significant amount of development in this area, and other non-residential and residential projects have been developed on neighboring parcels.</p>
<p>POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.</p>	<p>The proposed development is consistent with services available in the Transit Supportive Development Area (TSDA).</p>
<p>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</p>	<p>The site is located within an area that has a significant amount of urban infrastructure and services with potentially ample capacity to serve it.</p>
<p>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).</p>	<p>The subject site is located within an area of the County that has adequate public safety services as identified in the staff report.</p>

This request is consistent with the Land Development Code. Development criteria for Planned Developments are detailed under Section 303 of the LDC. The submitted site plan shows attentiveness to the concerns of adjacent neighbors.

Table 9

LDC Section 303 – Planned Development	Consistency Analysis
<i>The site shall be suitable, or it shall be possible to make the site suitable for development in the manner proposed without negative impact to persons or property, on or off the property. Conditions of soil, ground water level, drainage and topography shall all be appropriate to both type and pattern of use intended. Erosion, flood hazard and damage to natural resources shall be avoided.</i>	During the Level 2 Review, the applicant will submit a lot grading plan that shall be reviewed by the Development Review Committee.
<i>Planned Development shall be so located in relation to transportation systems, sanitary sewers, emergency services, schools, public safety, water lines, storm and surface drainage systems and other utilities systems and installations that services can be available at the time of request for Certificate of Concurrency.</i>	All listed services are available, as identified in the Staff Report, and have or will have ample capacity upon completion of improvements for this development.
<i>Planned Development, where appropriate because of the size or intensity of the proposed project, shall be so located with respect to expressways, arterial and collector streets or mass transit facilities. Planned Development shall be designed to provide access to and from its location without creating excessive traffic along minor streets in residential neighborhoods outside the Planned Development.</i>	The subject site will have direct ingress/egress to Minute Maid Ramp Road 2, which the applicant will be required to bring to County standards prior to final approval. The proximity to US Highway 27 is ideal, as patrons of the grocery store will be able to utilize the principal arterial roadway with ease.
<i>Planned Development shall be located and designed so as to minimize the negative effects of external impacts resulting from factors such as traffic, noise, or lights. Project control shall be accomplished through such techniques as buffering, architectural design, site design, height limitations, and density or intensity limitations.</i>	The proposed development will provide landscape buffers per the requirements in Ch. 7 of the LDC. The traffic generated during Peak PM will be reviewed at Level 2. Glare from internal street lighting shall be minimized.
<i>Planned Development shall be responsive to the character of the area. When located in an area where land use types, intensities, or densities vary, Planned Development shall be designed in such a manner as to provide for gradual changes in intensity or density.</i>	The surrounding land use is ECX, with the closest residential development located west of the site. The usage allows for a gradual decrease in intensity from US Highway 27.
<i>All Planned Developments proposing specific approval of requirements for development under standard district regulations shall be designed so as to be sensitive to the impacts of the specific approval requested.</i>	The request is within the standards of the TSDA and ECX per the Comprehensive Plan.
<i>Planned Development shall include additional screening, buffering, transitional uses or other design features as necessary to adequately protect existing or probable uses of surrounding property; and shall provide functional and logical linkages to activity centers and circulation facilities on such adjacent property.</i>	This development will exceed the buffering and landscaping practices as described in Ch. 7 of the LDC. Linkages to adjacent properties are not desirable in this case.
<i>Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Accel/decel lanes or medians shall be required where existing or anticipated traffic flows indicate need.</i>	Changes to the public roadway system will be reviewed at the time of the Level 2 submission
<i>Streets, drives, parking and service areas shall provide safe and convenient access to all buildings and uses. Uses shall be grouped to minimize internal vehicular movements. Facilities and access routes for deliveries, servicing and maintenance shall be located and arranged to prevent interference with pedestrian traffic.</i>	The applicant has submitted a site plan that reflects these standards. Parking standards will be reviewed during the Level 2 process.
<i>Planned Development shall provide internal or external walkways where pedestrian circulation requires them. The site plan shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, facilities and open spaces in a manner facilitating pedestrian movement between major origins and destinations, within and adjacent to the site, with a minimum of conflicts with vehicular traffic.</i>	Grocery stores are non-residential uses that will require internal pedestrian circulation. Sidewalks will be required along all road frontages.
<i>Planned Development shall be designed to preserve the natural features such as wetlands, wildlife and plant species. Project design shall address protection of well fields, flood plains, surface water, and archaeological and historic sites, as much as possible.</i>	No wetlands, endangered species or habitats, or surface waters are found onsite. Stormwater ponds will be constructed in accordance with regulations set forth by the LDC and Southwest Florida Water Management District.
<i>Density or intensity shall not exceed maximums established in the Comprehensive Plan. Planned Development densities/intensities shall be established after consideration of the Comprehensive Plan criteria and limits, neighborhood compatibility, transitions, and site design.</i>	The proposed site plan does exceed the amount of commercial development within the ECX of the intensity criteria established in the Comprehensive Plan.

LDC Section 303 – Planned Development	Consistency Analysis
<i>Height in a Planned Development shall be determined after review of the surrounding land uses to ensure that the proposed development will not create any external impacts that would adversely affect surrounding development, existing or proposed.</i>	The proposed development will not exceed the height restrictions of 75 feet in the ECX.
<i>Fences, walls, or vegetative buffers shall be provided where appropriate to protect occupants from undesirable views, lighting, noise or other off-site influence, or to protect occupants of adjoining properties from similar adverse influences.</i>	This development will adhere to buffering and landscaping practices as described in Ch. 7 of the LDC and detailed in the Staff Report.
<i>Yard and setback requirements shall promote general health, safety, welfare, design excellence and neighborhood compatibility in each Planned Development. All setbacks within a Planned Development shall be measured from property lines and shall be shown on the development plans in either graphic or tabular form.</i>	All setbacks shown on the site plan meet or exceed those required in the ECX land use district.
<i>All central refuse, trash, and garbage collection containers shall be screened from sight or located in such a manner so as not to be visible from any public area within or adjacent to the Planned Development.</i>	Dumpsters and trash collection will be in accordance with Sections 209 & 213 of the LDC and reviewed at the time of the Level 2 submission.
<i>The provisions of the Planned Development approvals may be more restrictive, as necessary, to meet the other standards contained in this Section but not less restrictive than required in Section 760.</i>	The applicant will adhere to the signage requirements of Section 760 and requirements in the North Ridge SAP. Should the applicant deviate from this section, a Sign Plan and Level 3 Review will be required as stated in Section 760.J.
<i>Landscaping shall be equal to or exceed the standards stipulated under Section 720, Landscaping and Buffering.</i>	This development will meet or exceed the buffering and landscaping practices as described in Ch. 7 of the LDC.
<i>Stormwater Management facilities shall adhere to the requirements of Section 740, Stormwater Management and the Technical Manual.</i>	Stormwater Management facilities have been identified on the site plan, will adhere to the pertinent standards, and will be reviewed at the time of the Level 2 submission.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 10 in accordance with Section 906.D.7 of the Land Development Code.

Table 10

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	<i>Yes, this request is consistent with the LDC, specifically Table 4.16, which shows the allowable uses for an ECX designated property. Gas Station and Retail, More than 65,000 sq ft are listed as a C3 use in the North Ridge SAP use table. Furthermore, the applicant has addressed concerns regarding compatibility through the use of buffering strategies as allowed by the Comprehensive Plan. Consistency with Section 303 of the LDC is listed in the prior table.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>Yes - POLICY 2.109-A1 of the Comprehensive Plan states, "For properties within the Transit Supportive Development Areas (TSDA), higher densities and intensities can be achieved in accordance with the criteria established in Policy 2.104-A7."</i> <i>Yes, Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." As detailed in the staff report, the applicant will adhere to buffering strategies to minimize the impact of this development on surrounding uses.</i>
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	<i>Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 10-12 of this staff report for data and analysis on surrounding uses and compatibility.</i>
How the concurrency requirements will be met, if the development were built.	<i>The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 12-17 of this staff report for data and analysis.</i>

Comments from other Agencies:

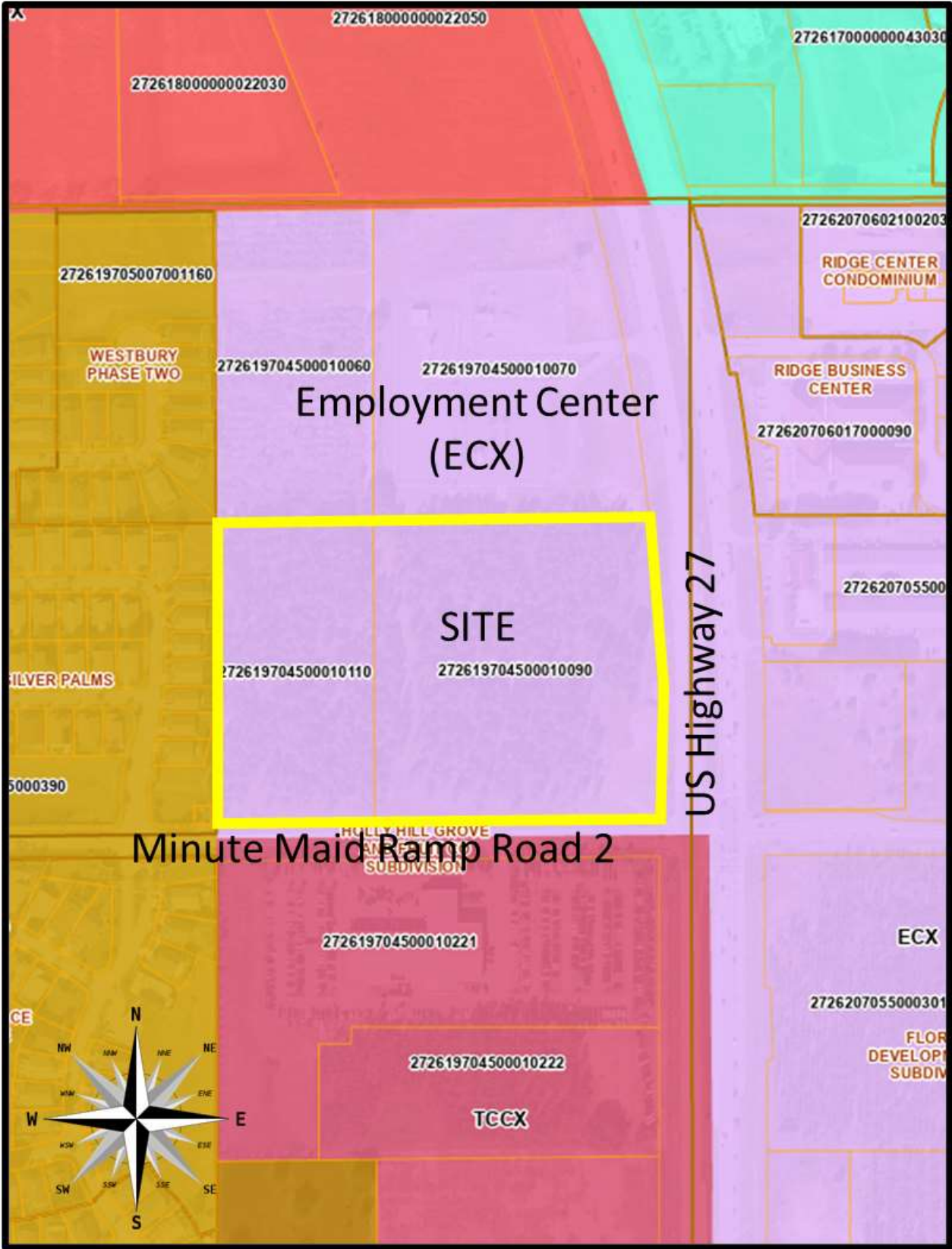
None

Exhibits

Exhibit 1	Location Map
Exhibit 2	Future Land Use Map
Exhibit 3	2023 Aerial Image (Context)
Exhibit 4	2023 Aerial Image (Close-Up)
Exhibit 5	Site Plan
Exhibit 6	Site Plan Overlay
Exhibit 7	Allowed Uses in ECX



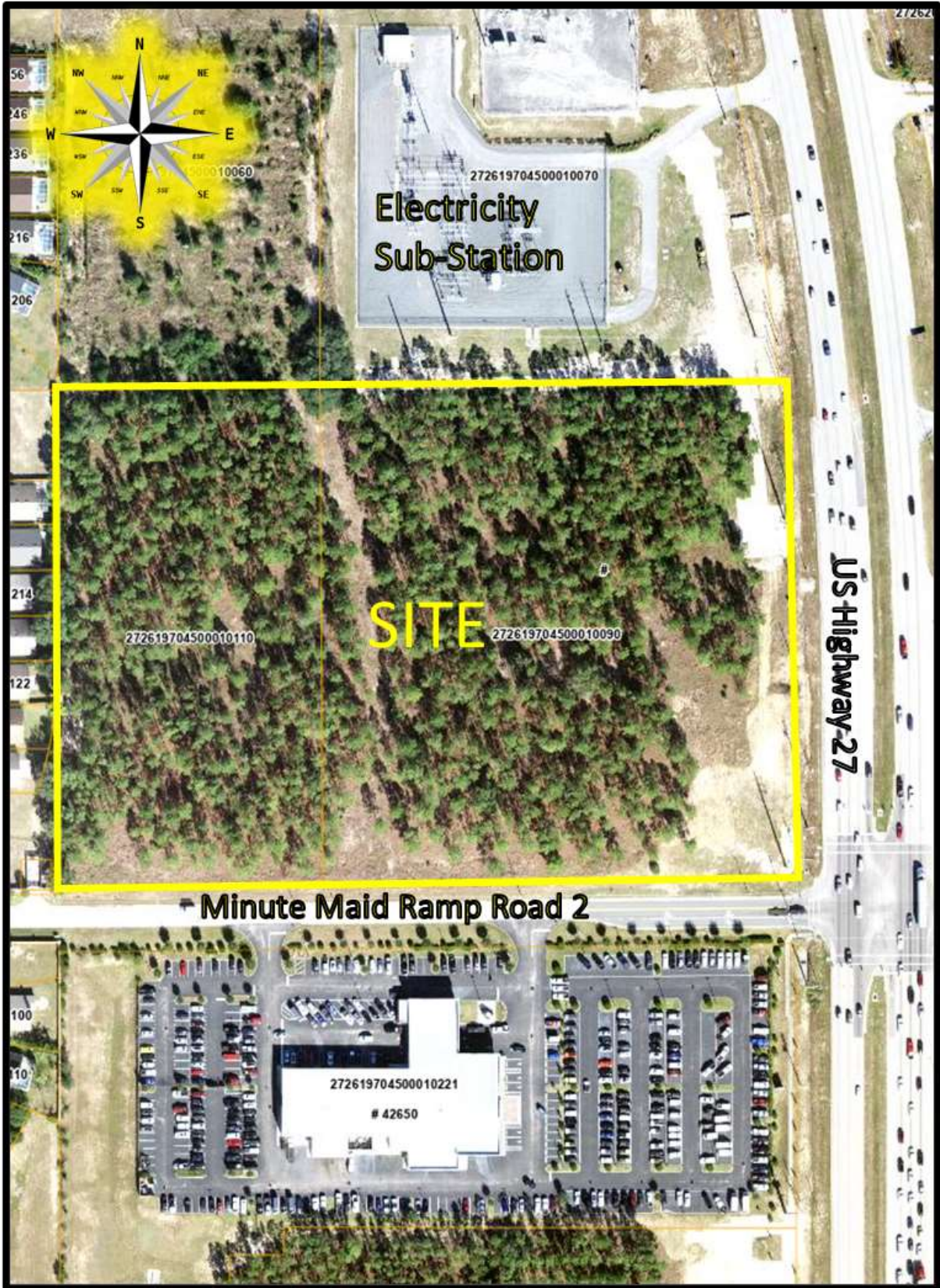
Location Map



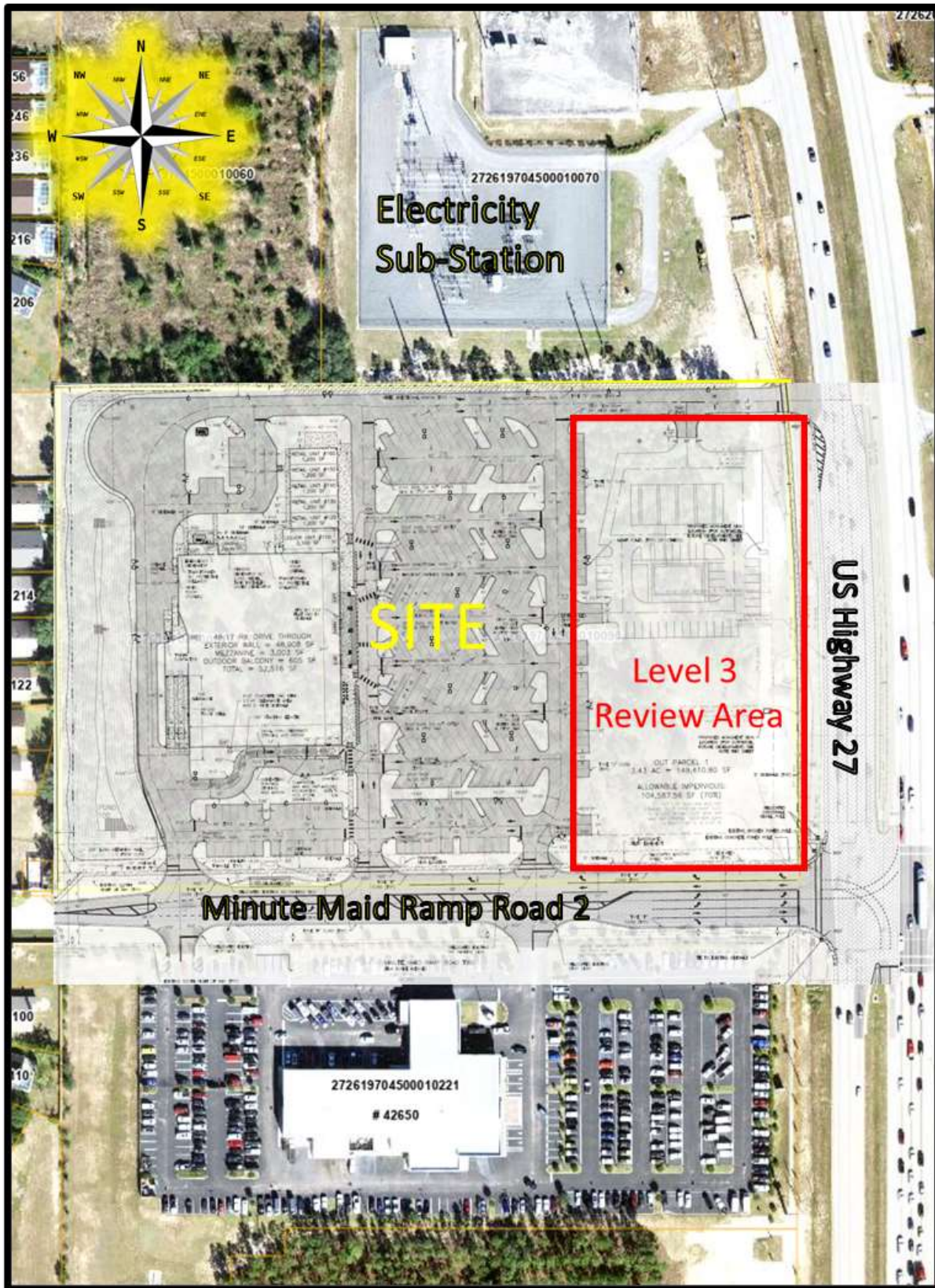
Future Land Use Map



2023 Aerial Image (Context)



2023 Aerial Image (Close-up)



Site Plan Overlay

Employment Center (ECX) in the Transit Supportive Development Area (TSDA)			
Technical Staff Review -Level 1& 2		Public Hearing (s) Required-Level 3 & 4	
Conditional Uses:	Multifamily		Planned Development
	Alcohol Packaged Sales		Communication Tower,
	Car Wash, Incidental		Monopole
	Childcare Center		Gas Station
	Clinics & Medical Offices		Government Facility
	Golf Course		Heliports
	Helistops		Hospitals
	Hotels and Motels		Mining, Non-Phosphate
	Medical Marijuana Dispensaries		Religious Institution
	Office		Retail, more than 65,000 sq. ft.
	Recreation, Passive		School, High
	Restaurant, Drive-thru/Drive-In		
	Retail, 5,000 – 34,999 sq.ft.		
	Retail, 35,000 – 64,999 sq. ft.		
	School, Leisure/Special Interest		
	School, Technical/Vocational		
	Trade & Training		
	School, University/College		
Self-Storage Facility			
Transit Facility			
Vehicle Service, Mechanical			
Vehicle Sales, Leasing			

Allowed Uses in ECX in the North Ridge SAP

highlighted uses are requested by applicant