

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

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| DRC Date: March 2, 2023 | Level of Review: Level 3 Review |
| PC Date: June 7, 2023 | Type: Planned Development |
| BoCC Date: N/A | Case Numbers: LDPD-2023-2 |
| Applicant: Deana Cochran | Case Name: Bimini Bay Tract K |
| | Case Planner: Aleya Perreira, Planner I |

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|----------------------------------|--|
| Request: | The applicant is requesting modification to Planned Development (PD) 00-21 to increase unit count from 360 to 412 townhomes and add an amenity center. The development is on Tract K of Bimini Bay. This request includes short term rental. |
| Location: | The subject site is located west of US 27, east of Sentry Palm Way, south of Fan Palm Dr, and north of the City of Haines City in Section 02, Township 25, Range 26. |
| Property Owners: | Investors Regg LLC |
| Parcel Size (Number): | 7.19+/- acres (262502-485750-001180) |
| Future Land Use: | Residential Low-1X (RL-1X), North US 27 Selected Area Plan, Ridge Special Protection Area, Green Swamp ACSC |
| Development Area: | Transit Supportive Development Area (TSDA) |
| Nearest Municipality: | City of Haines City |
| DRC Recommendation: | Conditional Approval |
| Planning Commission Vote: | Pending Hearing |

Location



Aerial Image



The applicant is requesting modification to Planned Development (PD) 00-21 to increase unit count from 360 to 412 townhomes and add an amenity center. The development is on Tract K of Bimini Bay on an approximately 7.19-acre lot within a Residential Low-1X (RL-1X) Future Land Use District (*See Exhibit 2*). The PD is needed for increased density. RL-1X density is 1 du/ac, and the applicant is requesting 3.84 du/ac. Section 401.03, Table 4.8 (Use Table for U.S. 27 Selected Area Plan Land Use District) of the Land Development Code indicates a Planned Development modification within a RL-1X land use district requires approval via a Level 3 Review (Planning Commission). In order to meet current development approval conditions, Planned Development requests are subject to the standards found in Section 303 of the LDC. Buffers and landscaping will be constructed in accordance with Ch.7 of the LDC.

PD 00-21 was permitted for 90 buildings for a total of 360 multifamily units. The newly proposed site plan shows LDPD-2023-2 is adding to Tract K of Bimini Bay for now a total of 103 buildings for a total of 412 multifamily units. The new 52 multifamily units on the 7.19 acres will equal to 7.23 du/ac. This is still under the maximum permitted in the district for Residential Low-1X (RL-1X) of 8 du/ac. Adding townhomes to this parcel will allow the tract to start the process of completing the development out for Bimini Bay.

This site is located in a Transit Supportive Development Area (TSDA), and the services found within this development area are at urban levels with capacity to accommodate this request. This includes mass transit and other transportation alternatives, utilities, public safety, recreational and educational services. Transit Supportive Development Area (TSDA) also promotes and supports the location of higher density and intensity compact, mixed-use development. The site is situated off Fan Palm Dr, a private road within the Bimini Bay community. No environmental issues are located on the site which would hinder development.

Staff recommends approval, the number of units requested are similar enough to previous phases of Bimini Bay that there are no perceivable compatibility issues inherent to this request. The subject site is surrounded by townhomes within a Residential Low-1X (RL-1X) land use district. Fifty-two units (thirteen buildings) will not have adverse effects on public infrastructure. This development adds a bit more housing diversity 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.

Findings of Fact

- *LDPD-2023-2 is a Planned Development (PD) modification request for amenity center and townhome development on Parcel No. 262502-485750-001180 (+/- 7.19 acres) within a Residential Low-1X (RL-1X) land use district in the Transit Supportive Development Area (TSDA). Site area (Parcel K) is 312,569 sq. ft. with a total density of 3.84 DU/AC.*
- *The surrounding properties are within Residential Low-1X (RL-1X) land use district.*
- *Per Section 303 of the LDC, Planned Development containing less than 100 acres shall devote at least ten percent of the gross developable project area to open space or as prescribed in Section 750 whichever is greater.*
- *Cornerstone Church Pl (Road No 560111) is a County-maintained, paved local road with a width of 30 feet.*
- *According to Section 303 of the LDC, "Planned Development may be established in appropriate locations, with respect to intended function; in conformance with the goals, objectives, and policies of the Comprehensive Plan; compatible with the surrounding land uses and future land use districts; where they will not adversely impact facilities and services of the County; where they will not set a precedent for the introduction of an inappropriate use into an area; and so as not to encourage non-residential strip development along streets."*

- *Section 204.A.4 of the LDC states, “The purpose of the RL-1 district is to provide areas for the low-density residential needs of residents in urban areas who desire areas with larger sized lots, a minimum of 40,000 square feet.”*
- *Per Table 2.2 of the LDC, RL-1 land use mandates right-of-way setbacks for the primary structure of 15 feet, side setbacks for the primary structure of ten (10) feet, and rear setbacks for the primary structure of 15 feet.*
- *This subject property is located in the Transit Supportive Development Area (TSDA). According to POLICY 2.104-A1 of Polk County’s Comprehensive Plan, “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;*
- *According to Table 2.1 of the LDC, “Planned Development” is a “C3” conditional use in RL-IX land use districts requiring a Level 3 Review approval from Polk County’s Development Review Committee and a public hearing before the Planning Commission.*
- *POLICY 2.203-A8 of the Comprehensive Plan (Housing Element) states that “Polk County shall encourage residential communities to include a variety of housing types, such as single family detached homes, townhomes, multi-family units, and residential units in a mixed-use building.”*
- *According to Section 303 of the LDC, “Planned Development may be established in appropriate locations, with respect to intended function; in conformance with the goals, objectives, and policies of the Comprehensive Plan; compatible with the surrounding land uses and future land use districts; where they will not adversely impact facilities and services of the County; where they will not set a precedent for the introduction of an inappropriate use into an area; and so as not to encourage non-residential strip development along streets.”*
- *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.”*
- *Fire and EMS Response is from Polk County Fire Rescue Station 42 located at 50945 U.S. HWY 27, Davenport, 33837. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.*

- *The subject property is served by the Polk County Sheriff's Northeast District, located at 1100 Dunson Rd, Davenport.*
- *The subject property is located within the Northeast Regional service area.*
- *The development is zoned for Citrus Ridge: A Civics Academy (K-8) and Davenport High School. The site is 2.5 miles from Citrus Ridge: A Civics Academy and 13 miles from Davenport High School.*
- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*
- *The property is composed entirely of Candler Sand soils.*
- *The property has a FEMA A flood hazard zone.*
- *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.*
- *A Citrus Connection mass transit stop is located to the west of US 27 at the Publix a Berry Town Center.*
- *The subject site has ingress and egress access through US 27. US 27 is a state-maintained roadway. According to the 2022 Roadway Network Database, US 27 (5113N) has approximately 1,253 available PM Peak Hour trips; US 27 (5113S) has approximately 1,322 available PM Peak Hour trips. US 27 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "D".*
- *The Northeast Regional Park is southeast of the subject site.*
- *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 2.104 TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA) 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 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 Development Review Committee (DRC) recommends **APPROVAL of LDPD-2023-2.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDPD-2023-2 with the following Conditions:

1. LDPD-2023-2 is approved for fifty-two units (thirteen buildings) on a Parcel # 262502-485750-001180 as indicated in the site plan and staff report.
2. Minimum principal structure setbacks shall be ten (10) feet from the sides and fifteen (15) feet from the rear. Accessory structures shall be five (5) feet from the side and ten (10) feet from the rear.

3. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDPD-2023-2, 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]

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: Residential Low-1X Vacant Residential PD 00-21 | North: Residential Low-1X Vacant Residential PD 00-21 | Northeast: Residential Low-1X Townhomes PD 00-21 |
| West: Residential Low-1X Vacant Residential PD 00-21 | Subject Property: Residential Low-1X Vacant Residential PD 00-21 Density: 3.84+/- | East: Residential Low-1X Townhomes PD 00-21 |
| Southwest: Residential Low-1X Windmill Ranch Mobile Home Park PUD 00-16 | South: Residential Low-1X Windmill Ranch Mobile Home Park PUD 00-16 | Southeast: Residential Low-1X Windmill Ranch Mobile Home Park PUD 00-16 |

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

According to aerial photos and satellite images available on Polk County’s DataViewer, this property has always been vacant as far back as 2005. This site started construction for a clubhouse around 2007, but it was never completed. The structure was abandoned mid construction and was demolished in 2015 (*Exhibit 6*). To the south is a mobile home park and to the east and west are townhomes. The adjacent lots within a Residential Low-1X (RL-1X) land use and are occupied with townhomes.

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 townhome development on Tract K is similar density to Bimini Bay Phase I. The addition of fifty-two townhomes on this parcel will start the process of completing the development out for Bimini Bay. The dominant surrounding use is townhomes and mobile homes. Townhomes are interspersed north of the property and to the east. To the south abutting is a mobile home community called Windmill Village Park. Please refer to Exhibit 6 for the layout of the townhomes in relation to the surrounding area.

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.”

B. Infrastructure

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Addition of Tract K of Bimini Bay will trigger school concurrency requirements; however, there is available capacity for zoned schools. The subject property is located within the Northeast Regional service area for potable water, reclaimed, and 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

The closest schools are Citrus Ridge: A Civics Academy (±2.5 miles) and Davenport High School (±13 miles). According to information from the Polk County School Board’s website, the subject site is zoned for Citrus Ridge: A Civics Academy (K-8) and Davenport High School. These zoned schools have capacity to accommodate the proposed development. The applicant will apply for a binding school capacity determination at the time of the Level 2 Review submittal.

Table 2, to follow, illustrates the driving distances from the site to the zoned schools, in addition to the annual estimated demand for students and available capacity based on the 2022-23 utilization projections.

Table 2

| Name of School | Annual Estimated Demand | % Capacity 2022-2023 School Year | Average driving distance from subject site |
|--------------------------------------|--------------------------------|---|---|
| Citrus Ridge: A Civics Academy (K-8) | 1 student | 92% | ±2.5 miles driving distance |
| Davenport High School | 1 student | 57% | ±13 miles driving distance |

Source: Polk County School Board, GIS, Google Maps

Nearest Sheriff, Fire, and EMS Station

Fire and Ambulance response is from Polk County Fire Rescue Station 42 located at 50945 U.S. HWY 27, Davenport, 33837. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.

This property is served by the Polk County Sheriff’s Office’s Northeast District substation, located at 1100 Dunson Rd. The response times for the NE District for April 2023 were: Priority 1 – 10:30 & Priority 2 – 26:38. 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 Northeast District Substation 1100 Dunson Rd | ±6.9 miles | P1: 10:30 P2: 26:38 |
| Fire | Polk County Fire Station 42 50945 U.S. HWY 27 | ±2.1 miles | 8 minutes |
| EMS | Polk County Fire Station 42 50945 U.S. HWY 27 | ±2.1 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 a Planned Development in Residential Low land use districts is eight (8) dwelling units/acre, according to Section 303 of the LDC. The number of townhomes will be the same though will have less of an impact on utilities than single-family residences. At any rate, the number of units for either option would have a negligible impact.

Table 4

| Subject Property | Originally Permitted (3.36 DU/AC) | Proposed Plan (3.84 DU/AC) |
|---------------------------------|--|--|
| ±7.19 acres RL-1X - Tract K | | |
| Permitted Intensity | 360 multifamily units | 412 multifamily units (Addition of 52 units to Tract K) |
| Potable Water Consumption (GPD) | 71,280 GPD | 81,576 GPD |
| Wastewater Generation (GPD) | 64,800 GPD | 74,160 GPD |

B. Available Capacity:

The site will be using Northeast Regional service area for potable water and wastewater. Applicant will need to provide 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 and accessibility to mass transit are also available.

A. Estimated Demand:

Multifamily housing generates 6.74 Average Annual Daily Trips (AADT) and 0.51 Peak PM Hour Trips per unit (ITE Code 220). The proposed 412 multifamily units will equate to 2,777 AADT and 210 PM Trips

(ITE Code 220). Table 5, to follow, shows the traffic that is projected for the proposed fifty-two townhome development versus what would be permitted by right without the Planned Development process and what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

| Subject Property | Originally Permitted (3.36 DU/AC) | Proposed Plan (3.84 DU/AC) |
|------------------------------------|--|--|
| ±7.19 acres RL-1X – Tract K | | |
| Permitted Intensity | 360 multifamily units | 412 multifamily units (Addition of 52 units to Tract K) |
| Average Annual Daily Trips (AADT) | 2,426 | 2,777 |
| PM Peak Hour Trips | 184 | 210 |

The plan is to have one access for all fifty-two proposed units on Fan Palm Dr. Generally, there will be approximately twenty-seven vehicles exiting the site during the peak hour as townhomes remove more traffic from the road than they add. The addition of 52 units to Tract K of Bimini Bay will require a minor Traffic Study will be required during the Level 2 Review process because the AADT is estimated to be above 50 but less than 750.

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 Fan Palm Drive. This leads to US 27 to the east.

Table 6

| Road Name | Current Level of Service (LOS) | Available PM Peak Hour Capacity | Minimum LOS Standard |
|--|---------------------------------------|--|-----------------------------|
| US 27 (5113N) From Sand Mine Road to US 192 | C | 1,253 | D |
| US 27 (5113S) From Sand Mine Road to US 192 | C | 1,322 | D |

During the peak PM hours, the project is anticipated to generate approximately twenty-seven trips. 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 US 27. US 27 is a state-maintained roadway. According to the 2022 Roadway Network Database, US 27 (5113N) has approximately 1,253 available PM Peak Hour trips; US 27 (5113S) has approximately 1,322 available PM Peak Hour trips. US 27 current Level-of-Service (LOS) is “C” with an adopted LOS standard of “D”.

D. Sidewalk Network

A sidewalk is located on US 27. It runs north and south and allows access to good and services in the area.

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 nearest Citrus Connection Transit Route is the 18X Line which serves the Four Corners area. The closest stop is located at Publix at Berry Town Center, 2424 Sand Mine Rd, Davenport - approximately 2.2 miles to the south of the subject site.

Park Facilities and Environmental Lands:

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

A. Location:

The Northeast Regional Park is off US 27 approximately 1.4 miles east of the subject site.

B. Services:

The Northeast Regional Park features baseball fields, a tennis court, basketball courts, playground, and soccer fields. This park is owned by Polk County.

C. Multi-use Trails:

Hilochee Wildlife Management Area has multi-use trails for hiking and bicycling. These trails include the Oliver's trail, Turkey Loop, Corridor Trail, and Quail Loop.

D. Environmental Lands:

Hilochee Wildlife Management Area is a state-owned park offering hunting and fishing opportunities, as well as trails for hiking, bicycling, and equestrian activities. This Wildlife Management Area is part of the Green Swamp ecosystem.

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 a FEMA flood hazard A zone. 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 of candler sand soils. The soil is not of such that would limit compliance with applicable Land Development Code regulations for the proposed use. The subject property is level with a slight slope from the west to the south with contour elevations ranging from 129 to 124. 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 129 to 124 for the proposed location of the townhomes.

B. Wetlands/Floodplains:

There are no wetlands on the property but there is a flood zone A.

C. Soils:

The property is composed entirely of Candler 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) |
|--------------|--|--|-------------------------|
| Candler Sand | Slight: Wetness | Slight: Wetness | 100% |

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

The subject property is level with a slight slope from the west to the south with contour elevations ranging from 129 to 124. The proposed stormwater pond will meet all requirements from the LDC and those from SWFWMD. Post-development run-off rates will not exceed pre-development run-off rates.

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 a Wellfield Protection District.

G. Airports:

The proposed PD is not within any Airport Impact District.

Economic Factors:

This area of Polk County is a mosaic of different housing styles. Within a mile of the subject site there are townhomes, site-built homes, and individual mobile homes found nearby. This diversity in the housing stock is healthy for a community. Townhome development is already found within Bimini Bay. Addition of new townhomes into Tract K will start the process of completing the development out.

Additionally, this site is within a mile of US 27. Urban level services - including potable water, reclaimed water, wastewater, mass transit, nearby schools, parks etc. – make this area an attractive place to live. It is walking distance to Northeast Regional Park and other goods and services. This lot is also one of the last developable vacant parcels in Bimini Bay. It will not place additional burdens on any of a forementioned services. The limited number of units here should not have an impact on existing development, either.

Consistency with the Comprehensive Plan:

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

Table 8

| Comprehensive Plan Policy | Consistency Analysis |
|---|---|
| <p><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></p> | <p>The proposed townhome development is compatible with neighboring properties and there is adequate infrastructure to support it, as well. Buffering will be in accordance with the guidelines described in Ch. 7.</p> |
| <p><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 by-passed in favor of development more distant from services and existing Communities.</i></p> | <p>The site is located in an area planned for urban-level development. It is one of the last vacant properties in Bimini Bay. No environmental concerns are found on this property.</p> |
| <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>Public utilities, mass transit, parks, schools, etc. are readily available to the subject site. The proposal is along Fan Palm Dr.</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 sidewalks will be constructed as set forth by Chapter Seven of the LDC.

Furthermore, Staff has analyzed the criteria in Section 303 for PDs. PDs may be established in appropriate locations, with respect to intended function; in conformance with the goals, objectives, and policies of the Comprehensive Plan; compatible with the surrounding land uses and future land use districts; where they will not adversely impact facilities and services of the County; where they will not set a precedent for the introduction of an inappropriate use into an area; and so as not to encourage non-residential strip development along streets. Table 9, to follow, outlines how these standards are addressed.

Table 9

| LDC Section 303 – Planned Development | Consistency Analysis |
|---|--|
| <p><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></p> | <p>During the Level 2 Review, the applicant will submit a lot grading plan that shall be reviewed by the Development Review Committee.</p> |
| <p><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></p> | <p>All listed services are available, as identified in the Staff Report, and have ample capacity for this development.</p> |

| LDC Section 303 – Planned Development | Consistency Analysis |
|---|---|
| <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 area is on a private roadway, as described in the Staff Report. It will have direct ingress/egress onto Fan Palm Dr. |
| <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 be buffered from surrounding residential development in accordance with Ch. 7 of the LDC. The traffic generated from this project is minimal, as described in the Staff Report. |
| <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 residential types are diverse in this area. The addition of townhomes to this site should not result in an incompatibility of uses. |
| <i>All Planned Development 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 proposed development will not deviate from the development standards of the RL-1X land use district. |
| <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 adhere to buffering and landscaping practices as described in Ch. 7 of the LDC. The project is on a private roadway. |
| <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 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. Further details will be available for review at the time of the Level 2 submission. |
| <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> | The proposed development will incorporate sidewalks per the requirements of Ch. 7 of the LDC. |
| <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, surface waters, endangered habitats, or historical site are located on the subject site. |
| <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 residential density of this PD (3.84 DU/AC) is achieved through the Density Bonus Point system. This is below the maximum density allowed in a RL district. |
| <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> | Fifty-two townhome units will not exceed the height limit of the RL-1 land use district. They will be setback from adjacent property so as to prevent encroaching on existing residents. |
| <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. |
| <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> | The applicant has submitted a site plan with the requested setbacks. The setbacks are in accordance with the requirements of the RL-1 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. |

| LDC Section 303 – Planned Development | Consistency Analysis |
|--|---|
| <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 requirements of Chapter 7. Should the applicant deviate from this section, a Level 3 Review will be required. |
| <i>Landscaping shall be equal to or exceed the standards stipulated under Section 720, Landscaping and Buffering.</i> | This development will adhere to 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. |

Comments from other Agencies: None

Exhibits:

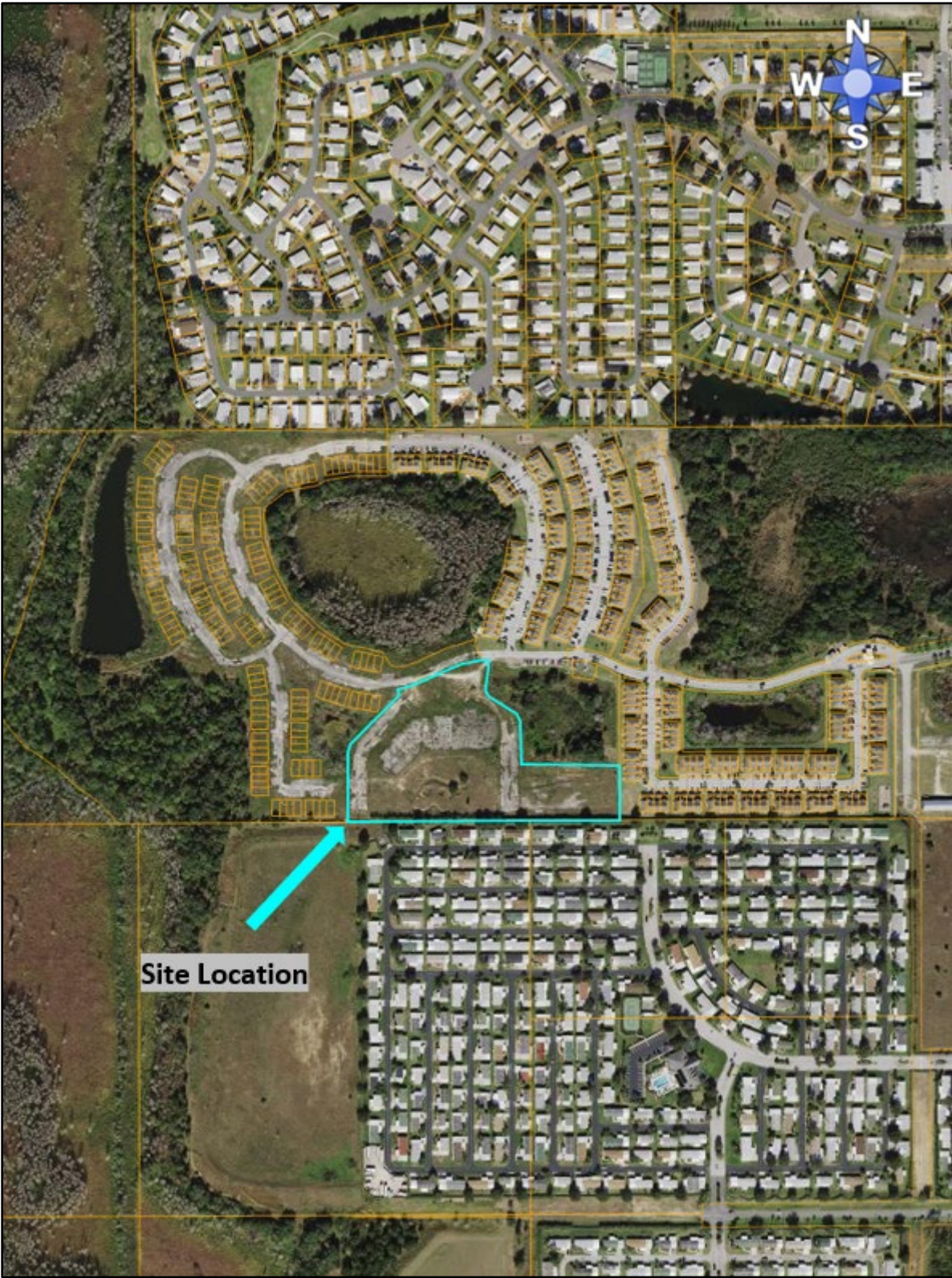
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Photograph (context)
- Exhibit 4 Aerial Photograph (close-up)
- Exhibit 5 Site Plan
- Exhibit 6 2005-2017 Aerials
- Exhibit 7 Bimini Bay Plat



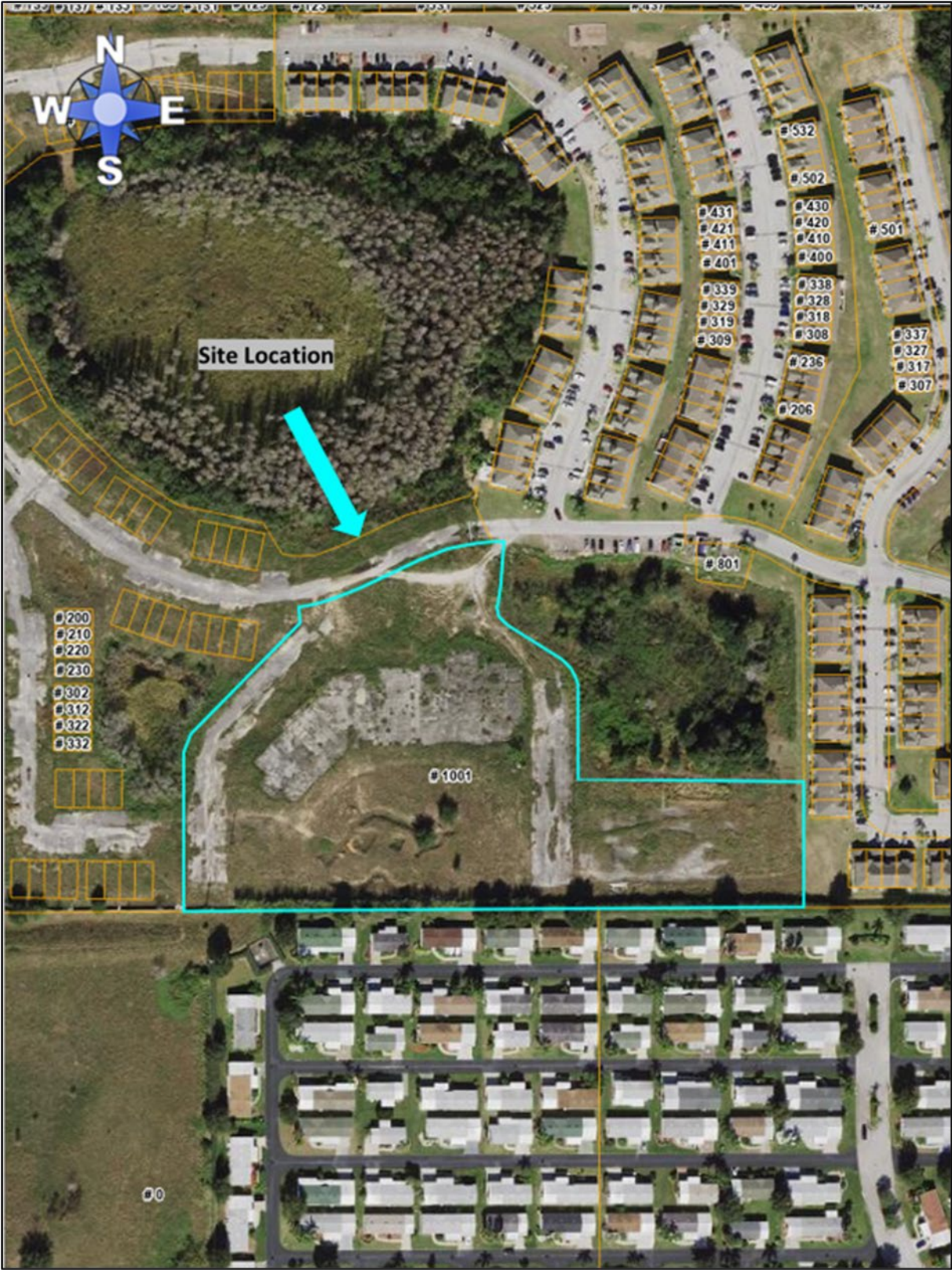
Location Map



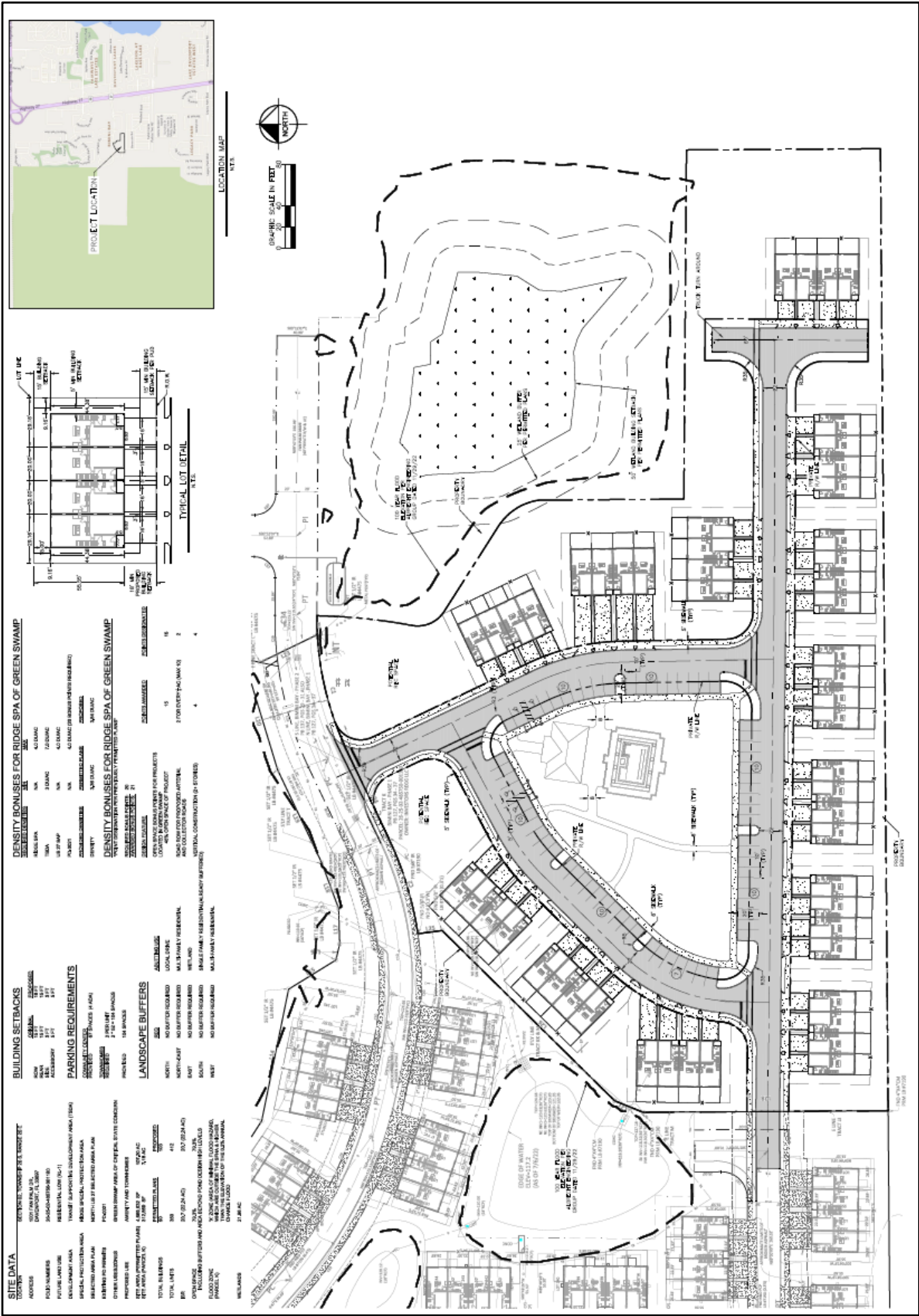
Future Land Use Map



Aerial Image (Context)



Aerial Image (Close)



SITE DATA

GENERAL NOTES:

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IBC, IRC, AND IFC.
- 2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
- 3. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
- 4. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

BUILDING SETBACKS

| TYPE | FRONT | REAR | SIDE |
|-------------|-------|-------|-------|
| RESIDENTIAL | 5 FT | 5 FT | 5 FT |
| COMMERCIAL | 10 FT | 10 FT | 10 FT |

PARKING REQUIREMENTS

| TYPE | REQUIREMENT |
|-------------|-----------------------|
| RESIDENTIAL | 1 SPACE PER UNIT |
| COMMERCIAL | 1 SPACE PER 100 SQ FT |

DENSITY BONUSES FOR RIDGE SPA OF GREEN SWAMP

| TYPE | MAXIMUM DENSITY |
|-------------|-------------------|
| RESIDENTIAL | 15 UNITS PER ACRE |
| COMMERCIAL | 10 UNITS PER ACRE |

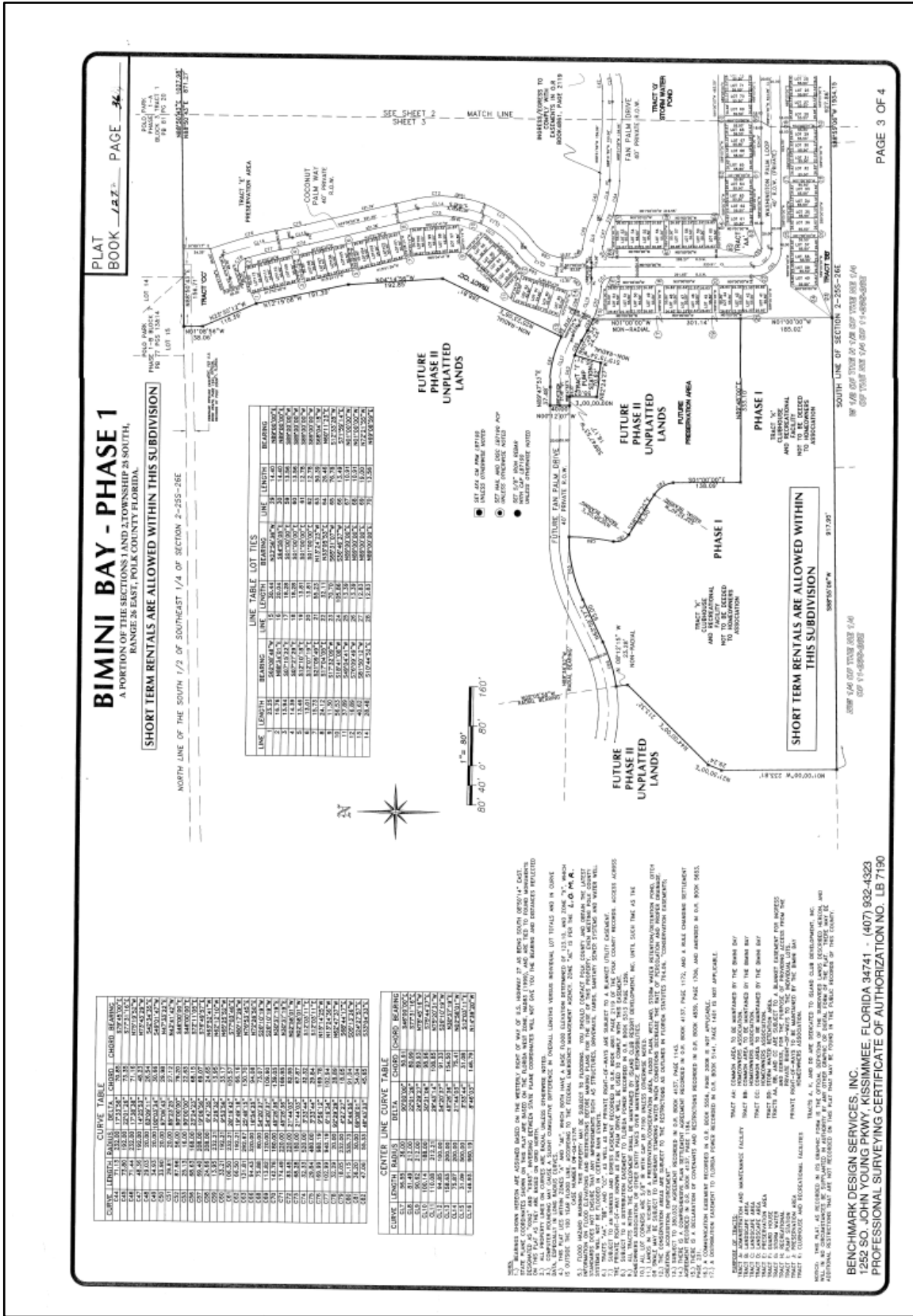
LANDSCAPE BUFFERS

| TYPE | REQUIREMENT |
|-------------|--------------|
| RESIDENTIAL | 5 FT BUFFER |
| COMMERCIAL | 10 FT BUFFER |

Site Plan



2005-2017 Aerials



Bimini Bay Plat