

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

DRC Date: July 25, 2024	Level of Review: Level 3 Review
PC Date: October 2, 2024	Type: Planned Development
BoCC Date: N/A	Case Numbers: LDPD-2024-11
Applicant: Evan Futch, AVID Group LLC	Case Name: Watersong PD Modification
	Case Planner: Kyle Rogus, Planner I

Request:	The applicant is requesting a Planned Development (PD) modification to increase the commercial footprint from 5,000 Sq. Ft. to 20,000 Sq. Ft. to provide neighborhood commercial uses in an RL-1X district.
Location:	The subject site is located north of the City of Davenport, south of Ronald Reagan Parkway, east side of U.S. Highway 17/92 N, west of Osceola County in Section 24, Township 26, Range 27.
Property Owners:	Deer Run Ventures INC
Parcel Size (Number):	±4.19 acres Parcel IDs #272624-706190-000030; #272624-706190-000020; #272624-706190-000010
Future Land Use:	Residential Low-1X (RL-1X), North Ridge Selected Area Plan
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	City of Davenport approximately 2.5 miles southwest.
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location



Aerial Image



Summary of Analysis:

The applicant is requesting a Planned Development (PD) modification to increase the commercial footprint from 5,000 vested Sq. Ft. to 20,000 Sq. Ft. to provide neighborhood commercial uses in a Residential Low-1X (RL-1X) land use district. This type of development is termed today as Residentially Based Mixed-Use Developments (RBMD). The property was originally vested for 5,000 square feet of neighborhood commercial as part of Phase I of the Watersong Planned Development. The Watersong Planned Development was vested for a total of 382 residential units, seven (7) sales center models, and a day care. The development is currently built out with 211 residential units. There is no commercial, sales center models, or day care currently developed. The applicant is requesting an additional 15,000 square feet totaling approximately 20,000 square feet, which is a 300% increase to meet the commercial need in this area.

The site is located within an Urban Growth Area (UGA) in the North Ridge Selected Area Plan (SAP), where there are minimal commercial uses nearby. The location is off Highway US 17-92, north of Davenport, on the southern corner of Deer Run Road. The closest commercial use is approximately 2.4 miles to the north where there is both small and large-scale retail chains centered around a Publix Super Market. This modification is intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). The subject property is surrounded by platted single-family developments through prior PDs and residential development. Across Highway US 17-92 is vacant, undeveloped land under the Business Park Center-1X (BPC-1X) and Residential Medium-X (RMX) land use districts.

This application is consistent with the relevant sections of the LDC and Comprehensive Plan. Through the site plan layout and previous Watersong Master Plan, staff finds this request to be compatible with the surrounding uses. Staff recommends approval.

Findings of Fact

- *LDPD-2024-11 is a request for a Planned Development (PD) modification approval to allow up to 20,000 square feet of neighborhood commercial uses. The 20,000 square feet will include the original vested 5,000 square feet in Phase I of the Watersong PUD. This modification will result in a 300% increase in neighborhood commercial.*
- *According to Table 2.1 of the LDC, Planned Developments are “C3” conditional uses in RL-1 which require staff review and approval by the Polk County Planning Commission.*
- *According to Table 2.1 of the LDC, Residentially Based Mixed Developments are “C3” conditional uses in RL-1 which require staff review and approval by the Polk County Planning Commission.*
- *The Watersong Planned Development Master Plan was designed in September of 1994 and later revised in October of 1994 (PB 125, Pages 45-52).*
- *The Watersong Planned Development was vested for 382 residential units, 7 sales center models, 5,000 Sq. Ft. neighborhood commercial, and a day care center.*
- *The Watersong Planned Development currently has 211 residential units developed. No commercial, sales center models, or day care center has been developed.*

- *The subject site is approximately 4.19 acres. Phase I of the PD is vested for 5,000 square feet of neighborhood commercial.*
- *The surrounding properties are within the Deer Run Estates recorded plat and RL-1X land use district.*
- *The project has direct access to US Highway 17-92 (Road No. 009320) and Deer Run Road (Road No. 6742402). US Highway 17-92 is listed as a State roadway. Deer Run Road (Road No. 672402) is a County-maintained, paved local road with a width of 20 feet.*
- *Watersong (PUD 92-1) mandates front setbacks for the primary structure of 20 feet, side setbacks for the primary structure of five (5) feet, and rear setbacks for the primary structure of 20 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.”*
- *The subject site is located in an Urban Growth Area (UGA). Per Section 202.B of the LDC, “the purpose of UGAs is to serve as a foundation from which a future urban pattern is established, and to provide future areas for development at urban densities and intensities. UGAs are areas within the County that, at a minimum, are currently served, or are programmed within the applicable Comprehensive Plan Capital Improvement Program to be served within years 10 through 20 of the Comprehensive Plan's planning period. UGAs are also supported by, or programmed to be supported by, other services typically found to accompany urban development such as public safety services, an urban road network, and developed parks.”*
- *Fire and EMS Response is from Polk County Fire Rescue Station 20 located at 4611 U.S. Highway 17-92 N, Davenport, FL. This is located approximately 0.5 miles from the subject site with a response time of three (3) minutes.*
- *The subject property is served by the Polk County Sheriff's Northeast District, located at 100 Dunson Rd, Davenport.*
- *The closest shopping center is located approximately 2.4 miles to the north.*
- *The development is zoned for Loughman Oak Elementary, Shelly S. Boone Middle, and Davenport High. The site is 0.5 miles from Loughman Oak Elementary, 8.6 miles from Shelly S. Boone Middle, and 3.6 miles from Davenport High.*

- *The subject parcel is not located within one of the County’s Wellhead-Protection Areas.*
- *The subject property is within the Northeast Regional Utility Service Area for potable water, wastewater, and reclaim water.*
- *The property is composed of 57.7% Astatula Sand, 20.9% Basinger Mucky Fine Sand, 12% Tavares Fine Sand, and 9.3% Smyrna and Myakka Fine Sand.*
- *FEMA A flood hazard zone is located along US Highway 17-92 at the southwest on of the subject site. No wetlands on site.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*
- *According to a preliminary report from the Secretary of State’s Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
- *There is multiple east county mass transit routes located in and around the City of Davenport. The closest route is the 20X -Haines City / Davenport Express located south of the subject site. Transfer points are located at Posner Park and Haines City Plaza.*
- *The subject site has access through US Highway 17-92. US Highway 17-92 is a state roadway. The nearest monitored link is US 17/92. According to the 2023 Roadway Network Database, US 17/92 (5017N) has approximately 880 available PM Peak Hour trips; US 17/92 (5017S) has approximately 880 available PM Peak Hour trips. US 17/92 current Level-of-Service (LOS) is “C” with an adopted LOS standard of “C”.*
- *Loughman Park is 2.6 miles Northeast of the subject site.*
- *Lake Marion Creek Wildlife Management Area is approximately 13.2 miles to the southeast of the subject site.*
- *This request has been reviewed for consistency with Section 303, Section 401.06, Section 906, and Tables 2.1, 2.2, 4.16, & 4.17 of the LDC.*
- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.105 URBAN GROWTH AREA (UGA); SECTION 2.125-M PLANNED DEVELOPMENT.*
- *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.”*

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 with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL** of LDPD-2024-11.

CONDITIONS OF APPROVAL

Based upon the findings of fact the DRC recommends **APPROVAL of LDPD-2024-11** with the following Conditions:

1. This Planned Development (PD) modification approval is for 20,000 square feet of neighborhood commercial. Uses on the site plan are non-binding and shall be determined by those allowed in the Neighborhood Activity Center (NAC) or Convenience Center (CC) future land use districts.
2. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Other modifications to LDPD-2024-11, 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. Prior to site clearing or grubbing in the North Ridge Selected Area Plan (SAP), 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.
4. A landscaped buffer consistent with the Type C buffer in Section 720 shall be required where non-residential development abuts any vacant or developed residential districts
5. A landscaped buffer, 25 feet in width, shall be required along arterial roads consistent with the planting requirements of a Type C buffer for all development.
6. A landscaped buffer 15 feet in width shall be required along all collector roads, consistent with the planting requirements of a Type A buffer, for all development.
7. A minimum four-foot-wide sidewalk shall be constructed along US Highway 17-92 to provide connectivity to the existing sidewalk network.

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

<p>Northwest: RMX Sunny Acres PB 32 PG 31 Residential Mobile Home 24.45 acres</p>	<p>North: RL-1X Watersong Phase I Vacant Commercial 3.29 acres</p>	<p>Northeast: RL-1X Deer Run Estates Phase I Residential Mobile Home 0.92 acres</p>
<p>West: BPC-1X Sunny Acres PB 32 PG 31 Vacant Industrial 14.41 acres</p>	<p>Subject Property: RL-1X Watersong Phase I Vacant 4.19 Acres</p>	<p>East: RL-1X Deer Run Estates Phase I Residential Mobile Home 1.47 acres</p>
<p>Southwest: BPC-1X Sunny Acres PB 32 PG 31 Vacant Industrial 9.94 acres</p>	<p>South: RL-1X Residential Mobile Home 1.05 acres</p>	<p>Southeast: RL-1X Deer Run Estates Phase I Residential Mobile Home 1.47 acres</p>

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

The Watersong Planned Development Master Plan was designed in September of 1994 and later revised in October of 1994 (PB 125, Pages 45-52). The master plan was designed using a phasing schedule broken into 3 phases. The Watersong Planned Development was vested for a total of 382 residential units, seven (7) sales center models, 5,000 square feet neighborhood commercial and a day care. Today this development would be defined as a Residentially Based Mixed-Use Development (RBMD). Aerial imagery dating back to 1941 shows this area was undeveloped until 2002, when the first stages of Deer Run Estates Phase I development began. In 2007 imagery, development of the Watersong Phase I residential units began.

Today, the majority of the Watersong Phase I Planned development has been built out. There are approximately 212 built residential buildings. The sales center models and neighborhood commercial designated for Parcel #272624-706190-000030, Parcel #272624-706190-000020, and Parcel #272624-706190-000010 have not been developed. This is where the 20,000 square feet of neighborhood commercial is proposed. The proposed development is not removing any residential for commercial use. The proposed modification is increasing the commercial footprint where the 5,000 square feet commercial was originally designated. The subject location was designed to be commercial to act as a transitional buffer, separating the residential units from US Highway 17-92. The proposed increase in commercial footprint coincides with the intent of the original planned development.

To the north of the subject site across Deer Run Road is a vacant commercial lot where the vested day care center would be located. Abutting directly to the south are lots with mobile homes and

site-built homes on properties one (1) acre or less in the Residential Low-1X (RL-1X) land use district. Further south is undeveloped Residential Medium-X (RMX) land use district and a mobile home park in a Leisure/Recreation (LR) land use district. Abutting the subject property to the east is Deer Run Estates Phase I (PB 83, Pages 25-27).

To the west of the subject site, across US Highway 17-92 consists of Business Park Center-1X (BPC-1X) and RM future land use districts in the Sunny Acres Subdivision (PB 32, Page 31). The properties designated under the BPC-1X land use district are undeveloped and range in size from 5.27 to 14.41 acres. The properties designated under the RMX land use district are developed and undeveloped that range in size from 1.28 to 33.36 acres. Developed lots consist of both mobile homes and site-built single-family dwellings.

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with surrounding land uses and infrastructure.

A. Land Uses:

The surrounding land uses are single-family residences on lots ranging in all sizes. The typical lot size in the Watersong Planned Development is 0.2 acres. The subject site was designated for commercial use to create a buffer from US Highway 17-92 and the residential developments. To further address concerns of incompatibility between the proposed development and existing residential lots, the submitted site plan offers various strategies to mitigate the impact of the proposed homes. The site plan uses buffering along with existing conditions pertaining to the site and development to create a layout that is compatible with the abutting uses.

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.”

To the east where, small-acre residential lots are found, a Type “C” landscape buffer will be built along the property lines. Internal to this is a 30 feet ingress/egress drainage and maintenance easement creating a minimum 50 foot buffer from the property line. This buffer does not include the setbacks imposed on the single-family residential lots. To the south and southeast of the site is a stormwater pond accompanied with a Type “C” landscape buffer. These features will provide landscaped buffering and distancing between the existing homes and the proposed neighborhood commercial. Additionally, all parking and loading areas designated or intended for public use shall have shielded or recessed lighting aimed away from adjacent properties and roadways. This is to minimize light trespass from non-residential structures and parking facilities onto the adjacent residential properties and into rights-of-way except at the vehicular entrances into developments.

B. Infrastructure:

This site is listed within an UGA in the North Ridge Selected Area Plan (SAP) and is subject to the policy and design standards for Residentially Based Mixed-Use Developments (RBMD). Per Chapter 4, Section 401.06-E, the proposed design emphasizes a pedestrian oriented environment with the construction of a sidewalk connection to the north along US Highway 17-92. The development is interconnected between differentiating commercial uses enabling efficient flow of pedestrian and vehicular traffic. Proper landscape buffers are provided when abutting residential uses within and outside the RBMD. An elementary school is within a half-mile of the site. Multiple east county public transportation routes provide services within this area. Potable water and

wastewater can be found to the north at the entrance of the Watersong Planned Development. Reclaimed water can be found in the right-of-way off US Highway 17-92.

The site is located in an area with ample residential developments, with little commercial services to provide for the local community. The intersection of Ernie Caldwell Boulevard and US Highway 17-92 is currently unsignalized, but the Florida Department of Transportation (FDOT) has designs to signalize the intersection. This will help alleviate any backup onto Ernie Caldwell Boulevard. The commercial use proposed on the site plan is not binding and any development shall develop in accordance the Polk County Land Development Code per the RL-1X future land use district. Given this ideal location and availability of consumers, it is likely that over the next several years that the remaining undeveloped properties along US Highway 17-92 and Ronald Reagan Parkway will look to provide commercial and retail development opportunities.

Nearest Elementary, Middle, and High School

According to information from the Polk County School Board’s website, the zoned schools are Loughman Oak Elementary (± 0.5 miles), Shelly S. Boone Middle (± 8.6 miles), and Davenport High (± 3.6 miles).

Table 2, to follow, illustrates the driving distances from the site to the zoned schools and available capacity for each school based on the 2024-25 utilization projections.

Table 2

Name of School	% Capacity 2023-2024 School Year	Average driving distance from subject site
Loughman Oak Elementary	98%	± 0.5 miles driving distance
Shelly S. Boone Middle	112%	± 8.6 miles driving distance
Davenport High	98%	± 3.6 miles driving distance

Source: Polk County School Board, GIS, Google Maps

There are six (6) bus stops between Ernie Caldwell Boulevard and Ronald Reagan Parkway. The closest bus stop is at the corner of US Highway 17-92 and Orange Cosmos Boulevard at the entrance of the Watersong Planned Development. The proposed commercial development will encourage further development of the parcel to the north where the intended day care center was proposed. Developing this strip of Highway 17-92 will offer infrastructure such as sidewalks that will make it safer for children waiting for the bus or offer the alternative mode to walk to school. Currently there is no complete sidewalk connection from the bus stop to Loughman Oak Elementary School. Students who wait for the bus are forced to either stand in the grass or on the side of an arterial road. Development in this area will introduce parking lots enabling turn arounds for buses drivers, therefore decreasing traffic off the highway and increasing public safety.

Nearest Sheriff, Fire, and EMS Station

Fire and Ambulance response is from Polk County Fire Rescue Station 20, located at 4611 U.S. Hwy 17-92 N, Davenport, FL 33837. This is located approximately 0.5 miles from the subject site with a response time of three (3) 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 August 2024 were: Priority 1 – 13:39 & Priority 2 – 27:51. 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, Davenport	±8.8 miles	P1: 13:39 P2: 27:51
Fire	Polk County Fire Rescue Station 20 4611 U.S. Hwy 17-92 N, Davenport, FL 33837	±0.5 miles	3 minutes
EMS	Polk County Fire Rescue Station 20 4611 U.S. Hwy 17-92 N, Davenport, FL 33837	±0.5 miles	3 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:

The proposed development is for 20,000 square feet of neighborhood commercial. General retail sales are estimated to utilize 0.10 gallons per day (GPD) of potable water and wastewater per square foot. The estimated demand for potable water and wastewater is 2,000 GPD.

Table 4, to follow, provides the anticipated water and wastewater demands on water and sewer services. The site has approximately 665 feet of frontage along US Highway 17-92 using Polk County water and wastewater services.

Table 4

Subject Property	Estimated Impact Analysis	
	Demand as Currently Permitted (5,000 Sq. Ft.)	Proposed Demand (20,000 Sq. Ft.)
±4.19 Upland Acres RL-1X/UGA		
Permitted Intensity	5,000 square feet	20,000 square feet
Potable Water Consumption (GPD)	500 GPD	2,000 GPD
Wastewater Generation (GPD)	500 GPD	2,000 GPD

B. Available Capacity:

The site is within Polk County’s Northeast Utility Service Area for potable water and wastewater. Applicant will need to provide capacity at Level 2 review.

C. Planned Improvements:

The site will need to extend the potable water and wastewater lines south from the Watersong Planned Development entrance off Orange Cosmos Boulevard.

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. There is a type 3 interchange at the intersection of US Highway 17-92 and Deer Run Road. Sidewalks are proposed along US Highway 17-92 frontage and east county mass transit routes are also available.

A. Estimated Demand:

Shopping center generates 24.43 Average Annual Daily Trips (AADT) and 3.40 Peak PM Hour Trips per unit (ITE Code 820). The proposed 20,000 square feet of neighborhood commercial will equate to 371 AADT and 52 PM Trips (ITE Code 820). Table 5 shows the traffic that is projected for the proposed 20,000 square feet of commercial versus the 5,000 square feet already vested in the Planned Development.

Table 5

Subject Property	Maximum Permitted (5,000 Sq. Ft.)	Proposed Plan (20,000 Sq. Ft.)
±4.19 acres Upland Acres RL-1X/UGA		
Permitted Intensity	5,000 square feet	20,000 square feet
Average Annual Daily Trips (AADT)	93	371
PM Peak Hour Trips	13	52

The plan is to have two driveways for the neighborhood commercial off the corner of US Highway 17-92 and Deer Run Road. Generally, there will be approximately 52 vehicles exiting the site during the peak hour. The addition of 15,000 square feet of neighborhood commercial will not require a Major Traffic Study process because the AADT is estimated to be less than 750 trips.

B. Available Capacity:

There is currently more than adequate capacity to serve the proposed development. A development of this size has negligible impacts on the roadway system or function of traffic. Table 6, to follow, displays the generalized capacity on the adjacent transportation links. Direct ingress/egress is from US Highway 17-92.

Table 6

Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
US 17/92 (5017N) From CR 547 (Davenport Boulevard) to Osceola County Line	C	135	C
US 17/92 (5017S) From CR 547 (Davenport Boulevard) to Osceola County Line	C	164	C

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 Highway 17-92 and Deer Run Road. US Highway 17-92 is classified as a state roadway. Deer Run Road is classified as a county-maintained, paved local roadway with a surface width of 20 feet. The nearest monitored link is US 17-92. According to the 2023 Roadway Network Database, US17-92 (5017N) has approximately 880 available PM Peak Hour trips; US 17-92 (5017S) has approximately 880 available PM Peak Hour trips. US Highway 17-92 current Level-of-Service (LOS) is “C” with an adopted LOS standard of “C”.

D. Sidewalk Network

A sidewalk is located across Deer Run Road and runs north along US Highway 17-92. The applicant is required to construct a sidewalk on the frontage of the property along US Highway 17-92 with a connection to existing sidewalk.

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 transit route is the 20X -Haines City/Davenport Express Line which serves the Haines City/Davenport area. The closest transfer points are located at Posner Park and Haines City Plaza. Posner Park is approximately 6.5 miles to the northeast of the subject site. Haines City Plaza is approximately 8.2 miles to the south of the subject site.

Park Facilities and Environmental Lands:

There are six (6) parks in a five (5) mile radius of the proposed subject site. There are no trails or environmental lands within the 5-mile radius of the subject site.

A. Location:

Loughman Park is off Old Kissimmee Road approximately 2.6 miles northeast of the subject site.

B. Services:

Loughman Park features a playground with slides and swings. The park provides amenities such as picnic tables and public restrooms. Loughman Park is wheelchair accessible and pet friendly. This park is owned by Polk County.

C. Multi-use Trails:

No multi-use trails are located near the subject site.

D. Environmental Lands:

Lake Marion Creek Wildlife Management Area is approximately 13.2 miles to the southeast of the subject site. Lake Marion Creek Wildlife Management Area is managed in cooperation with South Florida Water Management District and Polk County. Lake Marion Creek Wildlife Management District is over 8,000 acres offering trails and campsites.

Environmental Conditions

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request. The parcel has a FEMA flood hazard A zone in the southwest corner. 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 multiple sand types. The soil is not of such that would limit compliance with applicable Land Development Code regulations for the proposed use. The subject property is fairly level with a slight slope from the west towards US Highway 17-92. There is a greater slope from the east towards the drainage easement with contour elevations ranging from 110 to 104. 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 110 to 104 for the proposed location of the neighborhood commercial.

B. Wetlands/Floodplains:

There are no wetlands on the property but there is a flood zone A. The site is not subject to a flood study. Per Section 630 of the LDC, the subject site will be reviewed by the Building Division.

C. Soils:

The property is composed of Basinger Mucky Fine Sand, Astatula Sand, Smyrna and Myakka Fine Sand, and Tavares Fine 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	Limitations to Small Commercial Buildings	% of Site (approximate)
Basinger Mucky Fine Sand	Severe: Ponding	20.9%
Astatula Sand	Moderate: Slope	57.7%
Smyrna and Myakka Fine Sand	Severe: Wetness	9.3%
Tavares Fine Sand	Slight	12%

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

The subject property is slightly level with contour elevations ranging from 110 to 104. The highest elevation of 110 feet is at the center of the subject site with a slight slope of four (4) feet to the west towards US Highway 17-92. The property has a greater slope on the east side where the drainage and maintenance easement is located. The proposed development will meet all requirements from the LDC.

D. Protected Species

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

E. Archeological Resources:

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

F. Wells (Public/Private)

The property is not located within a Wellfield Protection District.

G. Airports:

The proposed PD is not within any Airport Impact District.

Economic Factors:

This area of Polk County consists mostly residential development. Urban level services - including potable water, wastewater, mass transit, nearby schools, parks etc. – make this area an attractive place to live. Demand for housing has come from two main markets: retirement and commuters to the greater Orlando metropolitan area. Walt Disney World is approximately 30 minutes away. This is partially due to slightly lower land values in Polk County compared to the other counties and convenient routes of travel to work and leisure opportunities. However, it is also related to the location of this portion of the County to Disney and the Orlando metro population center. Because of the mass residential development in this area, it creates a commercial drought for the new and existing residences. The commercial development in this area is concentrated along US Highway 27, catering to the local community and commuters from Interstate 4. Due to the concentration, residents are forced to drive greater distances becoming more susceptible to traffic and longer travel time. Developing small commercial shopping centers in this area will alleviate distance and travel time. Residents will no longer need to compete with commuters from Interstate 4 traveling east bound towards Orlando and west bound towards Tampa. This proposed development along with other will also help mitigate congestions on highly traveled roads such as Ronald Reagan Parkway and US Highway 27. The proposed development will also require water and sewer line extensions with the addition to a fire hydrant. This can provide greater service to the residential developments to the east and south of the proposed subject site who remain on well and septic. Potential fire hazards can be easily prevented with the installation of a new fire hydrant creating a safer neighborhood.

The closest shopping center is 2.4 miles to the north of the subject site at the intersection of US Highway 17-92 and Ronald Reagan Parkway. There is a Publix Super Market surrounded by both large-scale retail and food chains. Smaller local commercial businesses make up for the missing services catering specifically to the local community. South of the subject site in the City of Davenport is the next closest shopping center 3.9 miles away with a travel time of 8 minutes. The local community must travel anywhere between 11 and 14 minutes for these services, not factoring the congestion typically seen on these highway systems. Modifying the existing Watersong Planned Development to allow for 20,000 square feet of neighborhood commercial will provide a greater necessary service in this area, promoting shorter commutes and thus less time spent in traffic on the surrounding roadways.

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 neighborhood is compatible with neighboring properties and their buffer and development techniques will be implemented to support it, as well.</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 bypassed in favor of development more distant from services and existing Communities.</i></p>	<p>The site is located where potable water, wastewater, and reclaimed water services are available and have capacity. Schools and parks are available. It is one of the last vacant properties from Watersong Phase I Planned Development. 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 US Highway 17-92.</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 capacity with potable water, traffic, and public schools. Emergency services are within a reasonable time and distance. Sidewalks and mass transit services are a weakness.</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 Land Development Code. Development criteria for Planned Developments are detailed under Section 303 of the LDC. Table 9, to follow, outlines relevant components of Section 303 and how the project addresses them.

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:

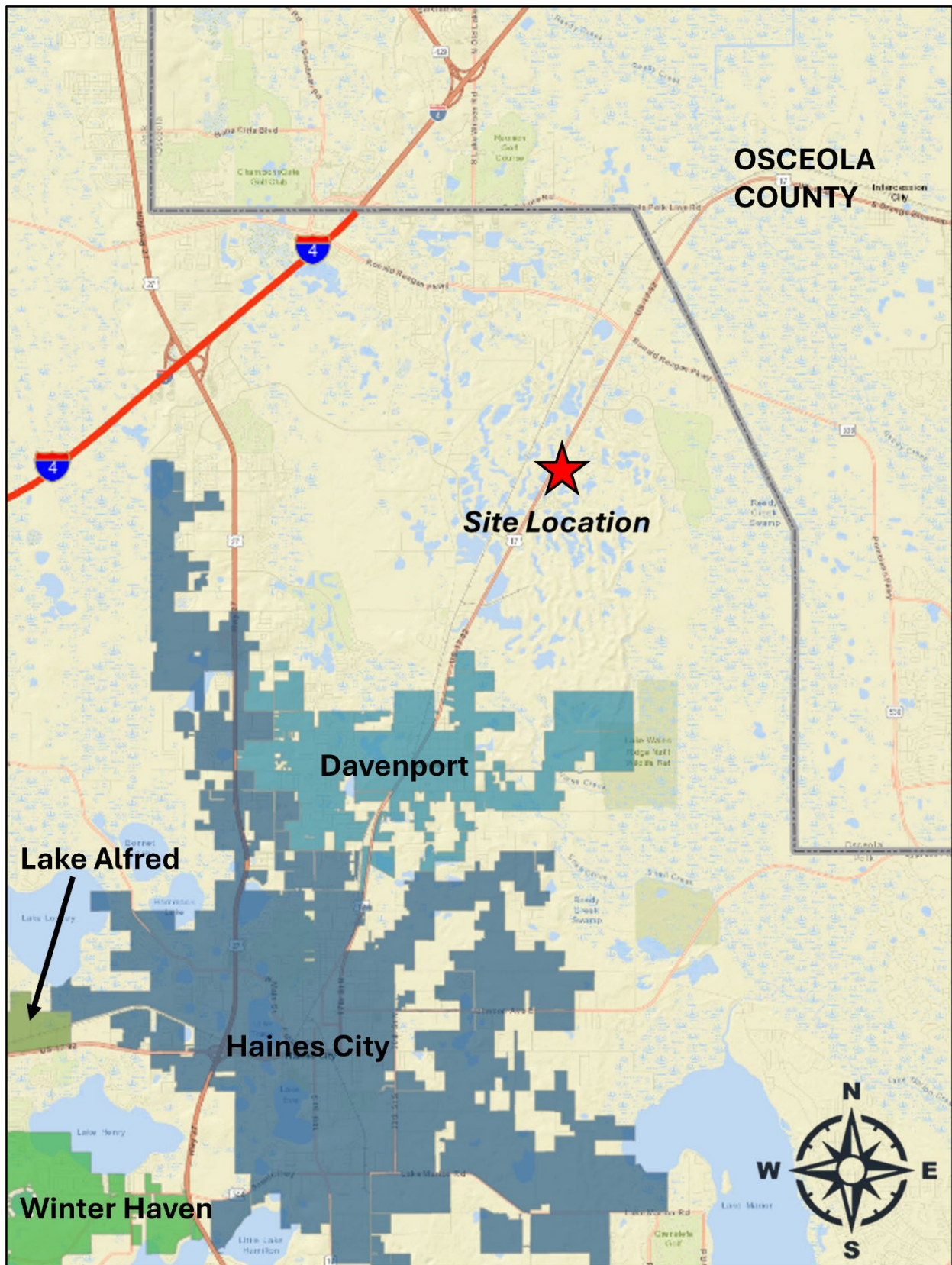
<i>Whether the proposed development is consistent with all relevant requirements of this Code;</i>	Yes, this request is consistent with the LDC, specifically Section 401.06, Section 906, and Tables 2.1, 2.2, 4.16, & 4.17 as detailed throughout the Staff Report.
<i>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</i>	Yes, this request has been reviewed for consistency with SECTION 2.102 and SECTION 2.104.
<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 6-8 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>	Yes, the request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 8-10 of this staff report for data and analysis.

Comments from other Agencies: None

Exhibits:

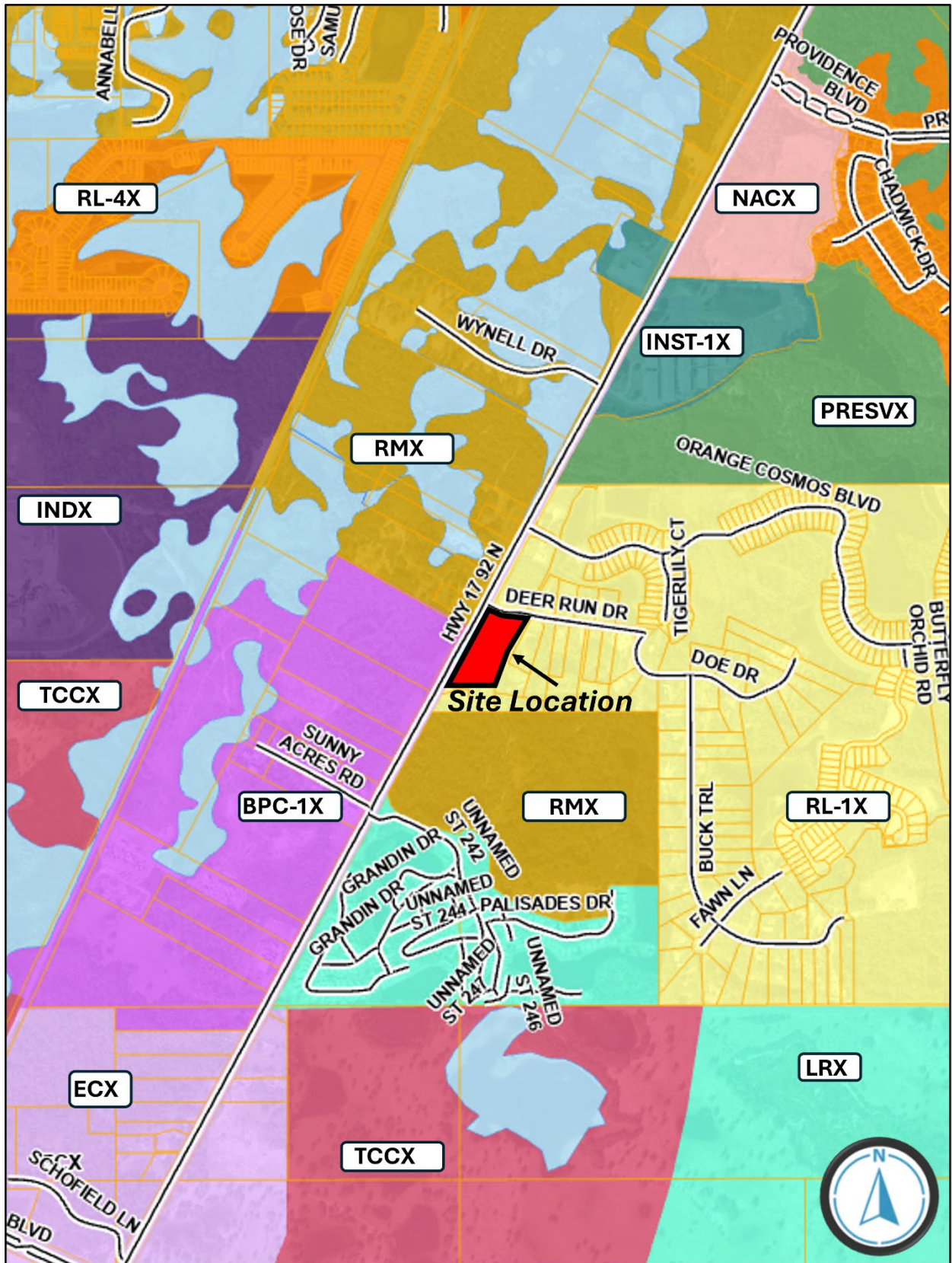
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Photograph (context)
- Exhibit 4 Aerial Photograph (close-up)
- Exhibit 5 Site Plan
- Exhibit 6 Site Plan Information
- Exhibit 7 Watersong PUD
- Exhibit 8 Watersong PUD Information

Exhibit 1



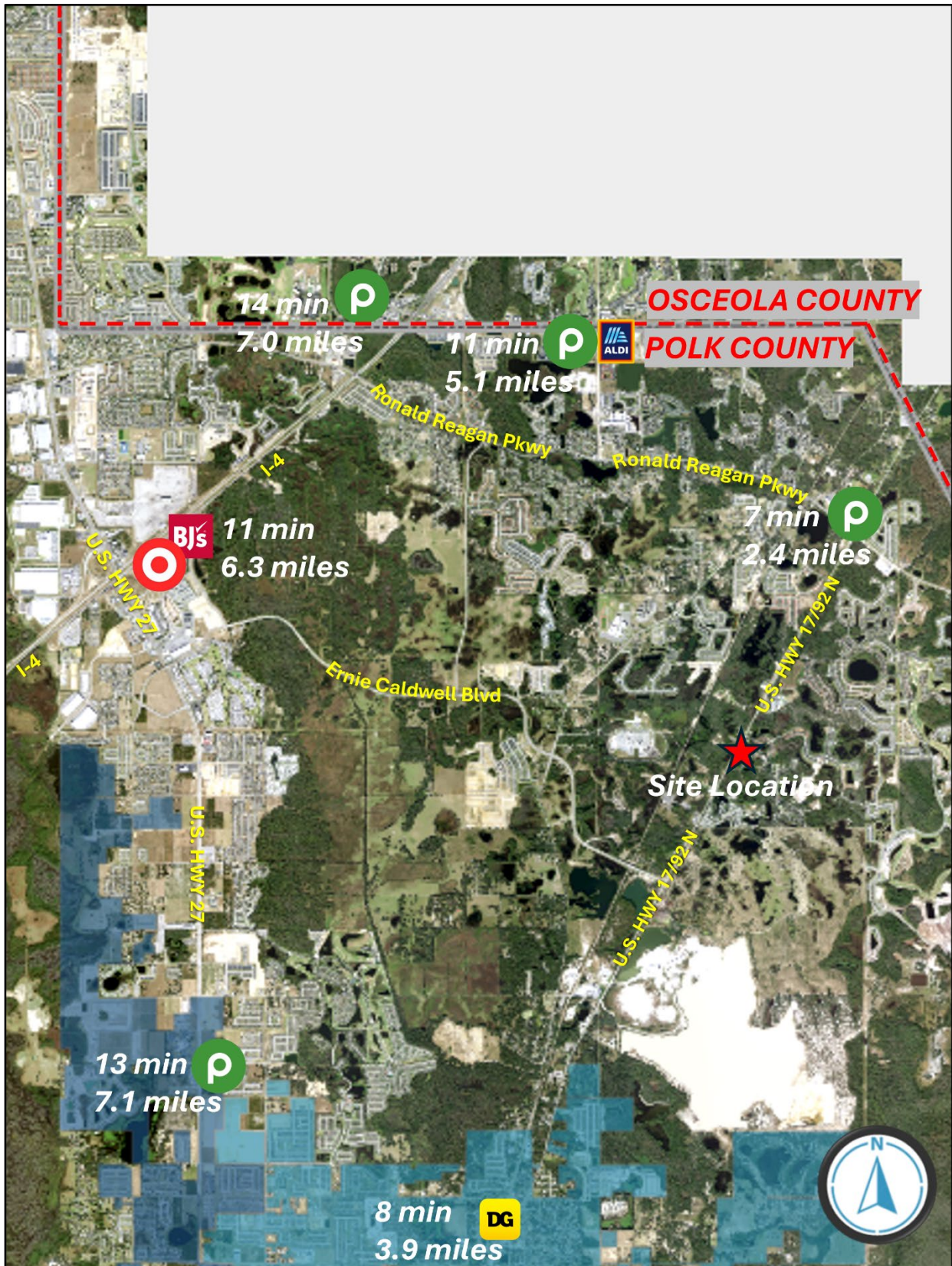
Location Map

Exhibit 2



Future Land Use Map

Exhibit 3



Aerial Image (Context)



Aerial Image (Close)

PROJECT DATA



TOTAL PROJECT AREA:

PARCEL 'A' 2.13± Ac
 PARCEL 'B' 2.05± Ac
 TOTAL 4.18± Ac

JURISDICTION:

POLK COUNTY, FL

PROPERTY FUTURE LAND USE:

RL-1X

PROPERTY ZONING:

PD

PROPERTY OVERLAY:

NORTH RIDGE, URBAN GROWTH AREA

PROPOSED DENSITY/INTENSITY:

RETAIL 'A1' 5,000 SF RETAIL
 RETAIL 'A2' 5,000 SF RESTAURANT
 RETAIL 'B' 10,000 SF RETAIL

PROPERTY FAR:

0.25 (MAX)

ISR:

60% (max)

PARKING:

USE	RATIO	REQ.	PROP.
RETAIL	1 SP / 300 SF		
RESTAURANT, DRIVE THRU	4 SP + 1 SP / 100 SF		
RETAIL 'A1'	RETAIL	17	
RETAIL 'A2'	RESTAURANT	54	
TOTAL		71	75
RETAIL 'B'	RETAIL	34	44

NOTES:

DRIVEWAY LOCATIONS SHOWN ARE CONCEPTUAL AND SUBJECT TO REGULATORY AGENCY REVIEW AND PERMITTING.

DISCLAIMER:

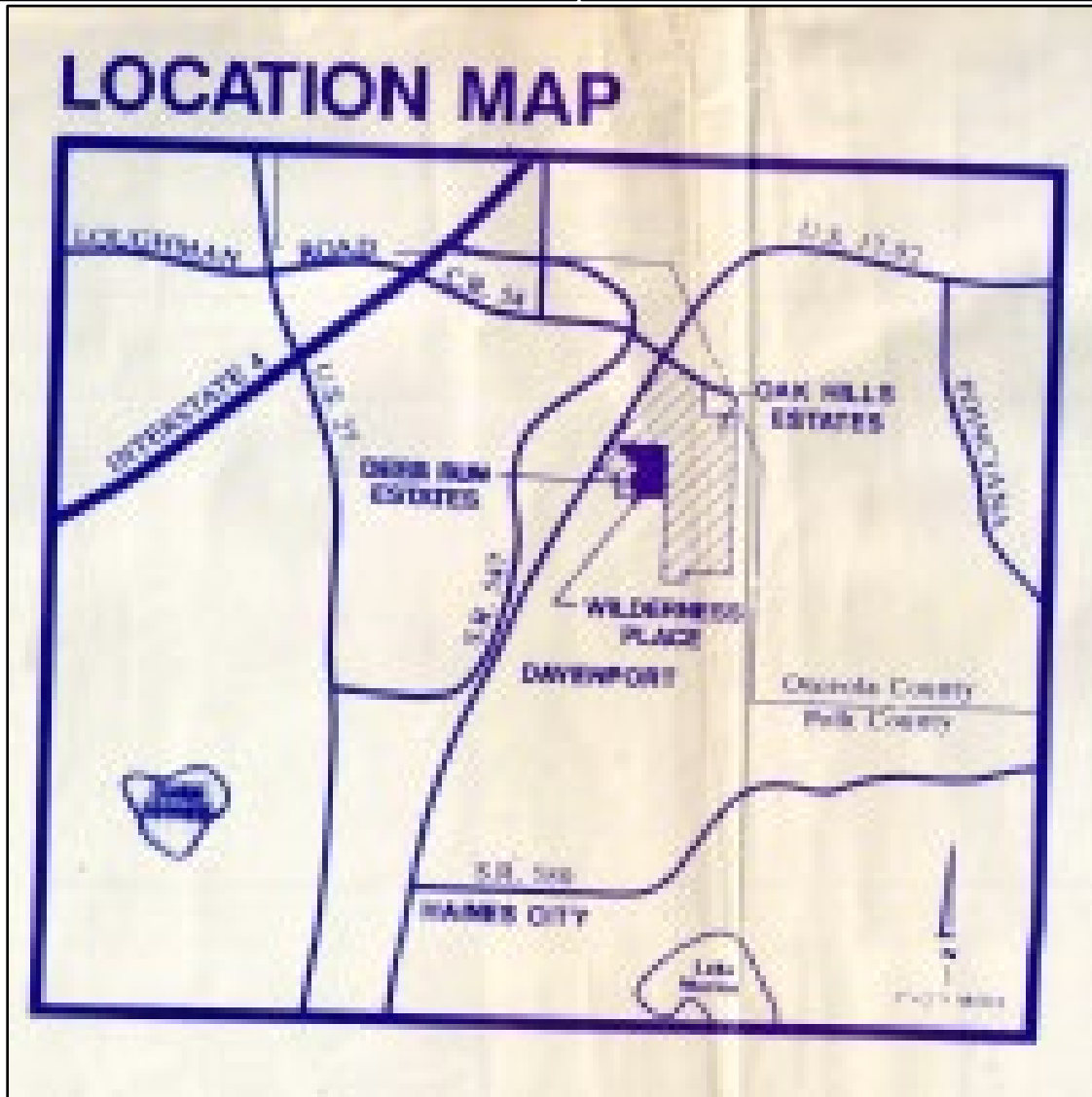
1. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES.
2. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE AND OTHER APPLICABLE APPROVALS IS NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF APPROPRIATE JURISDICTIONAL APPROVALS.
3. THE CONCEPTUAL PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE UPON AVAILABILITY OF ADDITIONAL INFORMATION.
4. THIS CONCEPT PLAN WAS PREPARED WITHOUT BENEFIT OF A SURVEY, JURISDICTIONAL DELINEATION OR ARBORIST REPORT. LOCATION OF WETLANDS OR PROTECTED / GRAND TREES HAS NOT BEEN TAKEN INTO ACCOUNT.

Site Plan Information

Exhibit 7

LAND USE				PHASING SCHEDULE	
	ACRES	UNITS	DU/AC	SQ. FT.	
RESIDENTIAL	115.3	382	3.31		
OPEN SPACE	171.0				
NEIGHBORHOOD COMM.	3.6			5,000	
DAY CARE	4.0			5,000	
SALES CENTER/MODELS	4.8	7	1.46		
SEWAGE TREATMENT	6.9				
TOTAL	305.6	389		10,000	
ROADWAYS (50' R.O.W.)			14,000 LIN. FT.		
ROADWAYS (60' R.O.W.)			3,000 LIN. FT.		
ROADWAYS (80' R.O.W.)			1,100 LIN. FT.		
***** PHASE LINES					

PHASE	UNITS	
I	154	
II	89	
III	139	SALES CENTER/MODELS
TOTAL	389	



Watersong PUD Information