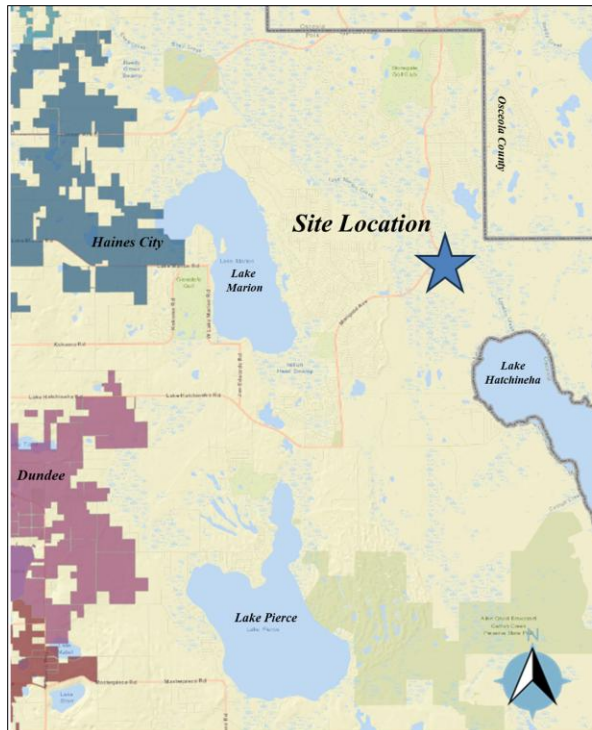


**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

<b>DRC Date:</b>	August 14, 2025	<b>Level of Review:</b>	3
<b>PC Date:</b>	January 7, 2026	<b>Type:</b>	Planned Development Mod.
<b>BoCC Date:</b>	N/A	<b>Case Number:</b>	LDPD-2025-5
		<b>Case Name:</b>	Osprey Creek PD Mod.
<b>Applicant:</b>	John Adams, RJ and Whidden Associates, Inc.	<b>Case Planner:</b>	Ian Nance

<b>Request:</b>	Major Modification to LDPD-2023-29 and Planned Unit Development (PUD) 71-10 (Poinciana Master Plan) to increase the unit count from 909 to 949 single-family units within Poinciana Village 6, Neighborhood 3 West-North. The request includes 40-foot-wide lots and establishes setbacks.
<b>Location:</b>	The subject property is located east of Marigold Avenue, north of Lake Hatchineha Road, south of Palmetto Street, southwest of the Osceola County Line, east of Haines City in Section 01, Township 28, Range 28.
<b>Property Owners:</b>	Osprey Creek LP
<b>Parcel Number:</b>	282801-934670-000001 282801-934670-000002
<b>Future Land Use:</b>	Development of Regional Impact (DRI) PUD 71-10 Residential Low-1 (RL-1)
<b>Development Area:</b>	Urban Enclave Area (UEA)
<b>Nearest Municipality:</b>	City of Haines City
<b>DRC Recommendation:</b>	Conditional Approval
<b>Planning Commission Vote:</b>	Pending Hearing

**Site Location**



**Site Plan**



## Summary of Analysis:

LDPD-2025-5 is a Major Modification to LDPD-2023-29 and Planned Unit Development (PUD) 71-10 (Poinciana Master Plan) to increase the unit count from 909 to 949 single-family units within Poinciana Village 6, Neighborhood 3 West-North. As previously approved, the request includes 40 and 50-foot-wide lot widths with minimum lot sizes of 4,800 sq. ft. These lot sizes are intended to cluster the development on uplands to preserve the wetlands onsite and maximize previously approved entitlements. A plat for 967 single-family lots on the subject site was recorded on September 12, 1973, and further modifications, as described on Pages 7 & 8 of this report, were vested by the state through the 1981 Poinciana Master Plan (Exhibit 2) and a Binding Letter of Vested Rights (BLIVR).

The proposed site plan will have two access points onto Marigold Avenue, an Urban Collector roadway with available capacity and plans for future expansions. The site will receive utilities from the Toho Water Authority. Service lines are available to the site. School capacity has been vested through the DRI process, but a new high school is planned to the southwest of the property. Emergency services are also available to the area with a new fire station and Polk County Sheriff's Office command center located to the south near a County regional park.

While public services are widely available and improving, the Poinciana area lacks many of the private daily living needs an area with dense residential development requires such as grocery, retail, employment, entertainment, and personal services. Residents must commute significant distances to reach such things, which amplifies traffic burden on the roadways. The site is also within the Florida Wildlife Corridor, a network of contiguous wilderness and working lands critical to the state's wildlife. State-owned preservation lands are located adjacent to the site (Exhibit 4).

With Planned Developments, there is an element of give-and-take, and that is true with this situation. To avoid the wetlands, which is a practical development matter as well as an environmental one, the applicant has reduced the lot counts from the original plat while reducing the lot sizes. Modern development standards are now applicable, and increased open space, recreation areas, internal sidewalks, additional parking facilities, and landscaped stormwater ponds improve the interior design of the site.

This section of Poinciana has been vested for a large unit count. Realizing that count, as currently platted, would place financial burdens on the applicant while further compromising the wetlands onsite. Clustering the units on the uplands and holding the overall project to higher development standards are preferable strategies to the staff as well as the applicant. While there are current commercial and non-residential shortcomings in the area, this region of the County is quickly growing, and residential demand is expected to drive commercial development. The site plan impacts no other residential properties, and sufficient buffering has provided transition from the lots to the offsite preservation property. For these reasons, staff recommends approval, finding this request is consistent with the Comprehensive Plan and LDC, and compatible with surrounding uses.

## Findings of Fact

- *LDPD-2025-5 is a Major Modification to LDPD-2023-29 and Planned Unit Development (PUD) 71-10 (Poinciana Master Plan) to increase the unit count from 909 to 949 single-family units within Poinciana Village 6, Neighborhood 3 West-North. The request includes establishing setbacks, 40 and 50-foot-wide lot widths, and minimum lot sizes of 4,800 sq. ft.*
- *Proposed setbacks are as follows:*
  - *5' Interior Side*
  - *10' Rear*
  - *25' RW Garage*
  - *15' RW Primary Structure*
  - *15' RW Sides on Corner Lots*
  - *5' Accessory Side and Rear*
- *LDPD-2023-29 was a Major Modification to Planned Unit Development (PUD) 71-10 (Poinciana Master Plan) for 909 single-family units within Poinciana Village 6, Neighborhood 3 West-North. The site is within the Utility Enclave Area (UEA). The site plan also maintained previously platted commercial and institutional acreage. The request included 40-foot-wide lot widths and minimum lot sizes of 4,800 sq. ft. It was approved by the Planning Commission on December 6, 2023, by a 5-1 vote.*
- *LDRES-2024-18 was approved by the Development Review Committee (DRC) on October 21, 2024, for 885 single-family lots with the lot sizes and setbacks as set with LDPD-2023-29.*
- *LDCDD-2024-3 was approved by the BoCC (5-0) on September 17, 2024, to adopt an ordinance establishing a Community Development District (CDD) for approximately 885 residential units on the subject site; describing the external boundaries of the district; describing the functions and powers of the district; designating the initial members of the district's Board of Supervisors; providing a severability clause; and providing an effective date.*
- *LDCPAS-2025-16 was a Small-Scale Comprehensive Plan Map Amendment for change Future Land Use and Development Area designation from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential Low (RL) in the Utility Enclave Area (UEA) on 17.48 +/- acres within the subject site. These sites were formally designated as Commercial and Institutional. This case was approved by the BoCC on December 2, 2025, 5-0. Through RL-1, residential densities can reach 5 DU/AC through the PD process.*
- *According to SECTION 2.130-A: POINCIANA (PRE-DRI #1) of the Comprehensive Plan, "The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71- 10)."*

- *The subject site is located within Poinciana Village 6, Neighborhood 3 West North. It was designated for Single Family Residential, Commercial, and School in the 1981 Poinciana Master Plan.*
- *A plat for 967 single-family lots on the subject site was recorded on September 12, 1973 (Plat Book 60 Pages 13-22). Minimum lot widths were approved for 70 feet. Principal side setbacks are 7.5 feet; rear setbacks are 20 feet; front setbacks are 25 feet; and garage setbacks are 25 feet. The commercial and school acreage was designated on the plat.*
- *On February 1, 1991, the Department of Community Affairs issued a Binding Letter of Modification (File No. BLIM 691-004) to a Development with Vested Rights for Poinciana Village 6, Neighborhoods 3 West North for 760 SF units, 330 MF units, and 460,238 sq. ft. of commercial uses. By order, this binding letter determination does not remove the applicant's need to comply with all other applicable federal, state, or local permitting procedures, including consistency with the Comprehensive Plan.*
- *According to LDC Section 402.B, the Poinciana Master Plan serves as the Planned Development (PD) binding site plan but does not include development standards such setbacks, building locations, parking and retention areas, Floor Area Ratio (FAR), and Impervious Surface Ratio (ISR). Therefore, as development has occurred, the approved PD 71-10 has been modified or new PDs created to approve binding site plans consistent with the BLIVR or Binding Letters of Modifications to Vested Rights (BLIM). Approved development standards may be amended through a PD modification.*
- *The site is within a Utility Enclave Area (UEA). According to SECTION 2.107-A1 of the Comprehensive Plan, "UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas."*
- *The subject site is served by the Toho Water Authority for potable water and wastewater.*
- *The subject property is not located within an Airport Impact Zone.*
- *The property is comprised of Immokalee Sand; Felda Fine Sand; Malabar Fine Sand; Floridana Mucky Fine Sand; and Kaliga Muck.*
- *Direct ingress/egress to the development is proposed from Marigold Avenue, listed as a 22-foot-wide paved Rural Major Collector (RMC) in Polk County's Road Inventory with a PCI Rating of "9."*
- *Fire and ambulance responses are from Fire Station 46, located at 9500 Marigold Avenue.*
- *Sheriff's response to the site has been served by the Northeast District, located at 1100 Dunson Road. In the future, PCSO response will be served from the Ridge District Office located at 9630 Marigold Avenue.*

- *The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City Senior High schools.*
- *The Poinciana Community Park is located to the south at the intersection of Marigold Avenue and Lake Hatchineha Road.*
- *Wetlands are found within the project area Per LDC Section 620, no disturbance of wetlands covered by this Section shall be allowed unless authorized or exempted from regulation by the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, and the applicable Water Management District. An undisturbed vegetative buffer adjacent to surface waters with an average width of 25 feet and a minimum width of 15 feet shall be maintained for stormwater treatment and wildlife utilization measured perpendicularly from the jurisdictional wetland line, whichever is greater.*
- *LDC Section 620.C states, "All development within areas covered by this Section shall comply with the following:*
  - 1. Wetland impacts shall be avoided to the maximum extent possible.*
  - 2. Wetland impacts, where unavoidable and where properly mitigated as determined by agencies having jurisdiction, shall be permitted for:*
    - a. Access to the site;*
    - b. Internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;*
    - c. Utility transmission and collection lines;*
    - d. Pre-treatment storm water management facilities;*
    - e. Mining uses which meet State and Federal regulations; or*
    - f. The purpose of avoiding cases where all beneficial use of the property is denied as provided by the Polk County Comprehensive Plan.*
- *Flood zones are found within the project area. LDC Section 630 applies to all portions of a project proposed for development within Special Flood Hazard Areas. Floodplain impacts shall be avoided to the maximum extent possible.*
- *No surface waters or well-field protection districts are located at this location.*
- *This site is identified as an Opportunity Area within the Florida Wildlife Corridor.*
- *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*
- *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.”*

- *This request has been reviewed for consistency with LDC Sections 303, 402, and 906.*
- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.107 UTILITY ENCLAVE AREAS (UEA); and SECTION 2.130-A POINCIANA (PRE-DRI #1).*

**Development Review Committee Recommendation:** Based on the information provided by the findings of fact, information provided by the applicant, a recent site visit, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDPD-2025-5.**

### **CONDITIONS OF APPROVAL**

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDPD-2025-5 with the following Conditions:

1. Previous conditions of approval from LDPD-2023-29 are null and void. [PLG]
2. This Planned Development (PD) modification approval shall be for 949 single-family detached units, as depicted on the site plan. The residential setbacks shall be as follows [PLG]:
  - 5' Interior Side
  - 10' Rear
  - 25' RW Garage
  - 15' RW Primary Structure
  - 15' RW Sides on Corner Lots
  - 5' Accessory Side and Rear
3. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDPD-2025-5, 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]
4. 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. [PLG]
5. No residential lots shall be approved wholly or partially within wetlands or the wetland buffers. [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**

<b>Northwest: DRI</b> Marigold Ave., Vacant Uplands, Wetlands, N6 South Vil 3	<b>North: DRI &amp; PRESVX</b> Vacant Uplands, Wetlands & Water Management District Lands	<b>Northeast: DRI &amp; PRESVX</b> Vacant Uplands, Wetlands & Water Management District Lands
<b>West: DRI</b> Marigold Ave., Vacant Uplands, Wetlands, N6 South Vil 3	<b>Subject Property: DRI</b> Vacant Uplands, Wetlands N3 West-North Vil 6	<b>East: DRI</b> Vacant Uplands, Wetlands N3 West-South Vil 6
<b>Southwest: DRI &amp; PRESVX</b> Vacant Uplands, Wetlands & Water Management District Lands	<b>South: DRI &amp; PRESVX</b> Vacant Uplands, Wetlands Poinciana N3 West-South Vil 6	<b>Southeast: DRI</b> Vacant Uplands, Wetlands N3 West-South Vil 6

According to SECTION 2.130-A: POINCIANA (PRE-DRI #1) of the Comprehensive Plan, “The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10).” In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S.

According to LDC Section 402.B, the Poinciana Master Plan serves as the Planned Development (PD) binding site plan but does not include development standards such setbacks, building locations, parking and retention areas, Floor Area Ratio (FAR), and Impervious Surface Ratio (ISR). Since not all parcels within Poinciana have binding site plans, as development has occurred, the approved PD 71-10 has been modified or new PDs created to approve binding site plans consistent with the BLIVR or Binding Letters of Modifications to Vested Rights (BLIM). Approved development standards may be amended through a PD modification, which has been needed in the past due to wetland impacts or soil and floodplain limitations.

The subject site is located within Poinciana Village 6, Neighborhood 3 West North. It was designated for Single Family Residential, Commercial, and School in the 1981 Poinciana Master Plan. A plat for 967 single-family lots on the subject site was recorded on September 12, 1973

(Plat Book 60 Pages 13-22). Minimum lot widths were approved for 70 feet. Principal side setbacks are 7.5 feet; rear setbacks are 20 feet; front setbacks are 25 feet; and garage setbacks are 25 feet. The commercial and school acreages were designated on the plat.

On February 1, 1991, the Department of Community Affairs issued BLIM 691-004 to Poinciana Village 6, Neighborhoods 3 West North for 633 SF units, 415 MF units, and 102,275 sq. ft. of commercial uses. This modification was never realized, however. BLIMs are no longer issued by the state, and as noted above, the PD modification tool is used for changing development entitlements and establishing standards (setbacks, FAR, etc.).

Another alternative to a PD modification for developing the site is through a Comprehensive Plan Amendment (CPA). Poinciana does not have a designated land use district on the County's Future Land Use Map (FLUM) or through LDC Tables 2.1 and 2.2. By completing a CPA, it would be assigned a land use district – likely Residential Low (RL) – which could attain up to 5 DU/AC through a Planned Development. The benefit to a CPA on this site is that it would erase the commercial and institutional entitlements that were installed with Master Plan, allowing for more residential units. This was accomplished by LDCPAS-2025-16, a Small-Scale Comprehensive Plan Map Amendment for change Future Land Use and Development Area designation from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential Low (RL) in the Utility Enclave Area (UEA) on 17.48 +/- acres within the subject site that were formally designated as Commercial and Institutional. This case was approved by the BoCC on December 2, 2025, 5-0.

Prior to this, LDPD-2023-29 was a Major Modification to Planned Unit Development (PUD) 71-10 (Poinciana Master Plan) for 909 single-family units within Poinciana Village 6, Neighborhood 3 West-North. The site is within the Utility Enclave Area (UEA). That site plan maintained previously platted commercial and institutional acreage. The request included 40-foot-wide lot widths and minimum lot sizes of 4,800 sq. ft. It was approved by the Planning Commission on December 6, 2023, by a 5-1 vote.

Subsequently, LDRES-2024-18 was approved by the Development Review Committee (DRC) on October 21, 2024, for 885 single-family lots with the lot sizes and setbacks as set with LDPD-2023-29. LDCDD-2024-3 was approved by the BoCC (5-0) on September 17, 2024, to adopt an ordinance establishing a Community Development District (CDD) for approximately 885 residential units on the subject site; describing the external boundaries of the district; describing the functions and powers of the district; designating the initial members of the district's Board of Supervisors; providing a severability clause; and providing an effective date.

A significant number of buildable lots in the Poinciana area have come onto the market since 2015 and have been developing at a rapid pace. The County Commission is aware of this rate of growth and has directed staff to focus on capital improvement plans in this area.

### **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 proposed PD modification will increase the approved number of single-family units from LDPD-2023-29 (909) to 949. This is still less than what was originally platted (967) through the original DRI approval and subsequent modifications (633 SF units, 415 MF units). In theory, a developer could build to the lot sizes and setbacks as currently approved, but environmental constraints have hindered the ability to develop to the number of platted units. When the plat for this phase of Poinciana was approved in 1973, it was done so with no deference to the wetlands and flood plain onsite. Lots, open space, roadways, and non-residential portions of the plat were overlaid on wetlands. At that time, modern Comprehensive Plan and LDC standards were not in effect. GIS analysis shows that of the platted lots and tracts within the subject site, 312 – or just under 1/3 – are impacted by wetlands.

Broader environmental impacts aside, developing within wetlands is problematic, as the soils are not suitable for the long-term sustainability of homes, roads, and infrastructure. So, to realize the vested rights within this phase and keep development within the uplands, the applicant is proposing to reduce the unit count, decrease the lot widths to 40 and 50 feet, and establish the setbacks as follows:

- 5' Interior Side
- 10' Rear
- 25' RW Garage
- 15' RW Primary Structure
- 15' RW Side on Corner Lots
- 5' Accessory Side and Rear

The site plan calls out a Gross Total Area of 404.48 acres. Of this, 139.18 acres are wetlands. The County calculates density based on upland area (265.3 acres), so the density for this request is approximately 3.58 DU/AC. Another 5.65 acres will be dedicated for road right-of-way dedication along the northern property line. Proposed minimum lot sizes are 4,800 sq. ft. with a mixture of 40-foot and 50-foot-wide lots.

The internal design and layout meet or exceed LDC standards and those approved through the prior plat. Exclusive of the wetlands, approximately 84.24 acres or 31% of the uplands are dedicated to Open Space. Open Space will include landscaped, curvilinear stormwater ponds; 25-foot-wide wetland buffers; and recreation areas. The development will provide a range of recreational amenities in accordance with Polk County's PD requirements. These will include Recreation Types I, II, and IV, as identified in Exhibit E of the application packet. The proposed amenities will be integrated within each phase and accessible to all residents via an established Homeowners' Association (HOA). The HOA will also be responsible for the operation and maintenance of Recreation Type IV facilities, serving the overall community.

Furthermore, the lots are arranged to maximize scenic views of the preserved wetlands within the development. No lots are planned within the wetlands. The site plan provides 136 additional parking spots to accommodate visitor parking. Two parking spaces per lot is the standard, with no tandem parking arrangements allowed. Type "A" landscaping is required along Marigold Avenue, and a minimum of one tree shall be planted on each lot. Internal sidewalks will be

required along both sides of interior roadways with streetlighting and pedestrian lighting at the entrance. All lighting must be shielded or recessed to prevent light trespass.

Outside of the development, the question of compatibility is difficult to gauge in this instance, as what is proposed is essentially an island of relatively intense residential development among designated preservation and conservation areas and undevelopable wetlands on the east side of Marigold Avenue. It is not connected with other developments in Poinciana as is typical of this area. A close comparable in layout, though, is Neighborhood 6 South Village 3, recorded in April 1971, to the northwest of the site (PB 54 PGS 43-49). Itself an island, the total area of this Poinciana subdivision is approximately 850 acres; however, the platted development took place on approximately 165 acres, and lots have developed outside of the wetlands. Minimum typical lot widths are 70 feet, though flag lots were used to create frontage for many of the developable parcels here. The Property Appraiser lists 489 residential lots within this development for a density of +/- 2.96 DU/AC.

For a lot-width comparable, Solivita is located to the north and was approved through a modification (PD 98-12) to allow for a variety of lot widths, including 40-foot-wide lots, and reduced setbacks from the norm found in Poinciana. Solivita was also designed around pervasive wetlands, which clustered smaller lots on the uplands. Lake Deer Estates, to the south, also has 40 and 50-foot-wide lots. So, the requested lot widths are found in the general area.

As for the impacts immediately adjacent to the site, the Preservation land use districts to the north, east, and south are mostly buffered by the wetlands internal to the site which help transition the impacts of the single-family uses from the off-site wetlands and conservation areas. This land, though, will not be developed. There is limited opportunity to develop along the eastern property lines. Poinciana Neighborhood 3 West-South Village 6 (PB 60 PGS 23-31) is platted for 132 single-family lots, though development will require interconnectivity with this site, which will not be possible with this approval, or for the dedicated right-of-way to be developed along the north side of the subject site. Much like the subject site, wetlands compromise the ability to develop this subdivision.

One final consideration is the support this development will have from employment opportunities, availability of retail and grocery, entertainment, restaurants, personal supports, and public services. The southern half of Poinciana is in a unique situation – urban-level densities and services with rural-level supports in other factors of life. Public services are improving rapidly, as described in the next section. Dollar store retail exists, but residents must travel to Kissimmee to the north for larger retail, grocery, and produce chains. Few restaurants or entertainment venues are found in the area. Access to personal services is severely limited.

While this area is rapidly developing, staff has recognized a need for better planning to preserve areas for commercial development. In summary, while many supports might not be available at this time, they are anticipated to arrive as this development and others build-out over time and the market is better realized. Staff finds the request compatible with surrounding uses and area at-large. The proposed development is similar in use and intensity as others in the area. The layout avoids wetlands to the maximum extent possible, while providing a thoughtful layout to future residents.

#### B. Timing & Infrastructure:

According to Comprehensive Plan 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.”

Infrastructure in this area is currently being consumed by multiple phases of the Poinciana Development. One newer phase has recently been constructed and platted to the south (Lake Deer Estates, 567 lots). The southern portion of the Poinciana development has nine active phases under development ranging from 7% to 84% developed. As of the end of 2022, approximately 60% of the 9,941 lots contained within these phases were developed with homes. There are three phases, including the subject site, that are platted without roads, drainage, and utilities constructed. While Poinciana has been developing since 1971, almost one fourth of the available residential lots in this area have been developed over the last ten years. The current population residing south of the bend in Marigold Avenue exceeds the population of Lake Wales. Therefore, there are going to be some infrastructure weaknesses anticipated in the future. Just the growth alone since 2015 exceeds the total population of 10 out of the 17 municipalities in the County.

This property is in the UEA where Toho Water Authority provides utilities. Connection to centralized potable water and wastewater is required. Reclaimed services are available. The proposed development will have direct ingress and egress to Marigold Avenue. No traffic from this project will directly traverse nearby subdivisions. Public safety services in this area are ahead of the growth curve. There are two fire stations that currently serve the Polk County portion of Poinciana. The Sheriff’s Office is constructing a new command center to the south of the subject property. The School Board is actively planning new facilities to serve the south end of Poinciana and will soon add a high school to the two elementary and one middle school that currently serves the area. Transportation facilities are currently funded for improvements, and Roads and Drainage Division staff are actively planning for more to follow as the growth in this area continues. There is a regional park south of the site as well as recreational amenities planned within the development.

Though this site is vested for residential lots, staff has still reviewed this request against the Code’s PD requirements for locational eligibility required to attain the proposed density. To reach 3.58 DU/AC requires 13-16 density points, according to LDC Table 3.4. This is achieved by the proximity to utilities, access to a collector road, nearby schools and general mercantile, and positive drainage and outfall.

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

Table 2, to follow, shows the generalized capacity of the zoned schools, and the driving distance to these schools from the project. These figures are a snapshot based on 2024-25 school capacity.

**Table 2**

<b>Name of School</b>	<b>Annual Estimated Demand</b>	<b>% Capacity 2024-2025 School Year</b>	<b>Average driving distance from subject site</b>
Laurel Elementary	137	78%	±1.5 miles driving distance
Lake Marion Creek Middle	79	85%	±2.6 miles driving distance
Haines City Senior High	111	95%	±15.2 miles driving distance

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

The higher capacity numbers are a reality of any area that is experiencing rapid residential growth like this area of Polk County. What is most important to this school capacity assessment are the plans to address the capacity deficit. School boards in Florida do not have the liberty of carrying excess capacity in the system or building another school before capacities are exhausted. School boards must wait until schools exceed capacity before they can pursue development of a new school. However, the Polk County School Board staff is always monitoring development and actively plans for where new schools are needed in advance of Florida Department of Education (FDOE) allowances for new school construction. As a note, the Polk County School Board has purchased property for a new high school less than two miles southwest of the subject site off Bayberry Street.

If approved, this development will not build-out at once, but the School Board has noted through the DRC process that while this project has been vested by the state, it is anticipated to have an increased demand on schools that will result in additional capacity needs. On September 13, 2024, a binding school concurrency determination was issued by the School Board for LDRES-2024-18 noting that this project is a part of a “pre-vested DRI where school concurrency was already approved by the state.” As such, the letter found adequate capacity to serve this development.

### 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 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 ambulance responses to this project are from Polk County Fire Rescue Station 46 located at 9500 Marigold Avenue, Poinciana. The travel distance is approximately 3.6 miles. Response times average six minutes.

**Table 3**

	Name of Station	Distance	Response Time*
Sheriff	Polk County Sheriff’s Northeast District Office 1100 Dunson Road	±22.8 miles	P1 Calls: 9:58 P2 Calls: 30:57
	Polk County Sheriff’s Ridge District Office 9630 Marigold Avenue	±3.6 miles	N/A
Fire/EMS	Polk County Fire Rescue Station 46 9500 Marigold Avenue, Poinciana	±3.6 miles	6 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.*

Sheriff’s response to the site has been served by the Northeast District, located at 1100 Dunson Road. In the future, PCSO response will be served from the Ridge District Office located at 9630 Marigold Avenue. Sheriff response times are not as much a function of the distance to the nearest Sheriff’s substation but more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered 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.

The PCSO improves 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.

The Association of Poinciana Villages (APV) has provided the Polk County Sheriff's Office with office space within the master development to assist in patrols, investigation, and administration. The Polk County Sheriff's Office has begun construction on a new regional command center adjacent to Fire Rescue Station #46 to the south.

## **Water and Wastewater Demand and Capacity:**

### **A. Estimated Demand and Service Provider:**

The proposed development is for 949 single-family detached units (SFR) on approximately 265.30 upland acres. The property is currently platted for 967 SFR. Per single-family unit, Polk County recognizes a demand for 360 gallons-per-day (GPD) for potable water and 270 GPD for wastewater capacity.

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands based on the residential entitlements already in place for this property and those proposed with the application. This table will also contemplate the impact that could occur if a Comprehensive Plan Amendment to change the underlying land use district to Residential Low (RL) was requested. This could ultimately allow up to 5 DU/AC through a PD approval.

**Table 4**

<b>Subject Property</b>			
265.30 ± Upland Acres	<b>Currently Platted</b>	<b>Max in RL (5 DU/AC)</b>	<b>Proposed Plan</b>
Permitted Intensity	967 SFR	1,326 SFR	949 SFR
Potable Water Consumption (GPD)	348,120 GPD	477,360 GPD	341,640 GPD
Wastewater Generation (GPD)	261,090 GPD	358,020 GPD	256,230 GPD

For each phase of this development, the applicant must submit for a binding concurrency determination at the time of the Level 2 Review. In a letter dated September 27, 2023, and submitted with the LDPD-2023-29 application, the Toho Water Authority Toho staff determined

that potable water, reuse, and sewer capacities were available through existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project.

With the approval of LDRES-2024-18, concurrency was issued for 885 single-family units. The applicant will need to resubmit capacity information from the provider prior to a subsequent Level 2 Review approval.

#### B. Available Capacity:

Through TOHO, Poinciana is served by three water production facilities that have a permitted capacity of 11,743,000 gallons per day (GPD). For their future water needs, TOHO is developing the Cypress Lake Lower Floridan aquifer water supply project that will provide 30 million gallons per day (MGD) of water to meet future projected water supply needs and ensure a sustainable water supply for the region. Polk County is also participating in funding this facility. The Cypress Lake project includes three Lower Floridan aquifer water supply wells, a reverse osmosis water treatment plant, a concentrate disposal well, and associated monitoring wells.

The TOHO wastewater system for the Poinciana area has a permitted capacity of 6,350,000 GPD. Their average daily flow is 5,290,000 GPD in 2020. The remaining capacity is 1,060,000 GPD (16.7%) according to their published annual report. A large wastewater treatment plant was developed on a large tract nearby that was originally planned for community commercial. As a result, there is plenty of capacity in the wastewater infrastructure.

#### C. Planned Improvements:

TOHO has multiple plans for short-term system improvements underway, including additional raw water wells and expansion of their wastewater plants, according to information found on their website. The Poinciana system has three water production facilities and three wastewater treatment plants. One water production facility and two water treatment plants have expansion capabilities. Their long-term water supply plan is the aforementioned Cypress Lake project. Water generated through that facility will be mixed into the Poinciana water system and connected to the Polk County Utilities network in the future.

### **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:

The proposed development is for 949 single-family detached units (SFR) on approximately 265.30 upland acres. Single Family Detached Housing generates 7.81 Average Annual Daily Trips (AADT) and 1.00 PM Peak Hours Trips per unit (ITE Code 210).

Table 5, to follow, provides generalized estimates of the AADT and Peak Hour demands based on different levels of approval. The table shows the maximum trips that would be generated through the current entitlements; the proposed plan; and what the maximum could be if the land use district was changed to Residential Low (RL) through a Comprehensive Plan Amendment.

**Table 5**

<b>Subject Property</b>			
265.30 ± Upland Acres	<b>Currently Permitted</b>	<b>Max in RL (5 DU/AC)</b>	<b>Proposed Plan</b>
Permitted Intensity	967 SFR	1,326 SFR	949 SFR
Average Annual Daily Trips (AADT)	7,552 AADT	10,360 AADT	7,412 AADT
PM Peak Hour Trips	967 PM PH	1,326 PM PH	949 PM PH

Of the projected 949 PM Peak Hour trips, 37% - 351 vehicles - are anticipated to enter the roadway system during peak hours. Since the AADT is estimated to be above 750 and Poinciana is not vested for traffic capacity, a Major Traffic Study will be required during the Level 2 Review process to provide a detailed analysis of the potential transportation impacts that may result from this development. Census data shows that Poinciana residents travel greater distances to work than County, state, and national averages, given the lack of significant employment, retail, and entertainment centers in the surrounding area.

B. Available Capacity:

Marigold Avenue is tracked by TPO for capacity. This roadway has the capacity to assimilate all PM Peak Hour trips and not fall below the Level of Service standard set by the Board. Table 6, to follow, displays the generalized capacity on the affected transportation links.

**Table 6**

<b>Link #</b>	<b>Road Name</b>	<b>Current Level of Service (LOS)</b>	<b>Available PM Peak Hour Capacity</b>	<b>Minimum LOS Standard</b>
8100 N	Marigold Avenue South From: Lake Hatchineha Road To: Marigold Avenue North	C	452	D
8100 S	Marigold Avenue South From: Marigold Avenue North To: Lake Hatchineha Road	C	437	D
8101 N	Marigold Avenue North From: Palmetto St. To: S. Cypress Parkway	C	897	D
8101 S	Marigold Avenue North From: Cypress Parkway To: Palmetto St.	C	852	D

*Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025*

Utilizing methodology provided by TPO and as noted above, approximately 351 trips will exit the site during Peak PM hours. Roughly half of this traffic (175 vehicles) will utilize the northern link, and the other half will utilize the southbound link. This will consume over 30% of the available capacity on each link, and a Major Traffic Study will be required.

With the approval of LDRES-2024-18, concurrency was issued for 885 single-family units. The trips count for Link 8100N was 227 Peak PM trips and Link 8100S was 145 Peak PM Trips The

applicant will need to resubmit an amended Major Traffic Study prior to a Level 2 Review approval.

#### C. Roadway Conditions:

Direct ingress/egress to the development is proposed from Marigold Avenue (Road Number 882201). Marigold Avenue is listed as a 22-foot-wide paved Rural Major Collector (RMC) in Polk County's Road Inventory with a PCI Rating of "9." A rating of "9" classifies the roadway's conditions as "Excellent."

The applicant shows Type IV intersections at the two primary entrances to the residential portion development. This is a requirement of Section 705.C because the predicted volume at each of the entrances will exceed 1,500 AADT. Two entrances also permit effective access to the site for emergency services. The right-of-way and pavement widths are standard for Collector roadways; however, any improvements to the roadway required by the development of this project will be reviewed during the Level 2 Review process.

#### D. Sidewalk Network

The expansion and widening of Marigold Avenue should include a Complete Streets design and provision of sidewalk along the subject site. Should the timing of these projects not align the construction of sidewalks along Marigold Avenue will be required pursuant to LDC Section 707. Sidewalks are lacking throughout most of Poinciana except for a few areas near schools and residential neighborhoods.

#### E. Planned Improvements:

Table 7, to follow, shows planned improvements to the surrounding roadway network in the County's 5-year Community Investment Program (CIP).

**Table 7**

Road	Fiscal Year CIP (estimated cost)	Project Description
Hemlock Avenue at Marigold Avenue traffic signal installation	Completed	Install traffic signal. Final modification approved by the Board on 02/18/25. Construction is complete as on 04/22/25 with final invoice received on 06/03/25
Lake Marion Creek Drive at Marigold Avenue traffic signal installation	Completed	Install traffic signal. Final modification approved by the Board on 02/18/25. Construction is complete as of 04/22/25 with final invoice pending.
Marigold Avenue Widening	\$28,650,000	Widen Marigold Avenue from CR 580/Cypress Parkway to Palmetto Street from two-lanes to four-lanes (about 2.2 miles). Marigold Avenue widening is a priority due to population and employment growth in the Poinciana area. Under permitting review with SWFWMD. Some additional right-of-way needed for floodplain compensation. Tentatively scheduled to be constructed concurrently with Cypress Parkway widening project in Fall 2024. Planned end date of 12/1/27.
Cypress Parkway Widening	\$22,000,000	Widen Cypress Parkway from two-lanes to four-lanes from Poinciana Pkwy. to Solivita Blvd. (about 1.65 miles). Cypress Parkway widening is a priority due to population and employment growth in the Poinciana area. Intersection analysis is completed and under review. Tentatively scheduled to be constructed concurrently with the Marigold Avenue widening project in Fall 2024. Planned end date of 12/1/27.

The subject site is south of the approved widening of Marigold Avenue. It is located along a separate phase of this roadway project that is anticipated to be widened in the future. The timing and funding of these improvements have not yet been approved.

**F. Mass Transit**

The Poinciana development to the west and north is served by two transit routes by two separate transit providers, Citrus Connection (Polk County Transit) and LYNX (Orlando Metro Area Transit). However, the closest mass transit stop is currently approximately six miles travel distance from the site entrance at the intersection of Coyote Road and Marigold Avenue just a block north of the Palmetto intersection.

The LYNX system has served as far south as Allegheny Road and Cedar Drive in the past, but due to cuts in federal funding the system reduced its routes in 2009. Both the LYNX and Citrus Connection have been growing. It is anticipated that eventually they will return to their previous coverage and will be adding new routes and extending existing ones to serve areas of higher population concentration. Given the recent development in this area and potential buildout of this project, a route may one day be extended to serve this portion of Poinciana in the near future. However, the LYNX Transit Development Plan 2023 Major Update shows no new services projected in the area for the next 10 years.

**Park Facilities and Environmental Lands:**

Poinciana lacks a substantial public park system or recreational amenities near the property, though Poinciana Community Park is located to the southwest at the end of Marigold Avenue. The headwaters of the Kissimmee/Okeechobee/Everglades watershed are located nearby.

**A. Location:**

Poinciana Community Park is located at 5109 Allegheny Road (intersection of Lake Hatchineha Road and Marigold Avenue). Its current hours of operations are from 5 a.m. to 10 p.m.

**B. Services:**

There are three lighted soccer/football fields, four lighted baseball/softball fields with concession facilities, two basketball courts, restrooms, as well as playground facilities for children and a dog park.

**C. Multi-use Trails:**

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

**D. Environmental Lands:**

Environmental and conservation lands supporting the Kissimmee Chain of Lakes on the northwest shore of Lake Hatchineha border the subject site. This area is managed by the South Florida Water Management District. This property was acquired to manage lake levels to provide year-round flow to the Kissimmee River. These are the headwaters of the Lake Okeechobee and the Everglades.

This site is located within what is termed an Opportunity Area of the Florida Wildlife Corridor, a statewide network of approximately 18 million acres of connected lands and waters supporting

wildlife. In 2021, the Florida Wildlife Corridor Act formally recognized the geography of the Florida Wildlife Corridor, and the legislature has budgeted nearly \$2 billion for protecting these lands since that time. Corridor Opportunity Areas are identified lands within the Florida Wildlife Corridor that have not been designated for environmental protection and conservation.

No conservation easements border the subject property, though there is one recorded less than one mile to the east (OR 9714-2092 & OR 10047-1380).

E. Planned Improvements:

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

## **Environmental Conditions**

The layout and development of this site is dictated by the pervasive wetlands, flood zones, and poor endemic soils. Minimum impacts to wetlands are anticipated for access and internal circulation, but lots will remain out of these areas.

A. Surface Water:

There is no surface water on this property, though Lake Marion Creek flows south of the site. The southeastern-most property line is approximately one mile from the shore of Lake Hatchineha. Lake Marion is located approximately 2.3 miles to the west. There will be no significant alterations to the natural drainage features. A total of seven stormwater management ponds will be distributed throughout the project site, ensuring adequate water quality treatment and flood protection per Southwest Florida Water Management District (SWFWMD) criteria. These ponds will be landscaped to enhance aesthetics, and three of them will be dual-purposed as Recreation Type I facilities, providing passive recreational opportunities for residents. If this modification is approved, further analysis to drainage patterns, basin characteristics, and flood hazards will be completed with the submission of engineering plans with the Level 2 Review.

B. Wetlands/Floodplains:

Wetlands are found throughout this property, mostly along Marigold Avenue and along the southern and eastern property lines. These wetlands have a significant influence on how this site develops. Minimal impacts will be limited to access and internal circulation, in accordance with LDC Section 620. All wetland impacts will require mitigation with the appropriate water management agency. Approximately 139.18 acres of wetlands will be preserved onsite, along with 25-foot-wide open space buffers along the wetlands. These will serve not only environmental benefits but will provide scenic vistas for residents of the development. Types of wetlands include Freshwater Emergent and Freshwater Forested/Shrub wetlands, among the most common types of swamp in Florida. These are regularly inundated wetlands found along large rivers, creeks, and lakes, or occurring in depressions such as circular domes or linear strands.

On the County's DataViewer, an "AE" Flood Zone with an undetermined Base Flood Elevation is mapped in association with the wetlands. This flood zone is an area inundated by 100-yr flooding. This is a statistical concept referring to a 1% chance that the area floods in any given year. According to the U.S Geological Survey, the accuracy of the 1% AE flood zone "varies depending on the amount of data available, the accuracy of those data, land-use changes in the

river drainage area, climate cycles, and how well the data fits the statistical probability distribution.”

Section 630.L.3 of the LDC states, “All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, are required to provide base flood and floodway data, developed through a FEMA accepted methodology. The current applicable FEMA publications shall be used as a guide. The results of this study shall be submitted to FEMA with all applicable fees and additional information requested. The applicant shall submit as-built certification information in support of a Letter of Map Revision (LOMR) upon completion of every significant phase of construction.” Any impacts to the flood zone will require “cup-for-cup” onsite compensation.

#### C. Soils:

The property is comprised of Immokalee Sand; Felda Fine Sand; Malabar Fine Sand; Floridana Mucky Fine Sand; and Kaliga Muck. Development will take place on the sands, as muck is not conducive to residential development, though none of the soils are ideal for development. The Immokalee, Felda, Malabar, and Floridana series consists of very deep, very poorly, and poorly drained soils that formed in sandy marine sediments and depressional areas. These are common soil types around wetlands and flood zones, contributing greatly to flooding. With fill and a sound grading plan, many of these challenges can be overcome. 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.

The project will connect to public wastewater services negating the need for individual septic systems. None of these soils are ideal of septic. The table below indicates the limitations of each soil type within the developable area.

**Table 8**

<b>Soil Name</b>	<b>Septic Tank Absorption Field Limitations</b>	<b>Limitations to Dwellings w/o Basements</b>	<b>% of Site (approximate)</b>
Immokalee Sand	Severe: Wetness	Severe: Wetness	40%
Felda Fine Sand	Severe: Wetness	Severe: Wetness	20%
Malabar Fine Sand	Severe: Wetness	Severe: Wetness	20%
Floridana Fine Sand	Severe: Ponding	Severe: Ponding	10%
Kaliga Muck	Severe: Subsides, Ponding	Severe: Subsides, Ponding	10%

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

Connection to centralized wastewater is critical for this development. Even with the lot sizes approved with the plat (7,000 sq. ft.), development of this site with individual septic systems would be impractical given the poorly drained soil types. Without expensive systems with advanced treatment methods, it is unlikely the Health Department would permit them on smaller lot sizes.

#### D. Protected Species:

According to the Florida Natural Areas Inventory’s Biodiversity Matrix, this site is not located within a recent documented sighting of an endangered species, though approximately 60 species have the potential for living in this area. 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 known historical or archeological resources onsite, according to the Secretary of State's Department of Historical Resources Florida Site File.

F. Wells (Public/Private):

The subject site is not located in a Wellfield-Protection District.

G. Airports:

This property is not within an Airport Impact Zone.

**Economic Factors:**

In cases where central services for water and wastewater are provided, there are opportunities for intense development. This site is in an area that has experienced rapid growth due to the demand for housing brought on by improvements to the transportation network in this area of the County and the market desire for suburban living. For the last ten years, it has become increasingly attractive to investors, builders, and potential homebuyers because of the sudden ease of travel in south Kissimmee with the completion of the Poinciana Parkway. The site also lies in between several large state and federal preservation lands, which gives it an element of exclusivity and separation from urban areas. The area has an improved amount of accessibility while at the same time a bit of seclusion. There are more transportation improvements programmed and others being planned in the area that will continue to stimulate this phenomenon.

None the less, the area has potential detractors emerging from a residential marketing perspective. The growth has come primarily in housing development. There is little else provided in the area to accommodate the needs of quality habitation. While the County has invested in the development of infrastructure to support urban levels of residential development, such as recreation facilities and public safety services, there is very little in the way of private investment into commerce. The surrounding residents have a high-quality recreation facility nearby at the 28-acre regional park. There are improving EMS and fire rescue services. The School Board has built several schools to support the area and plans for others in the future. These public improvements continue to improve the livability and value of housing in the area. However, there are few retail options and fewer employment opportunities. This south end of Poinciana, approximately three miles in diameter, currently has the population of the city of Lake Wales but not one grocery store or pharmacy. The lack of commerce and employment in the immediate area results in longer travel time for residents and contributes to greater traffic impacts. More residential growth without the needed commerce and employment opportunities will lead to more costly transportation system improvements.

One reason for the lack of daily and weekly commerce may be that the commercial real estate market has not recognized the economic potential for the area because the growth has come so fast that the data has not reached the attention of investors. The other is that so much land has been dedicated to housing and there is very little space remaining for other land use activities. Too much residential development and not enough commerce may drive away home buyers or

cause existing dwellers to move out of the area. In the long run, this will reduce the demand for housing development and could adversely affect existing housing values.

### Consistency with the Comprehensive Plan and Land Development Code:

This request is consistent with the Comprehensive Plan and Land Development Code. All development will be reviewed again during the Level 2 process. There are no indications that this development will be premature in the area.

In addition, this project is consistent with the Comprehensive Plan. Table 9, to follow, outlines the pertinent Comprehensive Plan policies.

**Table 9**

<b>Comprehensive Plan Policy</b>	<b>Consistency Analysis</b>
<i>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</i>	The proposed use is located within a previously approved planned development. The proposed site plan meets the minimum applicable standards of the Code. The proposed use is deemed compatible with surrounding development and uses, as detailed in this report.
<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>	The subject property is in an area of the County that contains adequate urban services and public services. The proposed request promotes contiguous development and a compact growth pattern.
<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>	The development is being proposed in an area of the County that contains public utilities and community services which are typically found in an UEA.
<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>	There are existing services and physical infrastructure in place to accommodate such development therefore reducing the financial burden of the County. The development is in a location where adequate services are available and therefore reduces the impact on the environment.
<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>	The subject property is located within an area of the County that has adequate public safety services as identified in the Staff Report.

Table 10, to follow, addresses the Planning Commission’s role, per Section 906.D.7 of the LDC, in the Level 3 Review process.

**Table 10**

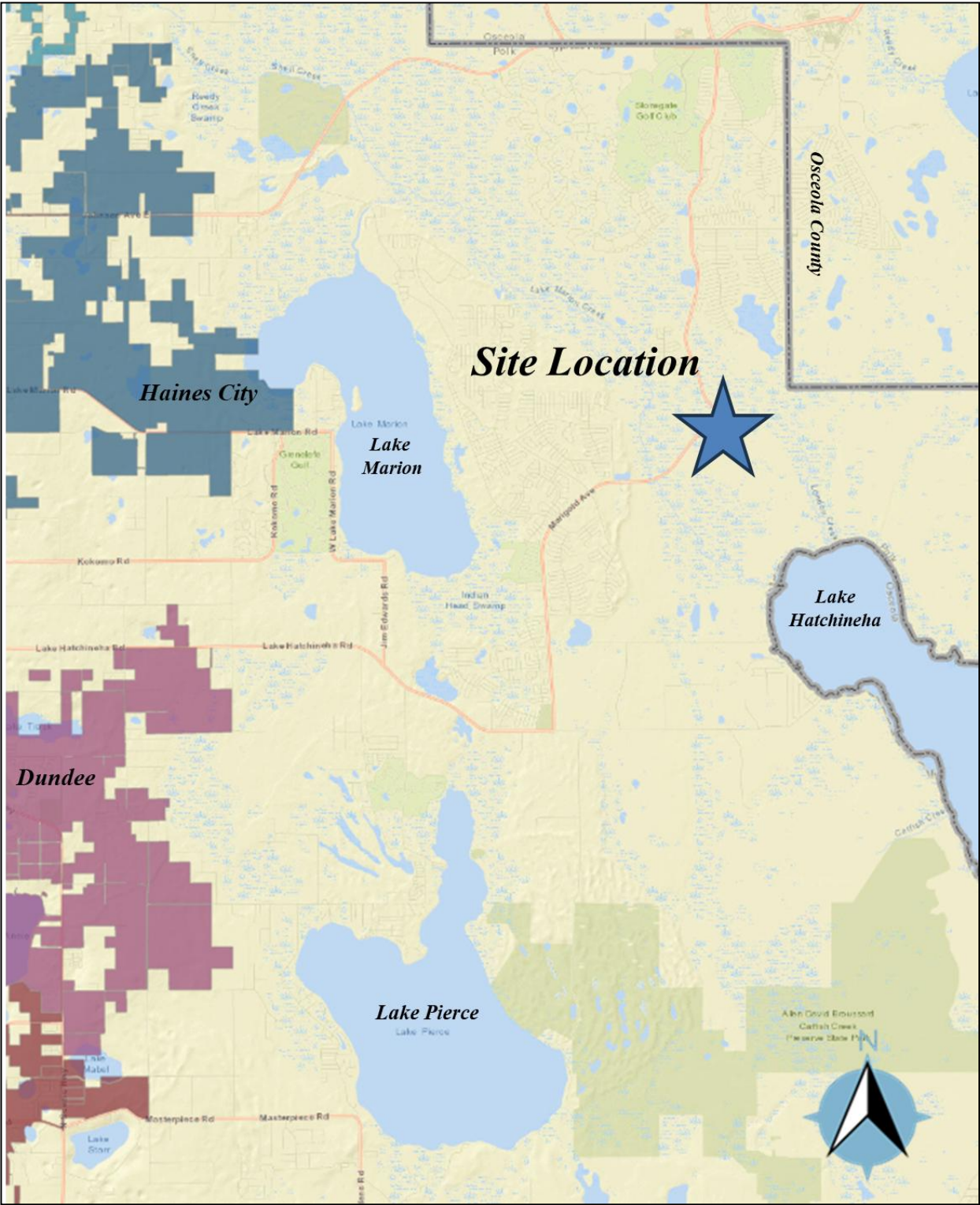
<b>The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:</b>	
<i>Whether the proposed development is consistent with all relevant requirements of this Code;</i>	Yes, this request is consistent with the LDC, specifically Section 402, 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 is consistent with the Comprehensive Plan, specifically SECTION 2.102 GROWTH MANAGEMENT as described in Table 9. The request meets the required standards of the UEA as described in SECTION 2.107-A.
<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.
<i>How the concurrency requirements will be met, if the development were built.</i>	The request is capable of meeting concurrency requirements.

**Comments from other Agencies:**

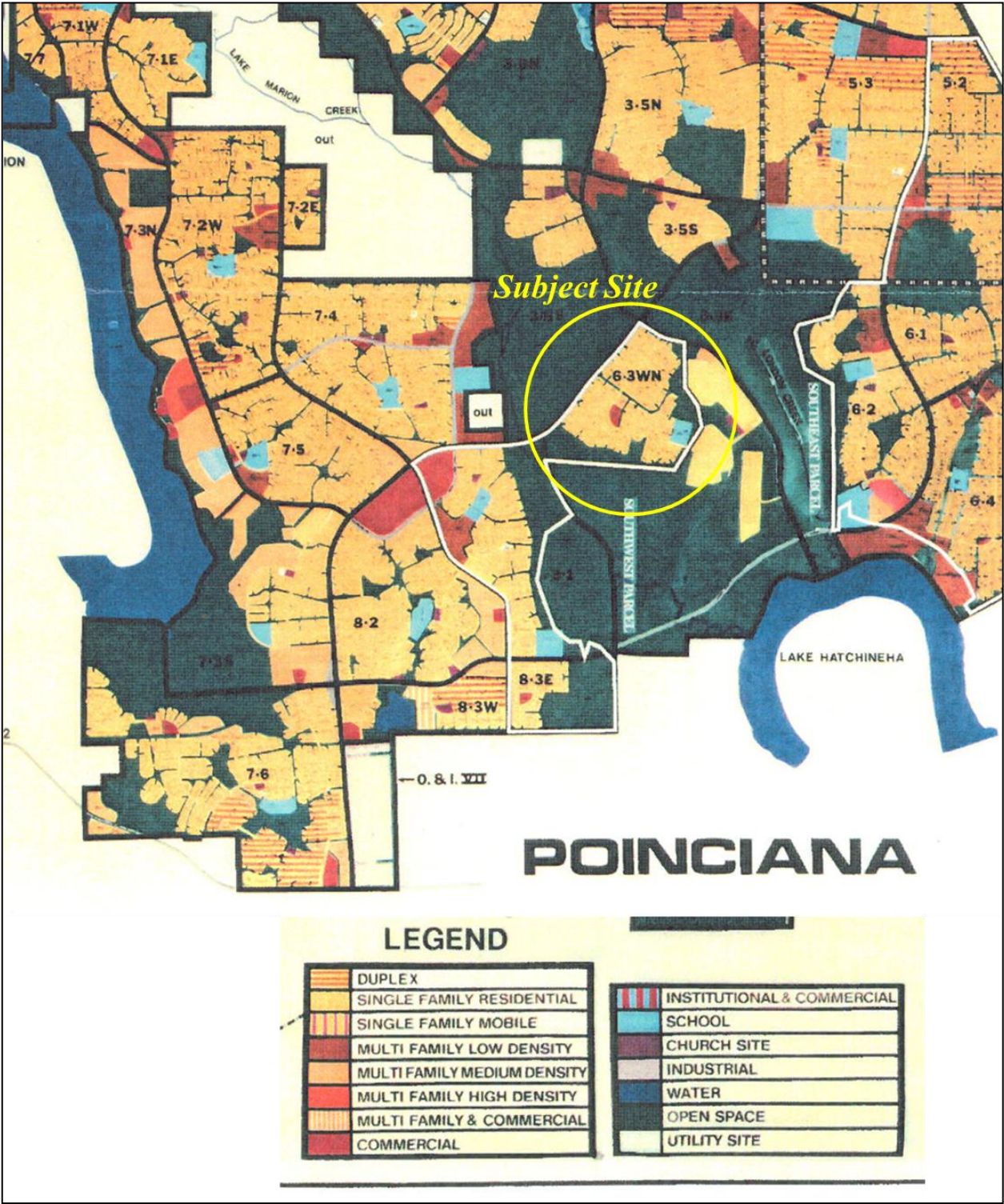
**Polk County School Board** – *“This project will result in a demand for additional school student stations. If the request is approved, the development will need to apply for a binding school capacity determination letter prior to receiving Level 2 approval.”*

**Exhibits:**

Exhibit 1	Location Map
Exhibit 2	1981 Poinciana Master Plan
Exhibit 3	Future Land Use Map
Exhibit 4	Aerial Image (Context)
Exhibit 5	Aerial Image (Close)
Exhibit 6	Site Plan
Exhibit 7	Site Info
Exhibit 8	Onsite Wetlands
Exhibit 9	Planned Roadway Improvements



Location Map



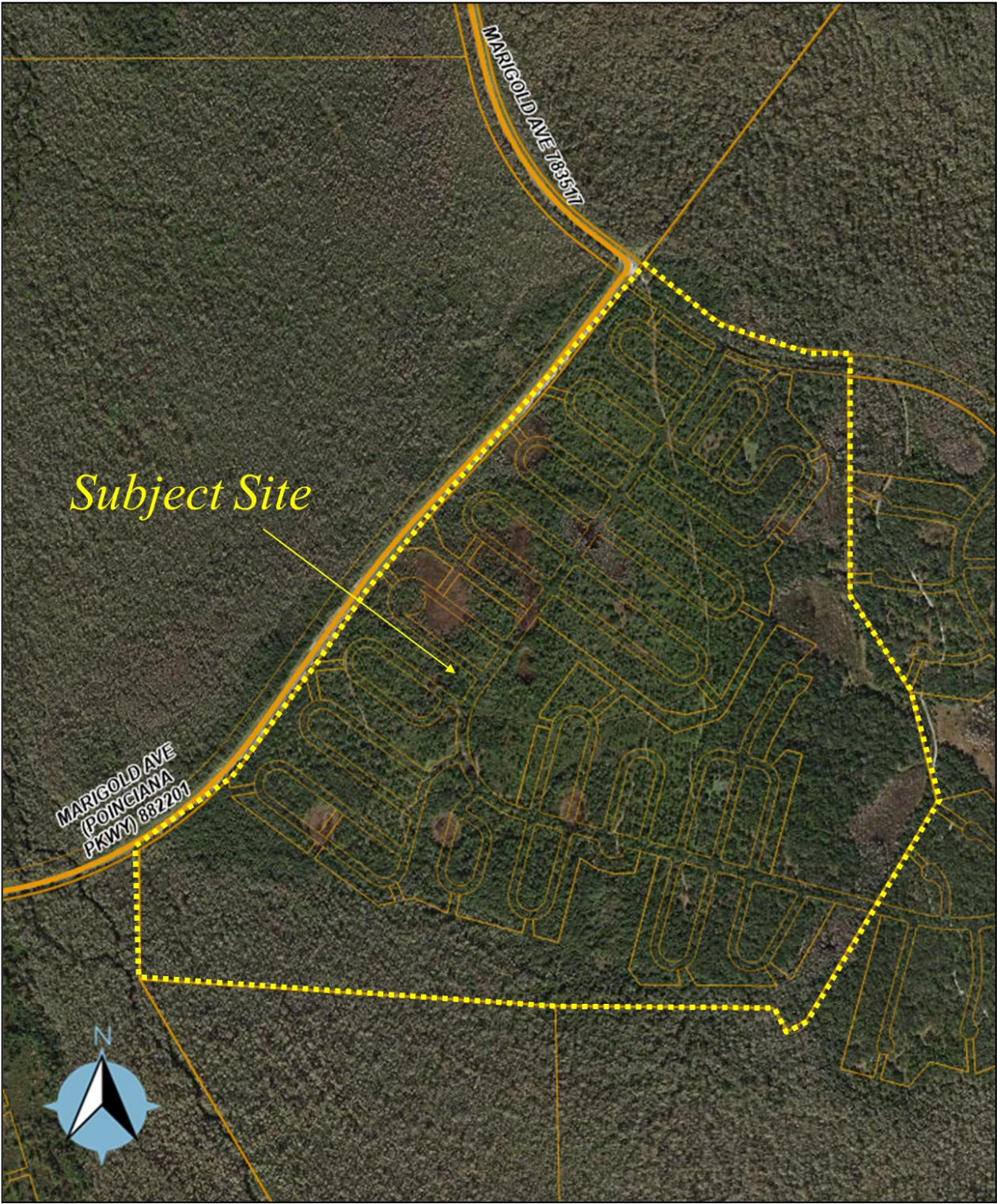
Poinciana 1981 Master Plan



Future Land Use Map



Aerial Image (Context)



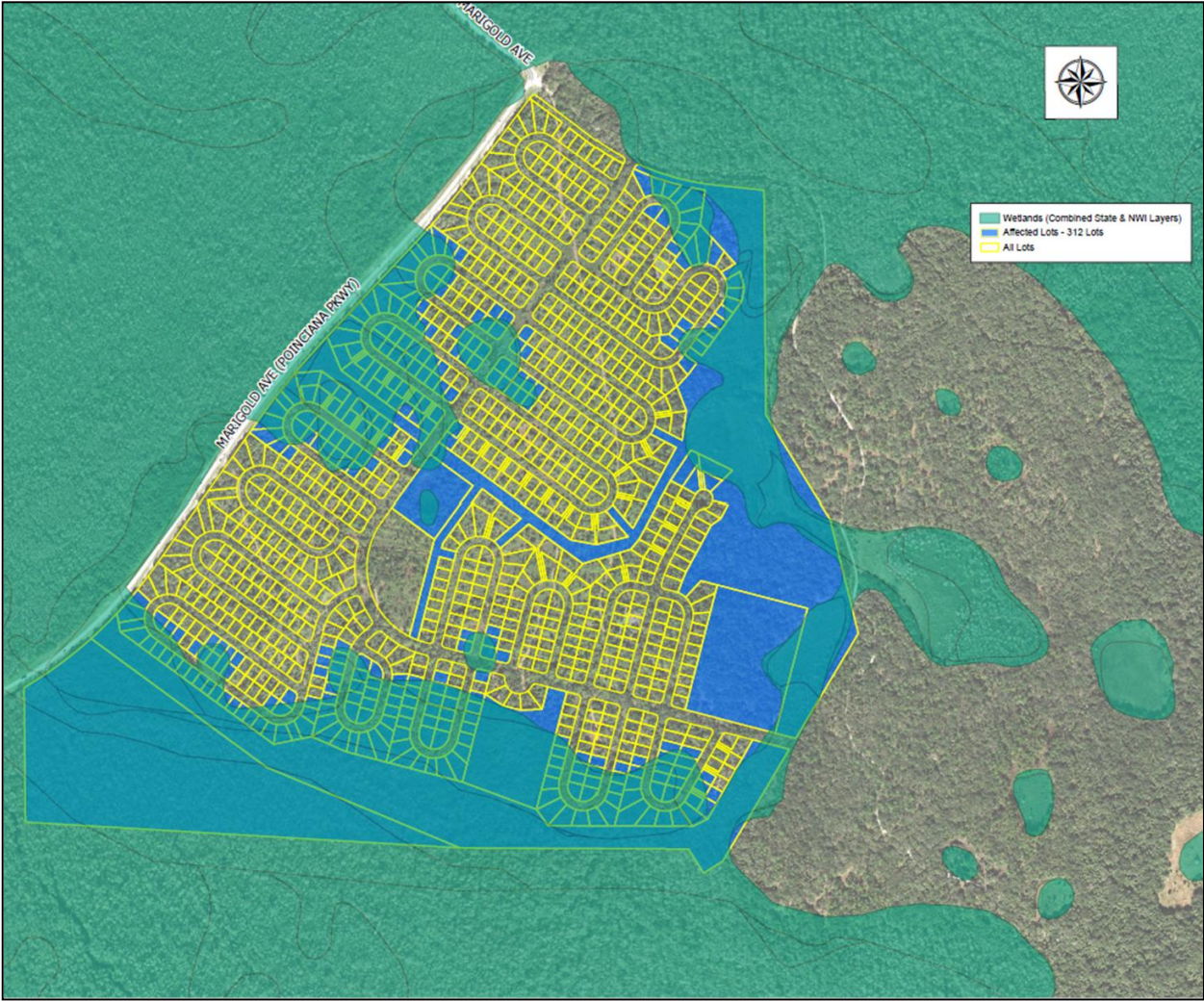
Aerial Image (Close)



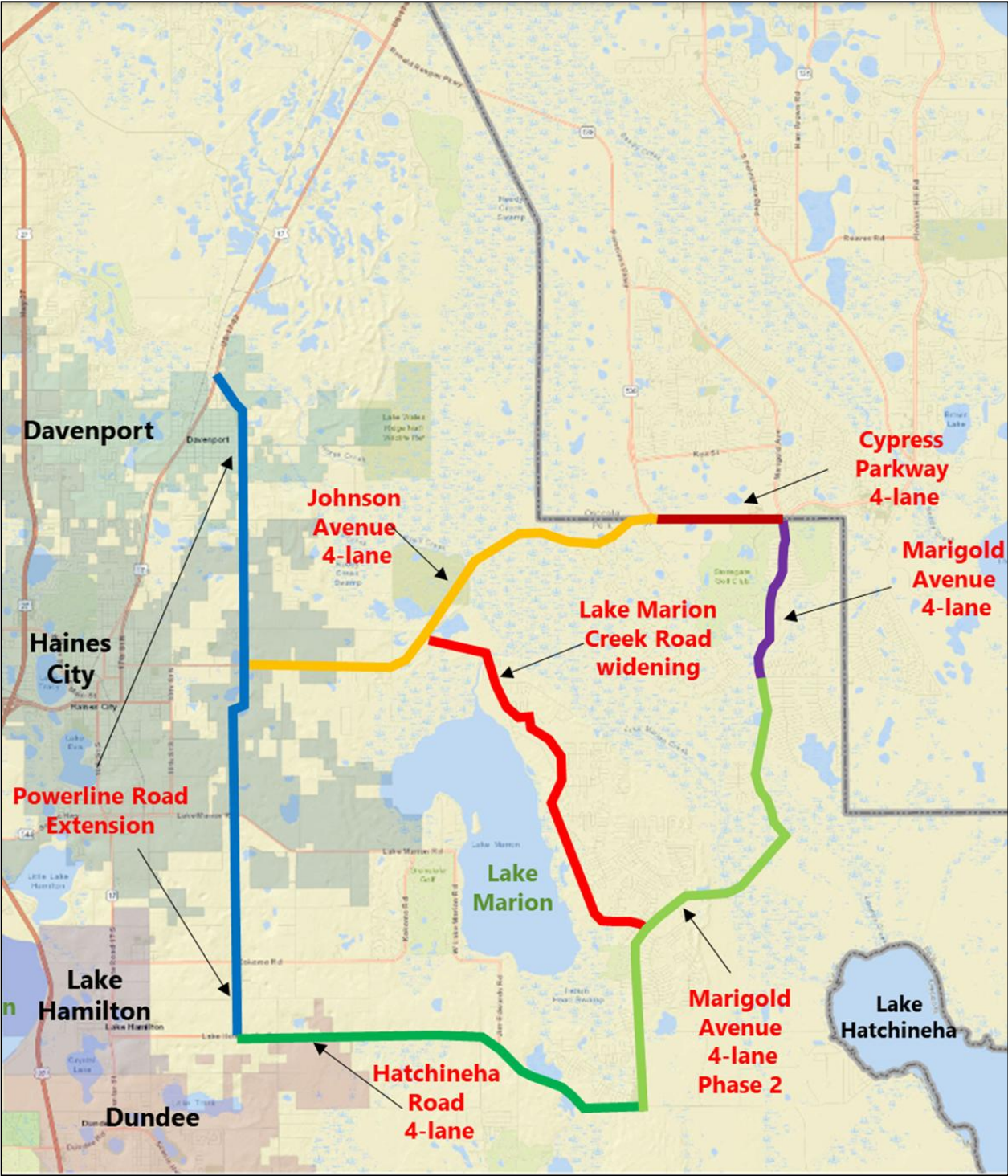
Site Plan

Summary		
Description	Value	Unit
Gross Total Area	404.48	ac
Total Preserved Wetlands	139.18	ac
Marigold Ave R/W Dedication	5.65	ac
Net Total Area	259.65	ac
Stormwater Management	47.55	ac
(Calculations Exclusive of Preserved Wetlands)	18.3%	percent
Central Recreation Parcel	4.07	ac
Open Space	84.24	ac
(Inclusive of Recreation Areas & Landscaped Stormwater Ponds)	32.4%	Percent
Phase 1A		
	Value	%
40' x 120' Detached	53	53%
50' x 120' Detached	47	47%
Sub Total	100	du
Phase 1B (1)		
40' x 120' Detached	45	47%
50' x 120' Detached	51	53%
Sub Total	96	du
Phase 1B (2)		
40' x 120' Detached	0	0%
50' x 120' Detached	21	100%
Sub Total	21	du
Phase 2		
40' x 120' Detached	107	50%
50' x 120' Detached	106	50%
Sub Total	213	du
Phase 3		
40' x 120' Detached	68	49%
50' x 120' Detached	71	51%
Sub Total	139	du
Phase 4A		
40' x 120' Detached	114	62%
50' x 120' Detached	71	38%
Sub Total	185	du
Phase 4B		
40' x 120' Detached	100	51%
50' x 120' Detached	95	49%
Sub Total	195	du
All Phases		
40' x 120' Detached	487	51%
50' x 120' Detached	462	49%
<b>Grand Total</b>	<b>949</b>	<b>du</b>
Density	3.65	du/ac
Additional Parking Required (@1 per 7 units)	136	Spaces

## Site Data



Approximate Onsite Wetlands



Planned Roadway Improvements