

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

DRC Date: January 30, 2025	Level of Review: Level 3
PC Date: April 2, 2025	Type: Planned Development Modification
BoCC Date: N/A	Case Numbers: LDPD-2024-23
Applicant: Poulos & Bennett	Case Name: Winslow's Point RMD Modification
	Case Planner: Ian Nance

Request:	Request to allow 40-foot-wide single-family detached lots within a previously approved 533-unit Rural Mixed-Use Development (RMD).
Location:	South of CR 640, east of US Highway 27, south of Lake Wales, in Sections 19, 26, and 35, Township 30, Range 27.
Property Owner:	Forestar USA Real Estate Group, Inc.
Parcel Number (Size):	273035-000000-011030; 273035-000000-011060; 273026-000000-022000; 273026-000000-021000; 283019-947800-045000; 283019-947800-047000; 283019-947800-044000; 283019-947800-062010; 283019-947800-061000 (±268.2 acres)
Future Land Use:	Agricultural/Residential Rural-X (A/RRX) Southeast Polk Selected Area Plan (SAP)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	City of Lake Wales
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Hearing

Site Location



Site Plan



Summary

The applicant is requesting a modification to allow 40-foot-wide lots within a Rural Mixed-Use Development (RMD) that was approved in 2010 for 533 dwelling units, consisting of a mixture of multi-family townhomes and single-family detached lots. Per the conditions of approval, single-family lots were restricted to a *maximum* lot size of 7,200 square feet and lot widths to not exceed 60 feet. The 40-foot-wide lots have become marketable since this time, but the Land Development Code (LDC) does not permit them on local and private roads without Planning Commission approval.

Essentially, this application is to reconcile a conflict between the above-described condition of approval and the LDC. The original intent of the RMD was to cluster lots near the roadways system and away from Crooked Lake. The RMD process requires an extensive dedication of open space to gain density in rural areas. The original site plan achieved this, but now allowing the 40-wide lots will enable the developer to maintain its vested lot count (533 total) while locating homes further away from a lake than previously planned.

Staff recommends approval. The 40-foot-wide lots will be interior to the site to avoid issues with compatibility with surrounding uses. The benefit here preserves more open space between the development, Crooked Lake, and surrounding wetlands. If the applicant so chose, the property could be developed in accordance with the site plan approved in 2010 since the lot count, setbacks, density, and layout are vested. Still, with this application, the applicant has demonstrated compliance with new residential development criteria adopted by the Board since its original approval, including internal sidewalks; landscaped and contoured stormwater ponds; recessed and shielded lighting; additional parking; enhanced buffering; and improved amenities.

Though the site is technically in an Agricultural/Residential Rural-X (A/RR-X) land use designation in a Rural Development Area (RDA) where public utilities are not commonly located, potable water and wastewater services are available to the site and have capacity. It is located near two major thoroughfares in the area, with employment opportunities and universities nearby. Since the approval of the RMD, the Board adopted the Southeast Polk Selected Area Plan, and this property was mapped within a designated Village Core and Center overlays, allowing for higher residential densities in return for higher development standards, which this application achieves.

Findings of Fact

- *The applicant is requesting a modification to PD 10-01 to allow 40-foot-wide lots within this development.*
- *PD 10-01 was originally approved as a Rural Mixed-Use Development (RMD) consisting of 427 single-family homes, 106 multifamily units, and 124,400 square feet of retail commercial on +/- 268.2 acres at the March 9, 2010, Planning Commission meeting.*
- *A modification to add a hotel in the commercial portion of the development not to exceed 50 feet in height was approved by the Planning Commission on June 1, 2016 (PD 10-01M).*
- *Condition of Approval #3 from PD 10-01 stated, "maximum lot sizes shall not exceed 7,200 square feet and lot widths shall not exceed 60 feet at the building setback line."*
- *Condition of Approval #13 from PD 10-01 stated, "Structural setbacks shall be five feet (5') from interior side lot lines, ten feet (10') from interior rear lot lines, and twenty feet (20') from all interior roadways for all single family lots; zero (0') from interior side lot lines, ten feet (10') from interior rear lot lines, and twenty feet (20') from all interior roadways for all multifamily units and commercial if subdivided."*
- *Condition of Approval #14 from PD 10-01 stated, "A minimum of ±67.1 acres of the area designated for open space shall be set aside within a perpetual conservation easement subject to the passive recreation components as proposed in the site plan."*
- *On May 1, 2019, the Planning Commission voted 6-1 to approve a convenience store and gas station on the commercially designated portion of the RMD (LDPD-2019-5). On December 4, 2019, this approval was modified to allow a condition of approval to reduce the height requirement from an eight (8) foot to a four (4) foot fence with a Type "C" landscape buffer of ten (10) feet along the convenience store site (LDPD-2019-17).*
- *Conditions of Approval #10 from PD 10-01M required, "a sufficient application for Level 2 Review shall be submitted no later than the end of business on June 1, 2026 (ten years); otherwise this approval of Rural Mixed-Use Development consisting of 427 single family attached and detached homes, 106 multifamily units (533 total units), a hotel to a height of 50 feet, and 124,400 square feet of retail commercial on ±268.2 acres shall be deemed null and void."*
- *LDNON-2019-154 was approved for the convenience store and gas station on July 6, 2020.*
- *LDRES-2025-3 is currently under review for Winslow's Point Phase I for 69 single-family lots with 50-foot-wide lot widths and 6,000 sq. ft. minimum lot sizes.*
- *LDCDD-2024-7 was approved on February 4, 2025, by the Board of County Commissioners 5-0 to adopt an ordinance establishing a Community Development District (CDD) for 533 single-family attached and detached residential lots; describing the external boundaries of the district; describing the functions and powers of the district; and designating the initial members of the district's Board of Supervisors.*

- *Per Policy 2.121-C3 of the Comprehensive Plan, RMDs shall meet the following conditions:*
 - a. contain 160 acres, or more;*
 - b. be served by public sanitary sewerage system and potable water supply, provided by the property owner or developer and meeting LOS standards established in this Plan;*
 - c. be adjacent to, or front on, a paved, public collector or arterial road;*
 - d. submit a binding site plan and undergo the development review and approval process;*
 - e. reserve, via a conservation easement, site-plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection;*
 - f. provide for increased transportation internal capture by providing non-residential support uses meeting the general characteristics of a comparable Activity Center or Isolated Convenience Store, including, without limitation, minimum population support and market-area radius criteria.*
 - g. restrict access from the development onto County and state roads to appropriate locations in order to address the maintenance of levels of service and public safety issues; and*
 - h. meet the provisions and intent of Section 2.125-H.*
 - i. Limit points of access onto collector and arterial roads to no more than the minimum required for public safety purposes,*
 - j. Incorporate methods and site development features that promote sustainable development,*
 - k. Incorporate topographical features and scenic vistas into design of the development; and*
 - l. Provided amenities that create a sense of place and community within the development.*

- *Per Policy 2.125-H2 of the Comprehensive Plan for Residentially Based Mixed-Use Development regulations:*
 - a. incorporate a mix of land uses and housing densities, ownership patterns, and building types;*
 - b. include specific public uses as an integral part of the projects design;*
 - c. utilize design commitments which establish pleasant, safe, and inviting public spaces along streets within the Mixed-Use Development:*

- d. incorporate design features that enhance the use of non-motorized travel for routine trips between various land uses;*
- e. are designed so that buildings are more directly accessible from non-motorized pathways along streets and in other locations;*
- f. employ a network of on-site roadways that reduce travel time and increase the potential for local streets to handle vehicular movement between all uses and consequently reduces the need for traffic generated by the development to use or cross the major collector and arterial streets in the vicinity; and*
- g. provide visual amenities that use a range of techniques, including landscapes and streetscapes.*

- *The subject site is located within the Rural Development Area (RDA) and Agricultural/Residential Rural-X (A/RRX) land use district in the Southeast Polk Selected Area Plan (SAP).*
- *According to LDC Table 401.08.01, a Rural Mixed-Use Development (RMD) is a “C3” conditional use in A/RRX.*
- *According to LDC Section 303, a RMD shall be “Consistent with the Planned Development requirements, a Rural Mixed-Use Development (RMD) may contain single-family dwelling units, duplexes, and limited low intensity multi-family dwellings at a gross density (on the entire site) of one dwelling unit per 2.5 acres up to, and including, two dwelling units per acre as determined by appropriate location criteria.”*
- *According to LDC Section 303, a RMD shall, “Reserve, via a conservation easement, site plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection.”*
- *According to LDC Section 822.B, unless different standards are established by a Planned Development (PD), all new lots fronting on a local road shall have a minimum frontage of 50 feet.*
- *Chapter 10 of the LDC defines “Planned Development” as “A land use or uses prepared, constructed, and maintained according to a binding plan as a single entity containing one or more structures and accessory uses. Strict adherence to land use district standards may be relaxed for the purpose of accomplishing a greater objective such as increased internal vehicle trip capture, resource protection, further compatibility with adjacent uses, and more efficient use of public infrastructure. Multiple land uses contained within Planned Development shall have a functional relationship with each other as well as consistency with the land use district.”*
- *LDC Section 303 provides standards for Planned Developments and states, “the PD process is intended to reach a higher development standard than what is prescribed through the LDC by right. PDs may be required for various reasons, such as increases in density, **reduced setbacks, reduced lot sizes**, short-term rental, Transitional Area Developments (TADs), and relief from specialized design standards found within the LDC.*

- *The project has two access points and an emergency access onto County Road 640 (Road No. 072604). CR 640 is classified as a Rural Major Collector roadway.*
- *The zoned schools are Ben Hill Griffin Elementary, McLaughlin Middle, and Frostproof Senior High.*
- *This property is served by PCSO Southeast District Command, located at 4011 Sgt. Mary Campbell Way, Lake Wales.*
- *Fire response to the site is from PCFR Station 21, located at 14684 U Highway 27.*
- *According to the Secretary of State's Department of Historical Resources, the Florida Master Site File lists no historical resources at this location.*
- *The subject site is not located within any of the County's Wellhead Protection Districts.*
- *The property is located within the Lake Wales utility service area.*
- *According to Polk County Endangered Habitat Maps, the proposed development is located within a one-mile radius of an endangered species sighting.*
- *The site abuts Crooked Lake, an "Outstanding Florida Water" as designated by the Florida Department of Environmental Protection (FDEP).*
- *Wetlands and flood hazard areas are found onsite. The Crooked Lake drainage basin is considered to be a stressed with a restricted outfall.*
- *The site is not within a Height Notification Zone and In-Flight Visual/Electronic Interference Zone.*
- *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 Table 401.08.01 and Sections 303 and 906 of the LDC.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, recent site visits, and the staff report, the Development Review Committee (DRC) finds that the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan; therefore, the DRC recommends **APPROVAL** of **LDPD-2024-23**.

CONDITIONS OF APPROVAL

Based upon the findings of fact, the DRC recommends APPROVAL of LDPD-2024-23 with the following Conditions:

1. All previous Conditions of Approval for PD 10-01M (Exhibit 7) are null and void. [PLG]
2. LDPD-2024-23 is approved for a ±268.2-acre Rural Mixed-Use Development (RMD) consisting of 427 single family homes and 106 multifamily units (533 total units); a hotel to a height of 50 feet; and 124,400 square feet of commercial uses allowed within a Neighborhood Activity Center (NAC) category in Table 2.1 or a Neighborhood Activity Center-X (NACX) category in LDC Table 401.08.01. The hotel square footage may be exchanged with retail square footage not to exceed a cumulative total of 223,353 square feet. [Amended Condition]
3. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDPD-2024-23, except for those listed in Section 906.E of the LDC and within these conditions shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]
4. Up to ten percent (10%) of the units may be altered from single family to multi-family (townhomes) and vice versa provided changes are internal to the development or at least 100 feet from any residential property line and the total unit count of 533 is not exceeded [Previous Condition].
5. Lot lines indicated on the binding site plan are not binding; however, maximum lot sizes for single-family detached units shall not exceed 7,200 square feet. The minimum lot width shall be 40 feet. [Amended Condition]
6. The access points shown on the site plan are considered the minimum required except for the access points on US Highway 27, which shall be permitted at the discretion of the Florida Department of Transportation. There shall be at least three points of access on CR 640, one of which may be limited to emergency purposes only. [Previous Condition]
7. Parking lots shall be interconnected for all commercial along the frontage of US Highway 27. [Previous Condition]
8. There shall be no boat ramp. Any docks or moorings provided with passive recreation facilities shall be limited to use for electric boats, canoes, and kayaks utilized for the benefit of the community. [Previous Condition]
9. Prior to site clearing or grubbing, the applicant shall provide a report from 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 species or mitigate any impacts consistent with federal, state and local law. [Previous Condition]
10. Structural setbacks shall be five feet (5’) from interior side lot lines, ten feet (10’) from interior rear lot lines, and twenty feet (20’) from all interior roadways for all single-family lots; and ten feet (10’) from interior rear lot lines and twenty feet (20’) from all

interior roadways for all townhome units and commercial uses, if subdivide. [Previous Condition]

11. A minimum of ±67.1 acres of the area designated for open space shall be set aside within a perpetual conservation easement subject to the passive recreation components as proposed in the site plan. [Previous Condition]
12. A memorial tract measuring at least 50 x 100’ shall be provided within a passive recreation area for the purpose of recognizing Crooked Lake as an “Outstanding Florida Water.” [New Condition]

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. All references are from the boundary of the mining area as shown on the site plan.

Table 1

Northwest: CE, A/RR Commercial Vehicle Parking, Warehousing and Storage	North: CE, A/RR Citrus Grove, SF Residential Lake Blue	Northeast: A/RR Citrus Grove SF Residential
West: CE, IND, A/RR Oakley Transport, Chemical Containers Inc.	Subject Property: CE & A/RR Citrus Grove and Pasture	East: A/RR Citrus Grove, SF Residential Crooked Lake
Southwest: CE, RCC-R, RCC Eager Beaver Trailers Robin Builders, SF Residential Warner Southern University	South: RCC-R College Park MHP Caloosa Lake Village MH Sub Crooked Lake Park SF Sub Crooked Lake	Southeast: A/RR Crooked Lake

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

The subject site is located to on the southeast corner of US Highway 27 and CR 640 and is surrounded by a variety of land uses, including agriculture, industrial, commercial, and residential. PD 10-01 was originally approved as a Rural Mixed-Use Development (RMD) consisting of 427 single-family homes, 106 multifamily units, and 124,400 square feet of retail

commercial on +/- 268.2 acres at the March 9, 2010, Planning Commission meeting. A modification to add a hotel in the commercial portion of the development not to exceed 50 feet in height was approved by the Planning Commission on June 1, 2016 (PD 10-01M).

On May 1, 2019, the Planning Commission voted 6-1 to approve a convenience store and gas station on a commercially designated portion of the RMD (LDPD-2019-5). On December 4, 2019, this approval was modified to allow a condition of approval to reduce the height requirement from an eight (8) foot to a four (4) foot fence with a Type “C” landscape buffer of ten (10) feet along the convenience store site (LDPD-2019-17). LDNON-2019-154 was approved for the convenience store and gas station on July 6, 2020. Approval of this gas station vested the entirety of the RMD. LDRES-2025-3 is currently under review for Winslow’s Point Phase I for 69 single-family lots with 50-foot-wide lot widths and 6,000 sq. ft. minimum lot sizes. LDCDD-2024-7 was approved on February 4, 2025, by the Board of County Commissioners 5-0 to adopt an ordinance establishing a Community Development District (CDD) for the 533 residential units.

The site is located at a crossroads of residential and non-residential development between Lake Wales and Frostproof that developed well-prior to any of the County’s zoning ordinances or Comprehensive Plan, which does not sufficiently recognize the historical development pattern that has formed in this part of the County.

The Crooked Lake and South Lake Wales subdivisions were developing south of the CR 640 intersection by 1964, according to aerial imagery. Blue Lake Terrace to the north of the site was nearly developed by this time, as well. In 1968, the Collage Park Mobile Home Park to the southwest of the site was under construction, as were industrial and manufacturing uses abutting the site. Properties along the northern shore of Crooked Lake were also developing, replacing citrus groves that were prevalent on the east side of US 27 and remain so today, in contrast to the rest of the County.

In 1980 aeriels, Caloosa Lake Village was almost built-out with minimum lot sizes of approximately 7,500 sq. ft. and 60-foot-wide lots. Oakley Properties purchased the property on the southwest corner of US 27 and CR 640 in 1988 and developed soon afterwards. Warner Southern arrived in 2005 on property to the southwest.

The subject site has remained vacant and used for agricultural purposes through this time. Citrus is still located to the east, and Crooked Lake is to the south. The subject site is now located within the Rural Development Area (RDA) and Agricultural/Residential Rural-X (A/RRX) land use district in the Southeast Polk Selected Area Plan (SAP), which was adopted by the Board in 2012. It is also within a Village Center and Core overlay. Whereas throughout most of the County a A/RR designation allows one dwelling unit per five acres, A/RR-X at this location will allow up to 3 DU/AC through an administrative review, pending completion of certain development criteria unique to the SAP.

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:

Site Design & Consistency with Comprehensive Plan & LDC

According to LDC Section 303, a RMD may contain single-family dwelling units, duplexes, and limited low intensity multi-family dwellings at a gross density (on the entire site) of one dwelling unit per 2.5 acres up to, and including, two dwelling units per acre, as determined by appropriate location criteria.

The applicant is requesting a modification to allow 40-foot-wide lots within a RMD that was approved in 2010 for 533 dwelling units consisting of a mixture of multi-family townhomes and single-family detached lots. Per the conditions of approval, single-family lots were restricted to a maximum lot size of 7,200 square feet, and lot widths to not exceed 60 feet. Though 50-foot-wide lots have been considered the minimum standard since the first subdivision regulations, in recent years the 40-foot-wide lots have become popular with the urbanization of the County and with increased residential development standards requiring more share of a site, including for stormwater treatment, increases in open space, etc. However, the LDC does not permit them on local and private roads without Planning Commission approval, in accordance with LDC Section 822.B.

The site plan proposed by the applicant (Exhibit 5) differs from the original (Exhibit 6) in two ways. When first approved in 2010, a condition of approval required maximum lot sizes to not exceed 7,200 square feet with lot widths set at a maximum of 60 feet. The intention here was to cluster the units closer to the roadway system and away from the lake, avoiding wetlands and flood hazard areas. The amended site plan calls out approximately 107 40-foot-wide lots where 50- and 60-foot-wide lots were once planned. These (min. 4,600 sq. ft.) are located towards the interior of the site. The effect of this change brings the footprint of the residential development north of where originally intended and further from the lake. This will allow for enhanced flood storage while preserving the wetlands and open space north of Crooked Lake.

According to LDC Section 303, a RMD shall, reserve, via a conservation easement, site plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection. The site plan accomplishes this through multiple means, including passive and active recreation amenities; enhanced landscaped buffers; landscaped stormwater ponds; and upland open space. Wetlands will be preserved, and a minimum of 67 acres will be placed in a conservation easement, in accordance with the RMD policies and previous conditions of approval.

(As a side note – no boat ramps from this development were approved with the original RMD, and none will be approved through this modification. Boat ramps are considered Vehicle-Oriented Recreation. These are not allowed in A/RR-X land use designations in the Southeast Polk SAP Village Center.)

The residential density within an RMD cannot exceed 2 DU/AC over the entirety of the site. Since no additional lots are being planned, the density remains approximately 1.99 DU/AC. When factoring out the commercial land within the RMD and wetlands, the upland density is

2.72 DU/AC. Within the SE Polk SAP, residential developments in A/RRX can attain 3 DU/AC through an administrative approval process, if a site plan demonstrated compliance with development criteria that includes increased open space and pedestrian connectivity, among other standards this site plan easily meets.

In summary, this is a minor change to a vested site plan, but the benefit to the County and residents is the preservation of more open space between the development, Crooked Lake, and surrounding wetlands. If the applicant so chose, the property could be developed in accordance with the site plan approved in 2010 since the lot count, unit types, setbacks, density, and layout are vested. Still, with this application, the applicant has demonstrated compliance with new residential development criteria adopted by the Board since its original approval, including internal sidewalks; landscaped and contoured stormwater ponds; recessed and shielded lighting; additional parking areas; and improved amenities.

Compatibility Review

Comprehensive Plan POLICY 2.102-A2 states, “Land shall be developed so that adjacent uses are compatible with each other” and provides three options to ameliorate incompatibilities.

The tools for accomplishing higher standards of compatibility, as outlined in the Comprehensive Plan, are as follows:

- Buffering
- Limiting Scale & Intensity
- Transition using innovative techniques

At a larger view of the overall RMD, the compatibility of the proposed unit types and densities with surrounding uses has already been determined through prior Planning Commission approval, and the modified site plan does not deviate much from the original. The plan is consistent and compatible with the surrounding land uses and the trend of development in the area. The subject property is surrounded by 60-foot-wide lots, a mobile home park, commercial uses, and vacant agricultural land.

To enhance compatibility, the RMD proposes a 50’ buffer along the eastern boundary, and the designated conservation area protects Open Space between the existing single-family residential uses along the lake. The townhome lots are proposed closer to the commercial uses of the PD and along Hwy 27. The townhome lots are a transitional use between commercial uses and the detached single-family lots.

In particular to this modification and the 40-foot-wide lots, staff finds no reasonable incompatibilities. The lots will be located towards the interior of the site and moves the footprint of the residential development further north of the lake. The setbacks are already established through the prior RMD approval and are expected to be consistent throughout the development. All units are required to have two parking spaces per unit, exclusive of the garage, as well as additional parking areas in accordance with LDC Table 3.4A. Garage setbacks will be 25 feet, and each lot will require an understory or canopy tree.

B. Available Infrastructure & Timeliness of the Development:

Polk County Comprehensive Plan Policy 2.102-A3 states, “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.”

LDC Section 303 states that the intensity and timeliness of a RMD shall be determined by the surrounding infrastructure needed to support the residents within that development. The minimum qualifications for residential density (single-family, duplex, and multi-family) shall be based on achieving a locational score for the Future Land Use Map district and the proximity to existing or programmed infrastructure and services (the "Locational Eligibility Score").

Though the current density is vested, for comparison, to achieve the full 2 DU/AC afforded by RMD process now requires a locational eligibility score of 25, based on LDC Tables 3.3 and 3.4. This development would garner at least 26 points today. The site benefits from its proximity to utilities, collector and arterial roadways, emergency services, employment centers, and the local universities.

Both the County and city of Lake Wales have made capital improvements in this area to support future growth, and there are economic generators nearby that require housing opportunities for their employees. This development intensity is consistent with existing development nearby. It will be constructed at a higher standard for environmental quality than the past development that is in the area.

Nearest Elementary, Middle, and High School

The city of Lake Wales has a separate school system from the rest of the County, and the closest schools are a part of that system. The residents in this development, unless annexed into the city, will have to travel farther away for public schools.

Table 2, to follow, provides a breakdown of the estimated demand for student seats for each level of schooling at the requested number of lots, in addition to the current school capacity. For this table, staff utilized rates for multi-family uses, such as townhomes, and single-family detached units. The proposed reduction in lot widths will have no impact as the unit count remains the same from the original approval. Note that this methodology is non-binding and provides a simple estimate.

Table 2

Name of School	Annual Estimated Demand	Driving Distance	2024-25 School Capacity
Ben Hill Griffin Elementary	101 students	±9 miles	72%
McLaughlin Middle	48 students	±4 miles	79%
Frostproof Senior High School	65 students	±9 miles	61%

*Source: Polk County School Board, GIS, Google Maps
Demand rates based on 2019 School Impact Fee Study (Ord. 2019-056)*

Currently, the surrounding schools appear to have capacity to accommodate this request; however, these numbers are always fluid. At the time of the Level 2 Review, the applicant will need to apply for school concurrency.

This development will not be built overnight. It will take at least a year to develop once construction begins. Families will not be occupying the units until later than the 2025-26 school

year. Build out could span as much as 10 years based on historic growth rates in the area. This project could generate \$1,199,287 at the current school facility impact fee rate.

It is also important to note that Warner Southern University is within a mile of the site. Webber International University is approximately three miles to the southeast.

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to all 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 response to this project is very close at Station 21 at 14684 US Highway 27, formally the Caloosa Station, just under 1/2 miles away. Fire rescue provides immediate Emergency Medical Technician (EMT) services to a scene. Ambulance comes from Station 11 near the Lake Wales Airport. Water connection will be to the Lake Wales water system. They currently serve hydrants at the Circle K and Oakley Transport at the intersection of CR 640/ABC Cutoff Road and U.S. Highway 27. There will be hydrants located throughout the development.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	PCSO Southeast District Command 4011 Sgt. Mary Campbell Way, Lake Wales	±8.5 miles	P1: 8:55 P2: 23:43
Fire	PCFR Station 21 14684 U Highway 27	±0.5 miles	4 minutes
EMS	Station 411 2029 State Rd 60, Lake Wales	±5.5 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.*

The nearest Sheriff's station is the Southeast Command Center at 4011 Sgt. Mary Campbell Way on the north side of Lake Wales less than 8½ miles to the north. Typically, 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 an area of the County.

Priority 1 Calls are true emergencies such as 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. At any rate, response times are not as much a function of the distance to the nearest substation but more a function of the overall number of patrol officers within the County.

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

as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-dispatch to these in-progress, high-risk incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

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

Water and Wastewater Demand and Capacity:

This proposed development will be connected to the city of Lake Wales water and wastewater treatment system. Lake Wales has been actively expanding their systems and has extended lines to the site in anticipation of connection. Based on information from the city, there is capacity available to serve them today.

A. Estimated Demand and Service Provider:

The proposed development is for 427 single-family detached and 106 single-family attached dwelling units. Single-family detached units are estimated to generate 360 gallons per day (GPD) for water and 270 GPD for wastewater. Townhomes are estimated to demand less at 198 GPD for water and 180 GPD for wastewater. The base density in A/RR is one unit per five (5) acres. In the Southeast Polk Selected Area Plan (SAP), it is possible to get up to three dwelling units per acre based on design standards. Table 4, to follow, provides generalized comparison estimates of the anticipated water and wastewater demands.

Table 4

Subject Property	A/RR (1 DU/5 AC)	Max. Density 3 DU/AC	Proposed Plan
±242.24 ac. A/RRX			
Permitted Intensity	48 SF Units	726 SF Units	427 SF & 106 MF Units
Potable Water Consumption (GPD)	17,280 GPD	261,360 GPD	174,708 GPD
Wastewater Generation (GPD)	12,960 GPD	196,020 GPD	134,370 GPD

It is important to note that this is a preliminary review, and the unit count is not being altered by this modification request. Further analysis and binding capacity determinations for potable water and wastewater will be required during the Level 2 Review process.

B. Available Capacity:

The city of Lake Wales has three water treatment plants for potable water distribution and has recently acquired the Park Water system to the south of the development. The three main plants in operation provide the following capacities to the system, according to the City’s official website:

- **Market Street Water Plant** capacity is 8.57 million gallons per day and averages approximately 0.492 million gallons per day, with peak daily flow of 1.421 million gallons per day.
- **Grove Avenue Water Plant** capacity is 3.48 million gallons per day and actual treated flow averages 1.356 million gallons per day, with a peak daily flow of 1.983 million gallons per day.

- **High School Water Plant** capacity is 4.44 million gallons per day and actual treated flow averages 0.808 million gallons per day, with a peak daily flow of 1.385 million gallons per day.

The water for the development will primarily come from the Grove Avenue Plant, but the system is interconnected and can shift capacity to different parts of the system.

The Lake Wales Wastewater Treatment Plant at 840 Henry Street has a permitted capacity of 2.19 million gallons per day (MGD), according to the Florida Department of Environmental Protection.

C. Planned Improvements:

The city has listed a \$5,500,000 wastewater treatment expansion in the 24/25 fiscal year of their capital improvements budget. They have recently contracted with Kimley-Horn to draft a 25-year wastewater master plan. The city is an active member government of the Polk Regional Water Cooperative and has planned line extensions and interconnections for future blending of the water from the regional system into their water treatment network.

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 RND contains over 26 fields of transportation data for over 1,300 miles of state, County, and city roads in Polk County – one of the largest road networks in the State of Florida.

Much of the transportation data contained in the updated RND is based on traffic counts taken recently by the TPO and Florida Department of Transportation (FDOT) and is used to calculate the level of service and how much capacity is available on a given road based on the road's level of service (LOS) standard. Also included are several safety and multi-modal indicators that help us track some of the TPO's performance measures and targets. This includes a calculation of crash rates, as well as if there is a presence of transit services, sidewalks and bicycle facilities for each road segment.

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:

It is estimated that there will be 7.81 vehicle trips per unit each day on average and approximately one (1.0) vehicle trip per unit either coming or going during the peak hour for the 427 single-family detached dwellings proposed. The 106 townhomes are estimated to require

slightly less at 6.74 AADT and 0.36 trips during the PM peak hour.

The table below demonstrates that building the maximum number of units onsite could result in fewer PM peak hour trips than if the development was to build to the SAP maximum standards.

Table 5

Subject Property	A/RR 1 DU/5 AC	Max. Density 3 DU/AC	Proposed Plan
±242.24 ac. A/RRX			
Permitted Intensity	48 SF Units	726 SF Units	427 SF & 106 MF Units
Average Annual Daily Trips (AADT)	375 AADT	5,670 AADT	4,050 AADT
Peak PM Hour Trips	48 Peak PM	726 Peak PM	465 Peak PM

With 533 units, a Major Traffic Study is required during the Level 2 Review process because the average annual daily trip rate (AADT) exceeds 750. The most crucial time to judge a project’s traffic influence is during the PM peak hour because that is the “worst case scenario.”

The Institute of Transportation Engineers (ITE) has conducted numerous studies on how much traffic residential developments place on the roadway system at all times of the day. The highest impacts to the roadway system’s capacity are traffic leaving the development and entering the system. ITE estimates that approximately 174 vehicles will be leaving the development during this three-hour period.

The primary access to the residential area will be from CR 640. The 174 vehicles exiting the development will mostly be heading west to the major arterial roadway. Of those, most will travel northbound on U.S. Highway 27. There is a dedicated right turn lane at the intersection, but it is approximately one car length deep. With close to 100 vehicles during the peak hour, this will need to be extended. There is adequate right-of-way width for an improvement available back to Middle Street; 90-feet of width from centerline approximately. There is the possibility that the southbound left turn lane will need to be extended as well. Because of the FDOT Context Classification of C3C, sidewalks and crosswalks will be required with the intersection improvement.

The development access on CR 640 will require one Type IV intersection at the main entrance and possibly a Type III at the easternmost access point because of the projected vehicle volumes above 1,000 AADT. This includes deceleration lanes for eastbound traffic entering from CR 640 into the development and westbound center turn lanes for westbound traffic entering the development. The difference between Type III and Type IV intersections is in the stacking length of the turn lanes.

B. Available Capacity:

There is available traffic capacity all the way from the site on the nearest affected traffic segment of U.S. Highway 27 based on most recent data. TPO, together with FDOT and Polk County’s Roads and Drainage Division, has been tallying new traffic counts taken since March of last year.

Table 6, below, provided a generalized estimate of the available capacity on nearby roadway links.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
5102N	U.S. Highway 27 From: CR 640 To: SR 60	C	764	D
5102S	U.S. Highway 27 From: SR 60 To: CR 640	C	806	D
5101N	U.S. Highway 27 From: CR 630 To: CR 640	C	1,128	D
5101S	U.S. Highway 27 From: CR 630 To: CR 630	C	1,162	D
4010E	Alturas Babson Park Cut Off Road (CR 640) From: CR 559 To: US Hwy 27	B	362	C
4010W	Alturas Babson Park Cut Off Road (CR 640) From: US Hwy 27 To: CR 559	B	358	C
4068E	CR 640 From: US Hwy 27 To: SR 17 (Scenic Hwy)	C	517	D
4068W	CR 640 From: SR 17 (Scenic Hwy) To: US Hwy 27	C	509	D

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

The applicant for the CDD showed an estimated \$1,200,000 in off-site roadway improvements. There are many unknowns about the required improvements, their costs, and the development's share of them. Both FDOT and the County will review the traffic analysis when the engineered site plans (Level 2 Review) are submitted for review.

C. Roadway Conditions:

CR 640 is a paved rural major collector roadway with a pavement width of 24 feet that is currently rated in fair condition from US Highway 27 to the Ridge Scenic Highway (SR 17). Alturas-Babson Park Cutoff Road (aka CR 640 west of US 27) is also a rural major collector in fair condition, but the pavement width is only 22 feet. US Highway 27 is a four-lane divided arterial roadway and is in good condition, according to the Florida Department of Transportation.

D. Sidewalk Network

There is no sidewalk network in the area. The only sidewalk is on CR 640 in front of the recently constructed Circle K gas station and convenience store. The entire development will be required to install sidewalks on both sides of the local roads within the development and along the frontage of CR 640 and U.S. Highway 27. There is a high concentration of population in this area, but walkability is low. The Florida Department of Transportation (FDOT) has this section of U.S. Highway 27 designated a Context Class C3C, according to the FDOT context classification viewer. This classification expects there to be a moderate number of pedestrians and cyclists. Therefore, future improvements along the corridor and to the intersection should include sidewalks, crosswalks, and bike lanes.

E. Planned Improvements

The approved CDD capital improvements plan shows \$1.2 million allocated to off-site improvements. A traffic study was recently conducted that discovered additional turn lanes are needed at the intersection of CR 640 and U.S. Highway 27. Beyond that, only one roadway improvement which is underway, and two drainage improvements are planned in the five-year Community Investment Program in this area.

Table 7

Location	Fiscal Year CIP (construction cost)	Project Description
South Lake Wales Drainage Improvement Project	Under construction (\$2,200,000)	Project is to design, permit, and construct drainage improvements to address ongoing flooding issues within the community. Estimated completion date: December 1, 2026.
CR 630 at CR 630A Intersection	Design and utility relocation completed (\$3,801,625)	Improvements to the intersection of CR 630 @ CR 630A. Design phase is complete for a single lane roundabout. The construction date has not been determined.
Benton Street Drainage Improvements	\$420,000	Design, Permit, and Construction Drainage Improvements for Benton Street. Completed August 2024

F. Mass Transit

There are currently no fixed-route mass transit services south of Lake Wales.

Park Facilities and Environmental Lands:

The County’s residential development standards require functional open space to be designed within a development that includes recreational amenities for the residents. Sidewalks are required on both sides of all residential streets connecting the residents to the open space and recreational amenities.

There are no sidewalk connections to any public recreational areas. The closest public park facility is just less than four (4) miles driving distance of the vehicle entrance on 5th Avenue in Babson Park. The Babson Park Playground features a new playground and basketball court. The closest boat access is Lake Easy at Welling Park. There are also a significant amount of wildlife preserves on the opposite side of Crooked Lake from the development.

A. Location:

- Babson Park Playground, 5th Avenue, Babson Park
- Crooked Lake Prairie, 985 Ohlinger Rd., Babson Park
- Crooked Lake Sandhill, 801 Hollister Rd., Babson Park
- Welling Park on Lake Easy, 4004 Muncie Road, Babson Park

B. Services:

- Babson Park Playground, playground and basketball court
- Crooked Lake Prairie, hiking trails on 525-acre property that protects more than two miles of the Crooked Lake shoreline
- Crooked Lake Sandhill, hiking trails on 25 acres of one of the best remaining examples of the sandhill ecosystem in Polk County
- Welling Park on Lake Easy, boat ramp and picnic shelter

C. Environmental Lands:

There are many acres of protected environmental lands around Crooked Lake. Crooked Lake Prairie is located on the opposite side of the lake from the proposed development. Recently, the County purchased a large tract on the west side of U.S. Highway 27 to match the previously purchased property on the east side along the western shore of Crooked Lake to improve water

quality and expand drainage capacity in the basin. Combined, these environmentally managed areas equate to over 4,500 acres of habitat protection, floodplain management, and water quality enhancement.

D. Planned Improvements:

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

Environmental Conditions

The Polk County Comprehensive Plan has a Conservation Element. Division 2.300 of the Comprehensive Plan mentions, “The goal, objectives, and policies of the Conservation Element are designed to protect the natural resources which make Polk County a special place while preventing degradation of the environment and allowing development and economic expansion to occur.” There should be no serious environmental conditions that need to be addressed with this subject site.

A. Surface Water:

The site abuts Crooked Lake, an “Outstanding Florida Water,” as designated by the Florida Department of Environmental Protection (FDEP). In 1987, a group organized in 1970 called Defenders of Crooked Lake succeeding in getting state environmental officials to pass this declaration.

There are no homes proposed within 400 feet of the shoreline and no boat access. There is some wetland restoration planned concurrently with development of the residential properties as part of the drainage system for the development.

B. Wetlands/Floodplains:

There are wetlands onsite based on the National Wetland Inventory (NWI) overlay on the County’s GIS system. No development is proposed in this area other are passive recreation for the residents.

Only a small portion of the development is proposed within the 100-year floodplain of Crooked Lake and the applicant estimates that there will be adequate compensating storage created from the proposed wetland restoration. No lots are proposed to be created in floodplains after pre-construction. The Crooked Lake drainage basin is considered stressed. The stormwater system for the development is required to be designed to support a 100-year/24-hour event.

C. Soils:

The vast majority of the development will occur on Tavares Fine Sands, the better soil on the property. As per the requirements of the RMD, 50% of the property will not be developed, most of which contains soil with limited support for development.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Tavares Fine Sand (15)	Moderate: wetness	Slight	50%

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Pompano Fine Sand (30)	Severe: wetness, poor filter	Severe: wetness	15%
Adamsville Fine Sand (31)	Severe: wetness, poor filter	Moderate: wetness	8%
Narcoossee Sand (74)	Severe: wetness, poor filter	Moderate: wetness	7%
Bassinger Fine Sand (87)	Severe: wetness, poor filter	Severe: wetness	6%
Smyrna and Myakka Fine Sands (17)	Severe: wetness, poor filter	Severe: wetness	5%
Immokalee Sand (21)	Severe: wetness	Severe: wetness	5%
Udorthents (58)	n/a	n/a	5%

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

Future development of the site will be subject to Section 2.303: “Soils” of the County’s Comprehensive Plan (in conjunction with the LDC) which requires all development to implement Best Management Practices based on the Department of Environmental Protection’s (DEP) Florida Development Manual. 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 regulations for the proposed use. This project will utilize centralized wastewater. Without these services, it might not be possible to develop this site at the intensity proposed.

D. Protected Species & Habitats

According to Polk County Endangered Habitat Maps, the RMD is located within a one-mile radius of an endangered species sighting. (Source: Florida Natural Areas Inventory, 2002, 2006 & 2011). A species study will be conducted prior to Level 2 Review (engineered plans). This will be necessary to receive funding under federal programs from either the Federal Housing Administration or Veterans Affairs.

This site is within the Florida Wildlife Corridor and listed as a potential connection area with preserved properties within the Polk Green District Map. No conservation easements are located adjacent to the subject site, according to the Polk County Property Appraiser.

The Polk Green District overlay was established to guide planning for, and the acquisition or conservation of, an interconnected network of open spaces, natural areas and agricultural lands.

The overlay will provide a framework for land use policies and community investments that provide:

- a. protection of natural resources and wildlife habitat;
- b. habitat corridors through linked open spaces;
- c. protection of historic and cultural resources;
- d. recreational opportunities;
- e. community health benefits;
- f. economic development opportunities; and
- g. multi-use trails connecting population centers to natural areas.

The Florida Wildlife Corridor is statewide network of nearly 18 million acres of connected lands and waters supporting wildlife and people. It is not incorporated in the Comprehensive Plan or LDC at this time.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File for the property. However, there have been historical resources discovered in the area.

F. Wells (Public/Private)

The site had three irrigation wells at one time. The potable water wells for the former Park Water Company are located within 950 feet of the boundary, but more than 1,000 feet from any proposed development on the site. Park Water Company system has been brought into the city of Lake Wales.

G. Airports:

There are no public use airports within five miles of this site. The closest is Lake Wales Airport. There are no structures planned above two floors

Economic Factors:

There are a significant number of industrial uses and other employment generators in this area such as Oakley Transport, Chemical Containers, Inc, and Robin Builders, Inc. There is also a large amount of commercial land uses surrounding the intersection and along the Highway 27 corridor. There is a growing student population not only at nearby Warner Southern University to the south, but Webber University in Babson Park less than three miles to the east. Enrollment has significantly increased since the original approval of this RMD. With the increase in enrollment there is a need for housing not only for students but for faculty and staff.

The 40-foot-wide lot has seen a growth in marketability in recent years as Polk County urbanizes. These lot sizes allow 30-foot-wide homes, assuming five-foot side setbacks, providing a more-affordable housing option for many. The lack of traditional yard space could be construed as a negative by some, but owners often find less maintenance and costs in upkeeping the property. There is also a practical financial reality of these lots for developers. Modern development standards are requiring more land for enhancements such as stormwater treatment and open space and recreation.

Small lot sizes also tend to lead to a proliferation of supplementary uses, such as self-storage and recreational vehicle parking facilities. With limited space onsite to keep boats and RVs, as well as other possessions, homeowners will look to store them elsewhere. Smaller lot sizes also require increases in amenities and extra parking spaces within a development to compensate for a lack of personal recreation space and places to park standard vehicles.

Consistency with the LDC & Comprehensive Plan:

As noted, this request is consistent with the Land Development Code. Development criteria for RMDs and PDs as detailed under Section 303 of the LDC. Open Space requirements are shown to have been met and will be analyzed again at the Level 2 Review. There are no indications that this development would 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

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 RMD is surrounded by residential land use districts. There are residential subdivisions and non-conforming non-residential uses around the subject site. The layout has provided buffering and transitions for existing uses.</p>
<p><i>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</i></p>	<p>The applicant has demonstrated that this development is not premature. The project will connect to centralized potable water and wastewater, which exceeds what is normally found in the RDA. The cluster design promotes compact growth and contiguous growth.</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>The PD is being proposed in an area of the County that contains public utilities and community services which exceeds what it generally found in the RDA and A/RR.</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>There are existing services and physical infrastructure in place to accommodate such development. The development is in a location where adequate services are available.</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>

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

Table 10

<p>The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:</p>	
<p>Whether the proposed development is consistent with all relevant requirements of this Code;</p>	<p><i>Yes, this request is consistent with the LDC, specifically Section 906 which permits this use upon completion of a Level 3 Review. Many of the conditions required in Section 303 will be enforced after a Level 3 Review.</i></p>
<p>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</p>	<p><i>Yes, this request is consistent with the Comprehensive Plan, as reviewed above.</i></p>
<p>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</p>	<p><i>Yes, the request is compatible with surrounding uses and the general character of the area.</i></p>
<p>How the concurrency requirements will be met if the development were built.</p>	<p><i>This request will require concurrency determinations from utilities, the School Board, and TPO. The impact on public services can be found in the analysis found in the staff report.</i></p>

Comments from other Agencies: None

Exhibits:

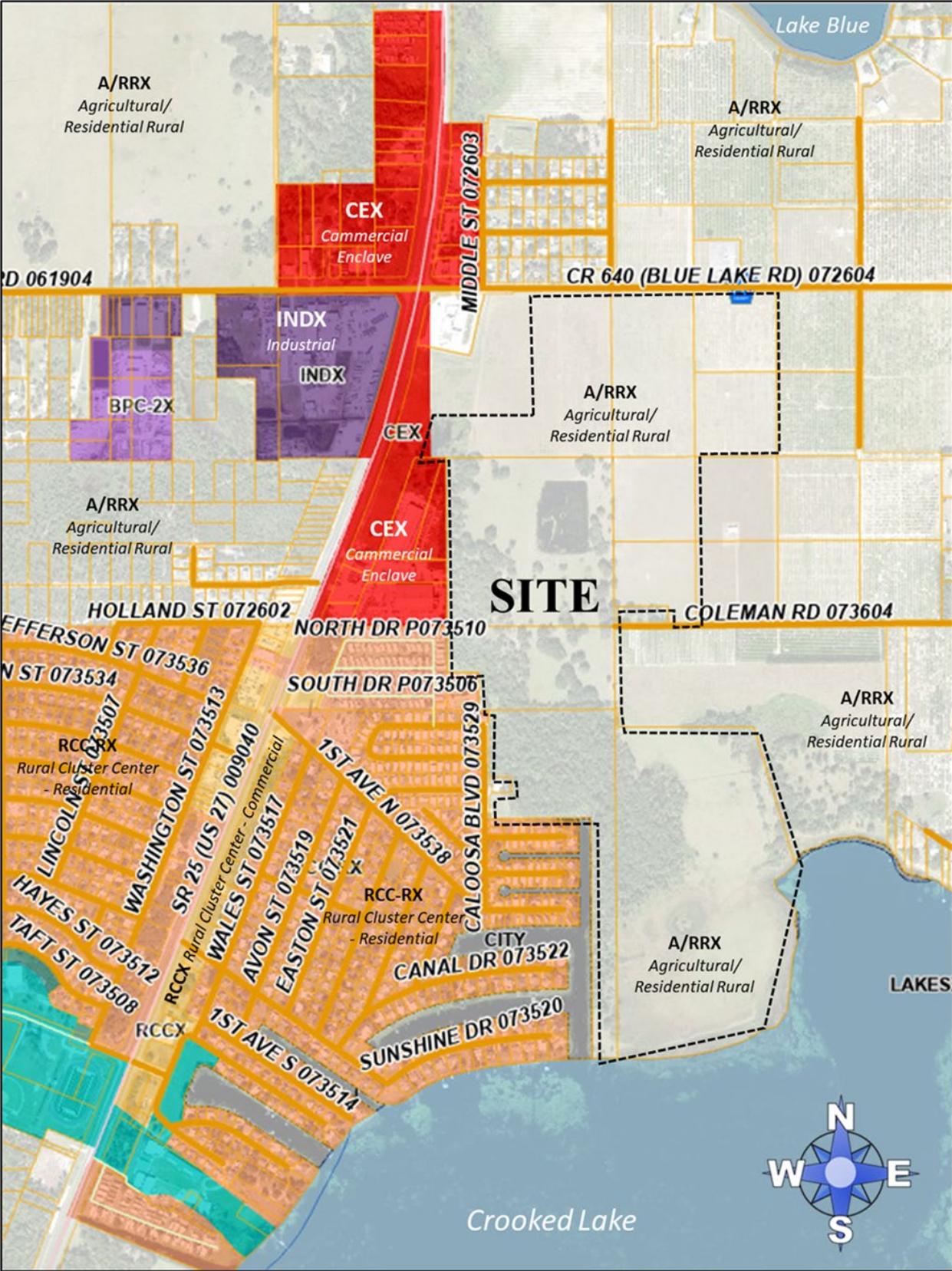
- Exhibit 1 Location Map
- Exhibit 2 Aerial Image (Context)
- Exhibit 3 Future Land Use Map
- Exhibit 4 Aerial Image (Close)
- Exhibit 5 Site Plan
- Exhibit 6 PD 10-01 Site Plan
- Exhibit 7 PD 10-01M Conditions of Approval



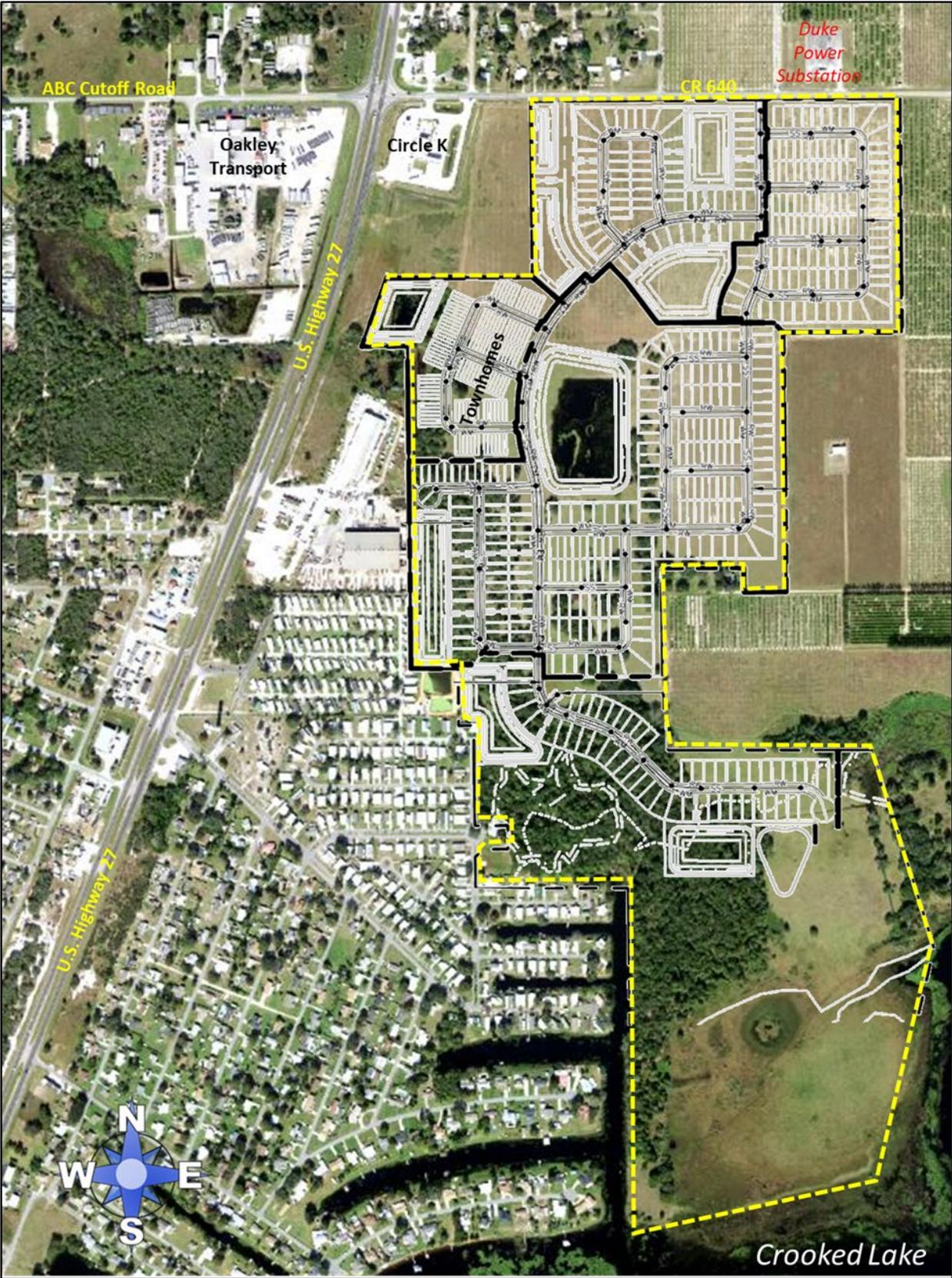
Location Map



Aerial Image - Context



Future Land Use Map



Aerial Image - Close



Site Plan

1. PD 10-01M is approved for a ±268.2 acre Rural Mixed-Use Development (RMD) consisting of 427 single family homes, 106 multifamily units (533 total units), a **hotel to a height of 50 feet**, and 124,400 square feet of commercial uses allowed within a Neighborhood Activity Center (NAC) category in Table 2.1 of the Land Development Code. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications beyond the parameters of Section 906.E of the Land Development Code shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. The hotel square footage may be exchanged with retail square footage not to exceed a cumulative total of 223,353 square feet. [PLG]
 2. Up to ten percent (10%) of the units may be altered from single family to multifamily and vice versa provided changes are internal to the development or at least 100 feet from any residential property line and the total unit count of 533 is not exceeded [PLG].
 3. Lot lines indicated on the binding site plan are not binding; however, maximum lot sizes shall not exceed 7,200 square feet and lot widths shall not exceed 60 feet at the building setback line. [PLG]
 4. Sidewalks shall be required on both sides of the street as shown in the streetscapes in Attachment "E" of the binding site plan, unless incorporated into one of the linear parks or trail. [PLG]
 5. The access points shown on the site plan are considered the minimum required with the exception of the access points on US Highway 27, which shall be permitted at the discretion of the Florida Department of Transportation. There shall be at least three points of access on CR 640, one of which may be limited to emergency purposes only. [PLG]
 6. Parking lots shall be interconnected for all commercial along the frontage of US Highway 27. [PLG]
 7. There shall be no boat ramp. The moorings at the dock shall be limited to electric boats, canoes, and kayaks utilized for the benefit of the community. [APPLICANT]
 8. The development shall connect to centralized water and wastewater service from an offsite facility. [PLG]
 9. Prior to site clearing or grubbing, the applicant shall provide a report from 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 species or mitigate any impacts consistent with federal, state and local law. [PLG]
-
10. A sufficient application for Level 2 Review shall be submitted no later than the end of business on June 1, 2026 (ten years); otherwise this approval of Rural Mixed-Use Development consisting of 427 single family attached and detached homes, 106 multifamily units (533 total units), a **hotel to a height of 50 feet**, and 124,400 square feet of retail commercial on ±268.2 acres shall be deemed null and void. [PLG]
 11. Structural setbacks shall be five feet (5') from interior side lot lines, ten feet (10') from interior rear lot lines, and twenty feet (20') from all interior roadways for all single family lots; zero (0') from interior side lot lines, ten feet (10') from interior rear lot lines, and twenty feet (20') from all interior roadways for all multifamily units and commercial if subdivided.
 12. A minimum of ±67.1 acres of the area designated for open space shall be set aside within a perpetual conservation easement subject to the passive recreation components as proposed in the site plan. [PC added]
 13. All previous conditions of approval for PD 10-01 shall be null and void.

PD 10-01M Conditions of Approval