

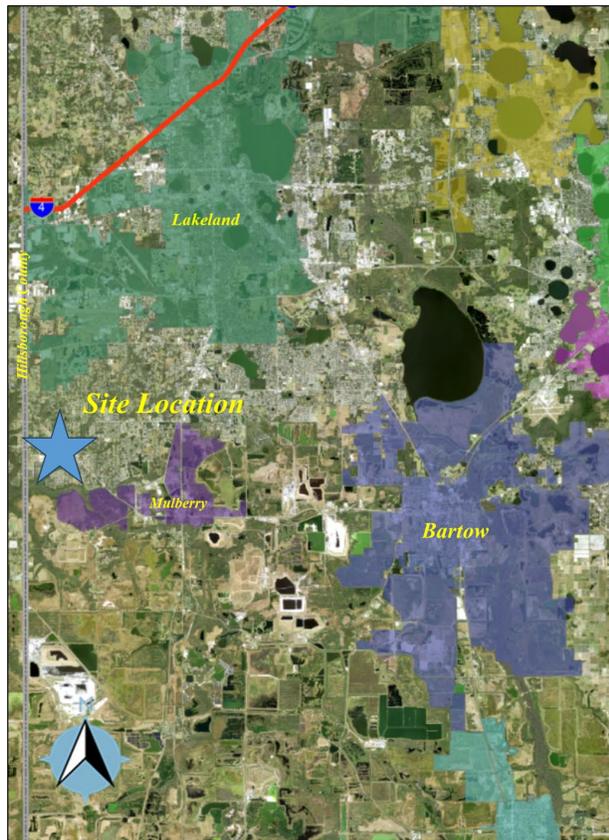
**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

<b>DRC Date:</b>	September 26, 2024	<b>Level of Review:</b>	Level 3 Review
<b>PC Date:</b>	December 4, 2024	<b>Type:</b>	Conditional Use
<b>BoCC Date:</b>	N/A	<b>Case Number:</b>	LDCU-2024-34
<b>Applicant:</b>	Kimley-Horn and Associates	<b>Case Name:</b>	RCMA Schools
		<b>Case Planner:</b>	Ian Nance

<b>Request:</b>	The applicant is requesting a Conditional Use modification to allow an elementary and middle school at an existing day care and farmworker housing facility.
<b>Location:</b>	4440 Academy Drive, south of State Road 60, east of Coronet Road, west of Bailey Road, west of Mulberry in Section 29, Township 29, Range 23.
<b>Property Owners:</b>	Redlands Christian Migrant Association, Inc.
<b>Parcel Number (Size):</b>	232929-000000-044010 (+/- 33.71 acres)
<b>Future Land Use:</b>	Residential Suburban (RS)
<b>Development Area:</b>	Suburban Development Area (SDA)
<b>Nearest Municipality:</b>	City of Mulberry
<b>DRC Recommendation:</b>	Conditional Approval
<b>Planning Commission Vote:</b>	Pending

**Site Location**

**Aerial Image**



## Summary of Analysis:

The applicant is requesting a Conditional Use modification to allow an elementary and middle school at an existing day care and farmworker housing facility. According to the application, the project includes the addition of (2) buildings on the subject property to house 18 new charter elementary and middle school classrooms for approximately 288 students. The overall new building area is approximately 28,400 square feet. An outdoor garden/recreation area is included for the use of the schools, as well as a dedicated parking lot for the employees and a bus lane for drop-off/pick-up. Estimated start of construction is March of 2025 to be complete for the start of the 2026 school year.

The basic consideration with this request is to allow students through 8<sup>th</sup> grade at this location. The subject site is in a Residential Suburban (RS) land use district in the Suburban Development Area (SDA). Elementary schools (K-5<sup>th</sup> grades) are allowed administratively. Middle schools require Planning Commission approval.

On December 12, 2006, the Planning Commission voted 6-0 to approve CU 06-09, a Seasonal Farm Worker Housing Community for 250 people on the subject property. The approval included the use of existing structures to include a dining hall; recreational facilities; no more than 10 mobile homes; no more than eight (8) dormitory structures; a school/day care; a religious institution; a security station, an office building; and associated accessory structures. Condition 8 of CU 06-09 limited the day care/school facility to the Farm Worker community only. On January 14, 2014, a modification (CU 14-02) to CU 06-09 was approved by the Planning Commission 6-0 which removed the requirement that the day care facility be limited to only the farmworker community. Since 2023, the site has been improved for traffic circulation, additional stormwater facilities, and additional structures to provide for the expansion of the day care and eventual school.

All necessary public services – including potable water, emergency services, and traffic capacity – are available to the project. No environmental issues are present that would hinder development of the site as intended. The site plan and application demonstrate compliance with the relevant sections of the Land Development Code (LDC). Furthermore, schooling opportunity is needed in this area of the County, especially at the middle school level where local public schools are at or nearing full utilization of their facilities.

Finally, staff finds this request compatible with surrounding uses. The site has direct access to SR-60, an FDOT roadway, with a newly improved turn land to accommodate this request. The uses on the north side of the road are industrial in nature, while a solar farm is located to the west. A residential subdivision is located to the south, but the site plan shows all structures and uses will easily meet LDC standards for compatibility, as most of the new development will occur towards the solar farm. Staff recommends approval.

## Findings of Fact

- *The applicant is requesting a Conditional Use modification to allow an elementary and middle school at an existing day care and farmworker housing facility. According to the application, the project includes the addition of (2) buildings on the subject property to house 18 new charter elementary and middle school classrooms for approximately 288 students. The overall new building area is approximately 28,400 square feet.*
- *The site is located within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA). According to LDC Table 2.1, Elementary Schools are “C2” conditional uses in RS requiring administrative approval through the Development Review Committee (DRC). Middle Schools are “C3” conditional uses in RS requiring Planning Commission approval.*
- *According to Land Development Code (LDC) Section 204.3, “The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities.”*
- *According to LDC Chapter 10, an Elementary School is defined as a facility which is in compliance with all the applicable Chapters of Title XVI, F.S., and provides a curriculum, including, but not limited to grades kindergarten through fifth.*
- *According to LDC Chapter 10, a Middle School is defined a facility which is in compliance with all the applicable Chapters of Title XVI, F.S., and provides a curriculum, including, but not limited to grades sixth through eighth.*
- *According to LDC Section 303, Elementary Schools shall meet the following conditions:*

*All new, whether in an existing structure or new structure, elementary schools whether public, private or non-profit shall comply with the following standards:*

  1. *All elementary schools shall connect to central potable water and sanitary sewer **except for in the SDA and RDA where they may connect to a Distributed Wastewater Treatment System if central sanitary sewer is not available.***
  2. *No school shall have its primary access point crossing an active railroad.*
  3. *All schools with enrollment above 249 students shall conform to the following access requirements and include:*
    - a. *Safe access for pedestrians and bicyclists. Five-foot sidewalks shall be provided along that portion of the school site which is adjacent to public roadways. Where feasible, school sites shall be connected to adjoining residential developments by sidewalks or paved multi-use trails in order to facilitate safe pedestrian movement.*
    - b. *Minimum of 50 feet road frontage*
    - c. *Access on a publicly maintained paved road with a site design that provides adequate vehicular access and internal circulation to serve buses and cars*

*without traffic queuing on the public road. Two access points are preferred.*

*d. At least one Type III Intersection or better in accordance with Appendix A at its primary access point.*

*4. All required parking areas shall be paved, including faculty and staff. This provision shall not apply to temporary or overflow parking areas.*

*5. Any proposal for a school in a location that will render a legal use nonconforming shall require a Level 3 Review; and 6. All schools with enrollment above 249 students shall not be permitted in the Green Swamp Area of Critical State Concern Rural Special Protection Area.*

- *According to LDC Section 303, Middle Schools shall meet the following conditions:*

*All new, whether in an existing structure or new structure, middle and high schools, public, private or non-profit shall comply with the following standards:*

*1. All middle and high schools shall connect to central potable water and sanitary sewer except in the SDA and RDA they may connect to a Distributed Wastewater Treatment System if central sanitary sewer is not available.*

*2. No school shall have its primary access point crossing an active railroad.*

*3. All schools shall conform to the following access requirements and include:*

*a. Safe access for pedestrians and bicyclists. Five-foot sidewalks shall be provided along that portion of the school site which is adjacent to public roadways. Where feasible, school sites shall be connected to adjoining residential developments by sidewalks or paved multi-use trails in order to facilitate safe pedestrian movement.*

*b. A design that accommodates access by public bus transportation.*

*c. Minimum of 50 feet road frontage.*

*d. Access on a paved collector road or better with a site design that provides adequate vehicular access and internal circulation to serve buses and cars without traffic queuing on the public road. Two access points are preferred.*

*e. At least one Type III Intersection or better in accordance with Appendix A at its primary access point.*

*4. All required parking areas shall be paved, including faculty and staff. This provision shall not apply to temporary or overflow parking areas;*

*5. Any proposal for a school in a location that will render a legal use nonconforming shall require a Level 3 Review; and*

*6. No school shall be permitted in the Green Swamp Area of Critical State Concern Rural Special Protection Area.*

- *On December 12, 2006, the Planning Commission voted 6-0 to approve CU 06-09, a Seasonal Farm Worker Housing Community for 250 people on the subject property. The approval included the use of existing structures to include a dining hall; recreational facilities; no more than 10 mobile homes; no more than eight (8) dormitory structures; a school/day care; a religious institution; a security station, an office building; and associated accessory structures.*
- *Condition 8 of CU 06-09 limited the day care/school facility to the Farm Worker community only.*
- *On January 14, 2014, a modification (CU 14-02) to CU 06-09 was approved by the Planning Commission 6-0 which removed the requirement that the day care facility be limited to only the farmworker community and increased the number of mobile homes to 14.*
- *Polk County Utilities has a 12-inch potable water main along the south side of the South State Road 60 right-of-way.*
- *A Type “A” flood hazard area is located onsite.*
- *According to the Florida Natural Areas Biodiversity Matrix, the subject site is not located within a one-mile radius of an endangered habitat community.*
- *The subject site is comprised of Tavares Fine Sand; Smyrna & Myakka Fine Sand; and Pomona Fine Sands.*
- *The subject site is not located within any of the County’s Wellhead Protection Districts.*
- *There are no known historical or archeological resources onsite, according to the Secretary of State’s Department of Historical Resources Florida Master Site File.*
- *The site has frontage along State Road 60 (Road No. 009130), a Principal Arterial roadway tracked for concurrency by Polk County’s Transportation Planning Organization (TPO) (Links 5900 E/W).*
- *Fire and EMS services arrive from Polk County Fire Rescue Station 8, located at 4210 Willis Road, Mulberry 33860.*
- *The property is within the Polk County Sheriff’s Office Southwest District, located at 4120 US Highway 98, Lakeland 33812.*
- *The zoned schools for the proposed project are Willow Oak Elementary, Mulberry Middle, and Mulberry Senior High.*
- *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 2.1 and Sections 303 and 906*

*of the LDC.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.120-A4 DEVELOPMENT CRITERIA RESIDENTIAL SUBURBAN (RS).*

**Development Review Committee Recommendation:** Based on the information provided by the applicant, the findings of fact, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2024-34.**

*On December 4, 2024, at an advertised public hearing, the Planning Commission will vote on this application.*

### **CONDITIONS OF APPROVAL**

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2024-34 with the following Conditions:

1. All previous conditions of CU 14-02 are null and void (Exhibit 6). [PLG]
2. This Conditional Use approval shall modify CU 14-02 to include an elementary and middle school in structures and with support facilities as shown on the site plan and described in the staff report. [PLG]
3. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDCU-2024-34, 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. The approval of the Farm Worker Housing shall be for no more than 250 people [Previous Condition].
5. This approval includes the following [Modified]:
  - a. Fourteen (14) mobile home sites.
  - b. Eight (8) dormitory structures (including existing)
  - c. A dining hall
  - d. A school/day care
  - e. A Religious Institution
  - f. A Recreation building
  - g. Security Station
  - h. Low-intensity (non-lighted) recreation facilities including a soccer field, basketball court, hand ball court, and volleyball court
  - i. One office building
  - j. Sheds or facilities associated with utility provision
  - k. Total of +/- 28,400 square-feet for elementary/middle school building(s) [New PLG].
6. The applicant shall provide security lighting throughout the development [Previous 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.

**Table 1**

<b>Northwest: LCC</b> SR-60 Gas Station	<b>North: LCC</b> SR-60 Heavy Machinery Sales & Leasing	<b>Northeast: IND</b> SR-60 Salvage Yard
<b>West: RS</b> Solar Farm	<b>Subject Property: RS</b> Farmworker Housing & Day Care	<b>East: RS</b> Mobile Home Park
<b>Southwest: A/RR</b> Wetlands/Single-Family Homes	<b>South: RS</b> Single-Family Homes	<b>Southeast: RS</b> Single-Family Homes

*Source: Polk County Geographical Information System, Polk County Property Appraiser, and site visit by County staff*

On December 12, 2006, the Planning Commission voted 6-0 to approve CU 06-09, a Seasonal Farm Worker Housing Community for 250 people on the subject property. The approval included the use of existing structures to include a dining hall; recreational facilities; ten mobile homes; dormitory structures; a school/day care; a religious institution; a security station, an office building; and associated accessory structures. Condition 8 of CU 06-09 limited the day care/school facility to the Farm Worker community only.

On January 14, 2014, a modification to the CU was approved by the Planning Commission 6-0 which amended the conditions to allow up to 14 mobile home sites; eight dormitory structures; low-intensity recreation; and removed the requirement that the day care facility be limited to only the farmworker community.

With this modification, an expansion of the daycare took place with the approval of LDNON-2023-86 to add modular structures and improve the internal circulation of the site. This was all planned with the anticipation of a later expansion to allow elementary and middle school students that is under consideration with this application.

Today, the subject site continues to function as an early childhood development and care center for children up to five years of age, and farmworker housing remains active on the southeastern portion of the site. According to the Property Appraiser, 16 non-accessory structures are utilized today onsite:

- 11 mobile homes
- 10,572 sq. ft. office building
- 3,064 sq. ft. day care center
- 4,174 sq. ft. day care center
- 4,000 sq. ft. cafeteria
- 6,460 sq. ft. rooming house

This area west of Mulberry along SR-60 hosts a variety of development. To the north and northeast is a heavy machinery and sales business and a salvage yard, respectively. A gas station is located to the northwest. To the west is solar farm that has been built since 2000. It was once the site of a farm and produce packaging facility.

South of the site is the Creekside subdivision approved by SPD 04-06 and recorded by plat on February 23, 2006. This is a development of 185 single-family lots development with site-built homes. By 2011, the development was complete.

**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:**

According to the application, the project includes the addition of (2) buildings on the subject property to house 18 new charter elementary and middle school classrooms for approximately 288 students. The overall new building area is approximately 28,400 square feet. An outdoor garden/recreation area is included for the use of the schools, as well as a dedicated parking lot for the employees and a bus lane for drop-off/pick-up. Estimated start of construction is March of 2025 to be complete for the start of the 2026 school year.

At its basics as a land use decision, this request is for a Middle School (6<sup>th</sup>-8<sup>th</sup> grades) in a RS land use district, which requires a Level 3 Review and Planning Commission approval. If the proposed plan was for an elementary school and limited the site to K-5<sup>th</sup> grades, it could be approved administratively through DRC and a Level 2 Review.

In review of the site plan, the LDC requires the following:

- *Safe access for pedestrians and bicyclists. Five-foot sidewalks shall be provided along that portion of the school site which is adjacent to public roadways. Where feasible, school sites shall be connected to adjoining residential developments by sidewalks or paved multi-use trails to facilitate safe pedestrian movement.*

- *A design that accommodates access by public bus transportation.*
- *Minimum of 50 feet road frontage.*
- *Access on a paved collector road or better with a site design that provides adequate vehicular access and internal circulation to serve buses and cars without traffic queuing on the public road. Two access points are preferred.*
- *At least one Type III Intersection or better in accordance with Appendix A at its primary access point.*
- *Paved parking.*

Addressing these issues, sidewalks will be required, though busing will be the primary means of bringing students to the campus. Significant drainage facilities along SR-60 could interfere with sidewalk placement, but ultimately it will be FDOT’s decision. No sidewalks are available in which to connect on either side of the subject property. Worst case scenario, the applicant can place sidewalks internal to the right-of-way and provide an easement, though this would more a means of fulfilling a requirement rather than providing a practical means of pedestrian access.

More critical to this site and the function of SR-60 is ensuring vehicles have adequate access to the school to prevent queuing into the road and creating a conflict with other traffic. This is often problematic with other smaller private schools, but this site plan shows paved parking, internal bus access, and circulation deep into the property. A Type V intersection with a right turn lane has already been constructed after consultation with FDOT after a 2018 traffic study. This will allow east-bound traffic to easily enter the site. A median cut is also available in front of the school to allow access for west-bound vehicles.

In terms of compatibility with surrounding uses, the proposed school will meet LDC Section 220 which requires all non-residential structures to be setback a minimum of 50 feet from residential property lines. The site will be improved mostly towards the western property line where the solar farm is located. Existing trees will buffer and screen the new development from offsite, and LDC Section 720 requires a Type “B” landscaping buffer where adjacent to residential uses.

Again, though, the decision to be made here is the addition of middle school grades. The reason for the increased level of review is that middle schools often host sporting events and other after-hour activities that do not occur with elementary schools. This is not the situation with this request.

**B. Infrastructure:**

POLICY 2.102-A1 of the Comprehensive Plan states, “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.”

The subject site is in the SDA. SDA are areas within the County which are, in most cases, located between municipalities, TSDA or UGA, and the Rural Development Areas (RDAs). These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer

facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

As noted above, the defining factor of the SDA is the availability of potable water, but it usually lacks wastewater services. This area is an example of that. The LDC typically requires schools to connect to centralized wastewater, but Section 303 will allow connection to a Distributed Wastewater Treatment System, which is the plan for this facility.

Otherwise, the surrounding infrastructure is supportive of a school. The site has direct access to SR-60 with available roadway capacity. Emergency services are functioning within expected levels, and connection to potable water is already available through the existing development.

### Nearest Elementary, Middle, and High School

The zoned schools for the proposed project are Willow Oak Elementary (+/- 3.0 miles); Mulberry Middle (+/- 5.6 miles); and Mulberry Senior High (+/- 5.9 miles).

Given that this is proposed school, this request will generate no student demand; however, it is possible it will alleviate some of the impacts on local public schools. For example, Willow Oak Elementary is at 84% capacity; Mulberry Middle is at 96% capacity.

### 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 EMS services arrive from Polk County Fire Rescue Station 8, located at 4210 Willis Road, Mulberry 33860. The travel distance is approximately 5.0 miles to the entrance subject site, and response times could average four (4) minutes or more depending on the type of call.

**Table 2**

	Name of Station	Distance	Response Time*
Sheriff	Polk County Sheriff's Office Southwest District 4120 US Highway 98, Lakeland 33812	±16.0 miles	P1 Calls: 10:23 P2 Calls: 23:37
Fire/EMS	Polk County Fire Rescue Station 8 4210 Willis Road, Mulberry 33860	±5.0 miles	4 minutes

*Source: Polk County Sheriff's Office and Public Safety*

*\*Response times are based on when the station receives the call, not from when the call is made to 911.*

The nearest Sheriff's substation is Polk County Southwest District Command, 4120 US Highway 98, Lakeland 33812. 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 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 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:**

#### **A. Estimated Demand:**

According to the applicant, demand for potable water is based upon 20 gallons per day (GPD) per student. Subsequently, the anticipated demand is approximately 5,760 GPD. The existing potable water main is approximately 1,000 LF away from the proposed buildings.

The amount of wastewater generated is 15 GPD per student or 4,320 GPD. On-site sewage will be collected into a Distributed Wastewater Treatment System currently in operation and owned by Polk County Utilities. Effluent disposal is via a 24,000 square-foot drip irrigation field. The existing on-site system is permitted for 3,500 GPD to serve the existing site facilities. An expansion to the system will be required and is planned for with this project. Gravity sewer laterals will be extended from the existing on-site septic/treatment system to serve the two new school buildings.

#### **B. Available Capacity:**

The site is in the County's Southwest Regional Service Area for potable water. Polk County Utilities has a 12-inch wastewater main along the south side of the SR-60 right-of-way with connections already serving the site through an easement running through the middle of the site.

Wastewater is not available to the site and is not commonly found in the SDA. The site will utilize a Distributed Wastewater Treatment System. These are facilities that treat domestic waste to secondary treatment standards using a Sequencing Batch Reactor (SBR) process, and all of which are (1) commonly owned, (2) individually (remotely) controllable (e.g. through a SCADA system), (3) operated and maintained by licensed wastewater operators, and (4) subject to the standard inspection, monitoring and reporting requirements in Chapter 62-600, F.A.C. This is permitted for schools in accordance with LDC Section 303.

C. Planned Improvements:

According to the Polk County Community Investment Program (CIP) database, no nearby improvements are projected. It will be at least 15 years before planning for a system expansion will be necessary at the current growth rate of both the potable water system and wastewater system.

**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 subject site currently operates an early childhood development and care center for children up to five years of age. In preparation for the additional expansion of the site to accommodate 288-student facility, a traffic study was prepared in 2018 that estimated the total uses onsite would generate 739 AADT and 88 Peak PM Hour trips. With schools, though, the highest volume of traffic is in the morning. The study anticipated 350 total AM hour trips between the existing day care facility and proposed schools.

For a point of reference, this site is within a RS land use district where it is possible to attain up to 3 DU/AC in residential density. A development that builds-out to this level (101 single-family homes) would generate 788 AADT and 101 Peak PM Hour trips.

B. Available Capacity:

There is currently capacity to serve the proposed development. The subject property has direct frontage on SR-60. Table 3, to follow, displays the generalized capacity on the affected transportation links.

**Table 3**

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	5-Year LOS
5900 E	State Road 60 (SR-60) Hillsborough County Line to CR 676 (Nichols Road)	C	964	C
5900 W	State Road 60 (SR-60) CR 676 (Nichols Road) to Hillsborough County Line	C	921	C

*Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database October 13, 2023*

C. Roadway Conditions:

The link of State Road 60 adjacent to the subject site is a Principal Arterial roadway maintained by the Florida Department of Transportation (FDOT). It is a four-lane divided highway with a median cut available to provide access to the site for west-bound traffic. A right-turn lane into the property from SR-60 was required based on a 2018 traffic study. This turn lane was finished in early 2023. Any impacts to this roadway will be subject to a review by FDOT.

D. Sidewalk Network

Sidewalks are not located on either side of SR-60. Sidewalks are typically not required in the SDA with the exceptions of Suburban Planned Developments and infill projects. LDC standards require a sidewalk at this location for the school. Ultimately, though, the County has no jurisdiction in FDOT right-of-way.

E. Planned Improvements:

No improvements to the roadway system are anticipated at this time.

F. Mass Transit

Mass transit is not directly available to the site or normally located within the SDA. The Citrus Connection 21X – Mulberry/Bradley/Bartow/Lake Wales Express route does circulate west of Mulberry to Bailey Road, approximately 1.75 miles to the southeast. The nearest stop is located behind the Family Dollar at the intersection of SR-60 and Bailey Road.

**Park Facilities and Environmental Lands:**

This proposed use will have no impact on parks and recreation.

A. Location:

Loyce E. Harpe Park is located approximately eight (8) miles to the east at 500 West Carter Road, 33813.

B. Services:

Loyce E. Harpe Park features multiuse fields, Little League baseball fields, softball fields and more in an area where a phosphate mine once existed. Amenities include eight 200-foot youth fields; four 300-foot adult softball fields; six multiuse fields; seven miles of mountain biking course; dog park; two covered batting tunnels; seating capacity for 1,600; lights for nighttime play; concession stands; playground; and pavilion

C. Multi-use Trails:

Multi-use and bicycle trails are located at Loyce E. Harpe Park.

D. Environmental Lands:

The Seven Wetlands is located at the southern end of Loyce E. Harpe Park. The City of Lakeland owns and operates Seven Wetlands, a constructed wetland treatment system, which provides

tertiary treatment, or final polishing, for the City's wastewater. It is comprised of over 1,600 acres of marshes, swamps, uplands, and lakes and connects to the North Prong of the Alafia River, which flows directly to Tampa Bay. Seven Wetlands also provides water for Tampa Electric Company's Polk Power Station. Seven Wetlands is home to a diverse community of plant and animal species.

## **Environmental Conditions**

The site and surrounding area do not have any environmental concerns. The project area is an undisturbed section of the overall property that doesn't see much use now. Good overall soils and drainage pattern throughout the site.

### **A. Surface Water:**

No surface water is located onsite or located within a mile. No negative impact is anticipated on groundwater or surface water quality and quantity. The project area is undisturbed and generally drains to the west where there is a ditch that flows south into a branch of the Alafia River approximately one mile from the site. There is an existing retention pond on-site that will be expanded to collect runoff of the new development area.

### **B. Wetlands/Floodplains:**

There are no wetlands or floodplains within or immediately adjacent to the project area. There is a small Zone "A" Flood Zone at the front of the property, but this is approximately 800 feet from the project area and in a different drainage basin

### **C. Soils:**

The subject site is comprised of Tavares Fine Sand; Smyrna & Myakka Fine Sand; and Pomona Fine Sands, which makes up approximately 80% of the development location. The Pomona series consists of very deep, poorly and very poorly drained soils that formed in sandy and loamy marine sediments.

### **D. Protected Species:**

According to the Florida Natural Areas Inventory's Biodiversity Matrix, this site is not located within a recent sighting of an endangered species.

### **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. No private wells are noted onsite.

### **G. Airports:**

According to the 2030 Comprehensive Plan Map Series Airport Impact District Map, the site is

within an impact district to the South Lakeland Airpark. This facility is located at 7500 Coronet Rd, 33860. This public airport covers 32 acres and has one runway. No development is anticipated with this development that will affect the operation of this site.

**Economic Factors:**

According to their website, Redlands Christian Migrant Association (RCMA) provides help to more than 4,600 children annually who live in migrant working and low-income families. They operate 54 child development centers across 21 Florida counties and three charter schools from kindergarten through 8<sup>th</sup> grade. Approximately 58% of RCMA’s overall revenues come from the federal Head Start program, operated within the U.S. Department of Health and Human Services. Sixty of RCMA’s 68 child-care centers rely on Head Start funding.

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

As noted, this request is consistent with the Comprehensive Plan and Land Development Code. Table 4, to follow, outlines the pertinent Comprehensive Plan policies.

**Table 4**

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 site plan meets standards for compatibility, as defined in LDC Section 220 and 303, as well as in Comprehensive Policy 2.112-A4, described previously in the Comprehensive Plan.</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 in the SDA. The project will connect to centralized potable water and benefits from existing public services.</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 proposed school is in an area of the County that contains public utilities and community services which are expected in the SDA.</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 and therefore reduces the impact on the environment as no infrastructure must be built.</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 5 in accordance with Section 906.D.7 of the Land Development Code.

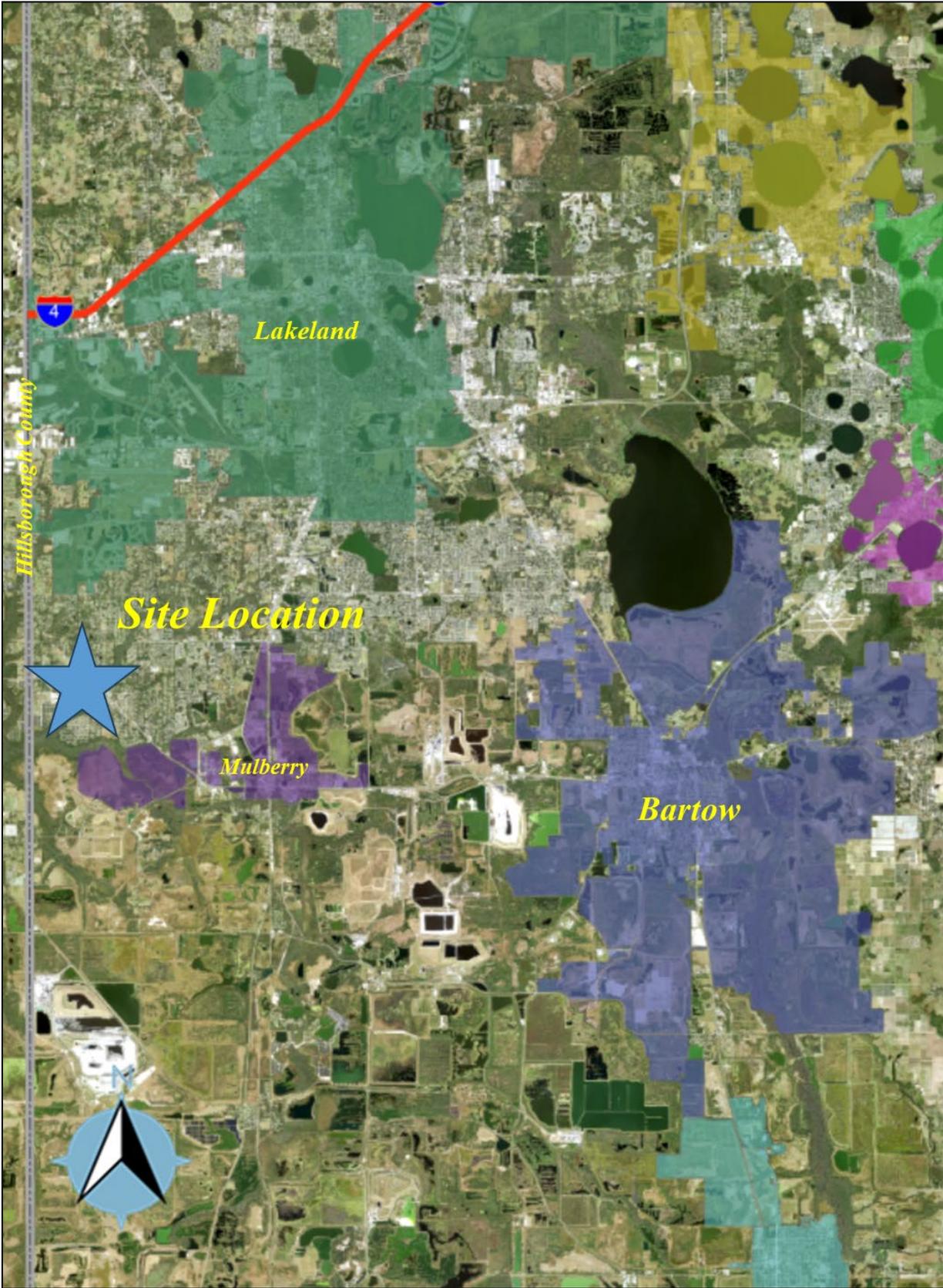
**Table 5**

<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 Table 2.1 and Section 303 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 POLICIES 2.102.
<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>	Yes, the request is capable of meeting concurrency requirements in the timeframe in which it will be constructed.

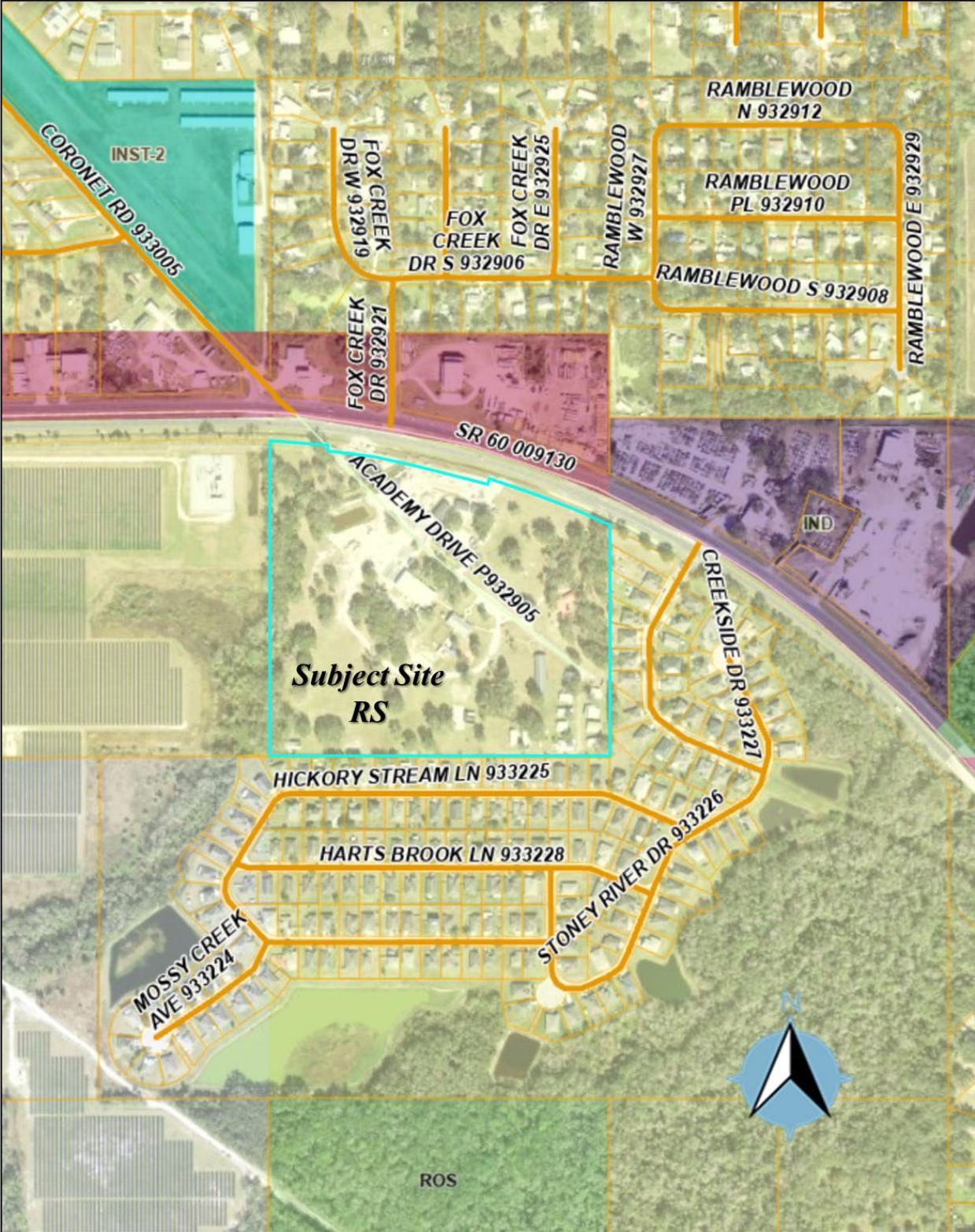
**Comments from other Agencies: None**

**Exhibits:**

- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – Aerial Image (Context)
- Exhibit 4 – Aerial Image (Close)
- Exhibit 5 – Site Plan
- Exhibit 6 – Conditions of Approval CU 14-02



Location Map



Future Land Use Map



Aerial Image (Context)



Aerial Image (Close)



Site Plan

**CONDITIONS OF APPROVAL**

Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of CU 14-02 with the following list of conditions:

*NOTE: These conditions are derived from the previous approval CU 06-09, and modified to reflect changes in the Land Development Code. The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.*

1. The approval of the ~~Seasonal~~ Farm Worker Housing shall be for no more than 250 people. [PLG]
2. This approval shall be limited to the following structures:
  - a. ~~No more than 10 mobile homes (including existing) — each mobile home shall be permitted an accessory structure~~ Fourteen (14) mobile home sites.
  - b. ~~No more than Eight (8) dormitory structures (including existing)~~
  - c. A dining hall
  - d. A school/day care
  - e. A Religious Institution
  - f. A Recreation building
  - g. Security Station
  - h. ~~Various~~ Low-intensity (non-lighted) recreation facilities including a soccer field, basketball court, hand ball court, and volleyball court
  - i. One office building
  - j. Sheds or facilities associated with utility provision

~~All structures shall be built or maintained to the specifications on the approved binding site plan. All other structures shall be removed from the property. All existing structures must receive a building inspection prior to Level 2 Review Approval. [PLG] (required under current code)~~

3. The applicant shall provide security lighting throughout the development. ~~including the recreational and amenities area.~~ [PCSO]
4. All residential structures shall be served by access drives with a stabilized all weather surface base (0.10 structural layer coefficient) and a minimum of 16 20 feet in width. [FM]
5. ~~The concrete pads shown on the site plan as to be used for temporary trailer set-ups shall be removed from the site, unless the applicant receives a Letter of Map Revision for the Flood Zone. [PLG—PC MODIFIED] (resolved by revised FEMA Map)~~
6. ~~Landscaping within the common areas (including the buffers) of the development shall consist entirely of mesic or xeric-supported species, as identified in Appendix B of the Land Development Code. [PLG]. (required under current code)~~
7. ~~Prior to Level 2 Review approval, the applicant shall provide certification from a registered professional engineer that adequate water pressure and capacity exist to maintain fire flow as determined by the Polk County Fire Marshal. [FM] (required under current code)~~
8. ~~The day care/school facility shall be for the Farm Worker community only. [PLG]~~
9. ~~The applicant shall submit a revised binding site plan reflecting all conditions of approval herein prior to Level 2 Review approval. [PLG] (plan submitted meets conditions)~~
10. A sufficient application for Level 2 Review approval shall be submitted no later than January 8, 2019; otherwise, the use approval will be null and void. [PLG]
11. ~~The applicant shall secure all required approvals from the Department of Health for Migrant Housing, in accordance with Florida Statutes Chapter 381. [PC ADDITION]~~
12. ~~The applicant shall construct a six-foot masonry wall along the eastern and southern property boundaries. The proposed Type B landscape buffer shall be placed between the wall and the adjacent properties. The proposed 40-foot setback may be reduced to 25 feet along the eastern and southern boundary if done in conjunction with the proposed wall and buffer. [PC ADDITION] A Type "B" landscape buffer shall be planted and maintained along the entire south and east boundaries and a Type "A" buffer along the frontage of State Road 60. (applicant request)~~

## Conditions of Approval CU 14-02