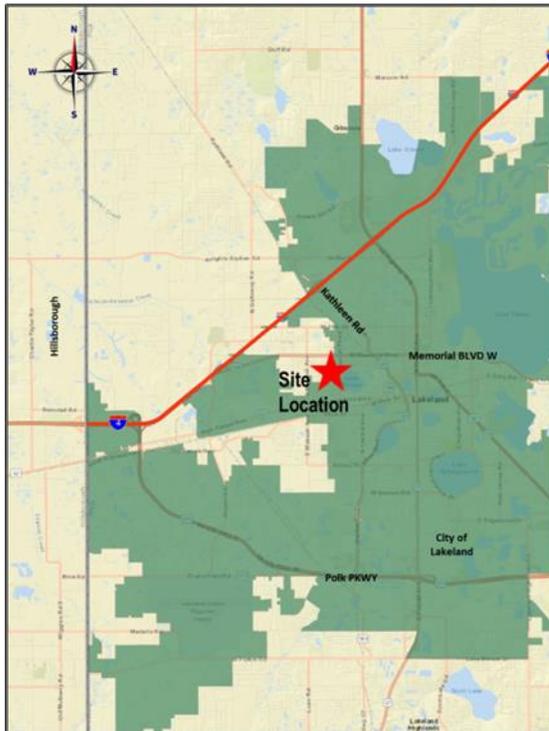


**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

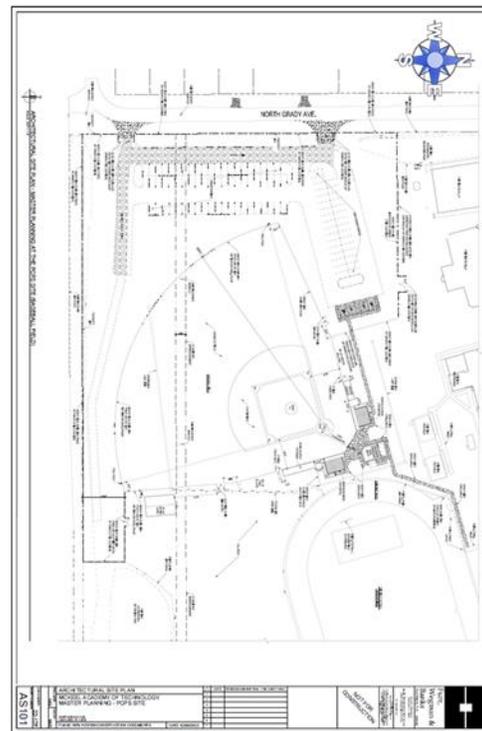
DRC Date: March 30, 2023	Level of Review: Level 3 Review
PC Date: June 7, 2023	Type: Conditional Use (CU)
BoCC Date: N/A	Case Number: LDCU-2023-8
Applicant: Shelton Rice	Case Name: McKeel CU
	Case Planner: Malissa Celestine, Planner II

Request:	The applicant is requesting a conditional use approval to allow for High Intensity Recreation for improvements and modifications of existing athletic facilities, including outdoor lighting.
Location:	The subject property is 1810 Parker Street west, located west of Brunnell Parkway north, east of Grady Avenue N, south of Memorial Blvd W, north of George Jenkins Boulevard, west and north of the City of Lakeland in Section 14, Township 28, Range 23.
Property Owners:	School Board of Polk County McKeel Academy for Applied Technology
Parcel Number (Size):	±28.47 (232814-083510-001000)
Future Land Use:	Residential Low-4 (RL-4)
Development Area:	Transit Supportive Development Area (TSDA) Corridor of the Transit Corridors and Centers Overlay (TCCO)
Nearest Municipality:	City of Lakeland
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location Map



Subject Site



Summary of Analysis:

This is an applicant-initiated request for a conditional use approval to allow improvements and modifications to recreation facilities on the existing property. In the early 70's, McKeel Junior High School was constructed on the subject site. By 1995, McKeel Academy of Technology was established as a School of Choice and later introduced as a charter school serving grade 7th through 12th in 1998. According to the applicant, the improvements will include reorienting the fields, adding netting around portions of the baseball fields as well as improved lighting. Currently, the athletic portion of the site is comprised of a softball field which will be relocated, the baseball field and football/soccer field which will continue to be utilized by McKeel Academy athletic programs. While the use is existing, a conditional use approval is needed for the proposed request, mostly to add the lighting.

The subject site is located in the Residential Low-4 (RL-4) land use district and is adjacent to residentially designated land uses. According to Chapter 2, Table 2.1 of the Land Development Code (LDC) 'Recreation, High Intensity' requires a Level 3 Conditional Use approval, consisting of a public hearing and approval by the County's Planning Commission. In short, Chapter 10 of the LDC defines Recreational Facilities, High Intensity to include ball fields that may exceed 250 individuals and includes lighting for nighttime use by the public. Based on the submitted documents, the lighting necessitates additional approval.

Chapter 3, Section 303 of the LDC further outlines the conditional use requirements for Recreation, High Intensity. Particularly, that all outdoor lighting shall be directional and shall not directly radiate onto adjacent properties. In addition, activities shall be limited to operation from 7:00 a.m. to 10:00 p.m.; food and retail sales shall be limited to concessions during events; and parking spaces will be determined during the Level 2 review process. The improvements will also need to adhere to Chapter 2, Section 220, particularly lighting requirements.

Staff recommends approval, finds the request meets all standards in Section 303 for conditional use approval, finds the request compatible with surrounding land uses, and the request is consistent with the Comprehensive Plan and LDC.

Findings of Fact

- *LDCU-2023-8 is an applicant-initiated request for a conditional use approval to allow High Intensity Recreation for improvements and modifications of existing athletic facilities, including outdoor lighting.*
- *The property is ±28.47 in the Residential Low-4 (RL-4) land use district within the County's Transit Supportive Development Area (TSDA) and Corridor of the Transit Corridors and Centers Overlay (TCCO).*
- *According to Chapter 2, Table 2.1 of the LDC, 'Recreation, High Intensity' requires a Level 3 Conditional Use approval, consisting of a public hearing and approval by the County's Planning Commission.*
- *Chapter 10 of the LDC defines Recreational Facilities, High Intensity as "All types of sports venues such as ball fields, courts, and tournament grounds with attendance that may exceed 250 for any event, allow for the discharge of firearms, or with lighting for night-time use by the public. Limited concessions may be permitted, but no permanent alcohol sales. This does not include an Event Facility or Outdoor Concert Venue use."*

- Chapter 3, Section 303 of the LDC provides the following conditional use criteria:

“In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

- 1. All outdoor lighting shall be directional and shall not directly radiate onto adjacent properties.*
- 2. All structures and associated activities located in or adjacent to residential districts shall be limited to operation from 7:00 a.m. to 10:00 p.m.*
- 3. All access points shall have at a minimum 50 feet of road frontage on a paved public road.*
- 4. Buildings or structures used for or in connection with any such use shall be located at a minimum of fifty feet from adjoining property which is in a residential district.*
- 5. Off street parking or loading spaces shall be located at a minimum of fifty feet from adjoining property which is in a residential district.*
- 6. Any proposal for a recreational facility in a location that will render a legal use nonconforming shall require a Level 3 Review.*
- 7. Food and retail sales shall be limited to concessions during events. Continual food or retail sales or services provided at High Intensity Recreation Facilities shall require a Level 4 Review. During the Review the Board shall determine that the activity meets the following criteria:*
 - a. The activity is clearly subordinate and incidental to the primary recreational use; and,*
 - b. The activity is directly related to the performance of the recreational activity.*
- 8. Alcohol sales shall be limited to One, Two or Three Day Permits (ODP or SODP), no more than three (3) times per year per location (at the time of adoption, this license was referenced to Section 561.422 F.S).*
- 9. RV Camping shall be limited to 10% of the facility and restricted to stays of 30 days or less.*
- 10. The required number of parking spaces shall be determined by DRC during Level 2 Review using the following information provided by the applicant:*
 - a. Average daily attendance,*
 - b. Maximum peak event attendance; and,*
 - c. Off-site parking alternatives.”*

- Chapter 2, Section 220.B of the LDC states:

“Exterior lighting shall be designed to minimize light trespass from non-residential structures and parking facilities onto adjacent residential properties and into rights-of-way except at the vehicular entrances into developments. Electrical reflectors, spotlights, floodlights and other sources of illumination may be used to illuminate buildings, landscaping, signs, parking and loading areas on any property provided they are equipped with proper lenses or other devices concentrating the illumination upon the

building, landscaping, signs, parking and loading areas, on any property, and preventing any bright, direct illumination upon adjacent property or any public right-of-way. Lighting fixtures shall be recessed or designed with shields which prevent direct view of the light source from adjacent property boundaries.

A lighting plan shall be required for all non-residential development proposing light fixtures within 50 feet of existing residential properties or residential districts. The plan shall clearly demonstrate that there will be no increase in ambient lighting into existing residential properties and residential districts.

The lighting plan shall include the following elements:

- 1. No light source shall be located closer than 15 feet from any property line, excluding public rights-of-way.*
 - 2. Mounting heights for exterior lights shall not exceed 30 feet in height within a parking lot and 15 feet within adjacent non-vehicular pedestrian areas.*
 - 3. Maximum maintained illumination levels measured at finished grade on an adjoining residential property of the project in question shall average no more than 0.5 foot-candles (fc) at the property line and shall not exceed 0.1 fc at 10 feet beyond the property line.*
 - 4. Potentially adverse effects of parking area lighting or of other light sources from the property on which the non-residential use is to be located shall be eliminated or prevented so that lights do not illuminate adjacent residential property or shine into any residential window per the standards of Section 220 E.”*
- The subject property is located in the Transit Supportive Development Area (TSDA). According to POLICY 2.104-A5 of Polk County’s Comprehensive Plan, “Development within the Transit Supportive Development Area (TSDA) shall conform with the following criteria as further specified in the Land Development Code:*
 - a. provide access to transit facilities;*
 - b. connect to centralized potable water and sanitary sewer systems;*
 - c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;*
 - d. implement “Complete Street’ and “Conservation Development” principles as established under Section 2.1251, Community Design, of this element;*
 - e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;*
 - f. provide access to civic space, parks, green areas, and open space and other amenities;*
 - g. be supported by public safety (i.e., fire, EMS and law enforcement);*

- h. have access to public schools;*
- i. provide connectivity with adjacent uses within the TSDA and facilitate connectivity between the TSDA and other urban centers and the rural development areas.*
- j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.”*
- *The subject site will be serviced by the City of Lakeland for potable water and wastewater.*
 - *The maximum Impervious Surface Ratio (ISR) is 0.70 per Table 2.2 of the LDC by right in RL-4 land use districts, and the maximum Floor Area Ratio (FAR) is 0.25. Side and rear setbacks are five (5) feet, and the setback from the right-of-way of a Local roadway is fifteen (15) feet.*
 - *The subject property is not located within an Airport Impact Zone.*
 - *The subject site consists of approximately 20.6% Samsula Muck 0 to 1% slopes, 39.8% Urban Land 0 to 2% slopes, 25.7% Smyrna and Myakka Fine Sands, 4.1% Adamsville Urban Land Complex, 7.7% Myakka-Immokolee- Urban Land Complex, 1.7% Sparr-Urban Land Complex 0 to 5% slopes and 0.4% Arents, Organic Substratum-Urban Land Complex.*
 - *Direct ingress/egress to the development is from Parker Street West (Road Number 831520) and Grady Avenue North (Road Number 831411). Both roadways are listed as 20-foot wide paved Local Roads (LR) in Polk County’s Road Inventory.*
 - *Polk County Fire Rescue Station 24 will be the fire response unit for this site. It is located at 1140 N. Galloway Road in Lakeland with an approximate response time of nine (9) minutes.*
 - *Medic Rescue 31 will be the EMS response unit for this site. It is located at 1800 W. Parker Street in Lakeland with an approximate response time of three (3) minutes.*
 - *The subject site is within the Sheriff Department’s Northwest District. NW District is located at 1045 Wedgewood Estates Blvd, Lakeland. For April 2023, Priority 1 calls had response times of 10:38; Priority 2 calls had response times of 26:41.*
 - *The assigned schools for the proposed project are Southwest Elementary, Kathleen Middle, and Kathleen Senior High School.*
 - *There is a county park approximately eight (8) miles to the northwest of the subject site known as Walker Road Park.*
 - *The site is not within a well-field protection district.*

- *There are slight flood zones located to the southeast portion of the site. No wetlands were found on this parcel. The nearest wetlands are located less than a half-mile to the east of the site. An “A” Flood Zone corresponds with these wetlands.*
- *According to the Polk Endangered Habitat Map, there are no protected habitats within a one-mile radius of the site.*
- *According to a preliminary report from the Secretary of State’s Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*

Development Review Committee Recommendation: Based on the information provided by the findings of fact, information provided by the applicant, a recent site visit, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2023-8.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2023-8 with the following Conditions:

1. This is a conditional use approval to allow for High Intensity Recreation for improvements and modifications of existing athletic facilities, including outdoor lighting as described within this staff report and indicated in the site plan.
2. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDCU-2023-8, 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.

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 Surrounding Uses

<p>Northwest: RL-4 McKeel Academy Softball field, Maintenance and Office Building</p>	<p>North: RL-4 Lakeside Hills Subdivision Single Family Residence</p>	<p>Northeast: RL-4 Lakeside Hills Subdivision Mobile Home</p>
<p>West: RL-4 Lakeside Hills Subdivision Single Family Residences</p>	<p>Subject Property: RL-4 McKeel Academy</p>	<p>East: City of Lakeland Lakeside Hills Subdivision Inaccessible Tracts</p>
<p>Southwest: City of Lakeland Mobile Home Park</p>	<p>South: City of Lakeland Mobile Home Park</p>	<p>Southeast: City of Lakeland Mobile Home Park Lake Bonnet</p>

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

The subject site abuts Grady Avenue North to the west, Parker Street West to the north and Crescent Way to the east. According to past aerials, the school has been in the current location since the early 70's. The original fields have been an accessory to the school since the 80's and early 2000's according to past aerials. The area to the northwest includes non-residential uses utilized by McKeel Academy. The properties to the south, southeast, west, southwest, northeast, north, and east are all residential in nature.

Compatibility with the Surrounding Land Uses and Infrastructure:

Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." In terms of compatibility between uses, the details of the site plan in relation to the existing conditions of surrounding development make this project a fit at this location and is consistent with the above policy.

The LDC defines compatibility as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses:

McKeel Academy of Technology is a charter school serving grade 7th through 12th. According to past aerials, there has been nonresidential development on the site dating back to the early 70s. Between 1980 and 1988, the football/ soccer field was introduced to the site. Further expansion to the site, including athletic facilities evolved in the early 2000's when the baseball and softball field was constructed.

McKeel Academy's is an existing development located within a Residential Low-4 (RL-4) land use district. While the use is also existing, the proposed modifications, specifically for the improved lighting, will need to adhere to standards outlined within the LDC and further reviewed during the Level 2 review process. As such, the applicant will be required to adhere to Chapter 2, Section 220 and Chapter 3, Section 303 of the LDC for the proposed improvements. The applicant has submitted a lighting plan showing the location of the lights ensuring that they do not radiate onto adjacent properties.

B. Infrastructure:

The subject site has access to public utilities through City of Lakeland and the applicant’s impact assessment statement indicates they will continue to utilize said services. The site is south of State Road 546 (Memorial Blvd W), a State-maintained Principal Arterial roadway.

Nearest Elementary, Middle, and High School

School capacity is not a concern because the subject site is an established school. Table 2, to follow, shows other schools for this area, and the driving distance to these schools from the proposed project.

Table 2 Schools

Name of School	Average driving distance from subject site
Southwest Elementary	±5.4 miles driving distance
Kathleen Middle	±13.3 miles driving distance
Kathleen Senior High	±9.2 miles driving distance

Source: Polk County School Board, GIS

McKeel Academy is established at their current location and the school’s traffic is existing. The proposed use is an accessory for the existing school and should not greatly impact the existing school’s function.

Nearest Sheriff, Fire, and EMS Station

Fire response to this project is from Polk County Fire Rescue Station 24 located at 1140 N Galloway Rd, Lakeland. The travel distance is approximately 3 miles with an estimated 9-minute response. EMS response is from Station 31 located at 1800 W Parker Street Lakeland. The travel distance is approximately 0.5 miles with an estimated 3-minute response.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	Polk County Sheriff’s Northeast District (1045 Wedgewood Estates Blvd, Lakeland)	±11.4 miles Priority 1 –10:38 Priority 2 – 26:41
Fire	Station #24 (1140 N Galloway Road, Lakeland)	±3 miles 9 minutes
EMS	Medic Rescue 31 (1800 W Parker Street, Lakeland)	±0.5 miles 3 minutes

Source: Polk County Sheriff’s Office & Polk County Fire Rescue. Response times for April 2023.

The nearest Sheriff’s substation is Polk County’s Northeast District located at 1045 Wedgewood Estates Boulevard, Lakeland. This station is located approximately 11.4 miles to the northeast. Sheriff response times are not as much a function of the distance to the nearest substation rather a function of the overall number of patrol officers in an area. Priority 1 Calls are considered to be true emergencies: in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Current response times are 10 minutes and 38 seconds for a Priority 1 Call and 26 minutes and 41 seconds for a Priority 2 Call based upon times from April 2023. Information provided by the Polk County Sheriff’s Office.

Water and Wastewater Demand and Capacity:

A. Estimated Demand:

The subject site is in the City of Lakeland's Utility Service Area with available capacity for both potable water and wastewater. The requested improvements and modifications to the existing facilities is not likely to have any additional impact on the water or wastewater.

B. Service Provider:

The subject site is located within the City of Lakeland's service area for potable water and wastewater. The City of Lakeland water line is along the northern side of the parcel and is six (6) inches in diameter. The closest sewer line is on Grady Avenue North and runs horizontally through the subject property.

C. Available Capacity:

The City's Williams/Combee Water Treatment Plants (interconnected) has 59 Millions of Gallons Per Day (MGD) of plant capacity. The Glendale Wastewater Treatment Plan has 13.7 MGD of plant capacity. Both systems have available capacity at the current time. The nearest City of Lakeland water line is along the northern side of the parcel and is six (6) in diameter. The closest sewer line is on Grady Avenue North and runs horizontally through the subject property. The subject site is not located near any Utility Community Investment Projects.

Roadways/ Transportation Network

A. Estimated Demand:

The proposed development is for High Intensity Recreation. However, the existing school and associated athletic facilities are not anticipated to increase traffic, as the request is largely due to the proposed lighting and not necessarily an increase in intensity on the site.

B. Available Capacity:

Table 4, to follow, displays the generalized capacity on the affected transportation links. These links include Memorial Boulevard (both US 92 and SR 546) and Wabash Avenue. The mentioned roadways have the capacity to for the proposed project and is not expected to be significantly affected.

Table 4 Roadway Link Concurrency

Link #	Road Name	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr. Projected LOS
5303 E	US 92 (Memorial Boulevard) (Wabash Avenue to S. Fl Avenue)	C	1,055	D	C
5303 W		C	1,092	D	C
6600 E	SR 546 (Memorial Boulevard) (I-4 to Wabash Avenue)	C	1,255	D	C
6600 W		C	1,284	D	C
4155 N	Wabash Avenue (SR 546 -Memorial Boulevard to Tenth Street West)	C	609	D	C
4155 S		C	602	D	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 8, 2022

C. Roadway Conditions:

Grady Avenue North and Parker Street West are both County-maintained Local Residential roads, according to the County's Road Inventory with 50 feet of right-of-way. Both have a paved width of 20 feet. Both roads are two lane undivided roads. Any driveway connections to either road will be required to meet separation standards from surrounding drives based upon the requirements of the LDC in Chapter 7 and Appendix A.

D. Sidewalk Network

There is an existing sidewalk along the southern side of Parker Street West adjacent to the subject property. Memorial Boulevard to the north of the property also has a sidewalk system.

E. Planned Improvements:

There is a Community Investment Projects near the subject site on Chestnut Road. Chestnut Road is in design for roadway improvements to add sidewalk connections from New Tampa Highway to W Memorial Blvd along Chestnut Road N.

F. Mass Transit

The nearest mass transit route is the Yellow Line along Memorial Boulevard with a transit stop at the southwest corner of Grady Avenue North and Memorial Boulevard.

Park Facilities and Environmental Lands:

The nearest regional park is Walker Road Park about eight (8) miles to the northeast of the subject site.

A. Location:

Walker Road Park is located at 1285 Walker Road in Lakeland, approximately 8.4 miles from the subject site to the northeast.

B. Services:

This park offers softball, multi-purpose fields, walking paths/trails, picnic tables, playground, and restrooms.

C. Multi-use Trails:

Walker Road Park offers multi-use trails.

D. Environmental Lands:

There are no environmental lands near the subject property.

Environmental Conditions

A. Surface Water:

There are no surface waters on the subject site. The nearest lake is Lake Bonnet, location less than a half-mile to the east of the site. The highest point on the property is the northwest corner at 166 feet above sea level with a slight elevation change to 142 feet at the southeast corner.

B. Wetlands/Floodplains:

There are slight flood zones located to the southeast portion of the site. No wetlands were found on this parcel. The nearest wetlands are located less than a half-mile to the east of the site. An “A” Flood Zone corresponds with these wetlands.

C. Soils:

The subject site consists of approximately 20.6% Samsula Muck 0 to 1% slopes; 39.8% Urban Land 0 to 2% slopes; 25.7% Smyrna and Myakka Fine Sands; 4.1% Adamsville Urban Land Complex; 7.7% Myakka-Immokolee- Urban Land Complex; 1.7% Sparr-Urban Land Complex 0 to 5% slopes and 0.4% Arents, Organic Substratum-Urban Land Complex. The project is connected to public wastewater services negating the need for individual septic systems. All future development is required by the LDC to implement best management practices for erosion-control, and the soils are not of such that would limit compliance with applicable LDC regulations for the proposed use. The table below indicates the limitations of each soil type within the developable area.

Table 5

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Samsula Muck 0 to 1% slopes	Severe: ponding, poor filter	Severe: ponding, low strength	20.6%
Urban Land 0 to 2 % slopes			39.8%
Smyrna and Myakka Fine Sands	Severe: wetness, poor filter	Severe: wetness	25.7%
Adamsville Urban Land Complex	Severe: wetness, poor filter	Moderate: wetness	4.1%
Myakka-Immokolee- Urban Land Complex	Severe: wetness, poor filter	Severe: wetness	7.7%
Sparr-Urban Land Complex 0 to 5% slopes	Severe: wetness, poor filter	Moderate: wetness	1.7 %
Arents, Organic Substratum-Urban Land Complex	Severe: wetness, poor filter	Severe: wetness, low strength	0.4%

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

The subject site severely limited soils for septic tanks. This will not be an issue as the site will continue to utilize the existing sewer and water from Lakeland Utilities, as indicated by the applicant’s Impact Assessment Statement.

D. Protected Species:

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

There are no known historical or archeological resources onsite, according to the Secretary of State’s Department of Historical Resources Florida Site File.

F. Wells (Public/Private):

The subject site is not located in a Wellfield-Protection District. The site will be connecting to water from the City of Lakeland. The nearest Wellfield is about eight (8) miles to the north on 10th Street West.

G. Airports:

This property is not within an Airport Impact Zone.

Economic Factors:

The subject site is not likely to be as successful as a residential development as the property is currently utilized as an established academy. With the suggested improvements outlined within the staff report and applicant’s site plan, the proposed request will be more compatible with the surrounding areas. In addition, the baseball fields and athletic facilities are an accessory use to the school and provides a sense of community.

Consistency with the Comprehensive Plan and Land Development Code:

As outlined in the report, this request is consistent with the Land Development Code. However, all development will be reviewed again during the Level 2 process. There are no indications that this development will be premature in the area, as the use is existing, and it is surrounded by residential and non- residential development. The proposed use is complementary to residential development. The submitted plans show attentiveness to the reality of nearby neighbors with the reorientation of the athletic facilities and improved lighting. In addition, this project is consistent with the Comprehensive Plan. Table 6, to follow, outlines the pertinent Compressive Plan policies.

Table 6

Comprehensive Plan Policy	Consistency Analysis
<i>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</i>	The modification entails improvements of existing athletic facilities, including outdoor lighting. The proposed site plan meets the minimum applicable standards of the Code. The proposed use is compatible with surrounding development.
<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</i>	The subject property is currently developed, adjacent to existing development and is located in an area of the County that contains adequate urban services and public services. City of Lakeland water and sewer are available to the site. This request is consistent with this policy.

Comprehensive Plan Policy	Consistency Analysis
<i>development more distant from services and existing Communities.</i>	
<i>POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.</i>	The development is being proposed in an area of the County that contains public utilities and community services which are typically found in an TSDA.
<i>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</i>	There are existing services and physical infrastructure in place to accommodate such development therefore reducing the financial burden of the county. The development is in a location where adequate services are available and therefore reduces the impact on the environment.
<i>POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).</i>	The subject property is located within an area of the County that has adequate public safety services as identified in the Staff Report.

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

Table 7

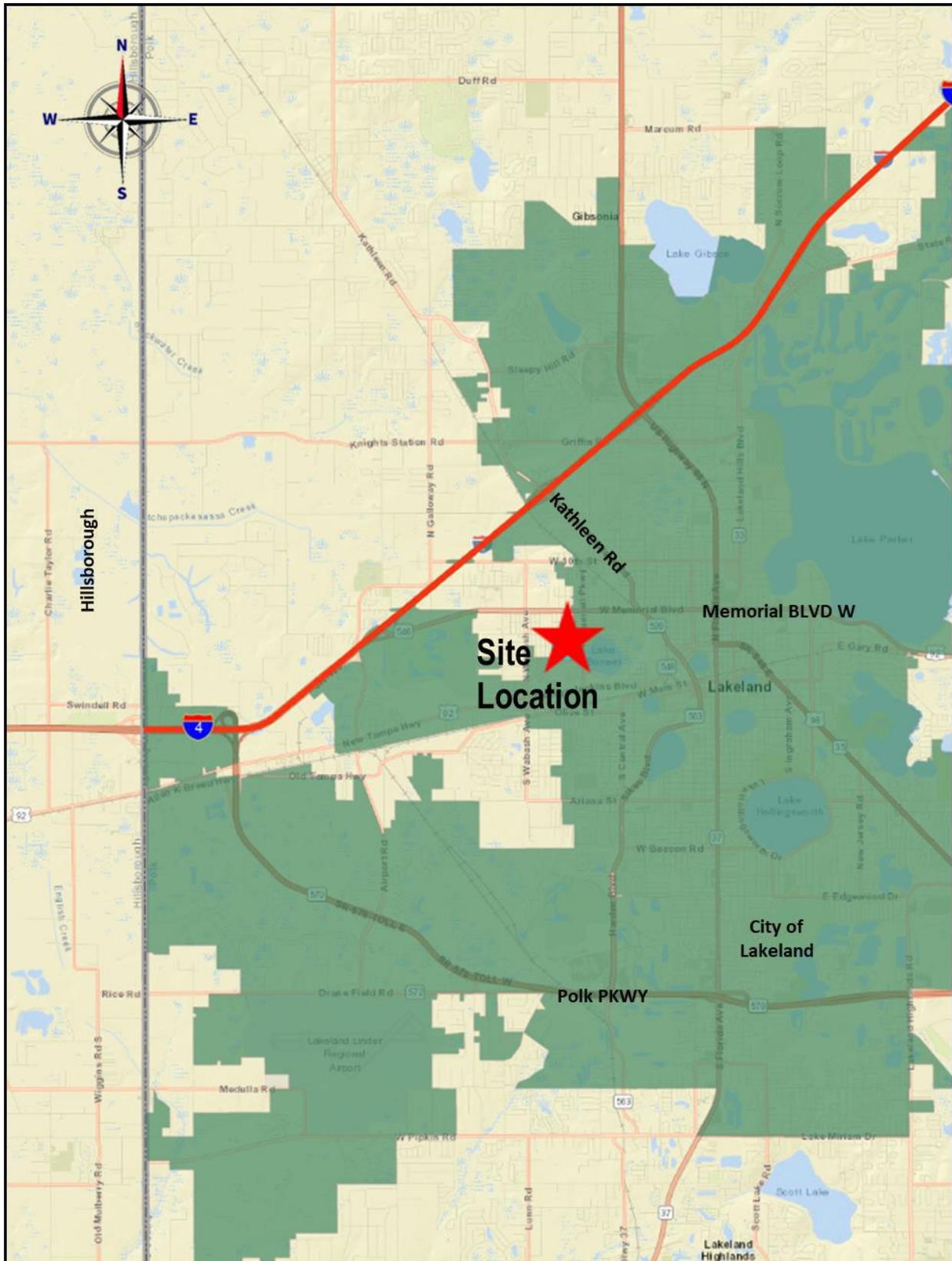
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
<i>Whether the proposed development is consistent with all relevant requirements of this Code;</i>	Yes, this request is consistent with the LDC, specifically Table 2.1 as detailed throughout the Staff Report.
<i>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</i>	Yes, this request is consistent with the Comprehensive Plan, specifically SECTION 2.102 GROWTH MANAGEMENT as described in Table 9. The request meets the required standards of the UEA as described in SECTION 2.107-A. The request meets the standards of CC land use districts as described in Objective 2.110-C.
<i>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</i>	Yes, the request is compatible with surrounding uses and the general character of the area.
<i>How the concurrency requirements will be met, if the development were built.</i>	The request is capable of meeting concurrency requirements.

This request is consistent with the Land Development Code. Development criteria for Planned Developments are detailed under Section 303 of the LDC. The submitted site plan shows attentiveness to the concerns of adjacent neighbors.

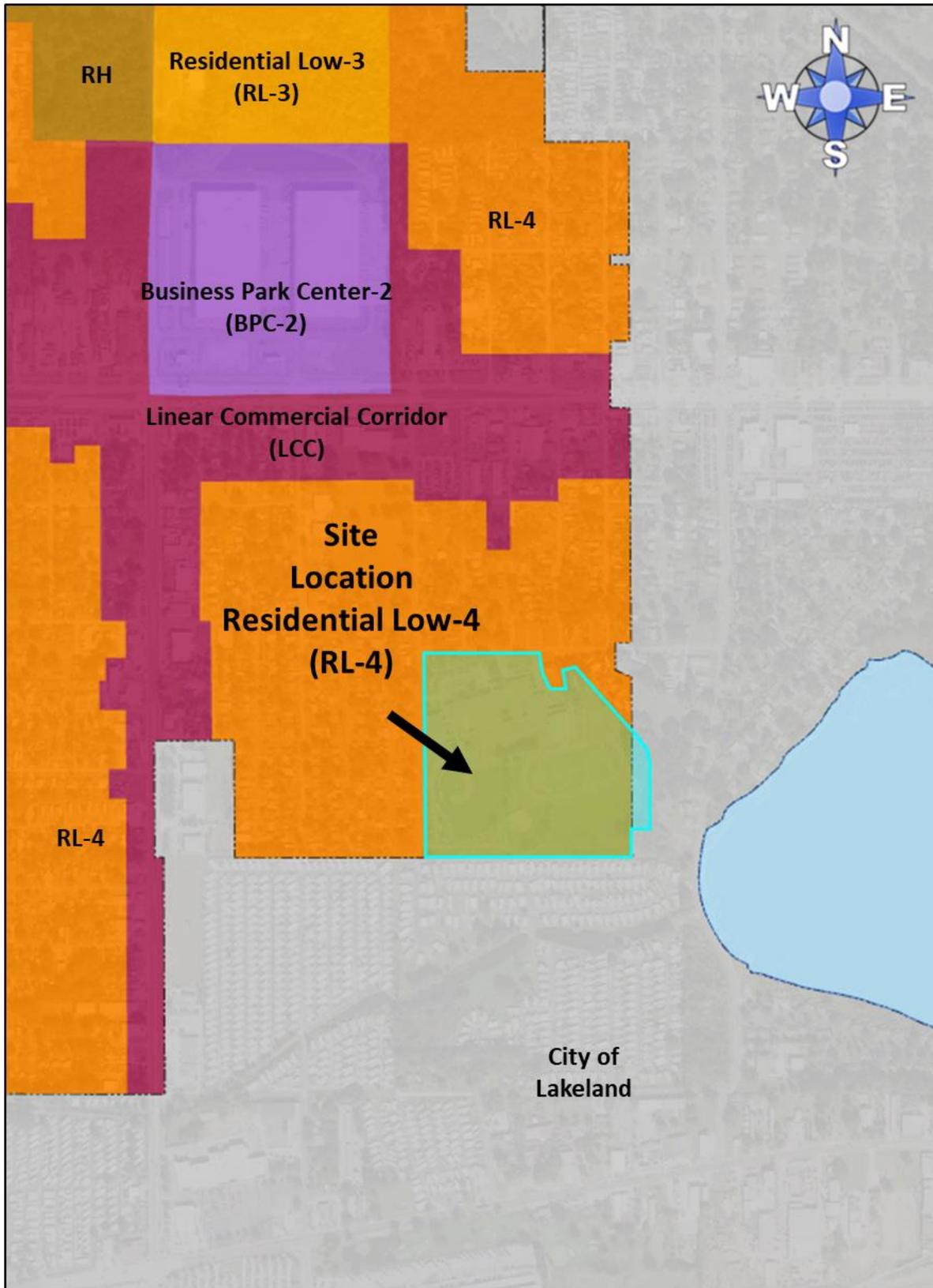
Comments from other Agencies: None

Exhibits:

- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 2020 Aerial Image (context)
- Exhibit 4 2020 Aerial (close-up)
- Exhibit 5 Site Plan
- Exhibit 6 Proposed Lighting Plan



Location Map



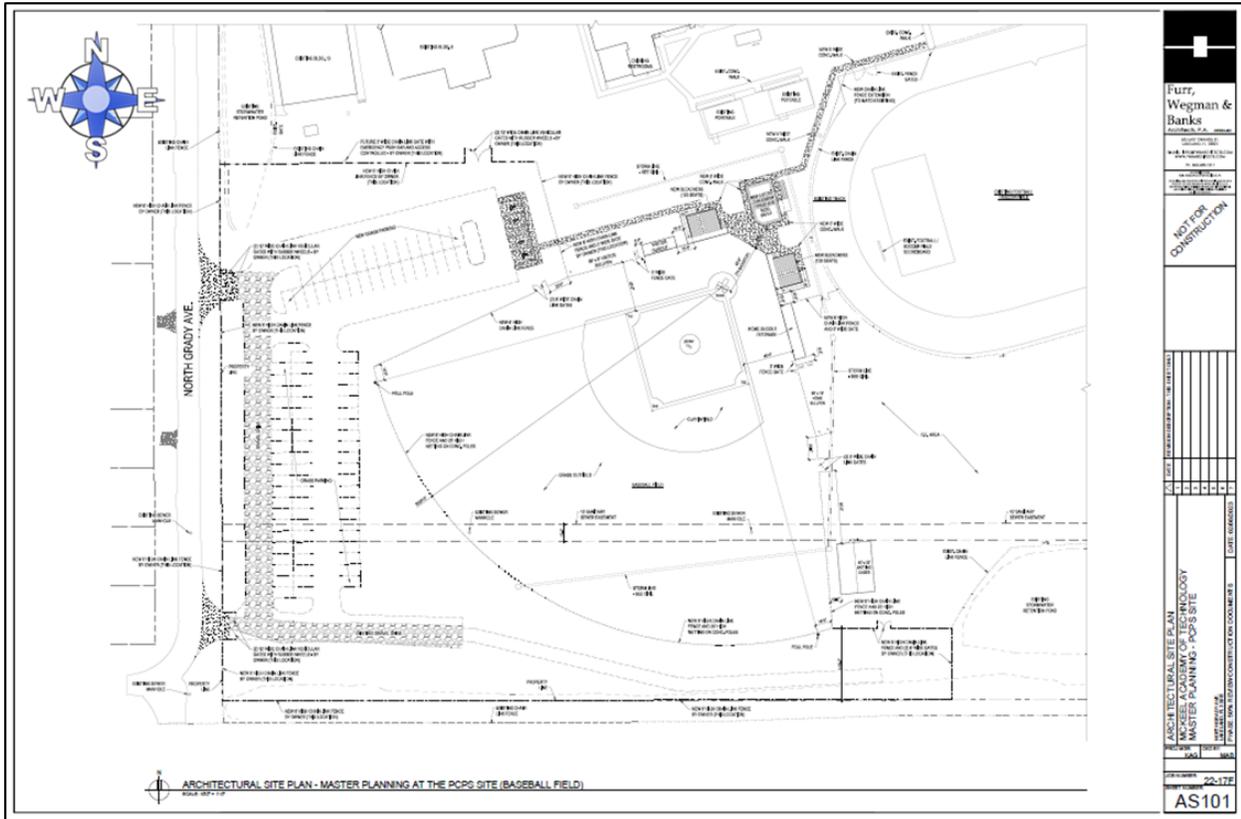
Future Land Use Map



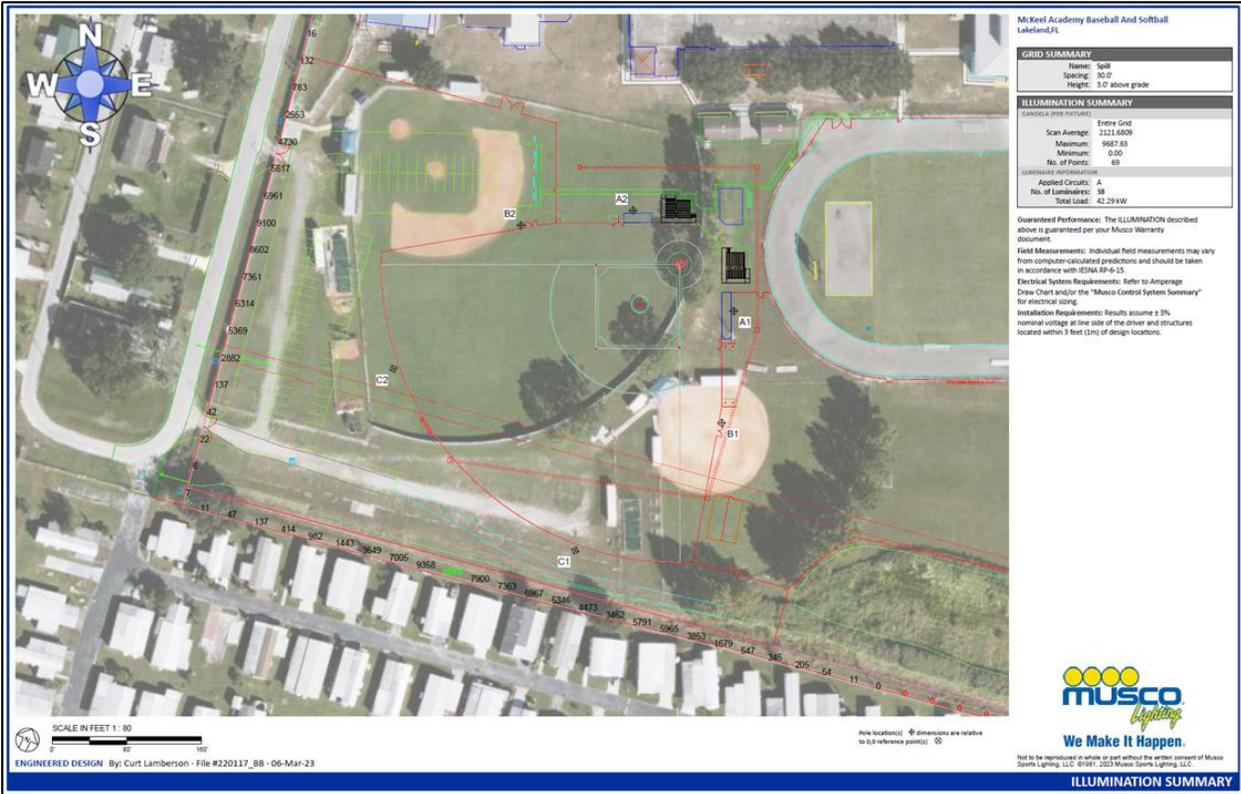
2022 Google Aerial Photo (Context)



2022 Google Aerial Image (Close up)



Site Plan



Proposed Lighting Plan