

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

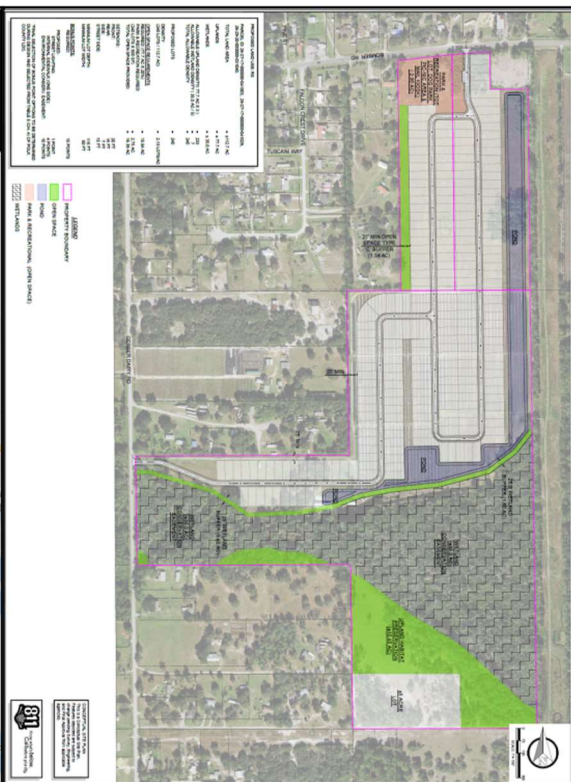
DRC Date:	March 30, 2023	Level of Review:	Level 3 Review
PC Date:	June 7, 2023	Type:	Suburban Planned Development
BoCC Date:	N/A	Case Number:	LDSPD-2023-2
		Case Name:	Bomber Road SPD
Applicant:	Sarah Case, Next Level Planning and Permitting	Case Planner:	Amy Little

Request:	Suburban Planned Development approval for 240 single-family lots with reduced lot sizes and increased density in a Residential Suburban (RS) land use district.
Location:	The site is located at south of Bomber Road, east of Gerber Dairy Road, west of Rifle Range Road, north of Morgan Road, east of the City of Eagle Lake in Section 20, Township 29, Range 26.
Property Owners:	Weber Revocable Trust of March 2006
Parcel Number (Size):	262920-000000-031040 (+/- 88.02 Acres) 262917-000000-041003 (+/- 10.70 Acres) 262917-000000-041020 (+/- 14.01 Acres)
Future Land Use:	Residential Suburban (RS)
Development Area:	Suburban Development Area (SDA) Gateway and Wahneta Neighborhood Plan
Nearest Municipality:	City of Eagle Lake
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Site Location



Site Plan



Summary of Analysis:

The applicant is requesting approval of a Suburban Planned Development (SPD) for 240 single-family lots within a Residential Suburban (RS) Future Land Use district in a Suburban Development Area (SDA) (*See Exhibit 2*). Table 2.2 of the Land Development Code (LDC) requires residential lots in RS districts to be at least five (5) acres with a density of one (1) dwelling unit per five (5) acres. However, the SPD tool, as guided by the Comprehensive Plan and facilitated by Section 303 and Section 403.01 of the LDC, allows for an increased density of up to three dwelling units per acre with Planning Commission approval. Of the total acreage of 112.7 acres, 77.7 acres are estimated to be upland areas and through the SPD can achieve 3 dwelling units per acre, or 233 units. The remaining seven (7) lots are accomplished through density transfer from the wetland acreage (+/- 35 acres) at a rate of one (1) dwelling unit per five (5) acres. The minimum lot size will be reduced to 5,750 sq. ft. Within the Wahneta Neighborhood Plan, primary structure setbacks are seven (7) feet on the sides and ten (10) feet in the rear. Accessory structure setbacks within the Wahneta Neighborhood Plan are five (5) feet on the sides and rear.

This site presents several challenges to residential development. A large portion of Parcel #262920-000000-031040 cannot be developed since it is comprised of a large area of wetlands and flood hazard areas in association with a floodway. The subject parcels are located within the Peace Creek Basin, a stressed basin. The soils do not percolate well, and the outfall for this basin is constricted, which creates flooding. When dealt with environmental challenges such as these, clustering development on upland acreage with smaller lot sizes is encouraged by the Comprehensive Plan and LDC through the SPD tool to avoid environmentally sensitive areas, maximize stormwater management opportunities, and take advantage of centralized utilities.

Water and sewer are available to the site, the latter of which is not always present in the SDA, and connection to both will be required. There is available elementary, middle, and high school capacity. Fire Protection, Emergency Medical Services (EMS), and law enforcement are located within close proximity of the subject site with adequate response times. Park facilities are available in the area. The development will access Bomber Road to the north and Gerber Dairy Road to the west. Both roads are Urban Collector roadways and have available capacity. Onsite retention ponds will be constructed as to not significantly alter the site's natural drainage features and designed in accordance with Southwest Florida Water Management District and Polk County requirements.

This area of Polk County also faces challenges in incorporating subdivision standards currently in place that were not in place when surrounding subdivision were created in the mid-1960s. The applicant has presented a site plan that designs around not only the existing wetlands and flood zones, but one that also addresses incompatibilities with existing neighborhoods using tools provided by the Comprehensive Plan. 25-foot-wide open space buffers are proposed along on the western boundaries, retention ponds to the east and south, and a large wetland conservation easement is provided further to the south. A Type-A Buffer will be required along all road frontages. Over 10 acres of upland habitat preservation will remain undeveloped to separate the development from residences to the south and southwest.

In terms of achieving the standards for development per the LDC and Comprehensive Plan, the project exceeds the necessary requirements. Residential properties and land uses are the norm of the surrounding area, and ample infrastructure is available for this proposed development. Staff finds this request compatible with surrounding uses and the general area, consistent with the LDC and Comprehensive Plan, and recommends approval.

Findings of Fact

- *This is a request for a Suburban Planned Development (SPD) residential subdivision for 240 single-family lots on Parcel #262920-000000-031040, 262917-000000-041003 and #262917-000000-041020 of approximately 112.7 acres. Of this acreage, approximately 77.7 acres are uplands which allow three dwelling units per acre (233 DU) through the SPD process. The remaining 7 lots are accomplished through density transfer from the wetland acreage (+/- 35 acres) at a rate of one dwelling unit per five acres. Minimum lot size will be reduced to 5,750 square feet with minimum lot widths of 50-feet.*
- *The Future Land Use designation of the subject property is Residential Suburban (RS) within the Suburban Development Area (SDA). Table 2.2 of the Land Development Code (LDC) requires minimum lot sizes within RS districts to be a minimum of five (5) acres with a residential density of one (1) dwelling unit (du) per five (5) acres.*
- *The subject properties are located within the Wahneta Neighborhood Plan redevelopment plan outlined in Policy 2.134-A of the Comprehensive Plan. The Neighborhood Plan provides Basic Principals in the Comprehensive Plan as follows:*

“1. Work with the residents of Wahneta to develop a community strategy to encourage beautification and establishment of a sense of place that fits and incorporates the diversity of the people that live and work in the area through participation in the Wahneta Neighborhood Association, community projects, and other activities in the community.

2. Provide a more secure and suitable environment to enhance the community and discourage criminal activities that can contribute to the decline of the community through the creation of a street lighting district along collector and local roads.

3. Improve public safety services in the community to promote greater stability, enhance public safety, provide fair and visible enforcement, and reduce criminal activities in the area.

4. Encourage the County and other government agencies to improve the provision of customer service assistance, implement an education awareness program about the County’s regulations, and identify the various needs of residents, with diverse cultural and ethnic backgrounds, in which English is not the primary language.

5. Foster and improve relationships with the surrounding local governments to more effectively provide services to the residents in the surrounding area.

6. Encourage the residents to foster and improve relationships with the utility service providers to expand utility services in the community to promote economic development, reduce flooding issues, improve customer service, and enhance the quality of life in the community.

7. Encourage the development of a neighborhood housing strategy to provide new single family residential and multifamily housing opportunities for the diverse population of the community and enhance the existing housing stock in the community.

8. *Provide the opportunity for redevelopment of existing housing units and vacant lots by encouraging property owners and landlords to repair and better maintain homes and yards to reflect the level of commitment to improving the quality of life for the community.*

9. *Allow for greater flexibility for the development of small businesses and community service providers to meet the diverse needs of the community.*

10. *Encourage the development of diverse employment opportunities to attract businesses that will enable the community to become self-sufficient and enhance the quality of life of the residents.*

11. *Create awareness of employment and job training opportunities available for residents in the community.*

12. *Collaborate with the School Board to enhance the educational opportunities of the children and adults in the community.*

13. *Develop multi-modal transportation design and development standards for pedestrians, bicycles, trails, bus service, and vehicles. These standards will enable the community to encourage a more pedestrian-oriented community, particularly along the Rifle Range Road and Bomber Road corridor, while allowing for economic development that will enhance and compliment the community's workforce and residents' diverse heritages.*

14. *Enhance the local road transportation network to allow for better interconnectivity within the community.*

15. *Work with the residents to provide bus and paratransit services that will meet the work, social, and cultural needs of the community.*

16. *Create recreational opportunities for residents in the area and reduce flooding that creates public health and safety concerns within Wahneta and to the south of the community.*

17. *Encourage the protection of environmentally sensitive lands in the area through collaboration with local, state and federal agencies.*

18. *Collaborate with the surrounding communities and relevant organizations to improve the Wahneta Farms Drainage Canal to allow for regional drainage to reduce flooding in the surrounding areas."*

- *According to Table 2.1 of the LDC, SPDs are "C3" conditional uses in RS districts which require a Level 3 Review. Per Section 302 of the LDC, "the review process is described in Section 906, Level 3 Reviews, and includes a site plan submittal for review by the Development Review Committee (DRC) and a public hearing before the Planning Commission (PC)."*
- *According to Table 2.2 of the LDC, the following setbacks are required in RS land use districts:*

- *Local/Private Road Right-of-way: 20 feet*
 - *Urban Collector Road Right-of-way: 35 feet*
- *According to Section 403.01.C.2.b, the following setbacks are required in RS land use districts:*
 - *Side Principal Structure: 7 feet*
 - *Rear Principal Structure: 10 feet*
 - *Rear Detached Accessory Structures: 5 feet*
 - *Side Detached Accessory Structures: 5 feet*
- *This application requests changes to the following standards in LDC Table 2.2 and Section 403.01.C.2.b:*
 - *The minimum lot size will be reduced to 5,750 sq. ft. (+/- 0.13 acres);*
 - *Increase in density to 2.13 DU/AC*
- *Section 2.120-B3 of the Comprehensive Plan states, “SPDs may contain single-family and duplex units at a gross density (on the entire site) of up to, and including, three dwelling units per acre (3 DU/AC).”*
- *POLICY 2.106-A5 of Polk County’s Comprehensive Plan states, “all development within the Suburban Development Areas shall conform to the following guidelines:*
 - a. support continued agricultural activities by requiring the implementation of compatibility techniques to limit land use conflicts;*
 - b. protect and preserve open space, agricultural and environmentally sensitive lands by implementing clustering and other conservation development strategies as established in Section 2.1251 of this element;*
 - c. incorporate design features that promote healthy communities, green building practices, conservation development principles, and other initiatives consistent with Section 2.1251 – Community Design, of this element;*
 - d. provide access to civic space, parks, green areas, and open space and other amenities;*
 - e. be supported by public safety (i.e., fire, EMS and law enforcement);*
 - f. have access to elementary schools, and*
 - g. Encourage connectivity between uses within the SDA, and between the SDA and other urban centers and the rural development areas.*
 - h. In order to achieve higher densities and intensities allowed by each land use, development in the SDA shall be required to connect to centralized water system and incorporate clustering and other low impact design criteria as established under the Residential Suburban (RS) land use criteria, the Conservation Development Section (Section 2.1251), the Residential Rural Development (RRD) or the Rural Mixed Used Development (RMD) sections (Section 2.1251) of this element.”*

- *Section 204.A.3 of the LDC states, “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 Section 303 of the LDC, an SPD is used “as a mechanism where increased densities and uses are allowed which may otherwise not be permitted in the RS land use district.”*
- *Per Section 303 of the LDC, “a proposed SPD project shall not be approved if it is determined to be premature. When evaluating proposed SPD projects, the following factors shall indicate whether it is premature:*
 - i. The condition and capacity of the collector and arterial road network are adequate for the project;*
 - ii. There are adequate urban services, including, but not limited to: police, fire, and EMS, to serve the project;*
 - iii. The project will not result in considerable displacement of ongoing economically viable agricultural activities”*
- *Section 303 of the LDC requires that the timing of SPDs is consistent with development of the surrounding area. Such timing shall be considered appropriate where the existing development of the surrounding area is sixty percent developed (of developable area) within a two-mile radius, for parcels containing 100 or more acres.*
- *Section 403.01.C.2.e.ii.4 states timing is considered appropriate where the existing development of the surrounding area is sixty percent developed (of developable area) within a one-mile radius, for parcels containing 100 or more acres.*
- *Per Section 303 of the LDC, “SPD’s containing 100 or more acres shall devote at least 20 percent of the gross developable project area to open space.”*
- *The applicant’s Impact Assessment Statement indicates there is a 10-inch wastewater line adjacent to the site provided by the City of Eagle Lake.*
- *The applicant’s Impact Assessment Statement indicates there is a 6-inch water line on Pine Street and a 10-inch water line at the intersection of Bomber Road and Gerber Dairy Road.*
- *According to Comprehensive Plan Policy 2.106-A6 and Section 702.C.4 of the LDC Wastewater shall not be extended into the SDA unless the BoCC deems it necessary based upon one of the factors listed:*
 - a. It is the interest of on-site and/or nearby environmental features;*
 - b. It is the interest of public health; or*
 - c. The area has been designated a redevelopment district and provided the development density of land served by the wastewater lines does not exceed the amount allowed under the current land use designation.*

- *Wetlands and flood zones are found along the southern and eastern portion of the project area in association with the Wahneta Farms Canal West, a floodway located just to the east of the site. This site is within the Peace River Drainage Basin.*
- *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 Pompano Fine Sand, Hontoon Muck, Samsula Muck, Ona-Ona, Adamsville Fine Sand, Smyrna and Myakka Fine Sands, Immokalee Sand, Placcid and Myakka 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 Bomber Road (Road No. 951406) and Gerber Dairy Road (Road No. 952501), both Urban Collector roadways. Bomber Road is tracked for concurrency by Polk County's Transportation Planning Organization (TPO) (Links 4017 E/W).*
- *Fire and EMS services arrive from Polk County Fire Rescue Station 17, located at 185 3rd Street, Eagle Lake.*
- *The property is within the Polk County Sheriff's Office Southeast District, located at 4011 Mary Campbell Way, Lake Wales.*
- *The zoned schools for the proposed project are Wahneta Elementary, Westwood Middle, and Lake Region High School.*
- *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, 403.01 and 906 of the LDC.*
- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREAS (SDA); and SECTION 2.120-B – SUBURBAN PLANNED DEVELOPMENT (SPD).*

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 LDSPD-2023-2.**

On June 7, 2023, 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 LDSPD-2023-2 with the following Conditions:

1. This Suburban Planned Development (SPD) approval shall be for a 240-lot single-family detached dwelling unit subdivision on approximately 112.7 acres. Of this acreage, approximately 77.7 acres are uplands which allow three dwelling units per acre (233 DU) through the SPD process. The remaining 7 lots are accomplished through density transfer from the wetland acreage (+/- 35 acres) at a rate of one dwelling unit per five acres. Minimum lot sizes will be reduced to 5,750 sq. ft with a minimum lot width of 50-feet. [PLG]
2. The minimum setbacks for LDSPD-2023-1 shall be as follows:
 - Principal Structure ROW Setbacks: 20 feet
 - Principal Structure Exterior Side Setbacks: 15 feet
 - Principal Structure Side Setbacks: 7 feet
 - Principal Structure Rear Setbacks: 15 feet
 - Rear & Side Detached Accessory Setbacks: 5 feet. [PLG]
3. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDSPD-2023-2, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]
4. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law. [PLG]

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

Northwest: RS Gerber Dairy Road Mobile Homes (+/- 0.50 to 1.01 Acres)	North: RS Bomber Road 23-unit Mobile Home Park (+/- 5.03 Acres)	Northeast: INST-1 Bomber Road Multiple Mobile Homes (+/- 4.49 Acres)
West: A/RR / RS Gerber Dairy Road Site-Built Homes/Vacant/MH (+/- 0.94 to 8.68 Acres)	Subject Property: RS Vacant/Wetlands/Pasture	East: INST-1 Vacant TECO Easement (+/- 6.69 Acres)
Southwest: A/RR Gerber Dairy Road Mobile Homes/Vacant Residential (+/- 0.92 to 1.15 Acres)	South: A/RR Vacant/Pasture (+/- 49.21 Acres)	Southeast: INST-1 Vacant TECO Easement (+/- 6.69 Acres)

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

Staff has reviewed aerial imagery dating back to 1941. This site has been mostly vacant and used for agriculture. It is one of the last of its size along Bomber Road that can be developed for residential purposes. To the northwest of the property is a platted mobile home subdivision with lots ranging from half an acre to an acre. To the north across Bomber Road are two mobile home parks with 45 units on approximately 10 acres for a density of 4.5 dwelling units per acre. To the immediate east of the subject property, Tampa Electric Company has an approximately 200-foot-wide utility easement that runs the length of the property north to south. Further to the east between the subject property and Rifle Range Road, Wahneta Farms subdivision is developed with a mixture of site-built homes and mobile homes on parcels ranging in size from 0.20 acres to 1.29 acres.

The subject parcels are located within the County's Wahneta Neighborhood Plan, an area identified as needing a plan for revitalization. The neighborhood plan is outlined in the Comprehensive Plan with goals to improve public safety services and to encourage the development of single-family residential and multifamily housing opportunities for the diverse population of the community and to enhance the existing housing stock in the community. The proposed development aligns with these goals to provide more diverse housing in the area and to increase public safety with the construction of sidewalks along all frontages of the properties.

Compatibility with the Surrounding Land Uses and Infrastructure:

The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion."

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

The applicant is requesting 240 single-family lots with a minimum lot size of 5,750 sq. ft. through the SPD process, as defined in Section 2.120-B3 of the Comprehensive Plan and Section 303 of

the LDC. Side principal structure setbacks will be reduced to 5 feet and the rear primary structure setback will be increased to 15 feet. Reductions in setbacks are common requests in PDs and SPDs to adjust for the smaller lot sizes. With a minimum of 10 feet between each dwelling unit, Florida Building and Fire Prevention standards can be met. The rear setbacks of 15 feet will be maintained, and the right-of-way setbacks from internal roads will be 20 feet.

Table 6a of the LDC requires the accumulation of 15 Planned Development (PD) Bonus Density Points to achieve the desired density of 2.13 DU/AC. The site plan shows this project will attain 15 points, shown as follows:

- *Street Lighting: 1 point*
- *Internal Sidewalk (One Side): 4 points*
- *Environmental Conservation Easement: 10 points*

The Wahneta Neighborhood Plan of the LDC and Comprehensive Plan requires that the timing of SPDs shall be considered appropriate where the existing development of the surrounding area is sixty percent developed (of developable area) within a one-mile radius. A Developable Area Map has been provided by the applicant demonstrating 69% of this area has been developed. Section 303 of the LDC requires SPDs containing over 100 acres to devote at least twenty percent of the project area to open space. The submitted site plan demonstrates approximately 21% open space or 16.39 acres, which does not include wetlands. This includes 25-foot open space buffers, wetland buffers, and an recreation area to include a tot lot, dog park, and picnic area. Internal sidewalks will connect the lots to these recreation areas.

The need to account for stormwater management, flood control, and wetland conservation is the reason for clustering smaller lot sizes on this property, which aligns it with the County's goals for SPDs. POLICY 2.106-A5 of Polk County's Comprehensive Plan states SPDs shall implement a clustering design, which has been demonstrated by the submitted site plan. The goal of this design is to prevent urban sprawl throughout the SDA, focusing on higher density in areas where public services make this possible. As will be covered later in this report, potable water and wastewater services are available to the site. Wastewater is not always found in the SDA. Connection will be necessary as the endemic soils and proposed lot sizes preclude the possibility of individual septic systems. Centralized wastewater, small lot sizes, and higher residential densities go hand-in-hand with planning.

From a strict view of planning this SPD around existing municipal services and overcoming environmental challenges, this site plan is more than capable. In fact, with the exception of mass transit, this property has access to urban-level services. Clustering strategies, however, encourage density but do not directly address how this increase in intensity will correlate with existing development of lesser intensity. To allay concerns of incompatibility between the proposed development and existing residential lots, the submitted site plan offers various strategies to mitigate the impact of the proposed homes.

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 through the use of innovative techniques

While the minimum lot size is proposed at 5,750 sq. ft., the project shows a site design intended to minimize impact to adjacent properties. Where abutting residential uses to the west, a 25-foot open space buffer is proposed. To the east, TECO owns a 200-foot-wide parcel that further separates properties to the east from the subject site. Stormwater ponds run along the northeast portion of the site, to further distance the proposed lots from the existing residential properties to the east. The site plan also includes a wetland conservation easement and an upland habitat preservation portion of the property to the south of the site, along with a five acre parcel the owner has elected to maintain for a future residence.

Properties to the east and south of the site will be screened and buffered from the proposed lots by the floodway, stormwater, natural vegetation, and distance. A Type A landscaping buffer will be required along the frontage of Bomber and Gerber Dairy. The site plan indicates a 25-foot-wide buffer will be provided between the proposed lots and the homes to the north and the west of the site with a Type C landscape buffer to be counted as open space.

For the entirety of the project site, shielded lighting will be required by the LDC. A sidewalk will be constructed along the frontage of Bomber and Gerber Dairy that will connect to internal sidewalks. At both vehicular entrances to the site will be required to provide street lighting at the crosswalks for pedestrian safety.

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 located in the SDA. To accommodate the lot sizes and poor soils, the applicant will need to connect to centralized wastewater because individual septic systems sufficient to accommodate the poor soil conditions would consume too much of the lot area. The applicant will be required to demonstrate at time of Level 2 Site Plan review the connections to Eagle Lake water and wastewater services. Schools and emergency services are within acceptable distances. The surrounding roadway network has capacity.

Nearest Elementary, Middle, and High School

The zoned schools are the closest schools to the subject property. It is zoned for Wahneta Elementary to the east, Westwood Middle to the north, and Lake Region High to the north. The estimated number of students which 240 single-family lots could produce is: 50 – Elementary; 21 – Middle; 35 - High School.

Table 2, to follow, shows the number of students the project is expected to generate, the capacity of the zoned schools, and the driving distance to these schools from the project entrance off Bomber Road.

Table 2

Name of School	Annual Estimated Demand	% Capacity 2022-2023 School Year	Average driving distance from subject site
Wahneta Elementary	50 students	79%	±2.2 miles driving distance
Westwood Middle	21 students	61%	±8.3 miles driving distance
Lake Region High	35 students	62%	±3.5 miles driving distance

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

This area of Polk County is projected to have school capacity for development. The applicant will need to apply for a binding school capacity determination at the time of the Level 2 Review submittal. The impact fees generated from this development for the educational system are \$8,998 per single-family unit (\$2,159,520).

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 of 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 responses to this project are from the new Polk County Fire Rescue Station 17, located at 185 South 3rd Street, Eagle Lake. The travel distance is approximately 3.6 miles to the entrance subject site, and response times could average eight (8) minutes or more depending on the type of call.

Table 3

	Name of Station	Distance	Response Time *
Sheriff	Polk County Southeast District Command 4011 Mary Campbell Way, Lake Wales	±9.0 miles	P1 Calls: 13:36 P2 Calls: 26:04
Fire/EMS	PCFR Station 17 185 South 3 rd Street, Eagle Lake	±3.6 miles	8 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 substation is Polk County Southeast District Command, located at 4011 Mary Campbell Way, Lake Wales. Sheriff response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County. Current response times are 13 minutes and 36 seconds for a Priority 1 Call and 26 minutes and 4 seconds for a Priority 2 Call

based upon times from April 2023.

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 and Service Provider:

The proposed development is for 240 single-family dwelling units. The estimated demand per unit is 360 gallons per day (GPD) for potable water and 270 GPD for wastewater. The subject site is within Eagle Lake's Utility Service Area.

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands based on different levels of approval. The table shows the maximum GPD that would be generated by-right and through the SPD process on the property. For this calculation, wetland density transfer was also added. The Comprehensive Plan and LDC allow one unit per five wetland acres to be transferred to upland areas, provided no wetlands are disturbed. The last column shows the demand on services that could be generated by the proposed development.

Table 4

Subject Property	Estimated Impact Analysis		
77.7 ± Upland Acres 35 ± Wetlands RS	Demand as Currently Permitted RS (1 DU/5 Acres)	Maximum Allowed (3 DU/AC & Wetland Transfer 1 DU/5 AC)	Proposed Plan RS (2.13 DU/Acre)
Permitted Intensity	22 single-family dwelling units	240 single-family dwelling units	240 single-family dwelling units
Potable Water Consumption (GPD)	7,920 GPD	86,400 GPD	86,400 GPD
Wastewater Generation (GPD)	5,940 GPD	64,800 GPD	64,800 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

Connection to wastewater is imperative to the success of this project, and this is a service not typically found in the SDA. Without wastewater availability, lot sizes will need to increase to at least 10,890 sq. ft., and given the poor soils onsite, mounded septic systems or those with higher levels of treatment capability would be necessary, depending on a determination from the Department of Health. This would become costly for a development of this size and ultimately impractical for the proposed lot sizes. In addition, ground water contamination is a hazard in many

areas that have a concentration of homes with septic tanks. Overall, septic systems in such an environment and close to a major floodway are undesirable. According to the applicant's impact assessment statement, a 10-inch sanitary sewer line is located at the intersection of Bomber and Gerber Dairy, and the property will be required to connect to the existing system.

Potable water connection is mandated by the Comprehensive Plan and LDC in the SDA. The City of Eagle Lake services the subject site. A 6-inch water line is located on Pine Street to the northeast, and a 10-inch line is located at the intersection of Bomber and Gerber Dairy. The applicant will be required to connect to the existing water line. Given the lack of water services around the site now, no fire hydrants are near the property. The extension of this water line by the applicant will provide a benefit to the surrounding neighbors with fire protection.

B. Available Capacity:

The site is located within the City of Eagle Lake's service area. At the time of Level 2 site plan review, the applicant will be required to demonstrate the city has available capacity for water and wastewater.

C. Planned Improvements:

There are no known planned improvements for the City of Eagle Lake's water and wastewater systems.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

A. Estimated Demand:

The proposed development is for 240 single-family dwelling units on +/- 77.7 upland acres. Single Family Detached Housing generates 7.81 Average Annual Daily Trips (AADT) and 1.01 PM Peak Hours Trips per unit (ITE Code 210). The proposed 240-lot development will likely generate 1,875 Average Annual Daily Trips and 243 PM Peak Hours Trips.

Table 5, to follow, provides generalized estimates of the AADT and Peak Hour demands based on different levels of approval. The table shows the maximum number of trips that would be generated by-right and through the SPD process on property with the equivalent upland acreage. Seven additional lots have been added to this through what could be gained if density were transferred from the onsite wetlands at a rate of 1 DU/5 Acres, as permitted by the LDC. The final column

represents the proposed unit count and the traffic it could generate at full build-out.

Table 5

Subject Property	Estimated Impact Analysis		
77.7 ± Upland Acres 35 ± Wetlands RS	Demand as Currently Permitted RS (1 DU/5 Acres)	Maximum Allowed (3 DU/AC & Wetland Transfer 1 DU/5 AC)	Proposed Plan RS (3 DU/AC & Wetland Transfer 1 DU/5 AC)
Permitted Intensity	16 single-family dwelling units	240 single-family dwelling units	240 single-family dwelling units
Average Annual Daily Trips (AADT)	125 AADT	1,875 AADT	1,875 AADT
PM Peak Hour Trips	16 PM PH	243 PM PH	243 PM PH

Source: Polk County Concurrency Manual

Since the AADT will exceed 750 trips, a Major Traffic Study will be required during the Level 2 Review to thoroughly analyze the effects this development could have on the local roadways and identify what, if any, improvements are required.

Staff analyzes the impact on the roadways by the Peak PM trips which represent how much burden a development places on the traffic grid during the busiest time of day. Single-family uses are expected to mostly remove traffic from the roadway system during this time period. 37% of Peak PM Trips, though, are estimated to enter the system at this time (90 trips). The vast majority of drivers will travel west towards US Highway 17 and diverge north or south along that roadway.

B. Available Capacity:

There is currently capacity to serve the proposed development. The subject property has frontage on both Bomber and Gerber Dairy, with access proposed on both. Table 6, to follow, displays the generalized capacity on the affected transportation links.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	5-Year LOS
4017E	Bomber Road (CR 559) US 17 to Rifle Range Road (CR 655)	C	394	D
4017W	Bomber Road (CR 559) US 17 to Rifle Range Road (CR 655)	C	380	D
4074N	Rifle Range Road (CR 655) SR 60 to Bomber Road (CR 559)	C	375	D
4074S	Rifle Range Road (CR 655) SR 60 to Bomber Road (CR 559)	C	358	D
5008N	US 17 Spirit Lake Rd to Crystal Beach Road	C	1,110	D
5008S	US 17 Spirit Lake Rd to Crystal Beach Road	C	1,150	D

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

All surrounding roads have the capacity to assimilate all 243 PM PH units and not fall below the Level of Service standard set by the Board.

C. Roadway Conditions:

Bomber Road (Road No. 951406) is an Urban Collector roadway tracked for concurrency by Polk County's Transportation Planning Organization (TPO) (Links 4017 E/W). It is a paved 24-foot-

wide roadway with approximately 80 feet of right-of-way along the subject property which meets the minimum required by Table 8.2 of the LDC. Further improvements will be detailed in the Major Traffic Study during the Level 2 Review. Entrances are subject to LDC Section 705.C. Where an intersection occurs on a roadway that is identified to be below its designated level of service standard, intersection standards shall be increased as required by the County Engineer.

Gerber Dairy Road (Road No. 952501) is an Urban Collector roadway with a paved surface width of twenty feet and is not tracked for concurrency by Polk Transportation Planning Organization. The roadway is a paved 20-foot-wide roadway with approximately 65 feet of right-of-way along the property, which does not meet the minimum required by Table 8.2 of 80 feet. The applicant will be required to dedicate right-of-way for this deficiency.

D. Sidewalk Network

Sidewalks are not located along the frontage of the site but will be required per LDC Section 403.01.H.4 along both Gerber Dairy Road and Bomber Road. Within the Wahneta Neighborhood Plan, sidewalks must be provided along both sides of all Collector roads. There are currently sidewalks along the northern side of Bomber Road that continue east to Rifle Range Road. The existing sidewalk on the northern side of Bomber Road terminates to the west at Gerber Dairy Road. The proposed site plan includes an internal sidewalk on one side of the road that will connect to external sidewalks.

E. Planned Improvements:

The Florida Department of Transportation is currently underway in widening US Highway 17 located approximately 2.65 miles to the west of the subject site. This project seeks to improve safety in and around the US 17 and Spirit Lake Road intersection, and includes reconstructing the existing asphalt intersection, resurfacing the road way, adding LED lighting and signal equipment at Spirit Lake Road and Bomber Road, extending turn lanes at Bomber Road, Transport Road, and Spirit Lake Road, constructing sidewalks from the airport to Bomber Road, adding transit pads on both sides of US 17 for bus stops near Gate Road and Bomber Road, and adding high visibility crosswalk at Bomber Road connecting the park and ride lot with the bus stop across US 17. The project is expected to be completed in early 2024.

F. Mass Transit

The closest stop on Citrus Connection is located approximately 3.5 miles to the southeast of the subject property at the northwest corner of Rifle Range Road and Palmetto Ridge Road. This is the main route to access locations along Highway 17, including stops along Spirit Lake Road, Coleman Road SW, and Downtown Winter Haven. While the route passes the subject site on Bomber Road, there are no stops within a reasonable distance of the subject site. Mass transit is not expected or anticipated in the SDA.

Park Facilities and Environmental Lands:

The closest public park facilities are located at Lake Gwyn Park and Wahneta Park.

A. Location:

Lake Gwyn Park is located at 137 Avenue A East, Wahneta, approximately 2.0 miles driving distance to the northeast of the property. Wahneta Park is approximately 0.92 miles driving

distance to the northeast of the subject property at 118 ½ Rifle Range Road, Wahneta.

B. Services:

Lake Gwyn Park includes basketball courts, soccer fields, multi-purpose fields, pavilions, picnic shelters and tables, a playground, walking paths and trails, wildlife viewing and restrooms. Wahneta Park includes baseball and softball fields, basketball and tennis courts, picnic shelters and tables, league play, and restrooms.

C. Multi-use Trails:

Lake Gwyn Park includes walking paths and trails, with continued development of the park expected by 2025.

D. Environmental Lands:

There is a small section of the Lake Wales Ridge National Wildlife Refuge is located approximately 0.40 miles to the north of the site. The Lake Wales Ridge National Wildlife Refuge contains scrub, pine flatwoods, marshes and seepage slopes that provide wildlife habitat. This section of the refuge is small at approximately 42 acres.

Environmental Conditions

This development is shaped by the environmental challenges present onsite. It is located in a stressed basin associated with the headwaters of Peace Creek. Though the development will take place in the upland portions of the subject site, the soils present moderate to severe challenges to construction of any dwellings and preclude the use of septic systems.

A. Surface Water:

No surface water is located onsite, however, the Wahneta Farms Canal West is just to the east of the subject site. This site is within the Peace Creek Basin, a stressed basin that sees significant flooding. The endemic soil types do not drain well. Natural barriers and manmade obstacles often hinder the release of water into larger river systems. These factors can cause flooding from both a rapid, heavy rain-producing event such as a hurricane and the accumulation of water over a longer length of time from normal Florida summer rain showers.

The project shall be designed to retain the difference in pre- and post-development runoff volumes from a 100 year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 100 year/24-hour storm event. The proposed development will be designed in accordance with the Southwest Florida Water Management District and Polk County requirements.

B. Wetlands/Floodplains:

Wetlands and flood zones are found along the eastern and southern portion of the project area in association with the Wahneta Farms Canal West, which will not be developed, rather platted for wetland and habitat preservation purposes. No impacts are anticipated in the wetlands.

All development must adhere to Section 620 of the LDC. Wetlands can only be impacted in limited scenarios. Access to the site and internal traffic circulation, where other alternatives do not exist,

or for purposes of public safety, are permitted when properly mitigation with the agency having jurisdiction. Utility transmission and collection lines are also allowed as are pre-treatment stormwater management facilities. Lots are not permitted within wetlands, and development must maintain a 25-foot buffer from all wetlands. A final wetland delineation survey will be provided during the Level 2 Review to ensure these standards are met. A density transfer is being requested from the wetlands at 1 dwelling unit per 5 acres, which is permissible in accordance with Section 620 of the LDC, so long as no wetlands are impacted. The wetlands are designated as freshwater forested and shrub wetlands.

On the County's DataViewer, an "AE" Flood Zone with a Base Flood Elevations of 118.6 feet and 120.4 above sea level located along Gerber Dairy Road and the floodway, respectively. This flood zone is an area inundated by 100-yr flooding. This is a statistical concept referring to a 1% chance that the area floods in any given year. According to the U.S Geological Survey, the accuracy of the 1% AE flood zone "varies depending on the amount of data available, the accuracy of those data, land-use changes in the river drainage area, climate cycles, and how well the data fits the statistical probability distribution."

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

C. Soils:

Nearly 65% of the developable area of the project site is comprised of fine sands that are poorly drained soils that formed in sandy and loamy marine sediments. These soils are typically found in wet, flood-prone areas such as this site. The bulk of the rest of the site is characterized by mucks that are found in the wetlands and flood zones, and which are completely unsuitable for development. No soils on site are ideal for septic absorption, but the applicant intends to connect to an available sewer line.

Furthermore, the soils present challenges to the construction of dwelling units. However, these challenges can be manipulated and mitigated through a sound lot grading plan. 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 7

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Pompano Fine Sand	Severe: Wetness, Poor Filter	Severe: Wetness	26.3%
Hontoon Muck	Severe: Wetness, Poor Filter	Severe: Wetness	20.9%
Samsula Muck	Severe: Wetness, Poor Filter	Severe: Wetness	14.7%
Adamsville Fine Sand	Severe: Wetness, Poor Filter	Moderate: Wetness	11.1%
Ona-Ona Wet Fine Sand	Severe: Wetness, Poor Filter	Severe: Wetness	10.6%
Smyrna and Myakka Fine Sands	Severe: Wetness, Poor Filter	Severe: Wetness	7.8%
Immokalee Sand	Severe: Wetness	Severe: Wetness	5.8%
Placid & Myakka Sands	Severe: Poor Filter	Severe: Ponding	2.7%

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

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. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

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

F. Wells (Public/Private):

The subject site is not located in a Wellfield-Protection District. No private wells were noted in the application.

G. Airports:

This property is not within the Bartow Municipal Airport Impact Zone. However, the proposed single-family residences should not have any impact on airport functions. The homes will not exceed the maximum heights allowed by Table 2.2 or the Wahneta Neighborhood Plan.

Economic Factors:

The proposed planned development is one of several under construction or being planned in the US 17/Bomber Road area. This is an older part of the greater Winter Haven and Eagle Lake area with much of the existing surrounding subdivisions created in the mid 60's. As such, the housing stock is older, and the atmosphere is more rural than elsewhere around Winter Haven and Eagle Lake. This area was identified in 2000 as an area that could benefit from redevelopment, and the Wahneta Neighborhood Plan was created with input from the community. This included policies that encourage development of vacant properties to assist in the revitalization efforts in the

Wahneta area. This has encouraged further development at a higher density than what is presently found. Adding a variety of housing options to an area helps maintain economic stability, especially in a municipality such as Polk County that is reliant on commuters to nearby Tampa and Orlando.

For Polk County, the number of proposed homes represents a return on the investment in local roadways and county provided services. Connection to water and wastewater through the City of Eagle Lake make this development possible. Without it, lot sizes would not be permitted to be smaller than 10,890 square-feet per Health Department regulations. The housing market in Polk County is strong, and the housing trend has been for bigger houses on smaller lots.

Consistency with the Comprehensive Plan and Land Development Code:

As noted, this request is consistent with the Land Development Code. Development criteria for Planned Developments are 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.

This request is consistent with the Land Development Code. Development criteria for Planned Developments are detailed under Section 303 of the LDC. Table 8, to follow, outlines relevant components of Section 303 and how the project addresses them.

Table 8

LDC Section 303 – Planned Development	Consistency Analysis
<i>The site shall be suitable, or it shall be possible to make the site suitable for development in the manner proposed without negative impact to persons or property, on or off the property. Conditions of soil, ground water level, drainage and topography shall all be appropriate to both type and pattern of use intended. Erosion, flood hazard and damage to natural resources shall be avoided.</i>	During the Level 2 Review, the applicant will submit a lot grading plan that shall be reviewed by the Development Review Committee. Development will occur outside of the wetlands. Development within flood zones will require compensation.
<i>Planned Development shall be so located in relation to transportation systems, sanitary sewers, emergency services, schools, public safety, water lines, storm and surface drainage systems and other utilities systems and installations that services can be available at the time of request for Certificate of Concurrency.</i>	All listed services are available, as identified in the Staff Report, and have ample capacity for this development.
<i>Planned Development, where appropriate because of the size or intensity of the proposed project, shall be so located with respect to expressways, arterial and collector streets or mass transit facilities. Planned Development shall be designed to provide access to and from its location without creating excessive traffic along minor streets in residential neighborhoods outside the Planned Development.</i>	The subject site will utilize internal roads for ingress/egress to Bomber and Gerber Dairy Road. No access points will be onto nearby local residential roads or through subdivisions.
<i>Planned Development shall be located and designed so as to minimize the negative effects of external impacts resulting from factors such as traffic, noise, or lights. Project control shall be accomplished through such techniques as buffering, architectural design, site design, height limitations, and density or intensity limitations.</i>	The proposed development will be buffered from surrounding residential development to the requirements in Ch. 7 of the LDC. The traffic generated from this project is as described in the Staff Report and a major traffic study will be required at the time of the Level 2 review. Glare from street lighting shall be minimized per the LDC.
<i>Planned Development shall be responsive to the character of the area. When located in an area where land use types, intensities, or densities vary, Planned Development shall be designed in such a manner as to provide for gradual changes in intensity or density.</i>	The surrounding residential types are single-family site-built homes and mobile homes. Adjacent properties are larger than the proposed lots. Buffering techniques have been addressed in the Staff Report.
<i>All Planned Development proposing specific approval of requirements for development under standard district regulations shall be designed so as to be sensitive to the impacts of the specific approval requested.</i>	The proposed development will deviate from the development standards of the RS land use district but remain within the density allowed through the SPD process.
<i>Planned Development shall include additional screening, buffering, transitional uses or other design features as necessary to adequately protect existing or probable uses of surrounding</i>	This development will adhere to the buffering and landscaping practices as described in Ch. 7 of the LDC. Linkages to adjacent properties are not desirable in this

LDC Section 303 – Planned Development	Consistency Analysis
<i>property; and shall provide functional and logical linkages to activity centers and circulation facilities on such adjacent property.</i>	case as it is in a RS land use district.
<i>Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Accel/decel lanes or medians shall be required where existing or anticipated traffic flows indicate need.</i>	Changes to the public roadway system will be reviewed at the time of the Level 2 submission
<i>Streets, drives, parking and service areas shall provide safe and convenient access to all buildings and uses. Uses shall be grouped to minimize internal vehicular movements. Facilities and access routes for deliveries, servicing and maintenance shall be located and arranged to prevent interference with pedestrian traffic.</i>	The applicant has submitted a site plan that reflects these standards. Further details will be available for review at the time of the Level 2 submission.
<i>Planned Development shall provide internal or external walkways where pedestrian circulation requires them. The site plan shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, facilities and open spaces in a manner facilitating pedestrian movement between major origins and destinations, within and adjacent to the site, with a minimum of conflicts with vehicular traffic.</i>	The proposed development will incorporate internal sidewalks per the Conditions of Approval. A sidewalk will be built along Gerber Dairy and Bomber Road.
<i>Planned Development shall be designed to preserve the natural features such as wetlands, wildlife and plant species. Project design shall address protection of well fields, flood plains, surface water, and archaeological and historic sites, as much as possible.</i>	Development will occur only on the upland portions of this property. The applicant is utilizing the allowable density transfer from wetlands to achieve the 240 unit count.
<i>Density or intensity shall not exceed maximums established in the Comprehensive Plan. Planned Development densities/intensities shall be established after consideration of the Comprehensive Plan criteria and limits, neighborhood compatibility, transitions, and site design.</i>	The residential density of this SPD (2.13 DU/AC) does not exceed the maximum density allowed through this process (3 DU/AC).
<i>Height in a Planned Development shall be determined after review of the surrounding land uses to ensure that the proposed development will not create any external impacts that would adversely affect surrounding development, existing or proposed.</i>	The proposed single-family residences will not exceed the height limit of the RS land use district.
<i>Fences, walls, or vegetative buffers shall be provided where appropriate to protect occupants from undesirable views, lighting, noise or other off-site influence, or to protect occupants of adjoining properties from similar adverse influences.</i>	This development will meet buffering and landscaping practices as described in Ch. 7 of the LDC, as detailed in the Staff Report.
<i>Yard and setback requirements shall promote general health, safety, welfare, design excellence and neighborhood compatibility in each Planned Development. All setbacks within a Planned Development shall be measured from property lines and shall be shown on the development plans in either graphic or tabular form.</i>	The applicant has submitted a site plan with the requested setbacks. Primary structure side lot setbacks will be reduced to accommodate other development requirements & design.
<i>All central refuse, trash, and garbage collection containers shall be screened from sight or located in such a manner so as not to be visible from any public area within or adjacent to the Planned Development.</i>	Dumpsters and trash collection will be in accordance with Sections 209 & 213 of the LDC and reviewed at the time of the Level 2 submission.
<i>The provisions of the Planned Development approvals may be more restrictive, as necessary, to meet the other standards contained in this Section but not less restrictive than required in Section 760.</i>	The applicant will adhere to the signage requirements of Section 760. Should the applicant deviate from this section, a Sign Plan and Level 3 Review will be required as stated in Section 760.J.
<i>Landscaping shall be equal to or exceed the standards stipulated under Section 720, Landscaping and Buffering.</i>	This development will meet the buffering and landscaping practices as described in Ch. 7 of the LDC.
<i>Stormwater Management facilities shall adhere to the requirements of Section 740, Stormwater Management, and the Technical Manual.</i>	Stormwater Management facilities have been identified on the site plan, will adhere to the pertinent standards, and will be reviewed at the time of the Level 2 submission.

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
<i>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</i>	The proposed Suburban Planned Development (SPD) is surrounded by a residential land use district. There are residential subdivisions, residential lots and residential land use districts located adjacent to the subject site.
<i>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</i>	The applicant has demonstrated that this development is not premature in the SDA. The project will connect to centralized potable water and wastewater. The cluster design promotes compact growth and contiguous growth.
<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 SPD is being proposed in an area of the County that contains public utilities and community services which exceed what is typically found in a Suburban Development Area (SDA).
<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 as no new services and infrastructure has to be built.
<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.

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 Land Development Code.

Table 10

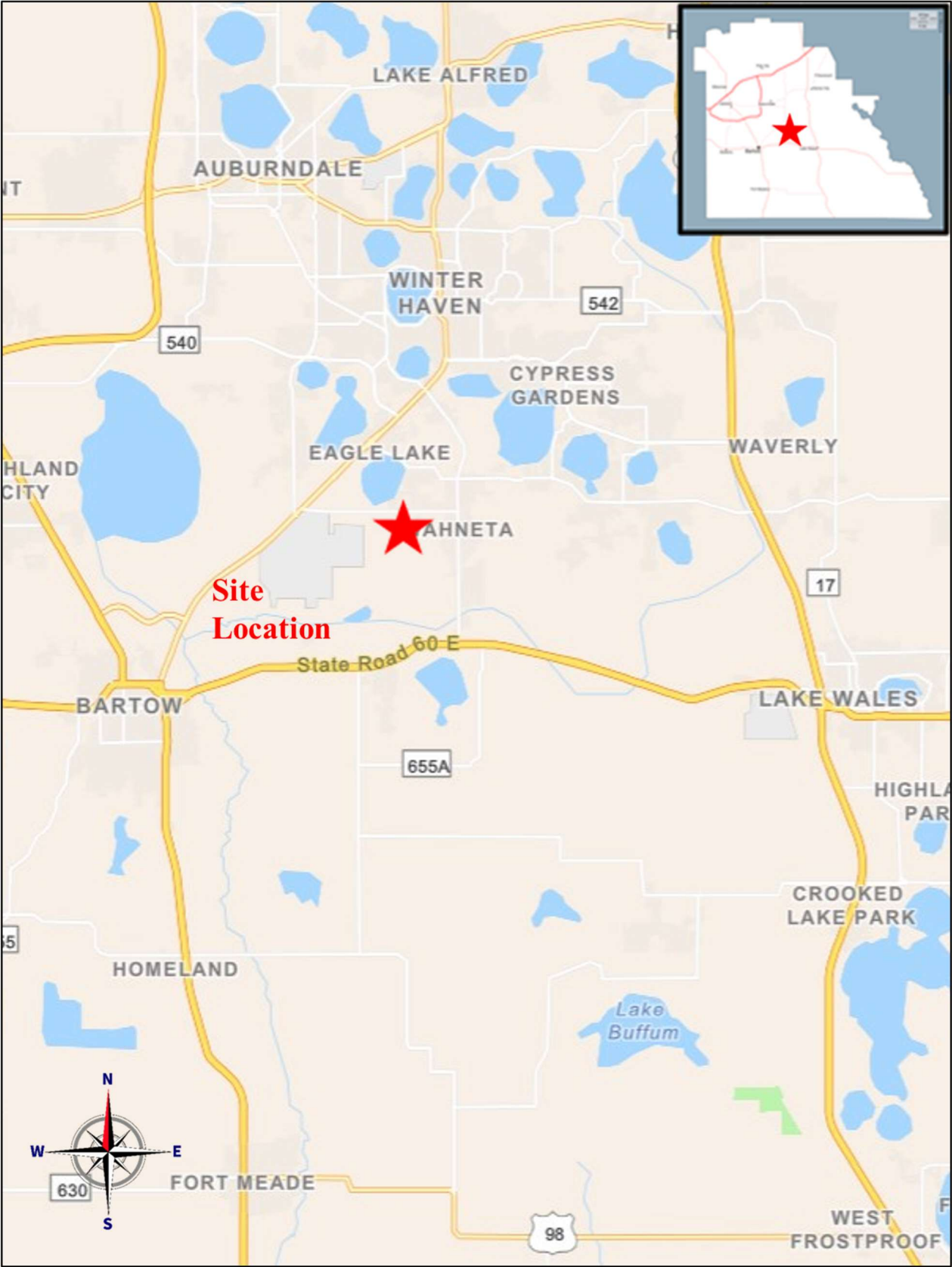
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
<i>Whether the proposed development is consistent with all relevant requirements of this Code;</i>	Yes, this request is consistent with the LDC, specifically Table 2.1 and Section 303 as detailed throughout the Staff Report and summarized in Table 8.
<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 as described in Table 9. The request exceeds the required standards of the Suburban Development area as described in SECTION 2.106. The request exceeds the required standards of the Residential Suburban land use district as described in SECTION 2.120-A1 and SECTION 2.120-B – SUBURBAN PLANNED DEVELOPMENT (SPD).
<i>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</i>	Yes, the request is compatible with surrounding uses and the general character of the area. See Page 7-10 of this staff report for data and analysis on surrounding uses and compatibility.
<i>How the concurrency requirements will be met, if the development were built.</i>	Yes, the request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 10-16 of this staff report for data and analysis.

Comments from other Agencies:

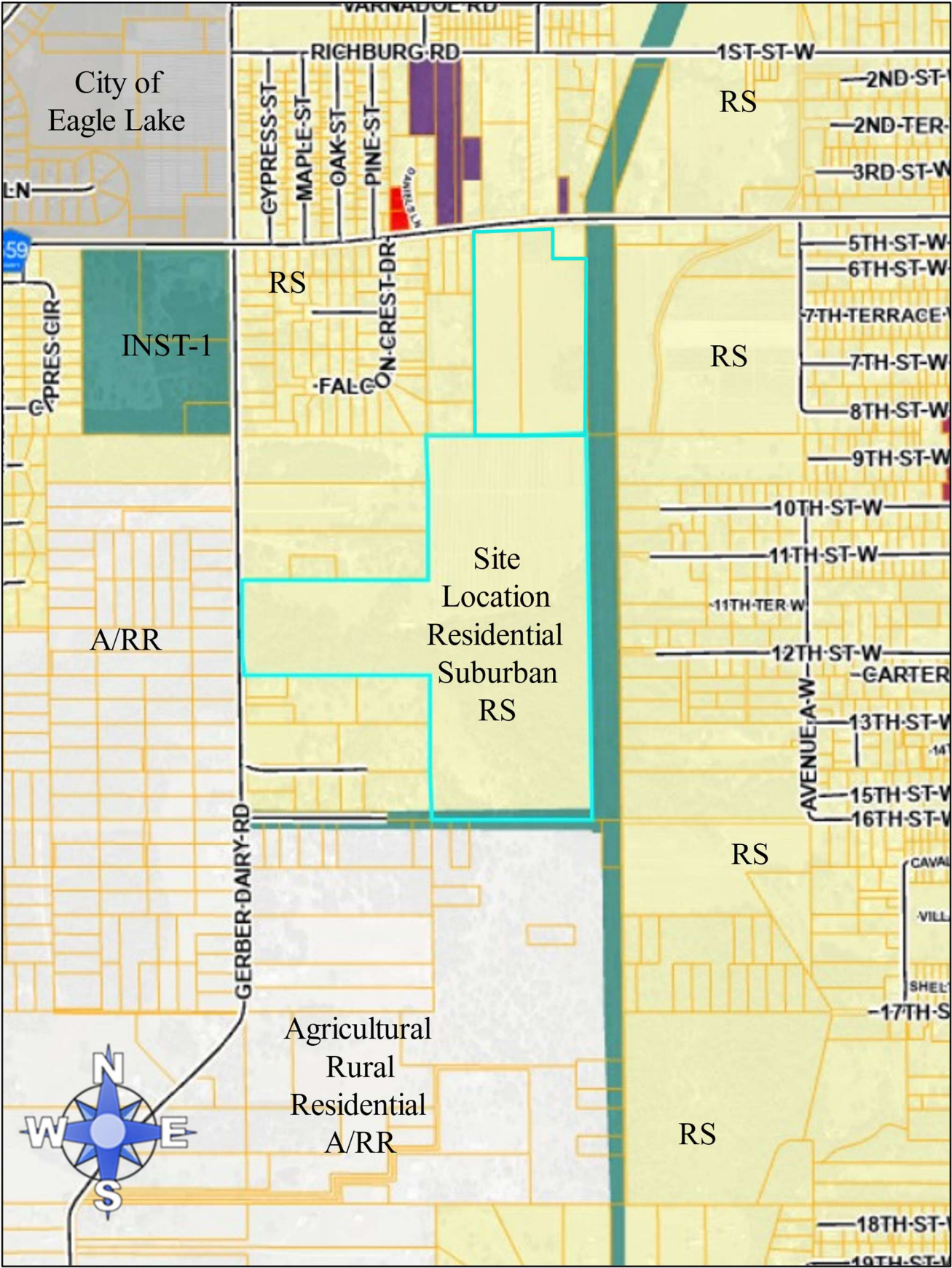
None

Exhibits:

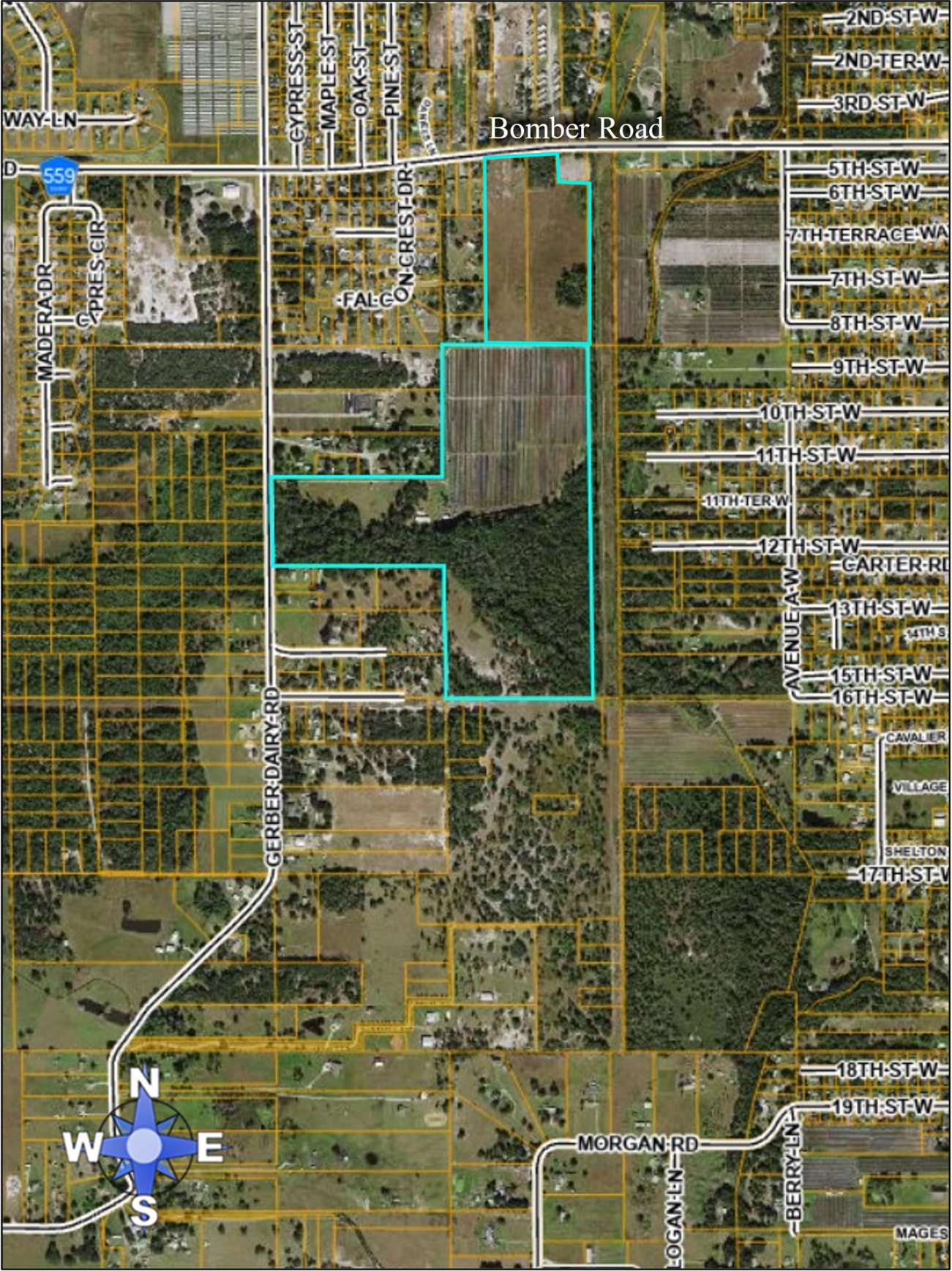
Exhibit 1	Location Map
Exhibit 2	Future Land Use Map
Exhibit 3	2020 Aerial Image (context)
Exhibit 4	2020 Aerial Image (close-up)
Exhibit 5	Site Plan
Exhibit 6	Developable Area Map



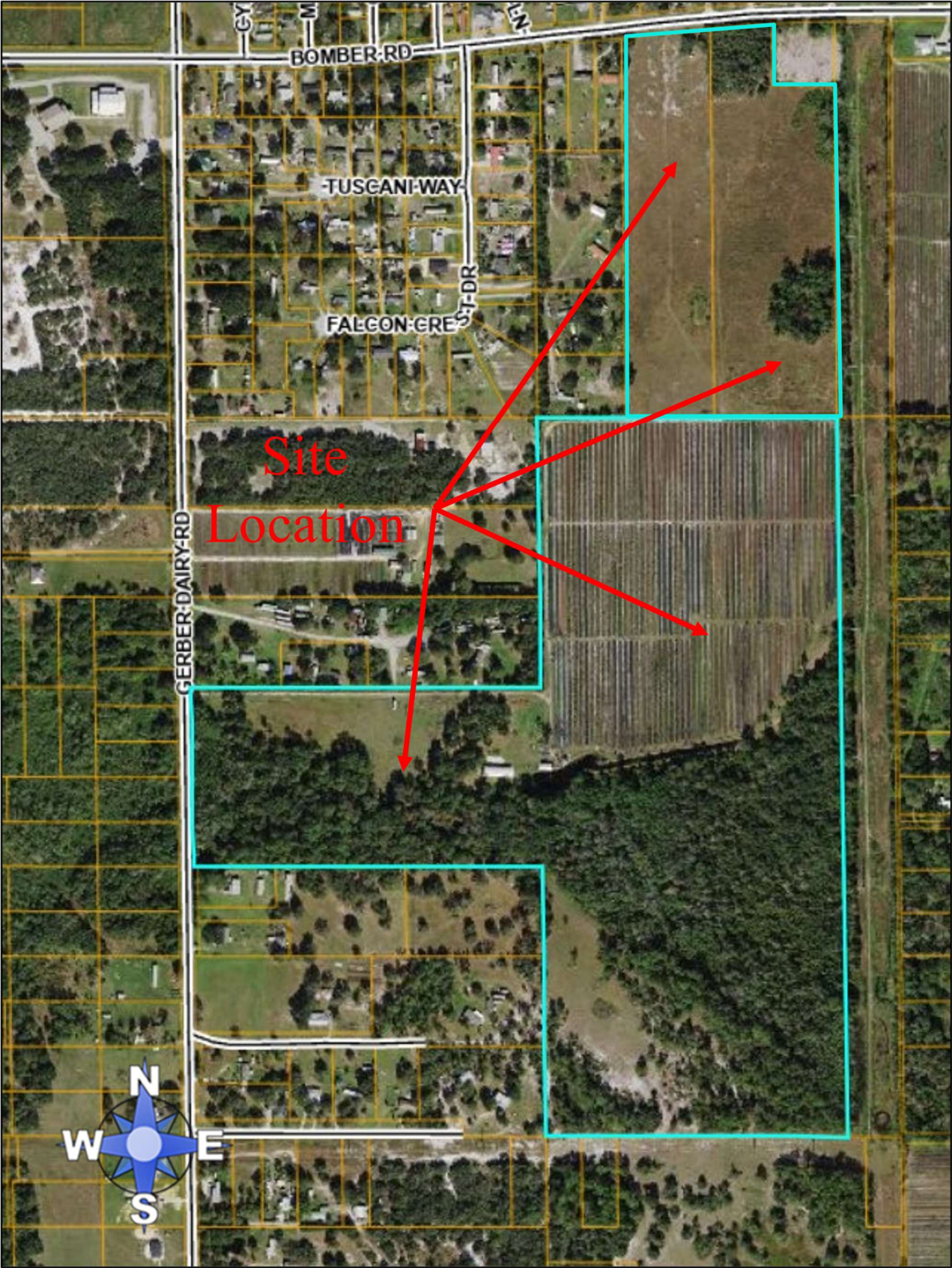
Location Map



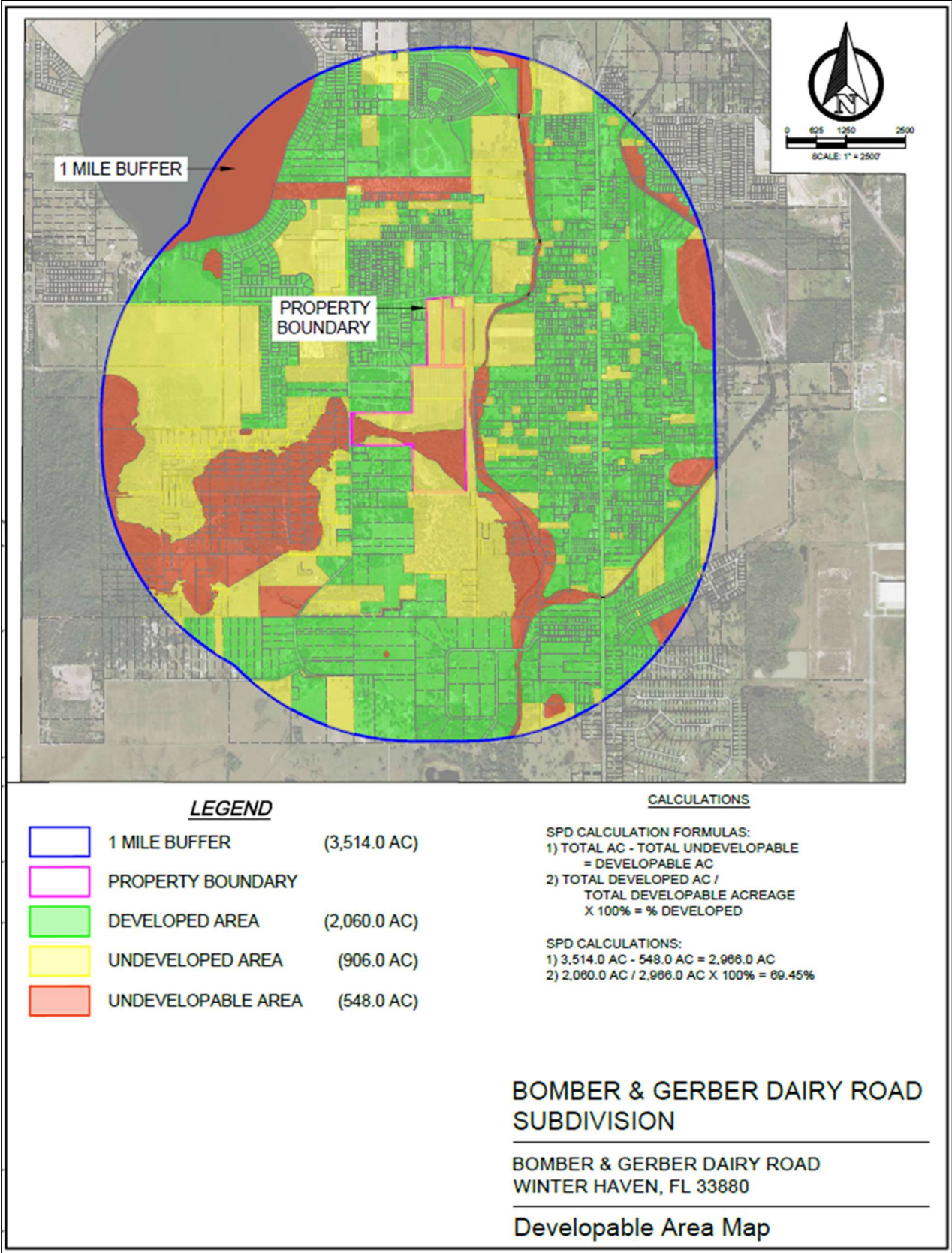
Future Land Use Map



2020 Aerial Image (Context)



2020 Aerial Image (Close-up)



Developable Area Map