

CITY OF WINTER HAVEN FACT SHEET
CITY COMMISSION MEETING
November 12, 2019

DATE: September 18, 2019

TO: Honorable Mayor and City Commissioners

VIA: Mike Herr, City Manager
T. Michael Stavres, Assistant City Manager
Eric Labbe, Growth Management Director

FROM: Sean Byers, Planning Manager

SUBJECT: **Ordinance O-19-27:** Request by Paul William Schulz to assign Residential-Low Density Future Land Use to 3 annexed parcels. **General Location:** Parcels generally located on the west side of Country Club Road, approximately 1,700 feet south of Hamilton Point, NE. The area covered by this request is 67.1± acres; and

Ordinance O-19-28 Revised: Request by Paul William Schulz to assign Planned Unit Development (PUD) zoning district to 3 annexed parcels. **General Location:** Parcels generally located on the west side of Country Club Road, approximately 1,700 feet south of Hamilton Point, NE. The area covered by this request is 67.1± acres.

BACKGROUND:

Paul William Schulz, petitioner, requests the City assign Residential-Low Density Future Land Use and Planned Unit Development (PUD) zoning district to 3 annexed parcels. The area subject to this request consists of portions of the Outback Oasis event venue, the reclaimed Sage Road landfill, and vacant land. The area contains a total of 67.1± acres. Annexation of the parcels was approved by the City Commission October 22, 2018.

The petitioner proposes to develop the subject area with an “aging in place” concept which includes a mixture of residential uses marketed to individuals over age 55. Uses would include a combination of detached active adult residences, attached low-rise condominiums or townhouses, and an assisted living facility. The total number of units will be 400. The existing Outback Oasis event venue is proposed to function as an amenity to, and support for, the “aging in place” community as recreation and open space. An enclosed event space or clubhouse up to 5,000 square feet will be added to the existing event venue acreage.

To facilitate development of the subject area, and to improve overall traffic circulation in this part of the City, the petitioner proposes to dedicate right-of-way to allow for the future extension of Sage Road to Country Club Road. The right-of-way is generally located along the western edge of the subject area near the old Sage Road Landfill, and then extends eastward, south of an existing pond located on the northern portion of the property. The proposed PUD zoning district requires construction of Sage Road, within the project boundaries, according to a phased schedule. Furthermore, the last 100 residential structures may not be constructed

until such time as Sage Road is constructed and completed to collector roadway standards from County Club Road to the southern boundary of the subject property and the applicant pays its pro rata, fair share cost for the design of the Sage Road connection, based on linear footage of property owned by the applicant along the Sage Road connection from the southern boundary of the subject property to Dundee Road. No habitable structures will be developed over the old landfill; however, this space may be used for parking and/or recreation.

The requested PUD addresses the following development criteria: specific land uses, development timing, building setbacks and height, landscaping, noise, transportation requirements, and signage.

As these requests contain a large-scale Future Land Use Map amendment, they were reviewed by the Florida Department of Economic Opportunity (DEO) and other state and local agencies. Upon completion of their review, DEO issued a letter indicating they had no comments or objections relating to the proposed Future Land Use Map amendment.

SURROUNDING USES:

Uses surrounding the subject property include woodlands, wetlands, and a single-family residence with agricultural buildings to the north; woodlands, single-family residence, and agricultural buildings to the east; single-family residences on varying lot sizes and wetlands to the south; and agricultural uses and wetlands to the west. Several single-family subdivisions are located less than one mile from the subject property along Country Club Road. The table below illustrates the approximate distance to nearby residential subdivisions.

Subdivision	Zoning	Approximate Distance	General Direction
Crossroads at Lake Region	PUD	3,100 feet	Southeast
Country Club Estates	PUD	2,100 feet	Southeast
Country Walk of Winter Haven	PUD	2,900 feet	Southeast
Gates of Lake Region	PUD	1,900 feet	East South East
Hamilton Pointe	R-1	1,400 feet	Northeast
Hamilton West	R-1	3,000 feet	North
Hampton Cove	R-2	3,700 feet	Northwest

PUBLIC INFRASTRUCTURE ANALYSIS:

The City’s Residential-Low Density Future Land Use allows up to a maximum of 10 dwelling units per acre. Based on 67.1 acres of Residential-Low Density Future Land Use, up to a maximum of 671 residential units could be developed. However, the companion Planned Unit Development (PUD) zoning request limits the number of residential units to 400 and the amount of non-residential space to a single 5,000 square foot event venue and/or clubhouse. Utility impacts relating to this request are illustrated in the table below.

<i>Potable Water and Sewer</i>				
Type of Infrastructure	Existing Capacity* (May 31, 2019)	Vested Demands	Potential New Demands (400 units & 5,000 sf event venue)	Remaining Capacity
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Sewer (WWTP 2)	623,000 g/d	114,800 g/d	95,200 g/d	413,000 g/d

Sufficient capacity exists within the water and wastewater infrastructure to accommodate the petitioner's request.

The most intense residential development scenario permitted by the proposed PUD is 250 assisted living units (500 beds) and 150 active adult detached units. Under this maximum residential development scenario up to 151 total peak-hour trips may be generated. This is approximately equal to 154 single family homes or a single family development of approximately 2.29 units per acre upon the subject property. At maximum possible build-out under the proposed PUD, sufficient capacity exists on Country Club Road to accommodate the petitioner's request. Staff's analysis is consistent with results contained in a traffic study conducted by Traffic and Mobility Consultants in June, 2019. The traffic study found Country Club Road will adequately and efficiently accommodate the projected traffic. The tables below illustrate potential impacts to Country Club Road under the most intensive development scenario as evaluated by staff, as well as a comparison of trips generated by existing nearby subdivisions on Country Club Road with potential development scenarios as would be permitted under the proposed PUD.

<i>Transportation</i>					
Type of Infrastructure	Existing Trips	Vested Demands	Potential New Demands (250 ALF Units and 150 Active Adult detached units)	Remaining Capacity	Percent Remaining Capacity
Country Club Road NB (PM Peak-hour Capacity 792 Trips)	184 trips	59	77	472	59.6%
Country Club Road SB (PM Peak-hour Capacity 792 Trips)	179 trips	57	74	482	60.9%

<i>Surrounding Subdivision Trip Generation</i>				
Subdivision		Number of Lots	Number of Peak Hour Trips*	Year Platted
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Development of Subject Area @ average area density (2.87 DU/acre)		193	195	
Development Scenarios under Proposed PUD	Maximum 400 Active Adult Detached Units; or	400	108	
	Maximum 400 Senior Attached Units; or	400 units	64	
	Maximum 250 ALF units and 150 Active Adult Detached Units	400 units	151	

* Generation rate based on ITE Trip Generation Manual, 8th Edition

It must be noted, even though adequate capacity exists on Country Club Road to accommodate the proposed development, the petitioner intends to dedicate a 60-foot right-of-way through the subject area to facilitate an extension of Sage Road from the south to Country Club Road. The portion of this road located on the subject property will be constructed as part of the development plans. Should the roadway connection to SR 542 (Dundee Road) be constructed, a significant portion of the new trips will likely be directed southward, away from Country Club Road towards Dundee Road. The Sage Road connection is identified in the 2025 Comprehensive Plan's Future Roadway Network Maps. Furthermore, the ultimate construction of the Sage Road connector will potentially reduce emergency service response times to this portion of Country Club Road by several minutes.

As the proposed residential uses will be age-restricted, there will be no impact on public schools and compliance with public school concurrency will not be required.

COMPREHENSIVE PLAN:

The subject area is designated as Polk County Residential Low 1. The requested 67.1 acres of Residential-Low Density Future Land Use represents the most compatible City Future Land Use to the existing Polk County Future Land Use on the property, the existing Future Land Use on surrounding properties remaining in unincorporated Polk County, and those adjacent and nearby properties located inside the City. The table below illustrates the developed residential densities of subdivisions located within one mile of the subject parcels.

Subdivision	Density (units/ac)	Year Developed
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Average	2.87	
Proposed Outback Oasis (400 units)	5.96	

The requested PUD zoning is consistent with Future Land Use Element Policy 1.3.2, which allows:

- Residential densities between 2 and 10 units per acre;
- One acre of local convenience or service use per every 50 residential units (based on 400 units up to 8.0 acres is allowed; however only 6.03 acres are proposed), and within that area a structure for non-residential use up to 5,000 square feet in area is allowed.

NOTIFICATION:

All public notification requirements for these requests were met.

CONCLUSION:

In reviewing the petitioner's requests, the following conclusions have been reached:

- At full build-out, the petitioner’s request will generate between 64 and 151 peak-hour trips depending on the final mix of residential uses. Under all development scenarios, except for attached senior housing, this represents an increase over the number of trips which may be generated by residential uses permitted by Polk County; however, under all development scenarios the anticipated number of peak-hour trips will be a reduction from the number of trips which may be generated by residential uses permitted by the City’s R-1 zoning district. Even under the most intensive development scenario, Country Club Road will continue to operate at 40 percent of its capacity;
- Construction of the Sage Road connection to Dundee Road would likely divert most of the new trips off of Country Club Road as Sage Road would become a more direct route to reach supporting services and likely destinations. Furthermore, construction of the Sage Road connection will potentially reduce emergency response times by several minutes to the Country Club Road area;
- With an overall residential density of 5.96 units per acre, the petitioner’s requested development is consistent with the requested Residential-Low Density Future Land Use;
- Uses with the potential of creating off-site impacts under the former Polk County Residential-Low 1 Future Land Use such as small group homes, mobile homes, intensive animal farms, livestock auctions, and schools will not be permitted. Likewise, the City’s R-1 zoning allows for all types of schools which have the potential to create significant impacts on surrounding roadways. As opposed to conventional zoning, the requested PUD places restrictions on the types and locations of specific uses, which cannot be amended without additional public hearings.

FINANCIAL IMPACT:

There is no financial impact to the City with these requests; however, future development of the property may lead to increased ad valorem and utility revenues in the future.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission, at its July 9, 2019 regular meeting, unanimously voted to recommend approval of these requests. Fifteen individuals spoke regarding the requests, 13 against and 2 in support. Those in opposition cited the requested density as being incompatible with surrounding uses, increased traffic on Country Club Road, increased noise generation, site contamination from the old landfill, and inclusion of commercial uses (Assisted Living Facility and Event Venue/Clubhouse). Those in support cited a community need for “aging in place” communities.

In addressing comments regarding the commercial nature of the proposed ALF, the Residential-Low Density Future Land Use specifically identifies these as residential in nature, and provides a limitation of 20 beds per acre (all densities are based on gross acreage). Based on the PUD’s limit of a maximum 500 ALF beds, the site only requires 25 acres to accommodate the maximum proposed ALF.

RECOMMENDATION:

Staff recommends the City Commission approve Ordinance O-19-27 and Ordinance O-19-28.

ATTACHMENTS:

Future Land Use Map

Zoning Map

Aerial Map

Polk County Future Land Use Map

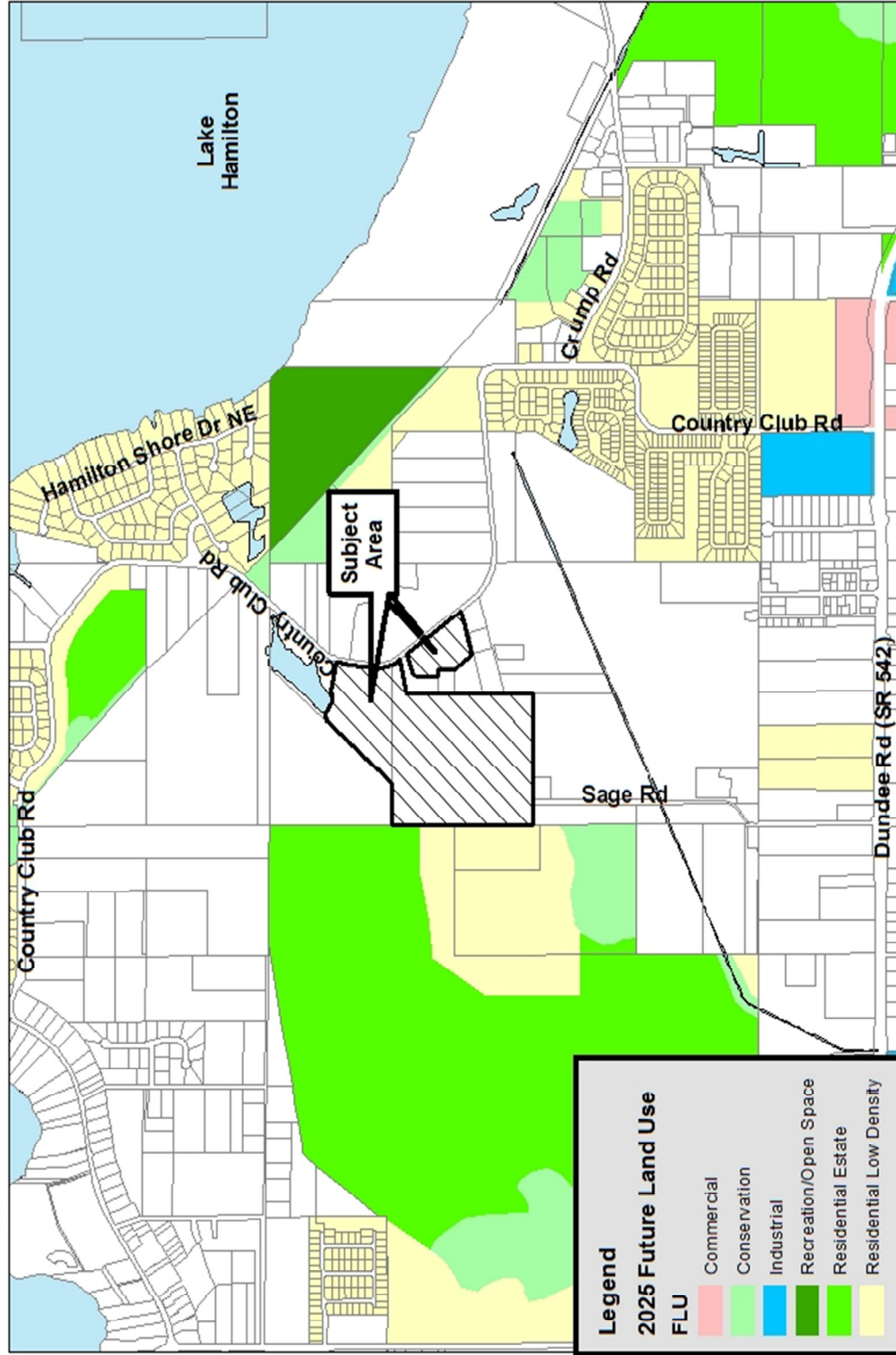
2025 Winter Haven Comprehensive Plan Winter Haven Area Roadway Network Map- 2020

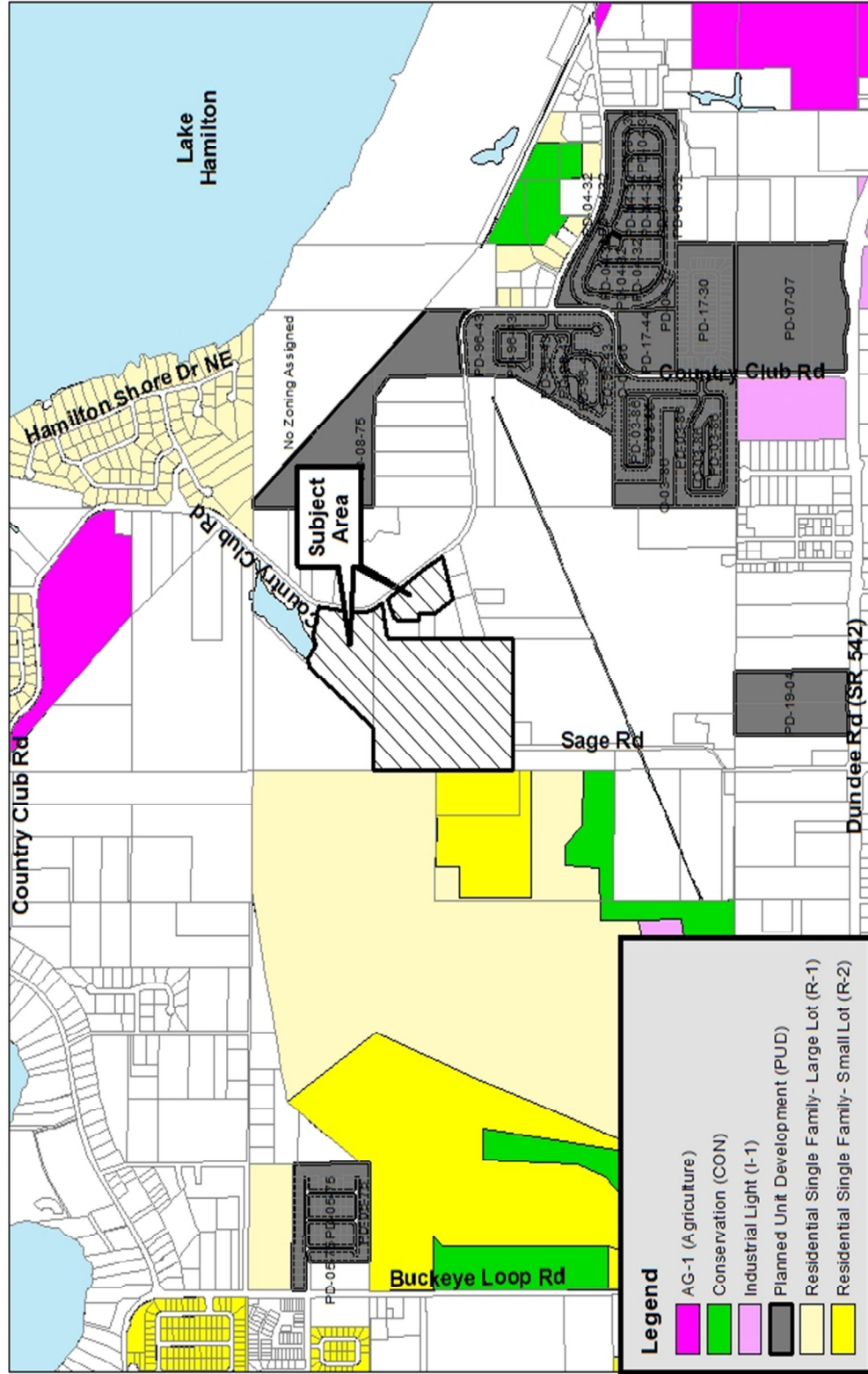
Polk County vs. Winter Haven Comparison of Uses

Vehicle Trip Generation Analysis

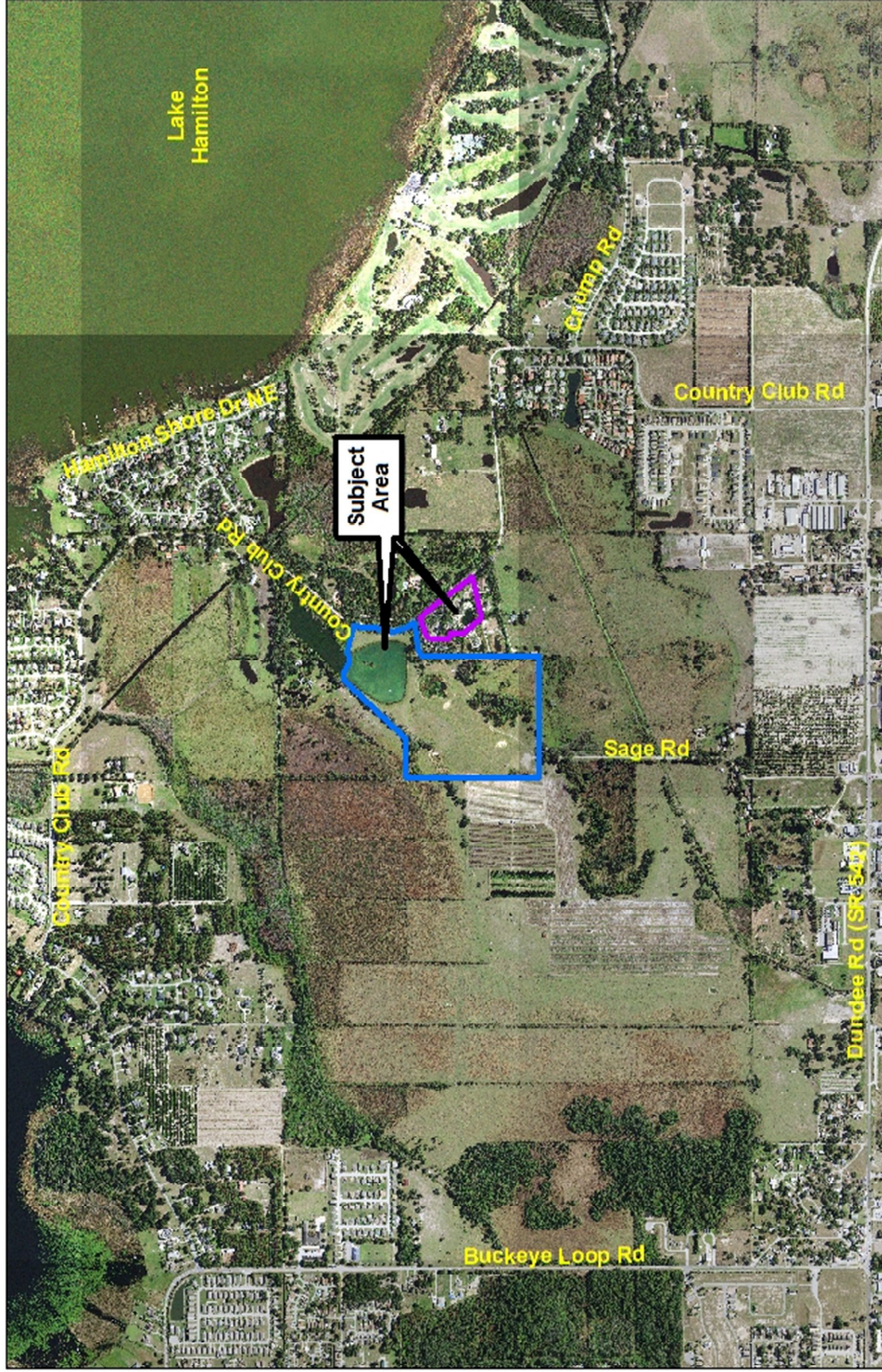
Ordinance O-19-27 (Future Land Use)

Ordinance O-19-28 Revised (Planned Unit Development)





The map is created from a subset of data from the City of Winter Haven Geographic Information System (GIS) database. The City of Winter Haven makes no claims, no representations, and no warranties, express or implied, concerning the validity (express or implied), the reliability, or the accuracy of the GIS data and GIS data products furnished by the City, including the implied validity of any uses of such data.

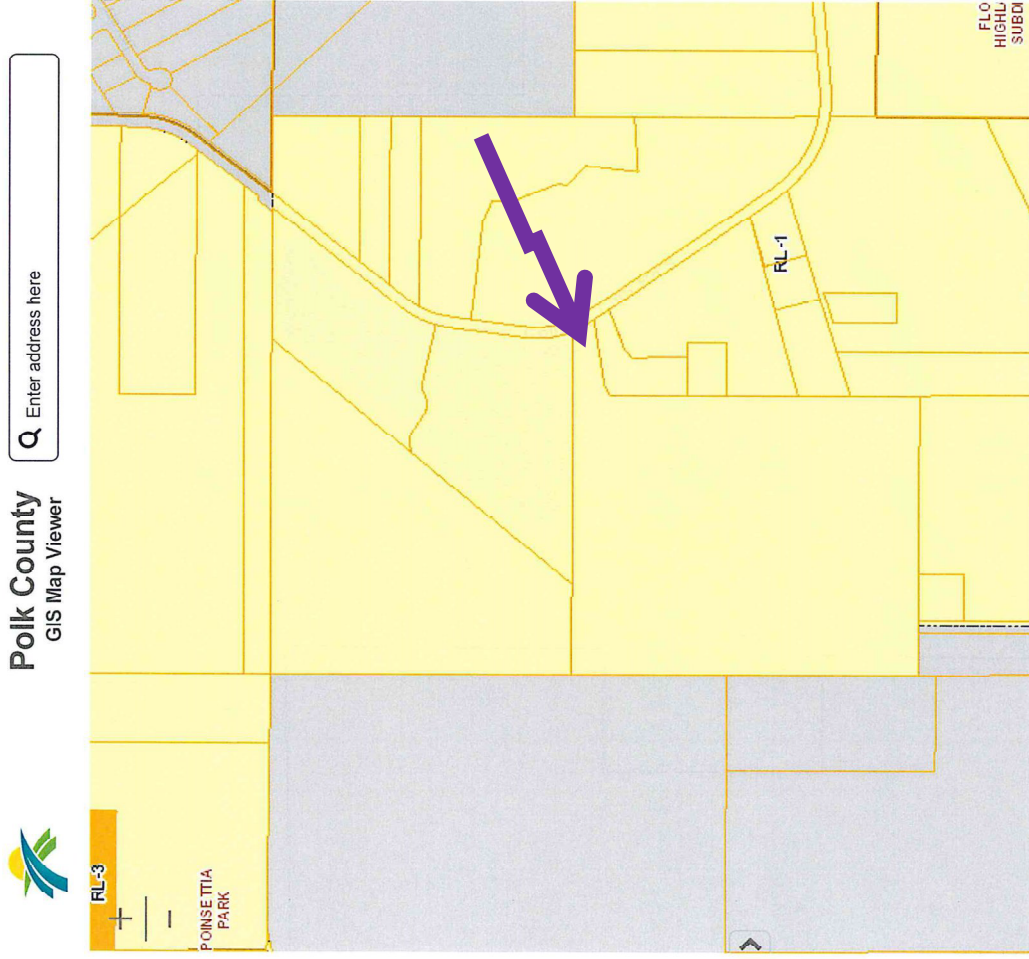


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Polk County Future Land Use Map

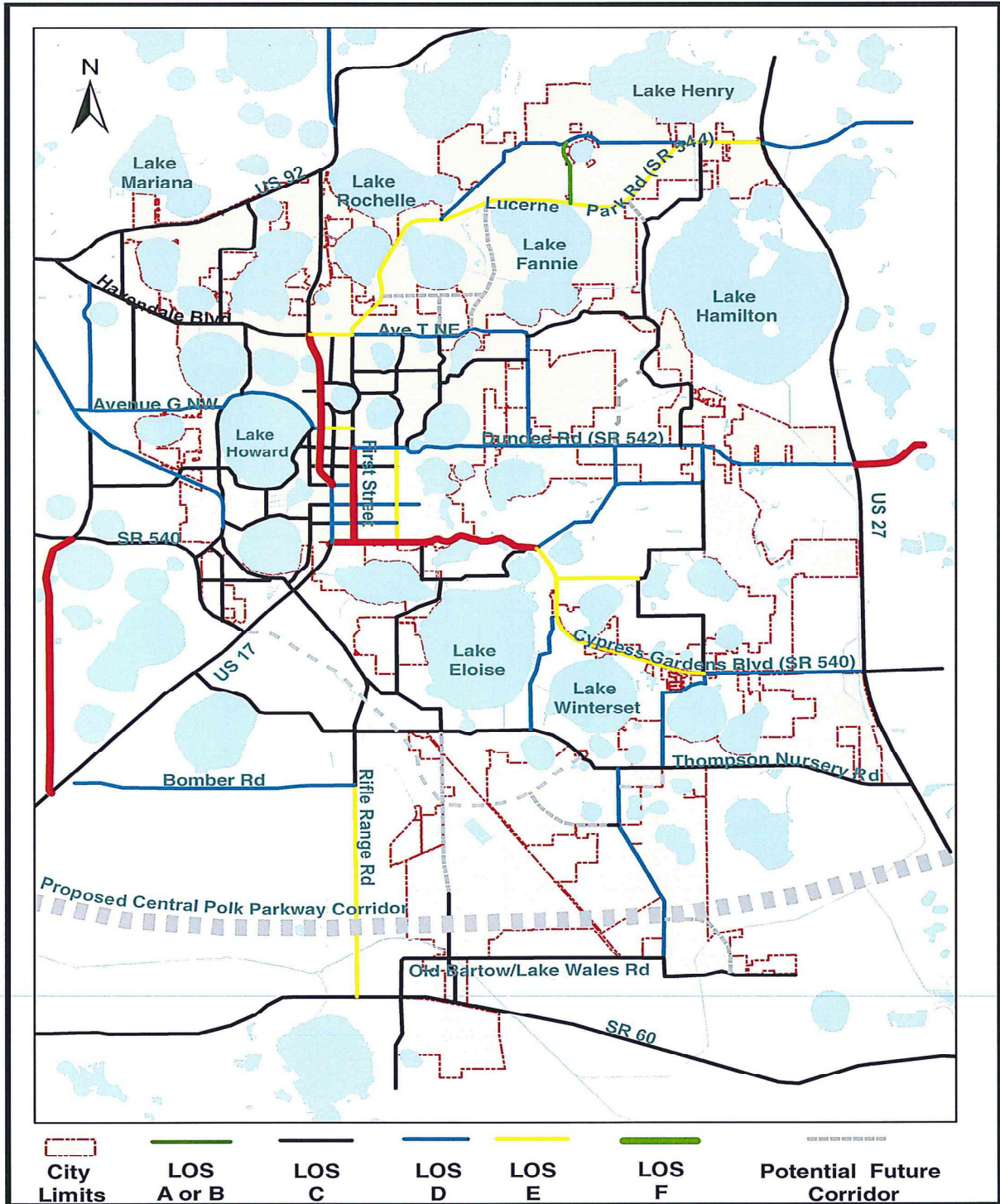
[Help](#)

Polk County Data Viewer



Winter Haven Area Roadway Network Level of Service- 2020

Revised 2/11/2013



Schulz Property Potential Uses
Polk County vs. City of Winter Haven

Polk County RL-1 Future Land Use		Proposed Winter Haven PUD		Winter Haven R-1 Zoning
<i>Uses Permitted by Right</i>	<i>Uses Permitted by Administrative Review</i>	<i>Uses Permitted with a Public hearing</i>	<i>Proposed Permitted Uses</i>	<i>Permitted Uses</i>
General Farming	Small Group Home (6 or less residents)	Group Living Facility (15 or more residents)	Event Venue/Clubhouse	Single-family Residential
Single-family Uses Minimum 40,000 sf Lots	Individual Mobile Homes	Mobile Home Park/Subdivision	Active Adult Residential	Single-family Modular Home
Class 1 and 2 Utilities	Infill Residential Development	Short Term Rental Unit	Townhomes/Villas	Accessory Residential Unit
	Intensive Animal farm	Planned Development	Assisted Living Facility	Home Occupations
	Livestock Auction	Adult daycare (7 or more clients)		Adult Family Care Home
	Nurseries & Greenhouses	Off-site Agricultural Support		Family Daycare Home
	Small emergency Shelter (6 or less occupancy)	Bed and Breakfast		Family Foster Home
	Golf Course	Childcare Center		Bed and Breakfast
	Passive Recreation	Cultural facility		Golf Course
	Low-intensity Recreation	Large Emergency Shelter		Public and Private Schools
	Elementary School	Government Facility		Parks and Open Space
	Middle School	Helistops		Recreation- Indoor Public
	Class 2 Utilities	Non-phosphate Mining		Recreation- Outdoor Public
		High Intensity Recreation		
		Vehicle Oriented Recreation		
		Religious Institution		
		Riding Academies		
		High School		
		Leisure Special Interest School		
		Class 3 Utility		

Vehicle Trip Generation Analysis

Land Use Scenario	Trip Generation Rate*	Intensity	Projected New Trips	Country Club Rd Existing Trips	Vested Trips	Total New Trips Country Club Rd	Percent of Capacity (792 trips)
Single Use Scenarios							
Single Family- Existing Polk FLU	1.02/unit	67 units	35 NB	184	59	278	35.1%
			33 SB	179	57	269	34.0%
Single-family- Winter Haven R-1	1.02/unit	201 units	105 NB	184	59	348	43.9%
			100 SB	179	57	336	42.4%
Active Adult Detached	0.27/unit	400 units**	55 NB	184	59	298	37.6%
			53 SB	179	57	289	36.5%
Senior Housing Attached	0.16/unit	400 units**	33 NB	184	59	276	34.8%
			31 SB	179	57	267	33.7%
Assisted Living	0.22/bed	250 units/500 beds**	56 NB	184	59	297	37.5%
			54 SB	179	57	290	36.6%
Public School (Elementary)	1.21/student	750 students	463 NB	184	59	706	89.1%
			445 SB	179	57	681	86.0%
Public School (High School)	0.97/student	1,800 students	890 NB	184	59	1,133	143.1%
			856 SB	179	57	1,092	137.9%
Private School (K-12)	0.58/student	350 students	104 NB	184	59	347	43.8%
			99 SB	179	57	335	42.3%

* Institute for Transportation Engineers Trip Generation Manual- 8th Edition

** Based on PUD zoning restrictions

ORDINANCE NO. O-19-27

AN ORDINANCE AMENDING ORDINANCE 11-03, THE 2025 WINTER HAVEN COMPREHENSIVE PLAN, BY REVISING THE FUTURE LAND USE MAP SERIES BY ASSIGNING RESIDENTIAL-LOW DENSITY FUTURE LAND USE TO THREE (3) ANNEXED PARCELS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE. (General Location: Three (3) parcels generally located on the west side of Country Club Road, approximately 1,700 feet south of Hamilton Point, NE. The area covered by this request is 67.1± acres.)

WHEREAS, a proposed amendment to the Winter Haven Comprehensive Plan, Future Land Use Map Series, has been studied, documented, advertised, and heard by the Winter Haven Planning Commission; and

WHEREAS, the proposed amendment has been transmitted to, and returned from, the State of Florida in accordance with Chapter 163 of the Florida Statutes; and,

WHEREAS, the City Commission of the City of Winter Haven, Florida, deems it appropriate to amend the Comprehensive Plan in order to further the public interest and the general welfare of the citizens of the City of Winter Haven.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER HAVEN, FLORIDA, AS FOLLOWS:

1. That the Future Land Use Map Series of the Comprehensive Plan of the City of Winter Haven, Florida, is hereby amended by assigning "Residential-Low Density" Future Land Use as classified by the City of Winter Haven's Future Land Use Element.
2. This ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Commission.
3. The correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

4. All ordinances in conflict herewith are hereby repealed.

5. The effective date of this plan amendment shall be: the date a final order is issued by the State Land Planning Agency (Department of Economic Opportunity's Community Planning and Development Office) finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.; or the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

INTRODUCED on first reading this 12th day of August, 2019.

PASSED on second reading this 12th day of November, 2019.

CITY OF WINTER HAVEN, FLORIDA

MAYOR-COMMISSIONER

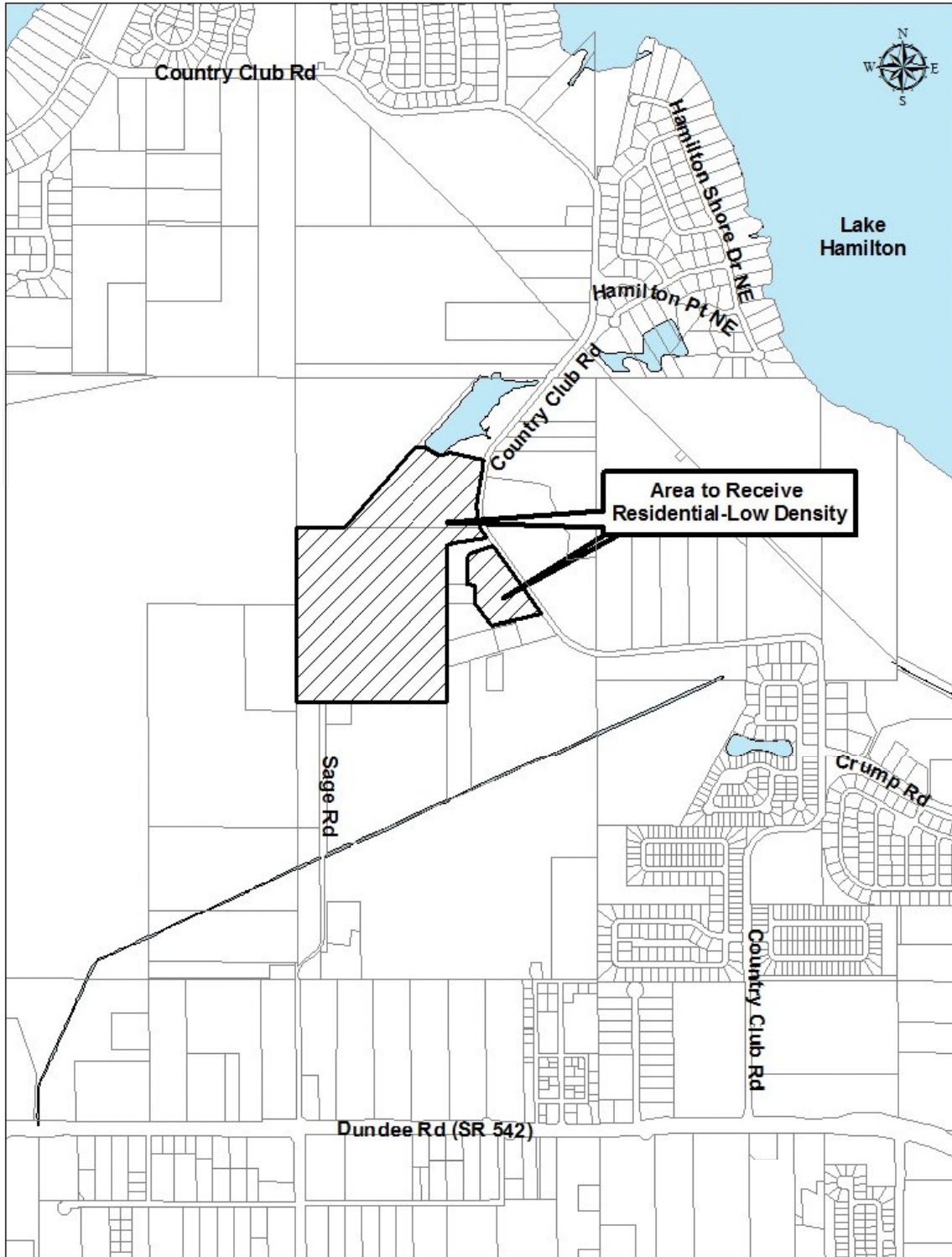
ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Exhibit "A"



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CONCLUSION:

In reviewing the petitioner's requests, the following conclusions have been reached:

- At full build-out, the petitioner’s request will generate between 64 and 151 peak-hour trips depending on the final mix of residential uses. Under all development scenarios, except for attached senior housing, this represents an increase over the number of trips which may be generated by residential uses permitted by Polk County; however, under all development scenarios the anticipated number of peak-hour trips will be a reduction from the number of trips which may be generated by residential uses permitted by the City’s R-1 zoning district. Even under the most intensive development scenario, Country Club Road will continue to operate at 40 percent of its capacity;
- Construction of the Sage Road connection to Dundee Road would likely divert most of the new trips off of Country Club Road as Sage Road would become a more direct route to reach supporting services and likely destinations. Furthermore, construction of the Sage Road connection will potentially reduce emergency response times by several minutes to the Country Club Road area;
- With an overall residential density of 5.96 units per acre, the petitioner’s requested development is consistent with the requested Residential-Low Density Future Land Use;
- Uses with the potential of creating off-site impacts under the former Polk County Residential-Low 1 Future Land Use such as small group homes, mobile homes, intensive animal farms, livestock auctions, and schools will not be permitted. Likewise, the City’s R-1 zoning allows for all types of schools which have the potential to create significant impacts on surrounding roadways. As opposed to conventional zoning, the requested PUD places restrictions on the types and locations of specific uses, which cannot be amended without additional public hearings.

FINANCIAL IMPACT:

There is no financial impact to the City with these requests; however, future development of the property may lead to increased ad valorem and utility revenues in the future.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission, at its July 9, 2019 regular meeting, unanimously voted to recommend approval of these requests. Fifteen individuals spoke regarding the requests, 13 against and 2 in support. Those in opposition cited the requested density as being incompatible with surrounding uses, increased traffic on Country Club Road, increased noise generation, site contamination from the old landfill, and inclusion of commercial uses (Assisted Living Facility and Event Venue/Clubhouse). Those in support cited a community need for “aging in place” communities.

In addressing comments regarding the commercial nature of the proposed ALF, the Residential-Low Density Future Land Use specifically identifies these as residential in nature, and provides a limitation of 20 beds per acre (all densities are based on gross acreage). Based on the PUD’s limit of a maximum 500 ALF beds, the site only requires 25 acres to accommodate the maximum proposed ALF.

RECOMMENDATION:

Staff recommends the City Commission approve Ordinance O-19-27 and Ordinance O-19-28.

ATTACHMENTS:

Future Land Use Map

Zoning Map

Aerial Map

Polk County Future Land Use Map

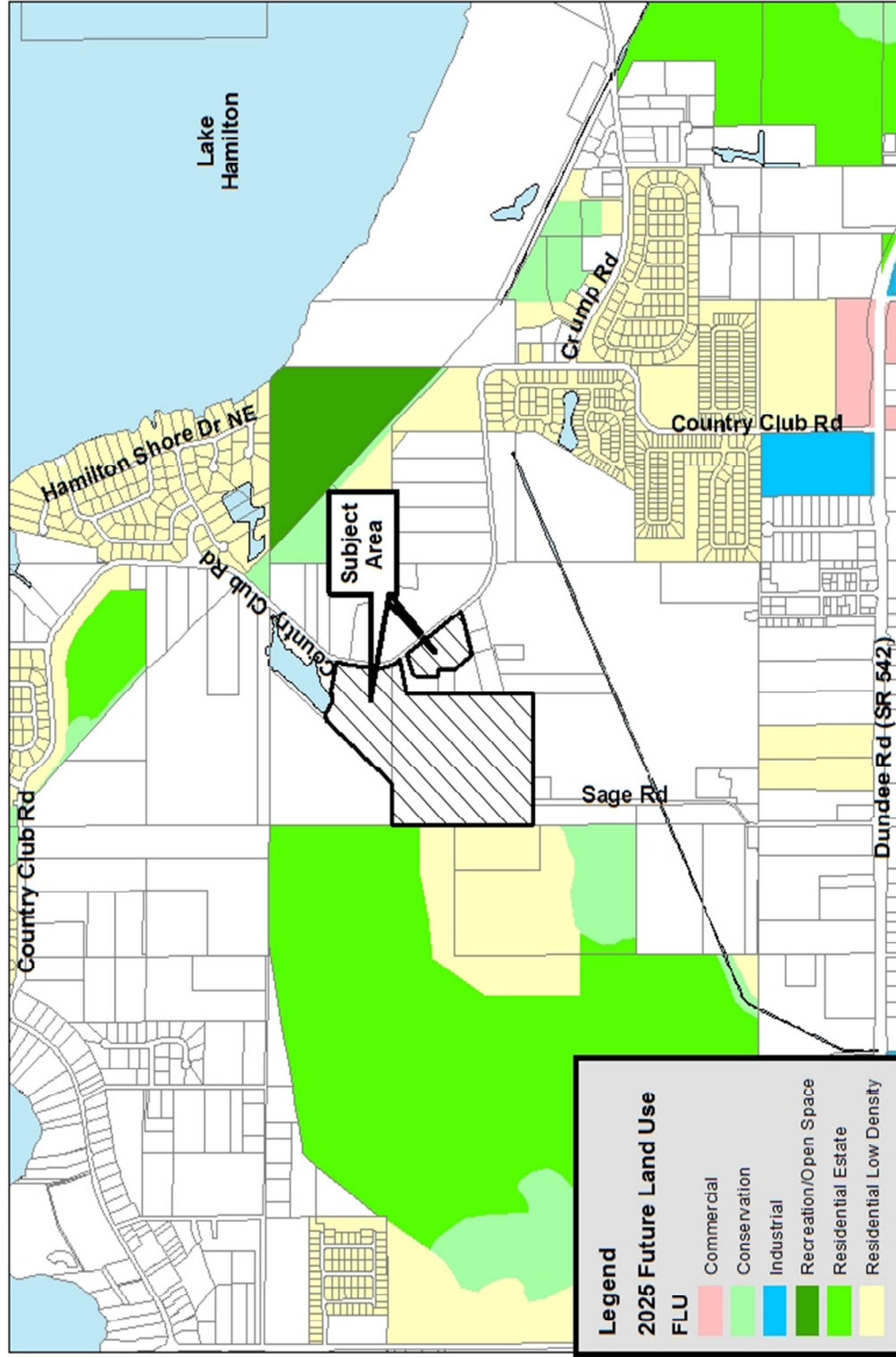
2025 Winter Haven Comprehensive Plan Winter Haven Area Roadway Network Map- 2020

Polk County vs. Winter Haven Comparison of Uses

Vehicle Trip Generation Analysis

Ordinance O-19-27 (Future Land Use)

Ordinance O-19-28 Revised (Planned Unit Development)



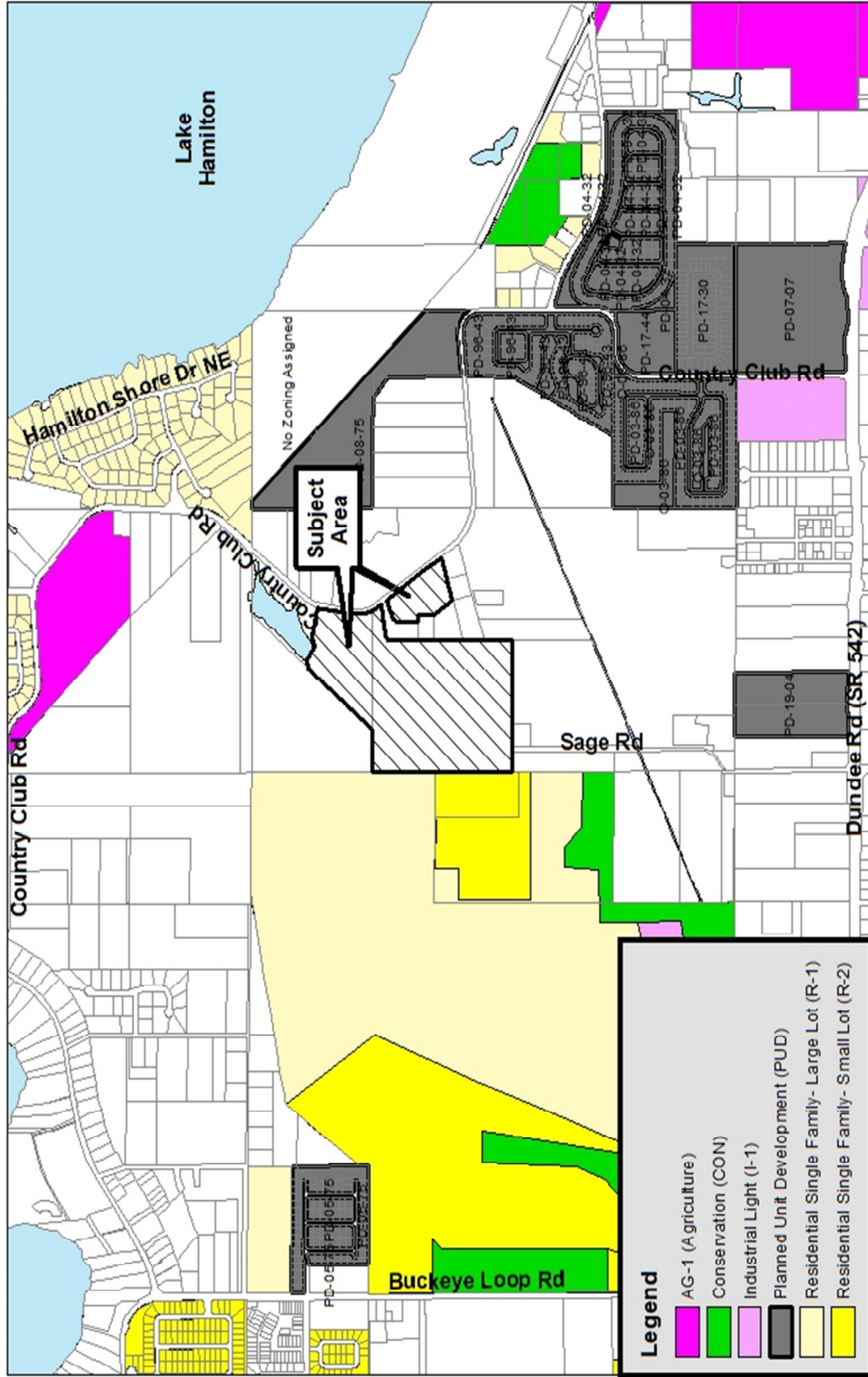
Legend

2025 Future Land Use

FLU

- Commercial
- Conservation
- Industrial
- Recreation/Open Space
- Residential Estate
- Residential Low Density

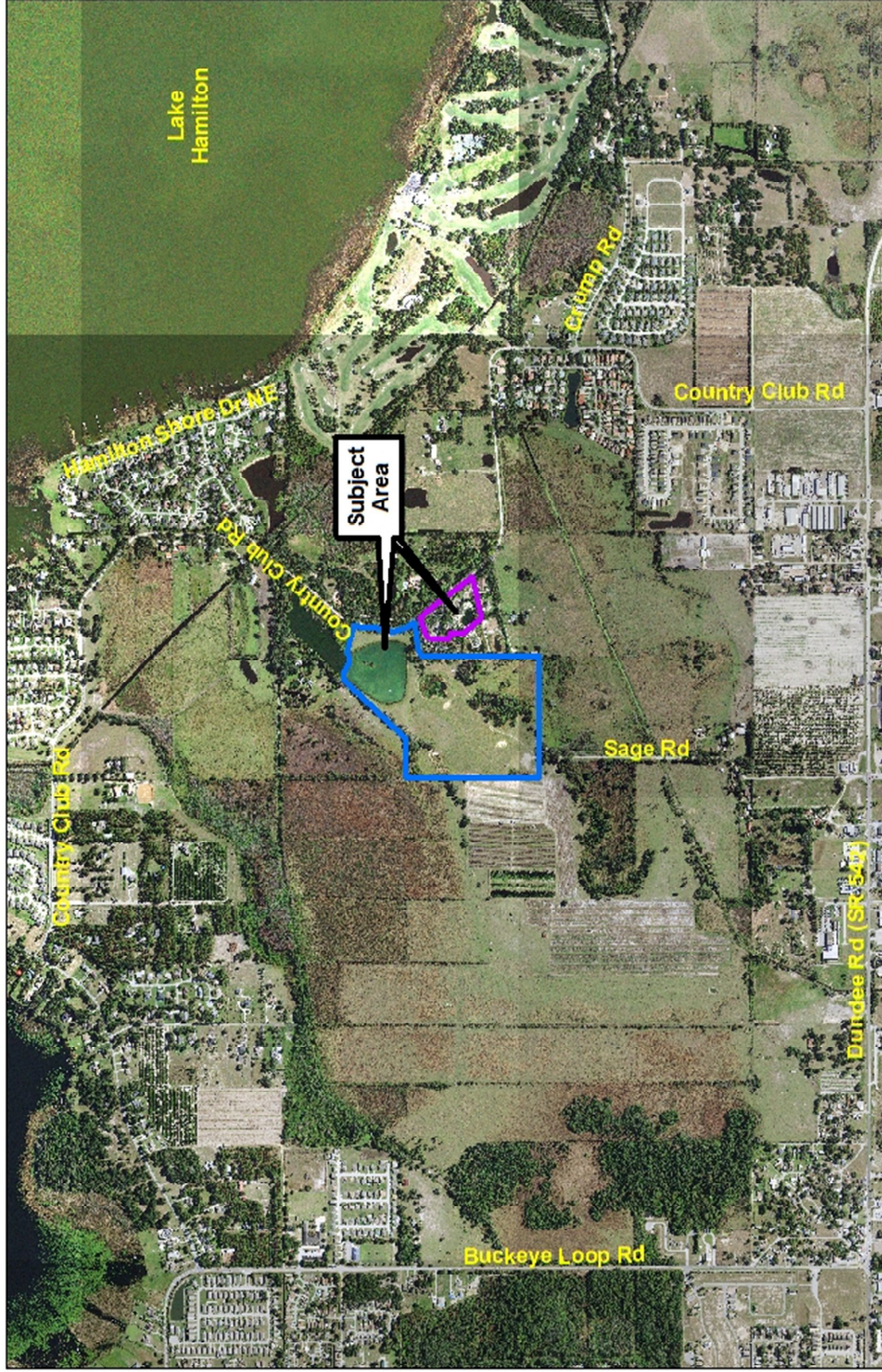
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Legend

- AG-1 (Agriculture)
- Conservation (CON)
- Industrial Light (I-1)
- Planned Unit Development (PUD)
- Residential Single Family- Large Lot (R-1)
- Residential Single Family- Small Lot (R-2)

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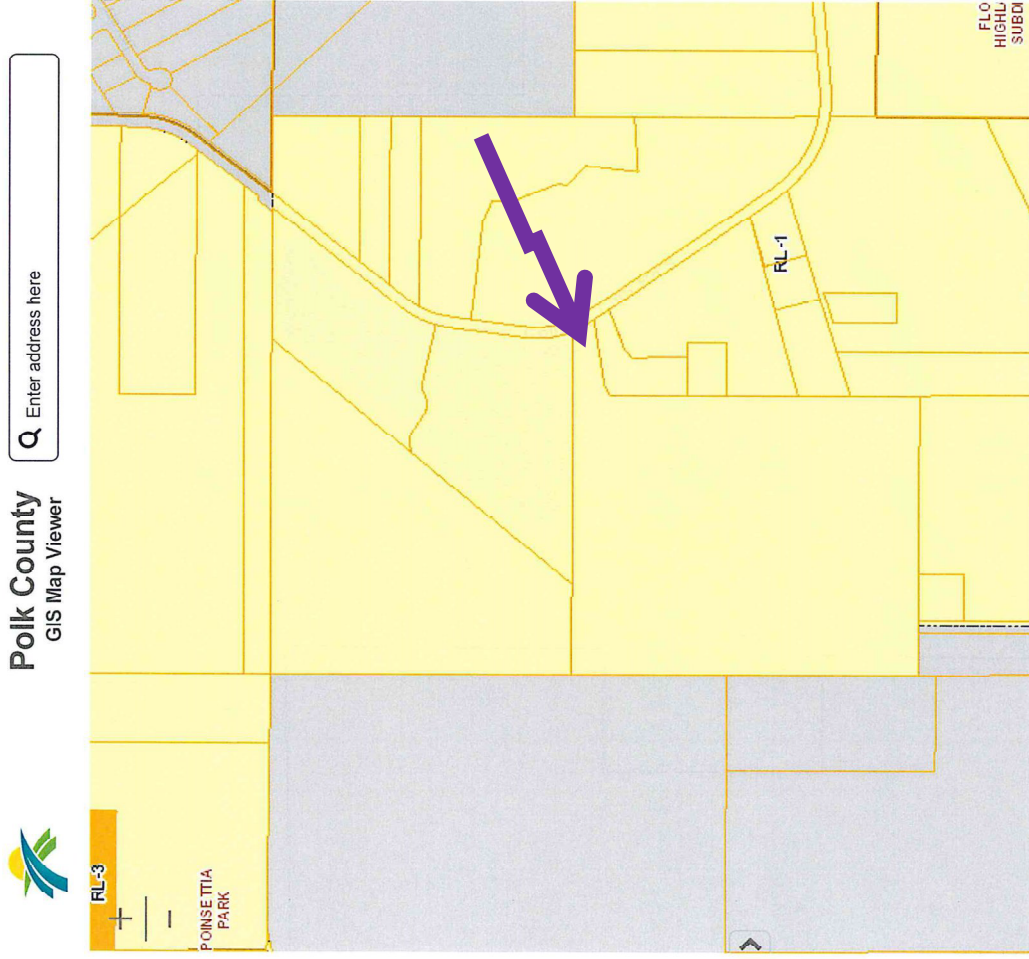


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Polk County Future Land Use Map

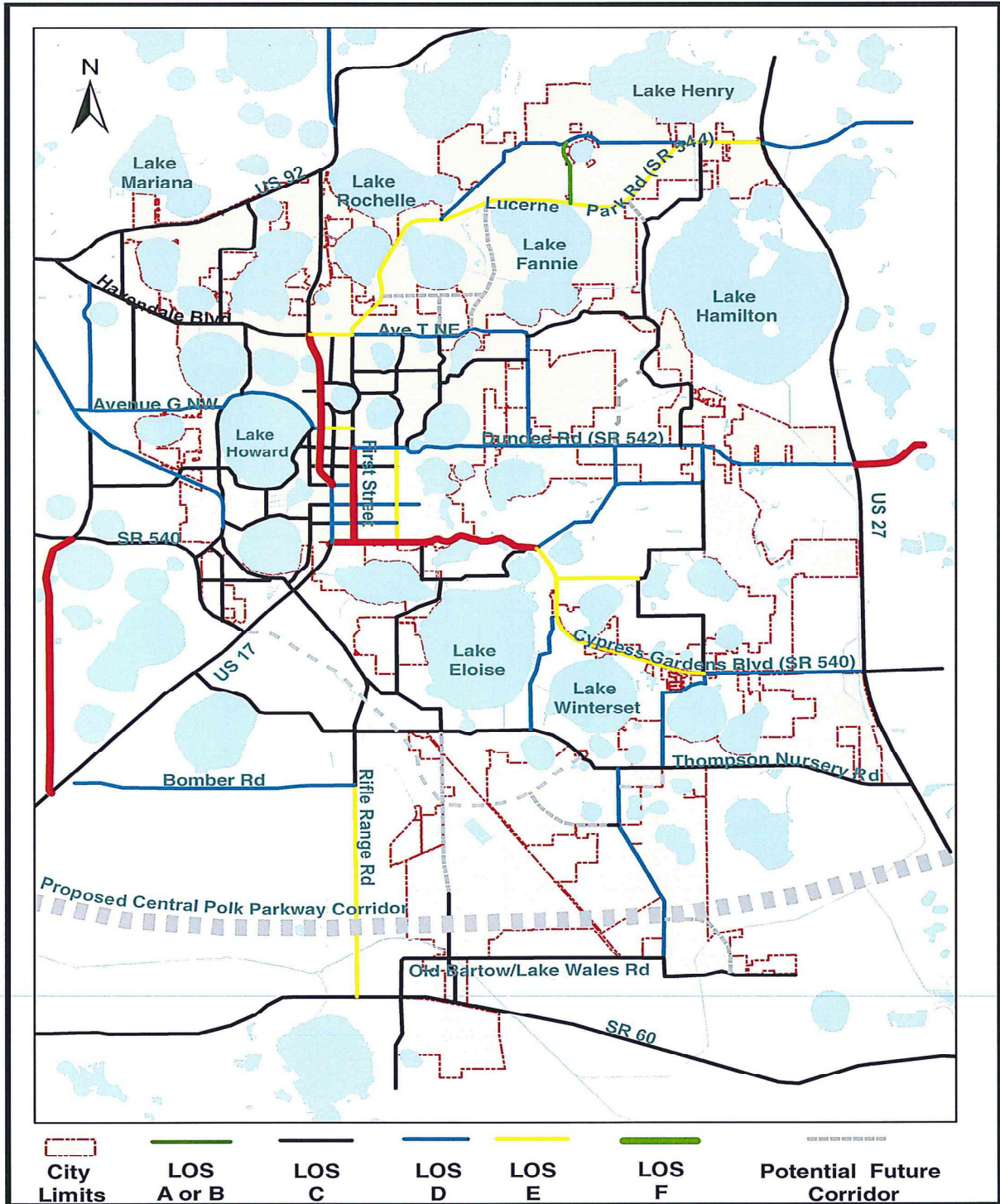
[Help](#)

Polk County Data Viewer



Winter Haven Area Roadway Network Level of Service- 2020

Revised 2/11/2013



Schulz Property Potential Uses
Polk County vs. City of Winter Haven

Polk County RL-1 Future Land Use		Winter Haven R-1 Zoning	
Uses Permitted by Right	Uses Permitted by Administrative Review	Proposed Winter Haven PUD	
General Farming Single-family Uses Minimum 40,000 sf Lots Class 1 and 2 Utilities	Uses Permitted with a Public hearing	Proposed Permitted Uses	
	Small Group Home (6 or less residents)	Group Living Facility (15 or more residents)	Event Venue/Clubhouse
	Individual Mobile Homes	Mobile Home Park/Subdivision	Active Adult Residential
	Infill Residential Development	Short Term Rental Unit	Townhomes/Villas
	Intensive Animal farm	Planned Development	Assisted Living Facility
	Livestock Auction	Adult daycare (7 or more clients)	Total 400 Units
	Nurseries & Greenhouses	Off-site Agricultural Support	
	Small emergency Shelter (6 or less occupancy)	Bed and Breakfast	
	Golf Course	Childcare Center	
	Passive Recreation	Cultural facility	Home Occupations
	Low-intensity Recreation	Large Emergency Shelter	Adult
	Elementary School	Government Facility	Family Care Home
	Middle School	Helistops	Family Daycare Home
	Class 2 Utilities	Non-phosphate Mining	Family Foster Home
		High Intensity Recreation	Bed and Breakfast
	Vehicle Oriented Recreation	Golf Course	
	Religious Institution	Public and Private Schools	
	Riding Academies	Parks and Open Space	
	High School	Recreation- Indoor Public	
	Leisure Special Interest School	Recreation- Outdoor Public	
	Class 3 Utility		

Vehicle Trip Generation Analysis

Land Use Scenario	Trip Generation Rate*	Intensity	Projected New Trips	Country Club Rd Existing Trips	Vested Trips	Total New Trips Country Club Rd	Percent of Capacity (792 trips)
Single Use Scenarios							
Single Family- Existing Polk FLU	1.02/unit	67 units	35 NB	184	59	278	35.1%
			33 SB	179	57	269	34.0%
Single-family- Winter Haven R-1	1.02/unit	201 units	105 NB	184	59	348	43.9%
			100 SB	179	57	336	42.4%
Active Adult Detached	0.27/unit	400 units**	55 NB	184	59	298	37.6%
			53 SB	179	57	289	36.5%
Senior Housing Attached	0.16/unit	400 units**	33 NB	184	59	276	34.8%
			31 SB	179	57	267	33.7%
Assisted Living	0.22/bed	250 units/500 beds**	56 NB	184	59	297	37.5%
			54 SB	179	57	290	36.6%
Public School (Elementary)	1.21/student	750 students	463 NB	184	59	706	89.1%
			445 SB	179	57	681	86.0%
Public School (High School)	0.97/student	1,800 students	890 NB	184	59	1,133	143.1%
			856 SB	179	57	1,092	137.9%
Private School (K-12)	0.58/student	350 students	104 NB	184	59	347	43.8%
			99 SB	179	57	335	42.3%

* Institute for Transportation Engineers Trip Generation Manual- 8th Edition

** Based on PUD zoning restrictions