

ORDINANCE D2009-01

(CPA – Coldwell Properties LLC – E of US 27, N of Tower View)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION ON 53 ACRES OF LAND, LOCATED EAST OF US 27 AND NORTH OF TOWER VIEW BLVD, FROM POLK COUNTY FUTURE LAND USE DESIGNATION RS – RESIDENTIAL SUBURBAN TO LAKE WALES FUTURE LAND USE DESIGNATION HDR – HIGH DENSITY RESIDENTIAL; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1 The Future Land Use Map (FLUM) of the Lake Wales Comprehensive Plan is amended to change the land use designation on property owned by Coldwell Properties LLC and formerly known as the Whitco Grove, being approximately 53 acres of property located east of US Highway 27 north of Tower Blvd., from Polk County Future Land Use designation RS – Residential Suburban to Lake Wales designation HDR – High Density Residential.

The property and land use designations are shown on “Attachment A,” hereby made part of this ordinance.


SECTION 2 The applicability and effect of the Lake Wales Comprehensive Plan, as amended, shall be as provided by the Local Government Planning and Land Development Regulation Act, Section 163.3215, Florida Statutes, and this ordinance.

SECTION 3 If any clause, section or provision of this ordinance or any fee imposed pursuant to this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance or remaining fees shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4 Certified copies of the enacting ordinance, the City of Lake Wales Comprehensive Plan and any amendment thereto, and the Lake Wales Code of Ordinances shall be located in the Office of the City Clerk of Lake Wales. The City Clerk shall also make copies available to the public for a reasonable publication charge.


SECTION 5 This amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the amendment is in compliance.

CERTIFIED AS TO PASSAGE this 15th day of December, 2009.



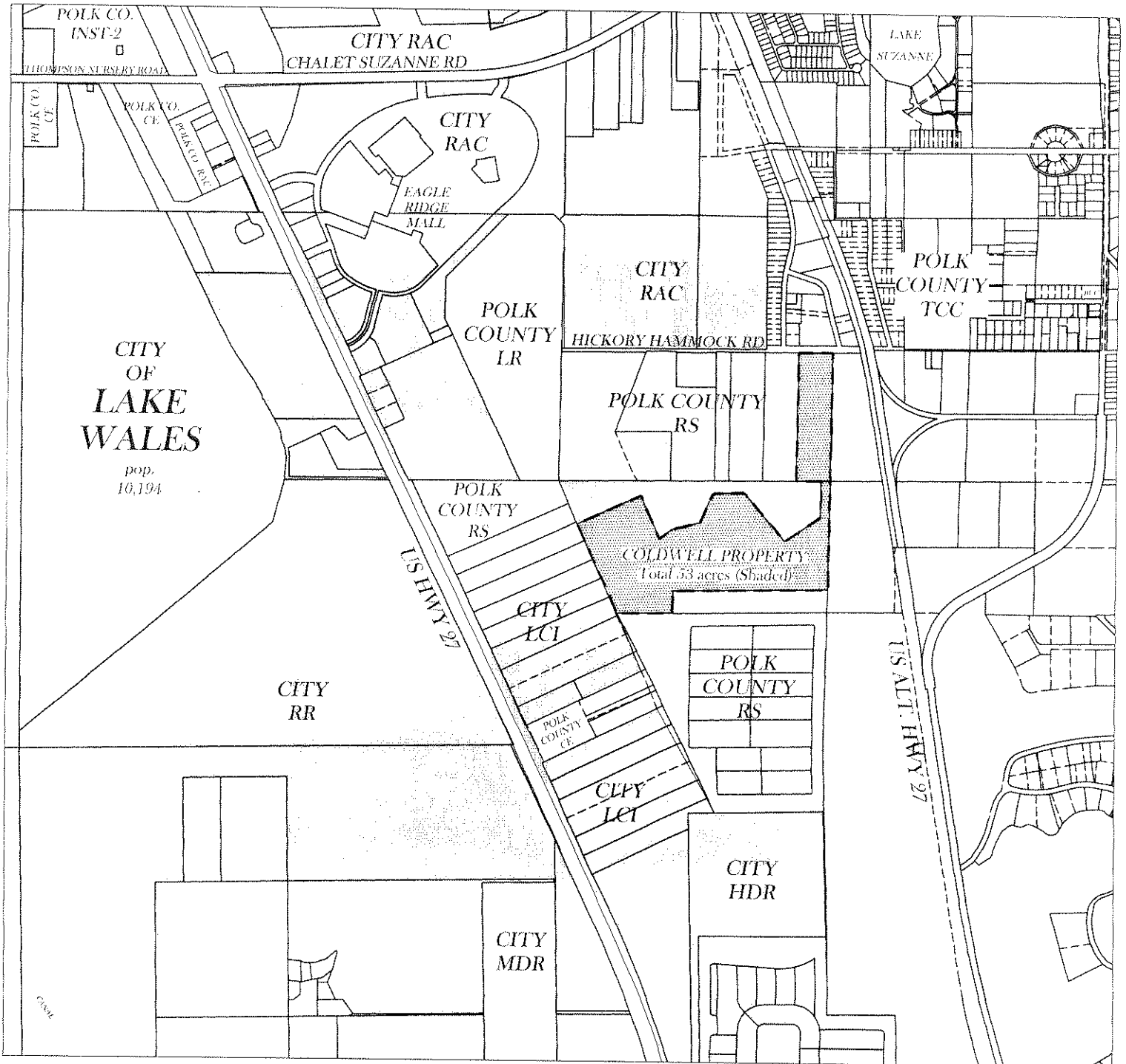
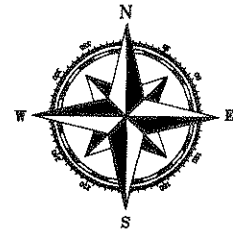
Mayor/Commissioner
City of Lake Wales, Polk County, Florida

ATTEST:



City Clerk

ATTACHMENT A
Ordinance D2009-01
CPA
COLDWELL PROPERTIES



OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT

PROPOSED COMPREHENSIVE PLAN AMENDMENT

LAKE WALES (DCA No. 09-1)

I. CONSISTENCY WITH CHAPTER 163, F.S., and RULE 9J-5, F.A

Objections:

MAP AMENDMENT D2009-01

The amendment involves a single FLUM changes totaling 53 acres from County Residential Suburban (3 units/acre) to City High Density Residential (12 units/acre).

1. Water Resources

The City has not adequately demonstrated that adequate water supplies will be available or planned to be available to serve the amendment within the short and long term-planning timeframes. This amendment will generate the potential for an additional 477 residential units. Although the City has submitted information to indicate that the City's Water Treatment System has sufficient capacity to accommodate the amendment, information relating to the permitted Consumptive Use Permit (CUP) capacity of the City has not been provided to demonstrate that water supplies will be available to serve the additional development potential. Without this information it is not possible to determine if adequate water supplies are available to accommodate the impacts of this amendment.

Sections 163.3167(13), 163.3177(2), 163.3177(6)(a),(c), and (d), 163.3177(8), 163.3177(10)(e), F.S., Rules 9J-5.005(2), 9J-5.006(2), 9J-5.011(1)(f), (2)(b) and (c), 9J-5.013(1 and 2), F.A.C.

Recommendation

Revise the amendment to include the necessary data and analysis to indicate that adequate water supplies are available to accommodate the impacts of this development. The information should include the permitted CUP capacity, and a projection of water supply demand for the five year horizon, which includes the impacts of this amendment. The City needs to complete and submit its 10-year water supply plan, which was due in June of 2008. This will allow the City to identify its water supply needs in a larger context over the next decade

2. Transportation

The amendment is not supported by a transportation analysis which identifies the impacts of the amendment on the regional roadway network over the short and long term planning horizons. The amendment will create a potential for an additional 477 residential units, which in turn, will generate an additional 2,385 daily trips and 208 peak hour trips. According to the Florida Department of Transportation (FDOT), the amendment may potentially impact SR 17, SR 25/US27, SR 540, and SR60, and while these facilities are currently operating within their respective adopted levels of service, there is no data and analysis which projects the transportation impacts of the amendment over the five-year planning horizon on these facilities as well as for the long term planning horizon. The FDOT recommends that a transportation analysis be concluded for the amendment in order to determine the availability of roadway capacity to accommodate the amendment and the mitigation measures necessary to achieve and maintain the adopted LOS standard.

Sections 163.3177(2), 163.3177(3)(a)5, 163.3177(6)(a),(b) and (j), 163.3177(8), 163.3177(10)(e), F.S., and Rules 9J-5.005(2), 9J-5.006(2), 9J-5.016(1)(a), 9J-5.016(2)(b) and (c); 9J-5.016(4)(a), 9J-5.019(3)(b), (4)(b)2., F.A.C.

Recommendation

Revise the amendment to be based on the impact of the maximum development allowed by the comprehensive plan for the amendment site, and identify roadway deficiencies in the study area within the next five years. The analysis should identify the improvements needed to achieve and maintain the adopted level of service standard in the five-year planning horizon and include these improvements in the Five-Year Schedule of Capital Improvements.

II. CONSISTENCY WITH THE STATE COMPREHENSIVE PLAN

The proposed amendment does not adequately address the State Comprehensive Plan with regard to the following goals and policies;

- Goal (7)(a), Water Resources (b)1.,5.,10. and 11..
- Goal (17)(a), Public Facilities, Policies (b)1., 5. and 7.
- Goal (19)(a), Transportation, Policy (b)1., 3. and 9.

Recommendation

Revise the amendment to address the objections contained in this report in order to be consistent with the provisions of Chapter 187, F.S.

TECHNICAL MEMORANDUM

Whitco Property Comprehensive Plan Amendment
November 30, 2009

The purpose of this technical memorandum is to establish the transportation impact of the proposed future land use amendment within the 5 year time horizon. Under the existing RS (Residential Suburban) future land use allocation (3 du/acre) the proposed development could construct 159 single family dwelling units. The proposed HDR (High Density Residential) future land use would allow the project to construct up to 636 multifamily dwelling units. The site is located east of US 27 and south of Hickory Hammock Road. Figure 1 shows the location of the proposed land use change and the potential access points to US 27 and Hickory Hammock Road.

Existing Roadway Conditions

Table 1 summarizes the existing daily and PM peak hour volumes, LOS standards and Levels of Service for all of the Polk County Roadway Network Database segments that have an impact greater than 1% of their service volume at the adopted LOS¹. None of these segments currently exceed their adopted Level of Service.

Future Land Use Impacts

Table 2 summarizes the estimated trip generation for both the existing and proposed future land use designations.

TABLE 2
Estimated Trip Generation
Whitco Property

Land Use	ITE Code	Size	Trip Generation Rates			
			Daily	PM Peak Hour		
			Enter	Exit	Total	
Single Family	210	159 du	10.019	0.36	0.64	1.00
High Rise Condominium	240	636 du	4.12	0.14	0.23	0.36
			Total Trip Volumes			
Land Use	ITE Code	Size	Daily	Enter	Exit	Total
Existing Future Land Use: Single Family	210	159 du	1,593	57	102	159
Proposed Future Land Use: High Rise Condominium	240	636 du	2,621	88	144	232
Difference			1,028	31	42	73

Source: ITE Trip Generation Report, 8th Edition, 2008
Glattig Jackson Kercher Anglin, Inc.

As can be seen from the table, the proposed future land use will generate an additional 1,028 daily trips and 73 PM peak hour trips.

¹ Calculation of the projected impact from the proposed future land use will be documented subsequently in Table 3. Roadway Network Database information dated 11/09.

TABLE 1
Roadway Analysis, Existing Conditions
 Whiteco Property

Roadway Segment	from	to	Seg #	# of Lanes	Existing Volume		PK Hr Cap at LOS Std	Existing LOS	LOS Std
					Day	PM Pk			
CENTRAL AVENUE	US 27	SR 17 (RIDGE SCENIC HIGHWAY)	8205E	2L	9700	503	760	D	D
CENTRAL AVENUE	US 27	SR 17 (RIDGE SCENIC HIGHWAY)	8205W	2L	9700	593	760	C	D
CR 540A (ELOISE LOOP RD)	POLLARD RD	CR 653 (RATTLESNAKE ROAD)	4093E	2L	10200	465	760	C	D
CR 540A (ELOISE LOOP RD)	POLLARD RD	CR 653 (RATTLESNAKE ROAD)	4093W	2L	10200	675	760	D	D
SR 17 (RIDGE SCENIC HIGHWAY)	PASSION PLAY RD	MOUNTAIN LAKE CUTOFF	5204N	2B	7400	582	656	C	D
SR 17 (RIDGE SCENIC HIGHWAY)	PASSION PLAY RD	MOUNTAIN LAKE CUTOFF	5204S	2B	7400	309	656	C	D
SR 17 (RIDGE SCENIC HIGHWAY)	MOUNTAIN LAKE CUTOFF	WAVERLY RD	5205N	2B	7100	296	696	C	D
SR 17 (RIDGE SCENIC HIGHWAY)	MOUNTAIN LAKE CUTOFF	WAVERLY RD	5205S	2B	7100	566	696	C	D
SR 17 (RIDGE SCENIC HIGHWAY)	WAVERLY RD	MAIN ST @ CENTER ST	5206N	2B	6100	253	656	C	D
SR 17 (RIDGE SCENIC HIGHWAY)	WAVERLY RD	MAIN ST @ CENTER ST	5206S	2B	6100	313	656	C	D
SR 540 (CYPRESS GARDENS BLVD)	CYPRESS GARDENS RD	US 27	6307E	4D	22700	944	1,860	B	D
SR 540 (CYPRESS GARDENS BLVD)	CYPRESS GARDENS RD	US 27	6307W	4D	22700	1,167	1,860	B	D
THOMPSON NURSERY RD/ELOISE LOOP ROAD	CR 653 (RATTLESNAKE RD)	US 27	4160E	2L	8106	467	760	C	D
THOMPSON NURSERY RD/ELOISE LOOP ROAD	CR 653 (RATTLESNAKE RD)	US 27	4160W	2L	8106	417	760	C	D
US 27	SR 60	TOWERVIEW BLVD	5103N	6D	51500	1,422	2,720	B	C
US 27	SR 60	TOWERVIEW BLVD	5105S	6D	51500	1,150	2,720	B	C
US 27	TOWERVIEW BLVD	SR 540 (CYPRESS GARDENS BLVD SE)	5104N	6D	33900	1,329	2,720	B	C
US 27	TOWERVIEW BLVD	SR 540 (CYPRESS GARDENS BLVD SF)	5104S	6D	33900	1,256	2,720	B	C
US 27	SR 540 (CYPRESS GARDENS BLVD SE)	SR 542 (DUNDEE ROAD)	5105N	6D	52100	1,445	2,720	B	C
US 27	SR 540 (CYPRESS GARDENS BLVD SF)	SR 542 (DUNDEE ROAD)	5105S	6D	52100	1,168	2,720	B	C

Source: Polk County, BMD, 11/09
 Glaring Jackson Kreher Anglin, Inc

To estimate the impact of this change, a TAZ was added to the Polk County FSUTMS model and project traffic assignments were used to determine the distribution of project trips. Since both land uses are residential uses, it was assumed that the distribution of their trips would be similar and therefore the same distribution was used for both land use scenarios. Figure 2 shows the distribution of project trips.

Polk County has provided a published 5 year estimate of future roadway traffic in their current Roadway Network Database based on historical growth trends. Although the applicant is only responsible for the increase in trips to be generated by the proposed change in the future land use, it cannot be conclusively established that the Polk County 5 year estimate includes the development of the existing future land use. Therefore, the projected traffic volumes in the 5 year horizon were estimated by combining the traffic projected by Polk County with the traffic from the applicable scenario. Since the proposed scenario has a slightly higher trip generation for both entering and exiting traffic, the volume/Capacity (v/C) ratio for that scenario is shown in Table 3. As can be seen from the table, under the more conservative scenario, none of the segments are projected to exceed the service volume for the adopted Level of Service within the next 5 years.

This analysis indicates that no adverse impacts are expected from the proposed land use within the next 5 years and therefore should be approved.