

**SUMMARY OF ACTIONS TAKEN AT THE
CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
PUBLIC HEARING FOR
POLK COMMERCE CENTRE DEVELOPMENT OF REGIONAL IMPACT (DRI)
APPLICATION FOR DEVELOPMENT APPROVAL FOR A
SUBSTANTIAL DEVIATION**

BARTOW – At its regularly scheduled meeting, the Central Florida Regional Planning Council (CFRPC) considered the Development of Regional Impact (DRI) Substantial Deviation Application for the Polk Commerce Centre DRI. The meeting was held on September 9, 2009, at the Colonial Bank, 600 North Broadway Avenue, in Bartow, Florida. The purpose of this public hearing was to consider testimony from state and regional agencies and local governments on the impact of the proposed changes to the DRI on state and regional resources.

The Council unanimously voted to forward the staff recommendation of the fifteen (15) conditions of approval to the Polk County Board of County Commissioners.

The CFRPC Council recommended conditions of approval are provided on the following pages.

Although not a condition, the Council also recommended that:

The local government, in its Finding of Fact of the Final Development Order, should include a statement asserting: *“The complete four laning of the Polk Parkway is essential to support this development and a safe and adequate transportation system.”*

The local government may also note that: *“Only Phase I of the Polk Commerce Centre DRI will be supported without the completed four laning of the Polk Parkway.”*

RECOMMENDED DEVELOPMENT ORDER CONDITIONS

**POLK COMMERCE CENTRE
RECOMMENDED
DEVELOPMENT ORDER CONDITIONS**

Introduction

The Polk Commerce Centre Application for Development Approval for a Substantial Deviation to an Approved DRI has been reviewed to consider whether, and the extent to which:

- a. The development will have a favorable or unfavorable impact on State or regional resources or facilities identified in the applicable State or regional plans.
- b. The development will significantly impact adjacent jurisdictions.
- c. The development will adversely affect the ability of people to find adequate housing reasonably accessible to their places of employment (380.06(12)(a), F.S.).

Most of the conditions in the current Development Order (Appendix C) provide for mitigation of regional impacts. The conditions listed below are recommended to address the additional impacts associated with this application.

General

- 1) To attract and sustain high quality development to the Polk Commerce Centre and the adjacent areas, Polk County shall work in cooperation with the cities of Auburndale and Polk City to develop specific design standards that include but are not limited to monuments, linear landscaping, signage and hardscape design such as street lights, mast arms, and sidewalk materials which can be applied consistently on the entrance corridors throughout the Project to create attractive and consistent entrances into the Auburndale and the Polk Commerce Centre area.

Concurrency

- 2) Level of Service standards, as established by the applicable governing jurisdiction(s), shall be maintained. Prior to receiving development approval for a development increment within a phase, the developer will obtain documentation from the applicable governing jurisdiction that the development increment has met applicable concurrency standards. Concurrency documentation will be provided by the applicant within the Biennial Report.

Stormwater Management (ADA Question 19)

- 3) **Flood Protection** – The applicant or developer shall utilize the most up to date SWFWMD flood studies for site development design or conduct a site specific flood study pursuant to criteria for the flood study as deemed appropriate by the SWFWMD, Polk County, the City and the CFRPC.

Transportation (ADA Question 21)

- 4) Only development defined as Phase 1 is approved. No building permits for Phase 2 will be issued until further regional transportation review has been provided and approved. Phase 1 is defined as an amount of development equivalent to:
 - 41,832 average daily trips
 - 3,370 total AM peak hour trips
 - 4,093 total PM peak hour trips
- 5) Before issuing any Certificate of Occupancy for development exceeding 50 percent of Phase 1 the following roadways shall be substantially complete:
 - Pace Road from Berkley Road to Polk Parkway
 - Polk Parkway (SR 570) interchange at Pace Road (expected to be completed fall 2010)

- 6) The Applicant shall prepare a Transportation Monitoring Report with the Biennial Report. At a minimum, each monitoring report will be required to include:
 - The amount of development that has received a certificate of occupancy.
 - An estimate of daily and peak hour trips generated by the development as calculated in accordance with the approved methodology.
 - An assessment of whether the traffic impacts of the development have been mitigated substantially consistent with the Development Order.
 - As part of the Monitoring Program, the Applicant shall monitor traffic safety conditions on the two-lane section south of the Pace Road Interchange where the Polk Parkway becomes two lanes to determine if safety or operational improvements are needed.

- 7) The methodology by which the monitoring analysis shall be conducted will be proposed by the Applicant within 180 days of approval of the Development Order. The methodology will be developed in conjunction with the CFRPC, FDOT District One, Polk County, Polk TPO, Florida Turnpike Enterprise and the cities of Auburndale and Polk City.

- 8) The monitoring report shall include an evaluation of traffic conditions at the following intersections to determine whether warrant thresholds for the installation of traffic signals have been exceeded:
 - SR 33 and Williams E-W Road
 - Pace Road and the Polk Parkway interchange ramps
 - Old Dixie Highway and the Polk Parkway interchange ramps

- 9) The Applicant shall work with the CFRPC to update the existing Exchange Matrix attached to the current Development Order prior to the adoption hearing of the Development Order by any local governments. The monitoring report shall include which developments utilized this conversion matrix. The matrix shall become the mechanism by which changes in the development plan can be made without exceeding trip generation thresholds for Phase 1.

- 10) The Applicant shall establish a funding mechanism for the construction of the Mount Olive Extension within 36 months of adoption of the revised Development Order but not later than the completion of Phase 1. This may include a variety of funding methods which may include but are not limited to tax increment financing, developer contributions, Development Agreements per 163 Florida Statutes, and other funding options.

Recreation and Open Space (ADA Question 26)

- 11) The recreation areas shall be easily accessible by the residents, either by sidewalks or bikeways. Active areas should be buffered adequately to minimize visual and noise impacts from residents.
- 12) Any parks and open space not dedicated as public will be maintained by a Property Owner's Association or other similar mechanism to be established within the Project.

Historical and Archaeological (ADA Question 30)

- 13) The developer of any property, prior to construction plan approval, shall obtain a statement showing that the individual property is not part of the Master File of archeological sites from the Department of State, Division of Historical Resources, or Bureau of Archeological Research. If the site is found to be of historical and/or archeological significance, then the property owner shall ensure property mitigation pursuant to state and federal law.
- 14) Developers are required to complete the cultural resource assessment surveys of the two parcels not surveyed prior to any clearing or development (See Appendix D)
- 15) The cultural resource assessment reports completed after field investigations shall be submitted to the Division of Historical Resources, Compliance and Review office for review and approval. The resultant assessment report must conform to the specifications set forth in Chapter 1A-46, *Florida Administrative Code*, and must be forwarded to the Division. Consultation between with the Division will be required regarding the preservation or mitigation of any significant cultural resources identified.