

# Polk planners' denial to rezone proposed development near Lake Van Road a win for residents

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POLK COUNTY — Local residents opposed to increased residential development near Lake Van Road snatched a victory at the Polk County Planning Commission meeting Wednesday.

On a 4-2 vote, the commission voted to recommend denial of a request from applicant Kimley-Horn to rezone 78 acres of residential-low to 73 acres of residential-medium and to set aside five acres for a commercial center. Board members Sean Harper and Matthew Cain voted in favor of the rezoning.

The members did not engage in discussion or explain their votes. The proposal will go before the Board of County Commissioners on Aug. 3 and Oct. 5, according to county documents.

According to the application, the land in question is located "south of Lake Van Road, east of Highway 559, west of Jeans Road, north of Cory Court," near the city of Auburndale.

The proposed rezoning would allow a maximum of seven units per acre on the 73 acres in question. That number could be further increased to 10 units per acre if the developer submitted a planned unit development, which would go through further public hearings.

At the meeting, eight residents spoke against the proposal. Additionally, the county received 37 emails, seven letters and 22 phone calls ahead of the meeting, all calling for the Planning Commission to turn down the proposal. Many of the residents were upset by potential multi-family development, such as duplexes, going up on the land in question, but the applicant's lawyer said that would not be the case.

Bart Allen, who was representing the developer on behalf of Peterson and Myers law firm, said the non-binding site plan in the works right now calls for single-family, detached homes with a density of 3.7 units per acre. He emphasized that although residential medium allows duplexes and higher-density living, it also allows single-family homes, which is what the developer wants to build.

But residents were put off by the possibilities that rezoning to residential medium opened up, as well as the precedent it might set for surrounding lots.

Resident Edward Gonzalez, who said he lives just across the street from the proposed development, wrote a letter to the commission outlining his case against approval, which centered on the idea that the lot is in a rural area, despite its designation as an "urban growth area." He told The Ledger on Tuesday he was adamant in his opposition to the project.

"I'm just against the rezoning, period," Gonzalez said. "That commercial center has no business being at that intersection, I mean none. It is absolutely out of pocket in the sense of where it belongs."

Gonzalez added that he doesn't see why a convenience center needs to pop up in his rural haven when a brand new Publix is heading near County Road 559 and William Van Fleet Road. His wife, Jennifer, added they've started clearing the road for the new grocery store, located in an area only sparsely surrounded by residential neighborhoods.

But Chanda Bennett, who presented the proposal on behalf of the county planning staff, said that this lot was the perfect location for a convenience center.

"The convenience center is at the intersection and this intersection in this area of Auburndale ... it's really the only intersection along 559 that has all four corners vacant. It's the only location where an activity center can really thrive and go on all four corners," Bennett said.

Planning staff recommended approval of the project, arguing that because residential-low grants developers between one and six units per acre, the additional one unit per acre did not warrant denial of the application.

Many residents who spoke at or before the meeting were also opposed to the convenience center. Additionally, they brought up concerns with the proposed density not matching the character of the neighborhood and with increased traffic brought in by additional cars.

Residents were especially concerned with the capacity of County Road 559, a two-lane highway that one resident said cannot be widened because of costs. Allen said the developer had not yet considered widening that road but would look into it as part of a traffic study.

There were also concerns brought up by the City of Auburndale in a letter to planning staff, included in the agenda packet. The 78 acres in question are a part of the Lakes District, a joint planning agreement between the county and Auburndale. The city requested that the county take into account compatibility issues between increasing the density on the proposed property and the surrounding area, especially since the county abides by different standards than the city.

"In light of the current overall density of 5-6 units per acre on our Future Land Maps, the request for Residential Medium and Convenience Center is not in line with how the City will be implementing The Lakes District Vision," the letter reads. "There is concern in the community that Residential Medium is not compatible with the densities in the surrounding neighborhoods. And that the request is not consistent with the character of that area."

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