



HAINES CITY

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CITY MANAGER MEMORANDUM

To: The Honorable Mayor and City Commissioners

Through: James R. Elensky, City Manager

From: Richard Greenwood, Development Services Director
Fred Reilly, City Attorney

Date: December 2, 2024

Subject: Resolution No. 24-1845 Amending Resolution No. 24-1834 – Crosswinds East Phase 1 Final Plat

Executive Summary

Approve a Resolution amending Resolution No. 24-1834 for Crosswinds East Phase 1 Final Plat.

Introduction

The intent of this item is to present a Resolution amending Resolution No. 24-1834 for Crosswinds East Phase 1 Final Plat.

Background

Resolution No. 24-1834 was approved by the City Commission of the City of Haines City on October 21, 2024 and recorded on October 23, 2024 in O. R. Book 13306, Page 1645 of the public records of Polk County, Florida.

It is necessary to amend and clarify several provisions in Resolution No. 24-1834 (which previously approved the Final Plat) and this Resolution, upon approval by the City Commission of the City of Haines City, Florida, shall thereby supersede Resolution No. 24-1834.

Applicable Conditions

Staff recommends approval of this Resolution amending Resolution No. 24-1834 for Crosswinds East Phase 1 Final Plat with the following conditions:

1. Developer has entered into an Infrastructure and Impact Fee Credit Agreement with Polk County regarding Phase 1 of the Powerline Road Extension from South Boulevard to US Highway 17/92. Under this Agreement the off-site improvements required for Phase 1 of Crosswinds East have been met and the Developer shall have five (5) years from the date of the Agreement in which to begin construction of the



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extension of Powerline Road and shall have three (3) years to complete said extension. As additional phases are reviewed and approved, future off-site improvements will be re-evaluated as well.

2. Street trees shall not be removed and shall be stated in the Homeowners' Association documents and any other association documents of the development.

3. Reuse lines shall be installed.

4. The parties acknowledge that in FY 2024/2025, Polk County may be requesting state appropriated funds to construct Phase 2 of Power Line Road which would include the Intersection Improvements. In the event that (i) Polk County is successful in acquiring the funding from the 2025 State of Florida Legislative Session for the construction of Phase 2 of Power Line Road, or (ii) Polk County is unsuccessful in acquiring the funding from the 2025 State of Florida Legislative Session for the construction of Phase 2 of Power Line Road, then the Developer shall proceed with construction of the identified Intersection Improvements listed below (which construction shall commence no later than December 31, 2025) and such Intersection Improvements shall be completed no later than December 31, 2026. The Intersection Improvements shall be to the following intersections:

- i. Power Line Road at Snell Creek Road
- ii. Power Line Road at Carl Boozer Avenue
- iii. Power Line Road at Baker Dairy Road

5. The Final Plat will not be recorded until all road work has been inspected and approved. Original road construction must be approved before the Final Plat will be recorded.

6. In accordance with Section 13.5.5 of the City's Land Development Regulations and this Resolution for the Crosswinds East Phase 1 Final Plat approved by the City Commission at the hearing on this date, (October 17, 2024), the City will not release the Final Plat to the Developer until the Performance Bond or a Cashier's/Certified Check for an amount as approved by the City is received for the improvements that have not yet been completed within Phase 1 of this project.

In the event the Developer fails to provide the Performance Bond or Cashier's/Certified Check in the amount as approved by the City within 90 day after approval of the Crosswinds East Phase 1 Final Plat, the Cost Estimate shall be updated to reflect current material costs and address all improvements not completed.

Further, and for clarification purposes, no Building Permits and/or Certificates of Occupancy shall be issued by the City until the Crosswinds East Phase 1 Final Plat has been fully executed and recorded with the Polk County Clerk of Courts.

7. Approval of the Final Plat does not release the applicant from meeting the requirements of all other applicable sections of Haines City's Land Development Regulations, Code of Ordinances, and Growth Management Plan should an omission be made or revision be needed, and shall be required to be addressed with the Site Construction Plan review.



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Organizational Goal(s)

Infrastructure: Maintain, protect and design infrastructure that ensures a desired level of service and provides for future needs.

Budget Impact

There is no budget impact for fiscal year 2024/2025.

Recommendation

Staff recommends approval of a Resolution amending Resolution No. 24-1834 for Crosswinds East Phase 1 Final Plat.