



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. 24-1844 Infrastructure Agreement for Powerline Road Intersection Improvements

Executive Summary

Approve the Infrastructure Agreement for Powerline Road Intersection Improvements.
Staff Contact: Richard Greenwood, Development Services Director
Fred Reilly, City Attorney

Introduction

The intent of this item is to approve the Infrastructure Agreement for Powerline Road Intersection Improvements (the “Agreement”) with GLK Real Estate, LLC (“Developer”) for transportation improvements.

Background

The Developer is the owner of certain real property commonly referred to as “Crosswinds East” located in Haines City, Florida, which is adjacent to and has access to Power Line Road (the “Road”). The Project is currently situated within the boundaries of Haines City.

The Project is located adjacent to the Road which is a roadway under the jurisdiction of Polk County, Florida.

GLK Real Estate, LLC or any other identified entity that would be the developer through purchase of said project, propose to design, permit and construct the intersection improvements as warranted by the development and identified in the current Traffic Study Produced by Raysor Transportation Consulting (hereinafter referred to as the “Intersection Improvements”). Below are the three identified intersections:

1. Power Line Road at Snell Creek Road;



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2. Power Line Road at Carl Boozer Avenue; and
3. Power Line Road at Baker Dairy Road

The Developer has advised the City that Polk County may be requesting state appropriated funds to construct Phase 2 of Power Line Road which would include the above identified Intersection Improvements. In the event that Polk County is unsuccessful in acquiring the funding from the 2025 State of Florida Legislative Session, then the Developer proposes to commence the construction of development related improvements at the intersections identified above. In addition, if Polk County receives the required funding from the State of Florida, but the funding is delayed for an extended period of time, then the Developer will proceed with construction of the identified Intersection Improvements listed above.

The proposal by the Developer, if acceptable to the City, will allow all of the lots being developed in Crosswinds East Phases 1A, 1B, 1C and 2C (1,445 residential units, consisting of 1,007 single family residences and 438 townhomes) to be approved for building residential units with building permits and Certificate of Occupancy, providing the builder constructs the homes according to the current building codes and receives a final inspection from the local building department and complies with all other local land development regulations.

The City Commission of the City of Haines City has approved 1,223 residential units for the Crosswinds East project (located within Phases 1A, 1B, 1C) which require access to the Road by passage of Resolution No. 24-1834 as recorded in the public records of Polk County, Florida on October 23, 2024. Resolution No. 24-1834 included the following conditions which are relevant to the Developer's offsite improvements regarding Phase 1 of the Power Line Road Extension (collectively referred to as the "Resolution No. 24-1834 Roadway Improvement 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 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.

4. A revised traffic analysis has been provided with regards to Phase 1. 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 above (which construction shall commence no later than December 31, 2025) and such Intersection Improvements shall be completed no later than December 31, 2026.

- a. Baker Dairy Road and Powerline Road – Add northbound turn lane, southbound turn lane and westbound turn lane;



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b. Carl Boozer Road and Powerline Road – Add northbound turn lane, Southbound turn lane and westbound turn lane.

Further, the following road improvements shall be constructed to City standards at the time the intersection improvements, which are stated herein, are constructed. They are:

- a. Baker Dairy Road from Powerline Road to the most eastern end of the project.
- b. Carl Boozer Road from Powerline Road to the entrance of the project.

With regard to the Snell Creek Road turn lane improvements, addition of a northbound turn lane, southbound turn lane, eastbound turn land and westbound turn lane, would be needed by 2030. However, if the Snell Creek Road connection is made earlier than the buildout of the project, the City shall have the ability to require the improvements at Snell Creek Road.”

The Developer entered into an Infrastructure and Impact Fee Credit Agreement for the Power Line Road – Northern Extension Phase 1, as recorded in the public records of Polk County, Florida on March 9, 2023 (the “Phase 1 Infrastructure Agreement”).

Due to the Phase 1 Infrastructure Agreement, 785 single family residential units and 438 multifamily residential units in Phase 1 of the Crosswinds East project have transportation concurrency and 603 single family residential units in Phase 2 of the Crosswinds East project have transportation concurrency.

The City Commission of the City of Haines City has not yet approved the Final Plat for Phase 2C of the Crosswinds East project which requires access to the Road.

The Developer and the City desire to enter into this Agreement to establish the respective rights and obligations of the Parties, in accordance with the terms and conditions of this Agreement.

The City staff recommends that it is in the interest of the public health, safety and welfare for the City to facilitate the construction of the Power Line Road Intersection Improvements.

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 to the City as a result of the Agreement.

Recommendation

Staff recommends approve the Infrastructure Agreement for Powerline Road Intersection Improvements with GLK Real Estate, LLC for transportation improvements.