

ORDINANCE 1269

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING APPROVAL OF THE ISSUED DEVELOPMENT ORDER FOR PHASE I OF THE POLK CITY BUSINESS PARK TO ALLOW FOR A 554,000 SQUARE FOOT WAREHOUSE/DISTRIBUTION BUILDING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Polk City approved construction plans for construction of a 552,040 square foot warehouse/distribution building and appurtenant structures known as Phase I of the Polk City Business Park to be constructed on approximately 104.49 acres of land owned by Polk City Associates, LLC; and

WHEREAS, in exercise of its authority the City Council has determined it necessary to adopt this Remedial Ordinance to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Polk City; and

WHEREAS, in accordance with the procedures required by Section 166.041 (3) (C) 2, Florida Statutes, and other applicable law, the amendment contained within this ordinance was considered by the City Council at a fully advertised public meeting, at which interested parties and citizens had the opportunity to be heard.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF POLK CITY, FLORIDA:

Section 1. The City Council of the City of Polk City, Florida, hereby amends the construction plans for Phase I of the Polk City Business Park consistent with Exhibit A;

Section 2. The City Council of the City of Polk City, Florida, hereby transmits this amendment as a Remedial Construction Plan to the Department of Community Affairs for their review and a Finding that it is In Compliance with the Laws of the State of Florida.

Section 3. That if any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 4. The effective date of these Amended Construction Plans shall be the date a final order is issued by the Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S., or the date a final order is issued by the Administration Council finding the amendment to be in compliance in accordance with

Chapter 163.3184, F.S.

Section 5. A certified copy of this enacting ordinance and certified copy of the City of Polk City, Comprehensive Plan shall be located in the Office of the City Clerk of Polk City. The City Clerk shall also make copies available to the public for a reasonable publication charge.

INTRODUCED, PASSED on FIRST READING, this _____ day of _____, 2010.

Joe LaCascia, Mayor

ATTEST:

Approved as to form and correctness

Patricia R. Jackson, City Clerk

Jeff Sullivan, City Attorney

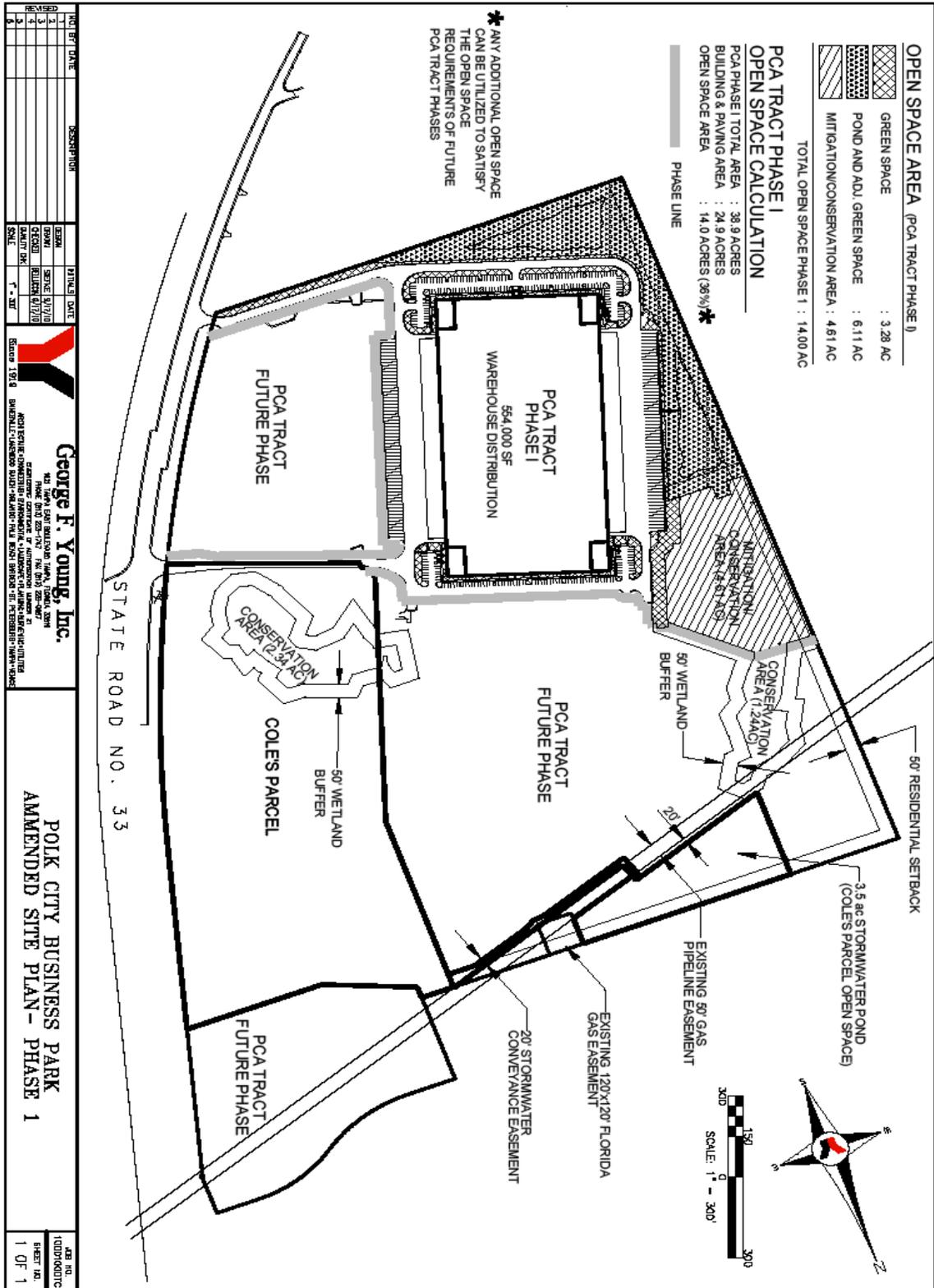
PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Council of the City of Polk City, Florida meeting in Regular Session this _____ day of _____, 2010.

Joe LaCascia, Mayor

ATTEST:

Patricia R. Jackson, City Clerk

EXHIBIT A



OPEN SPACE AREA (PCA TRACT PHASE I)

GREEN SPACE : 3.28 AC

POND AND ADJ. GREEN SPACE : 6.11 AC

MITIGATION/CONSERVATION AREA : 4.61 AC

TOTAL OPEN SPACE PHASE I : 14.00 AC

**PCA TRACT PHASE I
OPEN SPACE CALCULATION**

PCA PHASE I TOTAL AREA : 38.9 ACRES

BUILDING & PAVING AREA : 24.9 ACRES

OPEN SPACE AREA : 14.0 ACRES (36%)

* ANY ADDITIONAL OPEN SPACE CAN BE UTILIZED TO SATISFY THE OPEN SPACE REQUIREMENTS OF FUTURE PCA TRACT PHASES

NO.	REV.	DATE	DESCRIPTION	DESIGN	DRAWN	DATE
1						
2						
3						
4						
5						

NO.	REV.	DATE	DESCRIPTION	DESIGN	DRAWN	DATE
1						
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