

POLK CITY

PLANNING COMMISSION MEETING

March 17, 2025
6:00 P.M.

Polk City Government Center
123 Broadway Blvd. SE

AGENDA

CALL TO ORDER	Chairman
PLEDGE OF ALLEGIANCE	Chairman
ROLL CALL	City Manager Patricia Jackson
ESTABLISHMENT OF A QUORUM	
APPROVAL OF MEETING MINUTES	

New Business

- 1. Public Hearing**
Ordinance 2025-3 PUD zoning for property located at the corner of SR33 & Citrus Grove Blvd.

PLEASE NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED DURING THIS MEETING, HE OR SHE WILL NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, A PERSON WITH DISABILITIES NEEDING ANY SPECIAL ACCOMMODATIONS TO PARTICIPATE IN CITY MEETINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, POLK CITY 123 BROADWAY BLVD SE, POLK CITY, FLORIDA 33868 TELEPHONE (863) 984-1375, AT LEAST 48HRS IN ADVANCE.



**CITY OF POLK CITY
ZONING MAP AMENDMENT
OVERVIEW REPORT**
March 3, 2025

TO: POLK CITY PLANNING COMMISSION

FROM: Central Florida Regional Planning Council

SUBJECT: Rezoning: An applicant-initiated rezoning of approximately 18.71 acres, from a zoning of PUD originally adopted under Ordinance 2013-1304 and then rezoned via ordinance 2020-11 to PUD, located west of North Commonwealth Avenue and north of Citrus Gove Boulevard North from Planned Unit Development which allowed multi-family uses to Planned Unit Development to allow for **69 single-family units** (Parcel numbers: 25-26-33-296500-102020; 25-26-33-296500-105000; 25-26-29-295302-003000; 25-26-29-295302-010000; and 25-26-29-295302-009010).

PLANNING COMMISSION MEETING DATE:

Planning Commission Meeting: March 17, 2025 at 6:00 PM

City Commission Meeting (First Reading): March 18, 2025 at 6:00 PM

City Commission Meeting (Second Reading): April 15, 2025 at 6:00 PM

OWNER/APPLICANT: Mohamed Elawad / Sloan Engineering and KB Homes
(Representatives)

ATTACHMENTS:

- Location Map
- Aerial Map
- Existing Zoning Map
- Proposed Zoning Map
- Existing Future Land Use Map
- Concept Plan
- Application
- Agent Authorization and Signing Authority

PROJECT DESCRIPTION/REQUEST:

Project Location

The property is located at the northwest corner of the intersection of Commonwealth Avenue North (SR 33) and Citrus Grove Boulevard North and on the north side of Citrus Grove Boulevard North.

Request

The owner, Mohamed Elswad, via his representatives KB Homes and Sloan Engineering, is requesting a Zoning Map Amendment An applicant-initiated rezoning of approximately 18.71 acres located west of North Commonwealth Avenue and north of Citrus Gove Boulevard North from Planned Unit Development to Planned Unit Development to allow for 69 single-family units. The use corresponds with the Residential Medium Future Land Use designation.

ZONING MAP AMENDMENT	
Property Owner	Mohamed El Aswad
Representative	KB Homes and Sloan Engineering
Property Size	18.71 acres
Previous Hearing Dates	2013 – Future Land Use Map Amendment and Rezoning 2021 – Future Land Use Map Amendment and Rezoning
Parcel ID	25-26-33-296500-102020 (3.22 acres) 25-26-33-296500-105000 (8.01 acres) 25-26-29-295302-003000 (4.53 acres) 25-26-29-295302-010000 (2.5 acres) 25-26-29-295302-009010 (0.45 acres)
Zoning	Existing: Planned Unit Development for 168 multi-family units Proposed: Planned Unit Development for 69 single-family units

Background

The parcel was originally rezoned to Planned Unit Development and C-2 Commercial General in 2013 via ordinance 2013-1304. In 2020 it was rezoned to R-4 and Planned Unit Development for 168 multi-family units via ordinance 2020-11. The current request is for 69 single-family units.

SITE ANALYSIS:

Description of Property

The property is currently vacant.

Zoning

This request is to change the Zoning on parcels totaling 18.71 acres to Planned Unit Development (PUD) to allow for 69 single-family dwelling units.

A description of each existing Zoning designation as defined in the City of Polk City’s Land Development Code is provided below.

2.04.02.16 Planned Unit Development District.

(B) *Purpose*

1. The planned unit development district is intended to provide a method for consideration and approval of unique zoning districts for individual Planned Unit Developments (PUD), which are not provided for or allowed in the zoning districts otherwise established by this chapter.

Surrounding Uses

SR 33 is located directly east of the subject property. Commercial and industrial properties are located east of SR 33. Residential properties are located south of the site. The property to the west is vacant. Vacant property is located to the north in Polk County. The following table indicates the Future Land Use (FLU), Zoning and Existing Use for the properties surrounding the site.

<p><u>Northwest:</u> FLU: Recreation ZONING: R-4 Mixed Residential EXISTING USE: Vacant</p>	<p><u>North:</u> FLU: Polk County Residential Suburban ZONING: N/A EXISTING USE: Vacant</p>	<p><u>Northeast:</u> FLU: Polk County Residential Suburban ZONING: N/A EXISTING USE: Vacant</p>
<p><u>West:</u> FLU: Residential Medium ZONING: R-4 Mixed Residential Use EXISTING USE: Vacant.</p>	<p><u>Subject Parcel</u> FLU: Residential Medium ZONING: Planned Unit Development EXISTING USE: Vacant</p>	<p><u>East:</u> FLU: Polk County Residential Suburban ZONING: N/A EXISTING USE: Vacant</p>
<p><u>Southwest:</u> FLU: Polk County Residential Suburban ZONING: N/A EXISTING USE: Vacant</p>	<p><u>South:</u> FLU: Residential Medium ZONING: R-4 Mixed Residential Use EXISTING USE: Residential</p>	<p><u>Southeast:</u> FLU: Residential Medium ZONING: R-4 Mixed Residential Use EXISTING USE: Residential</p>

PUBLIC FACILITIES AND SERVICES ANALYSIS:

The subject property will be required to undergo concurrency review during the development approval process. The following is an analysis of current conditions and capacity of public facilities that would be impacted by maximum development of the site.

Potable water

To estimate potential potable water consumption for residential component, it is estimated that for residential uses, approximately 110 gallons per capita per day (gpcpd) can be assumed. Below are the estimates for the subject parcels using this equation:

- *Estimated water consumption for Residential based on maximum development potential of 69 residential dwelling units and 2.75 people per household:*

$$[69 \text{ units} \times 2.75 \text{ people per household} = 190 \text{ people}] \times [110 \text{ (gpcpd)}] = 20,900 \text{ gpcpd}$$

The City's water use permit (WUP) allows an average pumping of 967,200 gallons per day. Average daily water use in Polk City is 486,543, or one-half of its WUP capacity. No negative impacts are anticipated at this time. When development occurs on the subject parcel, the developer will be required to extend municipal water service to the site, and the City will require additional potable water calculations to be performed to address the possible need for additional permitted capacity.

Wastewater

To estimate potential wastewater treatment for the residential component, it is estimated that for residential uses, approximately 100 gallons per capita per day (gpcpd) can be assumed. Below are the estimates for the subject parcels using this equation:

- *Estimated wastewater treatment for Residential based on maximum development potential of 69 residential dwelling units and 2.75 people per household:*

$$[69 \text{ units} \times 2.75 \text{ people per household} = 190 \text{ people}] \times [100 \text{ (gpcpd)}] = 19,000 \text{ gpcpd}$$

The current treatment capacity of the Mount Olive lift station is 215,000 gallons per day, and the current volume treated is approximately 93 percent of capacity. No negative impacts are anticipated at this time. When development occurs on the subject parcel, the developer will be required to extend municipal wastewater service to the site, and the City will require additional wastewater calculations to be performed to address the possible need for additional permitted capacity.

Traffic Circulation

A detailed traffic study will be required prior to site plan approval.

Drainage

Stormwater Level of Service is based on each new development project meeting the standards as reviewed and permitted by Southwest Florida Water Management District (SWFWMD). Development of the site will have to meet SWFWMD standards during the site plan approval process.

Recreation

The proposed Planned Unit Development will create minimum impacts on the recreation system.

Solid Waste

Polk County plans solid waste capacity for all municipalities in Polk County as well as unincorporated Polk County. Solid waste capacity would not be adversely impacted by the proposed Planned Unit Development.

School Concurrency

To be provided by the School Board of Polk County.

Emergency Services

The County provides police protection, EMS, and fire protection.

CONDITIONS OF APPROVAL:

The applicant submitted a conceptual site plan. This conceptual site plan will be binding upon City Commission approval. The following conditions are proposed in addition to the conceptual site plan.

Prior to submittal of a final site plan and construction drawings the following will be required:

1. The proposed project shall meet all regulations of the City of Polk City, Florida.
2. Proposed developmental area of this site shall be limited to the uses and proposed site design that shall be approved by the Planning Commission and the City Commission.
3. Any modification to the approved Site Plan shall be approved by the Planning Commission and the City Commission unless the proposed modifications are minor and in accordance with the City's ULDC.
4. With the exception of clearing for access roads, survey lines, construction trailers, equipment staging areas, fencing, and specific building sites, construction shall commence within 90 days after completion of clearing and grubbing.

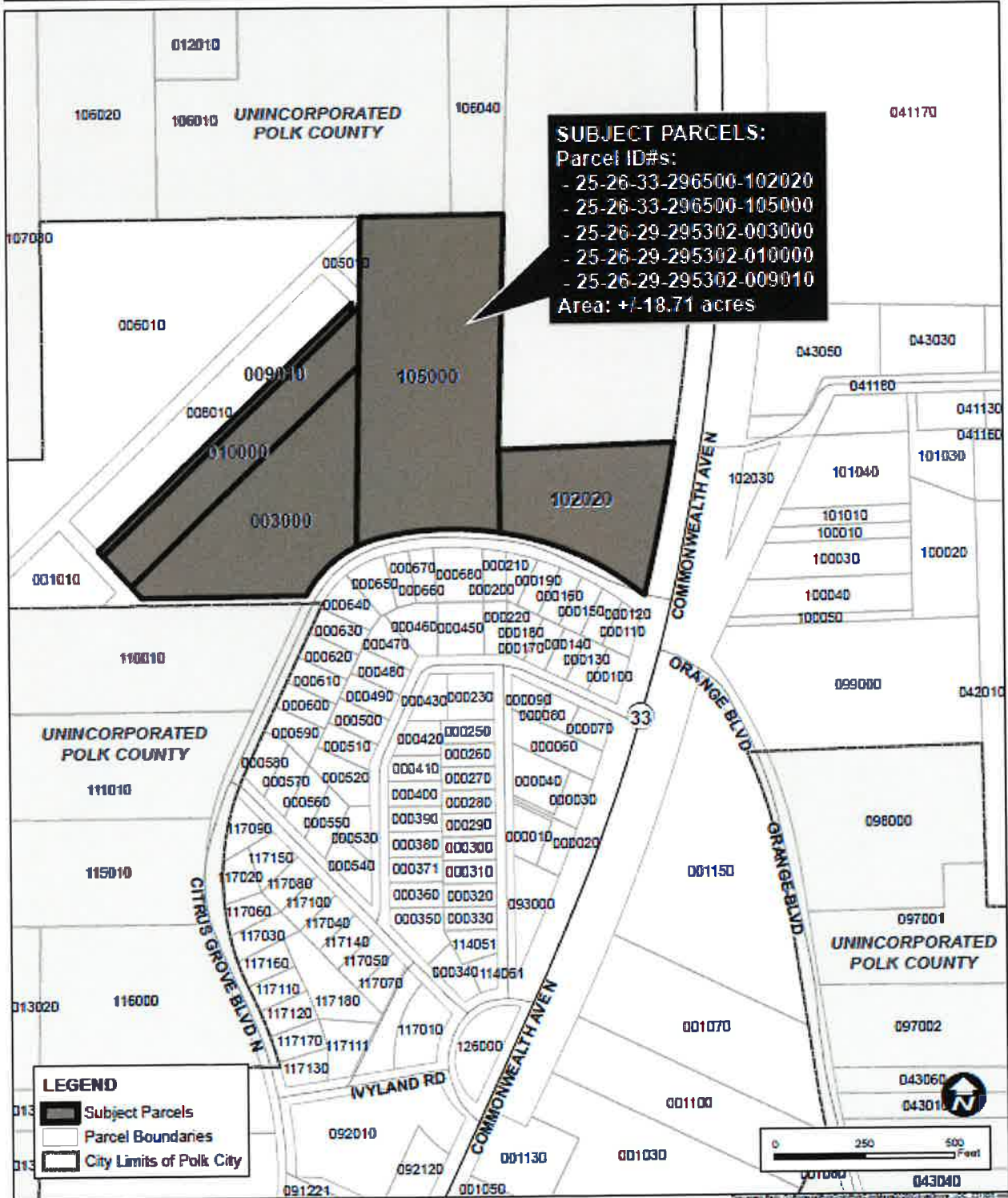
5. The Applicant shall provide discharge control and treatment of the stormwater run-off in accordance with all applicable agency requirements in effect at the time of the permit application. The drainage system shall be maintained in an acceptable condition in accordance with the stormwater management plan.
6. Development shall conform to the Citrus Grove Road PUD Land Use Plan dated January 2025, and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and city laws, rules, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City Commission of Polk City. All maps shall be updated with all current Future Land Use and zoning designations.
7. Prior to approval of any future site plans, construction plans, or issuance of any building permits, the Applicant shall enter into a recordable developer's agreement for the provision of water and wastewater service by Polk City. At a minimum, said agreement shall provide for the connection of the Property to the City's water and wastewater system, extension of the City's existing wastewater pipeline to the Property at the expense of the Applicant, construction and installation of all onsite and proximate offsite improvements necessary for the City to provide water and wastewater service to the Property, and for payment of applicable water and wastewater capital charges to the City for water and wastewater service capacity adequate to service the development within the Property.
8. A preliminary site plan must be submitted and approved by the Planning Commission and the City Commission within one (1) calendar year after approval of this Ordinance.
9. Prior to approval of the preliminary site plan, the Applicant shall submit for City review and approval a traffic study and analysis of the transportation impacts of development on the Property.
10. Citrus Grove Boulevard shall be widened to provide a 12 foot lane on the development side of the existing roadway centerline for the limits of the project frontage.
11. Provide a right-of-way dedication resulting in a minimum of 30 feet from the Citrus Grove Boulevard roadway centerline on the development side of the project.
12. Per Section 3.02.04 of the Polk City Land Development Code, a sidewalk shall be installed along State Road 33 and on both side of all internal streets. A sidewalk shall be installed in the Citrus Grove Boulevard right-of-way between the 2 proposed roadway connections.
13. Section 7.03.02(8), requires an inventory of trees with an estimate of the canopy that they provide and an inventory of stands of mature trees and understory vegetation that may provide wildlife habitats or other environmentally unique areas.

PLANNING COMMISSION MOTION OPTIONS:

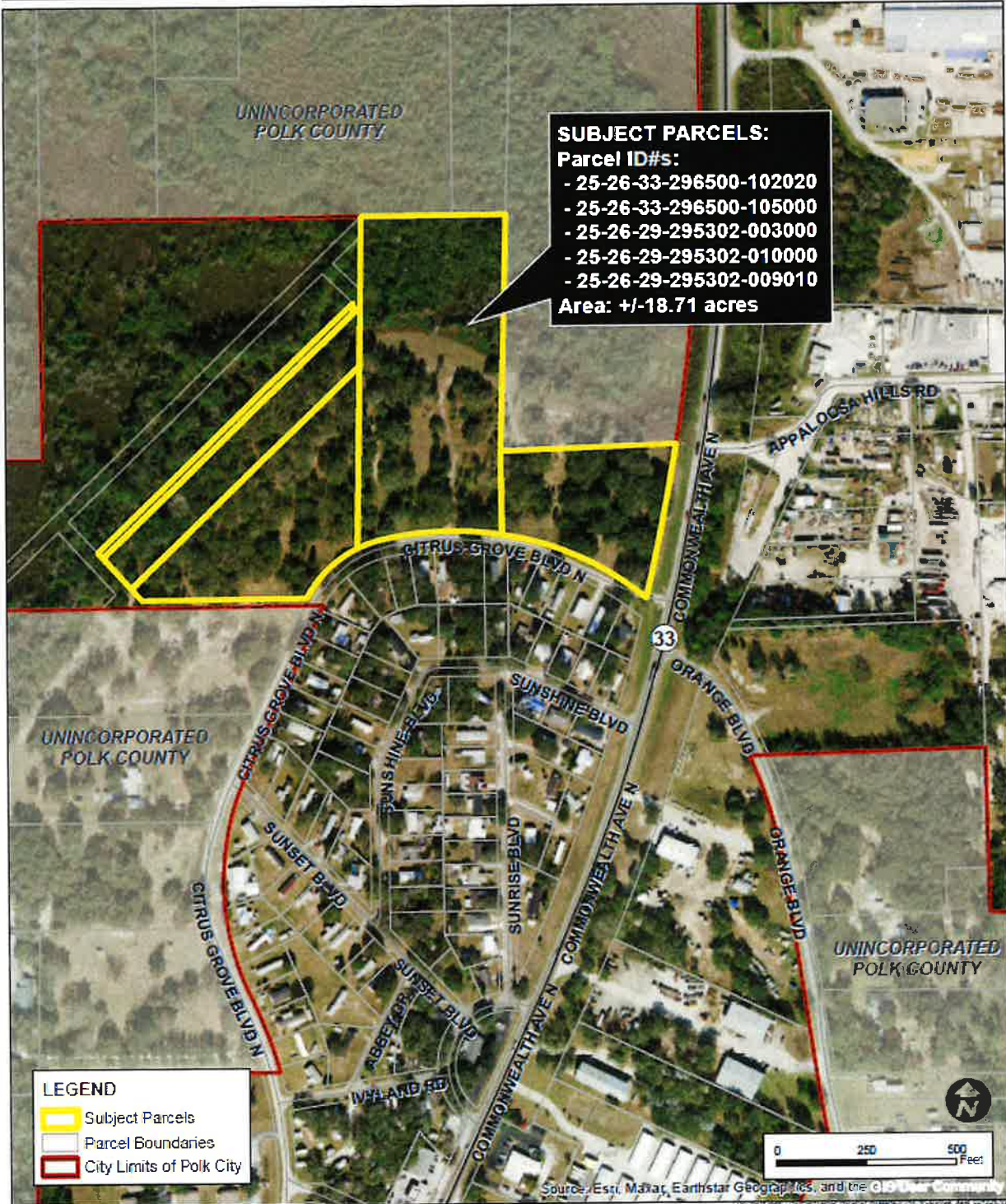
Options for motions are listed below.

1. Forward the Rezoning request to the City Commission with recommendation for approval with conditions.
2. Forward the Rezoning request to the City Commission with recommended changes and recommendation for approval with conditions.
3. Forward the Future Land Use Amendment to the City Commission with recommendation for denial.

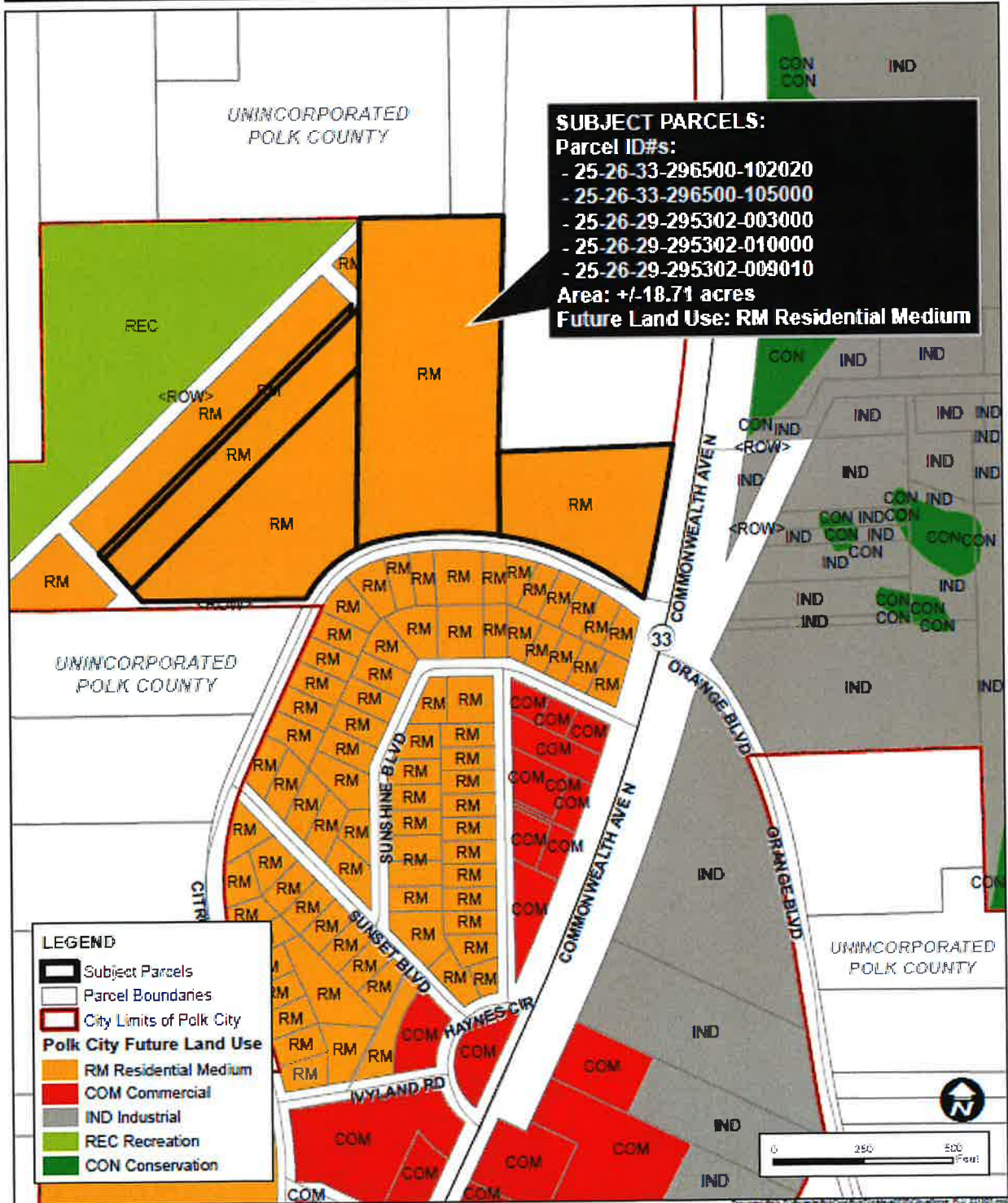
CITY OF POLK CITY LOCATION MAP



CITY OF POLK CITY AERIAL PHOTO MAP



CITY OF POLK CITY FUTURE LAND USE MAP



Application



City of Polk City

• 123 Broadway Blvd, SE • Polk City, Florida 33868 • (863) 984-3137 • Fax (863) 984-2334

Application for Zoning or for Rezoning of Property

Applicant

The following information is required for submission of an application for assignment of a Zoning District in the City or the Rezoning of property in the City limits of Polk City, Florida. Please print or type the required information below. Attach three copies of the current survey of subject property certified to the City of Polk City along with an aerial photograph and location map.

Name of Property Owner: Mohamed Elswad
Mailing Address: 140 26 July Street Cairo Egypt Phone: 00201000600330
Name of Representative, if applicable: Sloan Engineering Group Inc
Mailing Address: P.O. Box 253 Bartow Florida Phone: 863-800-3046
Reason for Request: _____

Property Identification

Property Address or General Location: 611 Citrus Grove Blvd N Polk City
Present Use of the Property: Vacant
Existing Structures Located on the Site: None
Total Acreage: 18.60 Number of Residents on Site: 0
Parcel I.D.#: 252629-295302-003000, 252629-295302-009010, 252629-295302-010000, 252633-295500-102020, 252633-296500-105000
Section: 29 Township: 26 Range: 25
Legal Description of the Property: refer to survey

Subdivision
(if any): _____

Planning and Zoning Information

Current City Zoning Classification: PUD/R-4 Mixed Res Use
Current Future Land Use Classification: Not Assigned/Very Low Residential/Res Medium
Requested City Zoning Classification: PUD

Note: Unless specific zoning designations are requested, the City will assign designations, which most closely conform with the actual use of the property or with designations of surrounding properties. An application fee will be assessed only on requests for land use and zoning changes which result in an increase in land use or zoning intensity over that allowed under the County designations.

Date Received: _____ Received By: _____
Fee Paid: _____ File Number: _____

OWNER'S SIGNATURE PAGE

(I) (We), SEE ATTACHED AGENT AUTHORIZATION being
duly sworn, depose and say that (I) (we) own one or more of the properties involved in this
petition and that (I) (we) authorize the City of Polk City to process this petition for Zoning or Re-
zoning, in accordance with all adopted City rules and regulations, and in conformance with
State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file
this petition, deposes and say that the statements and answers contained in the application
and any information attached thereto, present the arguments in behalf of this petition to the
best of (my) (our) ability; and that the statements and information referred to above are in all
respects true and correct to the best of (my) (our) knowledge and belief.

OWNERS

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

Signature of Owner

Printed Name of Owner

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S NOTARIZATION

The foregoing instrument was acknowledged before me this ___ day of
_____, 20___, by _____, who is
personally known to me or who has produced a driver's license as identification and who did
not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date

AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE

(I) (We), Sloan Engineering Group Inc.
being duly sworn, depose and say that (I) (we) serve as Agent for the
owner(s)

(agent or lessee)

in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this
capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and other
information attached hereto present the arguments in behalf of the petition herein requested to
the best of (my) (our) ability and that the statements and information above referred to are in
all respects true and correct to the best of (my) (our) knowledge and belief.

AGENT, LESSEE, OR BUYER(S)



Signature of Agent, Lessee, or Buyer(s)
Santos Medina III

Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

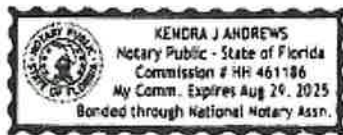
Signature of Agent, Lessee, or Buyer(s)

Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA
COUNTY OF POLK

AGENT, LESSEE, OR BUYER(S) NOTARIZATION

The foregoing instrument was acknowledged before me this 7 day of
January, 2025, by Santos Medina III, who is
personally known to me or who has produced a driver's license as identification and who did
not take an oath.





Notary Public
Notarial Seal and Commission
Expiration Date

Agent Authorization and Signing Authority

Subject: Agent Authorization
Project: Citrus Grove Blvd
Parcel Id: 252629-295302-003000;252629-295302-009010;252629-295302-010000;
252633-296500-102020;252633-296500-105000

To whom It may Concern:

I, Mohamed Elawad, Owner, hereby designate and authorize Sloan Engineering Group and KB Homes Orlando, LLC to act on behalf of Owner, as the authorized agent, applicant, and representative in the processing and furnishing of supplemental information in support of the zoning, building and site development permit applications to the governing entities for the subject project.

Mohamed Elawad
Mohamed Elawad (Dec 5, 2024 12:14 GMT+2)

Owner's Signature

Dec 5, 2024

Date

140 26 July street Cairo Egypt

Address

00201000600330

Phone Number

draswad22@gmail.com

E-mail address

State of Virginia
County of Chesterfield

The foregoing instrument was acknowledged before me this 5th day of December, 2024

by Mohamed ElAswad who is personally known to me or who has produced
Arab Republic of Egypt Passport as identification.

Lauren N. Fridley
(Notary Signature)

Notary Stamp



My Commission expires: 06/30/2028

Notary Public Lauren N. Fridley
Commission 7699515
of Chesterfield County, Virginia

Completed via Remote Online Notarization using two-way Audio/Video technology



SECRETARY'S CERTIFICATE

I, Tony Richelieu, do hereby certify that I am the duly elected, qualified and acting Secretary of KB HOME Orlando LLC, a Delaware limited liability company (this "Company").

I, do further certify the following:

1. I am the duly elected, qualified and acting Vice President and Corporate Secretary of KB Home, a Delaware corporation.
2. I am the duly elected, qualified and acting Secretary of KB HOME Florida Inc., a Delaware corporation.
3. KB HOME Orlando LLC is the wholly owned subsidiary of KB HOME Florida Inc., its Sole Member.
4. KB HOME Florida Inc. is the wholly owned subsidiary of KB Home, its Sole Member.
5. KB HOME Florida Inc., in its capacity as Sole Member of KB HOME Orlando LLC, adopted effective April 3, 2024 resolutions ("Resolutions") delineating the authority of specified officers and employees of KB HOME Orlando LLC. These Resolutions have not been rescinded, modified or revoked, and are in full force and effect.
6. KB HOME Florida Inc.'s delegations of authority in the Resolutions were, and still are, authorized by KB Home.

WITNESS MY HAND this 3rd day of April, 2024.

By: Tony Richelieu
Tony Richelieu
Vice President and Corporate Secretary, KB Home
Secretary, KB HOME Florida Inc.
Secretary, KB HOME Orlando LLC

ORDINANCE 2025-03

AN ORDINANCE OF POLK CITY, FLORIDA, AMENDING THE OFFICIAL POLK CITY ZONING MAP TO CHANGE THE ZONING ON APPROXIMATELY 18.71 ACRES LOCATED AT THE NORTHWEST CORNER OF COMMONWEALTH AVENUE (SR 33) AND CITRUS GROVE BOULEVARD NORTH FROM PLANNED UNIT DEVELOPMENT FOR 168 MULTI-FAMILY UNITS TO PLANNED UNIT DEVELOPMENT TO ALLOW FOR 69 SINGLE-FAMILY DWELLING UNITS; PROVIDING FOR A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, AND AN EFFECTIVE DATE.

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

SECTION 1. FINDINGS AND INTENT. In adopting this Ordinance and amending the City's Official Zoning Map of Polk City, the City Commission of Polk City, Florida hereby makes the following findings:

(1) Mohamed El Aswad (hereafter "Owner" or "Applicant") is the owner of certain property located within the corporate limits of Polk City, Florida, described by the following parcel numbers: 25-26-33-296500-102020; 25-26-33-296500-105000; 25-26-29-295302-003000; 25-26-29-295302-010000; and 25-26-29-295302-009010 (hereafter "Property").

(2) The Property consists of approximately 18.71 acres and was originally approved as a Planned Unit Development by Ordinance No. 2013-1304, then amended to PUD and R-4 under Ordinance No. 2020-12.

(3) The Applicant applied to modify the existing zoning to PUD to contain sixty-nine (69) single family residential units.

(4) If this Ordinance No. 2025-03 is approved, it shall repeal aforementioned ordinance 2013-1304 and ordinance 2020-12 and will change the Official Zoning Map by changing the zoning classification assigned to this property from Planned Unit Development to Planned Unit Development as depicted on the map attached to and incorporated in this Ordinance as Exhibit "A".

(5) Pursuant to applicable provisions of the City's Land Development Code, including but not limited to Section 2.04.02.16(V), the Planning Commission has reviewed and recommended the application to amend the 2020 zoning for approval subject to the terms and conditions set forth in Section 2 and Exhibit "C" hereof.

(6) The City Commission of Polk City, Florida, held meetings and hearings regarding the Property, with due public notice having been provided, to obtain public

comment, and considered all written and oral comments received during public hearings, including supporting documents.

(7) The City has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning.

(8) Although exempt under the statute, the City has nevertheless in its sole discretion performed a business impact estimate pursuant to § 166.041(4)(c), and determined that adoption of this ordinance:

- (a) serves a public purpose by serving the public health, safety, morals, and welfare of the City,
- (b) has no direct negative economic impact on private, for-profit businesses in the city,
- (c) will not result in direct compliance costs by businesses,
- (d) does not impose any new charge or fee on businesses for which businesses will be financially responsible,
- (e) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City.

(9) The City Commission has received public input on the rezoning and a recommendation from staff.

(10) The City Commission of the Polk City, Florida, finds that the applicants have met the criteria for rezoning under the City's land development regulations and that rezoning will not adversely affect the public interest.

(11) The City previously adopted Ordinance No. 1098, creating Article 2 of the City's Unified Land Development Code (hereafter "ULDC") so as to create a Planned Unit Development district within its ULDC.

(12) Among its many purposes, the City's PUD District ordinance is intended to provide a method for consideration and approval of unique zoning districts for individual Planned Unit Developments, which are not provided for or allowed in other City zoning districts.

(13) The standards and procedures of the PUD district are intended to promote flexibility of design and to permit planned diversification and integration of uses and structures, while at the same time reserving to the City Commission the absolute authority to establish limitations and regulations for the development deemed necessary to protect the public health, safety and welfare.

(14) No development plan shall be approved for a PUD without adequate on-site and offsite public facilities, including but not limited to storm drainage, sanitary sewers, roadway capacity, fire/rescue service, police service, water distribution system and recreation facilities.

(15) In exercise of its authority, the City Commission has determined that for

the proposed development to be approved, it must be subject to conditions of approval to ensure compliance with the ULDC and the City's Comprehensive Plan.

(16) The PUD Ordinance requires that any proposed PUD must be adopted by ordinance, shall contain a conceptual site plan demonstrating or requiring compliance with the conditions set forth in the PUD Ordinance, and generally depicting the nature, intensity, and location of various uses.

SECTION 2. APPROVAL OF PLANNED UNIT DEVELOPMENT; CONDITIONS OF APPROVAL. The Official Zoning Map of Polk City is hereby amended so as to assign the zoning classification of Planned Unit Development (PUD) District to the Property. The City also hereby approves the conceptual site plan depicted in Exhibit "B" including development conditions attached hereto as Exhibit "C" to and incorporated in this Ordinance subject to the following conditions of approval:

(1) The proposed project shall meet all applicable regulations of the City of Polk City, Florida.

(2) The proposed developmental area of this site shall be limited to the uses and proposed site design that shall be approved by the Planning Commission and the City Commission.

(3) Any modification to the approved Site Plan shall be approved by the Planning Commission and the City Commission unless the proposed modifications are minor and in accordance with the City's ULDC.

(4) With the exception of clearing for access roads, survey lines, construction trailers, equipment staging areas, fencing, and specific building sites, construction shall commence within 90 days after completion of clearing and grubbing.

(5) The Applicant shall provide discharge control and treatment of the stormwater run-off in accordance with all applicable agency requirements in effect at the time of the permit application. The drainage system shall be maintained in an acceptable condition in accordance with the stormwater management plan.

(6) Development shall conform to the El Aswad PUD Land Use Plan dated January 2025, and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and city laws, rules, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City Commission of Polk City.

(7) Prior to approval of any future site plans, construction plans, or issuance of any building permits, the Applicant shall enter into a recordable developer's agreement for the provision of water and wastewater service by Polk City. At a minimum, said agreement shall provide for the connection of the Property to the City's water and wastewater system, extension of the City's existing wastewater pipeline to the Property at the expense of the Applicant, construction and installation of all onsite and proximate

offsite improvements necessary for the City to provide water and wastewater service to the Property, and for payment of applicable water and wastewater capital charges to the City for water and wastewater service capacity adequate to service the development within the Property.

(8) A preliminary site plan must be submitted and approved by the Planning Commission and the City Commission within one (1) calendar year after approval of this Ordinance.

(9) Prior to approval of the preliminary site plan, the Applicant shall submit for City review and approval a traffic study and analysis of the transportation impacts of development on the Property.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or enforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

SECTION 4. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), Florida Statutes, the City of Polk City is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance rezones property in accordance with the owner's proposed use. Such an amendment to the City's Plan (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City, (2) has no direct negative economic impact on private, for-profit businesses in the city, (3) will not result in direct compliance costs by businesses, (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible, and (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any business will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected. The Business Impact Estimate form for this ordinance is on file with the City Clerk.

SECTION 5. COPY ON FILE. This Ordinance shall be codified and made part of the official Code of Ordinances of Polk City.

SECTION 6. REPEAL OF ORDINANCES IN CONFLICT. All other ordinances of Polk City, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed. Specifically, upon the effective date of this Ordinance, Ordinance Nos. 2013-1304 and 2020-12 are hereby repealed.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and approval as a non-emergency ordinance at two regular meetings of the City Commission.

(Remainder of this page left intentionally blank.)

INTRODUCED, PASSED on FIRST READING, this ____ day of March 2025.

POLK CITY, FLORIDA

Joe LaCascia, Mayor

ATTEST:

**APPROVED AS TO FORM AND
CORRECTNESS**

Patricia R. Jackson, City Manager/Clerk

Thomas A. Cloud, City Attorney

PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this ___ day of April, 2025.

Joe LaCascia, Mayor

ATTEST:

Patricia R. Jackson, City Manager/Clerk

EXHIBIT "B"

Conceptual Site Plan

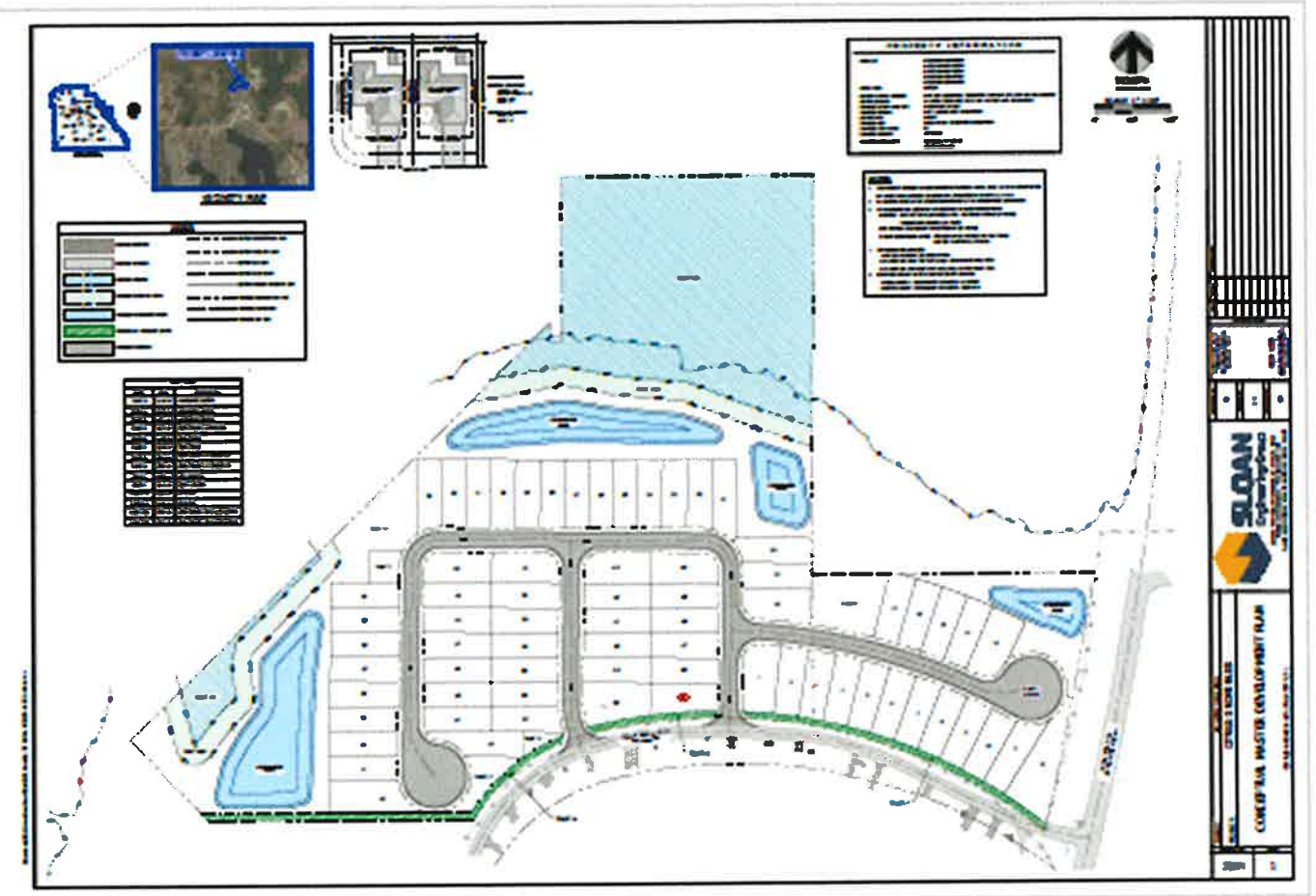


EXHIBIT "C"

Citrus Grove Boulevard PUD Development Conditions

The Citrus Grove Boulevard Planned Unit Development shall consist of up to sixty-nine (69) single family dwelling units. Prior to submittal of a final site plan and construction drawings, the Applicant shall comply with the following mandatory terms and conditions:

1. The proposed project shall meet all regulations of Polk City, Florida.
2. Proposed developmental area of this site shall be limited to the uses and proposed site design that shall be approved by the Planning Commission and the City Commission.
3. Any modification to the approved Site Plan must be submitted to and shall obtain the approval of the Planning Commission and the City Commission unless the proposed modifications are minor and in accordance with the City's ULDC.
4. With the exception of clearing for access roads, survey lines, construction trailers, equipment staging areas, fencing, and specific building sites, construction shall commence within ninety (90) days after completion of clearing and grubbing.
5. The Applicant shall provide discharge control and treatment of the stormwater runoff in accordance with all applicable state and local agency requirements in effect at the time of the permit application. The drainage system shall be maintained in an acceptable condition in accordance with the stormwater management plan.
6. Development shall conform to the Citrus Grove Road PUD Land Use Plan dated January 2025, and to the following additional conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and city laws, rules, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City Commission of Polk City. All maps shall be updated with all current Future Land Use and zoning designations.
7. Prior to approval of any future site plans, construction plans, or issuance of any building permits, the Applicant shall enter into a recordable developer's agreement for the provision of central water and wastewater service by Polk City. Potable water service via individual wells is prohibited pursuant to City ordinance. At a minimum, said agreement shall provide for the connection of the Property to the City's water and wastewater system, extension of the City's existing wastewater pipeline to the Property at the expense of the Applicant, construction and installation of all onsite and proximate offsite improvements necessary for the City to provide water and wastewater service to the Property, and for payment of applicable water and wastewater capital charges to the City for water and wastewater service capacity adequate to service the development within the Property.

8. A preliminary site plan must be submitted to, reviewed by, and approved by the Planning Commission and the City Commission within one (1) calendar year after approval of this Ordinance.
9. Prior to approval of the preliminary site plan, the Applicant shall submit for City review and approval a traffic study and analysis of the transportation impacts of development on the Property.
10. Prior to the construction of any single-family homes on the Property, the Applicant shall widen Citrus Grove Boulevard to provide a twelve-foot (12') wide lane on the development side of the existing roadway centerline along the limits of the project frontage.
11. The Applicant shall provide a right-of-way dedication with a minimum width of thirty feet (30') extending from the Citrus Grove Boulevard roadway centerline on the development side of the project.
12. In accordance with Section 3.02.04 of the Polk City Land Development Code, a sidewalk shall be installed along State Road 33 and on both side of all internal streets. A sidewalk shall be installed in the Citrus Grove Boulevard right-of-way between the two (2) proposed roadway connections.
13. In accordance with Section 7.03.02(8), Polk City Land Development Code, the Applicant shall prepare and submit in writing an inventory of trees with an estimate of the canopy provided, together with an inventory of stands of mature trees and understory vegetation that may provide wildlife habitats or other environmentally unique areas.