



City of Auburndale

AUBURNDALE, FLORIDA 33823

Office of the City Manager

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CITY COMMISSION MEETING
October 2, 2023 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Kevin Chisolm, Move Church

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 09/19/2023

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PROCLAMATION - Breast Cancer Awareness Month
Fire Prevention Month

AGENDA

1. **PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – INTERSECT**
2. ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES
3. ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – IPUD
4. ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – PD-H2
5. ORDINANCE #1757 AMENDING THE FUTURE LAND USE MAP – AUBURN LAKES
6. ORDINANCE #1758 AMENDING THE OFFICIAL ZONING MAP – AUBURN LAKES
7. ORDINANCE #1759 AMENDING THE FUTURE LAND USE MAP – CLINGERMAN PROPERTY
8. ORDINANCE #1760 AMENDING THE OFFICIAL ZONING MAP – CLINGERMAN PROPERTY
9. INTERAGENCY AGREEMENT WITH SHERIFF'S OFFICE - CRIMINAL JUSTICE INFORMATION SHARING
10. STREET CLOSURE REQUEST – FALL-O-WEEN FESTIVAL
11. APPROVE 2024 CITY COMMISSION MEETING AND HOLIDAY SCHEDULE
12. APPROVE ITEMS RELATED TO 2023 MUNICIPAL ELECTION

F.S. 286: If an individual decides to appeal any decision made by the City Commission with respect to this meeting, a verbatim transcript may be requested. If so, the individual should make provisions for a transcript to be made at the meeting. Persons with disabilities needing special accommodation to participate in this proceeding should contact the City Clerk no later than five days prior to the proceeding at 968-5133.

**City Commission Meeting
October 2, 2023**

**AGENDA ITEM 1: PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP
AMENDMENTS INTERSECT PROPERTIES**

**AGENDA ITEM 2: ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT
PROPERTIES**

**AGENDA ITEM 3: ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT
PROPERTIES – IPUD**

**AGENDA ITEM 4: ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT
PROPERTIES – PD-H2**

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will take public comment and consider a proposed Future Land Use Map and Official Zoning Map amendments.

ATTACHMENTS:

- . Notice of Public Hearing – 09/22/2023
- . Proposed Ordinance #1747 Amending the Future Land Use Map – Intersect Properties
- . Proposed Ordinance #1748 Amending the Official Zoning Map – Intersect Properties
- . Proposed Ordinance #1749 Amending the Official Zoning Map – Intersect Properties
- . Excerpt from Planning Commission Meeting – 12/06/2022
- . Excerpt from Planning Commission Meeting – 08/01/2023

ANALYSIS: As a result of annexation, the City has received a request from Peterson and Myers, on behalf of Intersect Development Group, for a Future Land Use Map amendment and Official Zoning Map amendments on the following property:

Intersect Property:

<u>Owner/Petitioner:</u>	Peterson and Myers on behalf of Intersect Development Group
<u>Location:</u>	Pace Road and Bryan Lane
<u>Current Future Land Use:</u>	Business Park Center-1X (+/- 69.3 acres)
<u>Proposed Future Land Use:</u>	Regional Activity Center (RAC)
<u>Current City Zoning:</u>	None
<u>Proposed Zoning Classification:</u>	Planned Unit Development (IPUD) 45.3 +/- acres, Planned Development-H2 (PD-H2) 24 +/- acres
<u>Current use:</u>	Vacant

ANALYSIS: On November 1, 2021, the Intersect Development Group (Intersect) received a Future Land Use designation of **Regional Activity Center (RAC)** and Zoning classification of **Industrial Planned Unit Development (IPUD)** on +/-72.5 acres. The binding site plan accompanying the IPUD allowed Intersect Development Group to construct a 464,000 sq. ft. E-commerce and logistics building, two research and development buildings, and ten mixed-use commercial outparcels.

Peterson and Myers, on behalf of Intersect Development Group, has requested to establish a Future Land Use designation of **Regional Activity Center (RAC)** on an additional +/- 69.3 acres. In 2022, the additional property was annexed into the City and the City Commission held a Transmittal Public Hearing prior to sending the proposed Future Land Use Map amendment to the State. The State responded with no objections to the map amendment.

Intersect is requesting to modify and expand the established Zoning classification of **Industrial Planned Unit Development (IPUD)**. The modification request of the existing Industrial IPUD allows Intersect to remain consistent with the prior entitlements and provide subtle modifications to facilitate desired changes in the development. Conditions were previously placed on the binding site plan regarding the two research and development buildings being reserved solely for research and development. The request from Intersect would expand the Industrial Planned Unit Development (IPUD) onto +/-45.3 acres of the additional +/-69.3 acres of property for the project.

The IPUD Zoning amendment came before the City Commission on August 7, 2023, and was tabled for further discussion at the meeting. Since then, the developer has met with City staff. The request would allow the applicant to construct three research and development buildings and four industrial mixed-use buildings. This would allow for 269,280 square feet in buildings space reserved solely for research and development, advanced manufacturing, health technology, financial institutions and/or information sciences. The four buildings, located on the southern portion of the subject site, would allow for industrial mixed-use including research and development, light and medium manufacturing, health technology, office space, vocational institutions, and distribution. The mixed-use would provide an opportunity for different operators to have flex space and bring in uses. Outdoor storage is prohibited. Conditions have been placed on the binding site plan showing allowed and prohibited uses. Should the developer want to make a major modification in the future, the IPUD would have to come back before the Planning Commission.

Intersect is requesting **Planned Development-H2 (PD-H2)** for multi-family on the northeast portion of the development to allow for apartments and possible student housing for the nearby university. PD-H2 allows for a density of up to 15 units per acre, which would allow approximately 360 units on the remaining +/-24 acres of property. The binding site plan shows a clubhouse, additional amenities, and will be required to meet all active open space and landscaping requirements per the Land Development Regulations.

As required by the Land Development Regulations for Planned Developments, the requests are accompanied by binding site plans. The requested Zoning classification of IPUD and PD-H2 are compatible with the requested Future Land Use of Regional Activity Center (RAC) and is consistent with the City of Auburndale Comprehensive Plan, all Land Development Regulations, the Central Florida Innovation District, and the Joint Planning Agreement with Polk County.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager's Office and City Attorney. If approved on first reading, the proposed Ordinances would be considered for second and final reading on October 16, 2023.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use Map amendment – (5-0, 12/06/2022). Approval of the proposed Zoning classification of Industrial Planned Unit Development (IPUD) and Planned Development-H2 (PD-H2) – (5-0, 08/02/2023).

STAFF RECOMMENDATION: Approval of the proposed Ordinances amending the Future Land Use Map and Official Zoning Map.

**City Commission Meeting
October 2, 2023**

AGENDA ITEM 5: ORDINANCE #1757 AMENDING THE FUTURE LAND USE MAP - AUBURN LAKES

AGENDA ITEM 6: ORDINANCE #1758 AMENDING THE OFFICIAL ZONING MAP - AUBURN LAKES

____INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on Future Land Use and Zoning Map Amendments.

ATTACHMENTS:

- . Ordinance #1757 Amending the Future Land Use Map – Auburn Lakes Property
- . Ordinance #1758 Amending the Official Zoning Map – Auburn Lakes Property

ANALYSIS: The City has received a request for a Future Land Use and Zoning Map Amendment on the following property:

Auburn Lakes Property:

<i>Owner/Petitioner:</i>	Dan Lewis of Ridge Project Management, LLC on behalf of Lee Saunders of Auburn Lakes, LLC
<i>Location:</i>	Old Dixie Hwy. and Polk Parkway (+/- 9.11 acres)
<i>Current Future Land Use:</i>	Medium Density Residential
<i>Proposed Future Land Use:</i>	Neighborhood Activity Center
<i>Current City Zoning:</i>	General Residential-2 (RG-2)
<i>Proposed Zoning Classification:</i>	Planned Development Commercial-1 (PD-C1)
<i>Current use:</i>	Vacant

ANALYSIS: Dan Lewis of Ridge Project Management, LLC, on behalf of Lee Saunders of Auburn Lakes, LLC, is requesting to amend 9.11 +/- acres from a Future Land Use of Medium Density Residential to **Neighborhood Activity Center**. The applicant is also looking to amend the Zoning of General Residential-2 (RG-2) to a **Planned Development Commercial-1 (PD-C1)**. In March 2022, the subject site received a Future Land Use of Medium Density Residential and Zoning of General Residential-2 (RG-2) to accommodate a multi-family and single-family subdivision. The City has approved a Developer's Agreement for the entire proposed site's wastewater usage due to upgrades needed to support development.

The applicant is requesting the Future Land Use and Zoning change to accommodate an 85-unit hotel. The site plan also depicts pool amenities to service the hotel and adequate parking per the Land Development Regulations requirements. The property is surrounded by natural wetlands creating a natural buffer to any future residential to the south.

As required by the Land Development Regulation's for Planned Developments, this request is accompanied by a binding site plan. The proposed binding site plan meets all requirements for parking, landscape buffers and building setbacks per the Land Development Regulations. The requested Future Land Use of Neighborhood Activity Center and Zoning classification of PD-C1 is consistent with the City of Auburndale Comprehensive Plan and all Land Development Regulations.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on September 19, 2023 and are being considered for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Neighborhood Activity Center and Zoning classification of Planned Development-C1 (PD-C1) – (5-0, 09/05/2023).

STAFF RECOMMENDATION: Approval of the proposed Ordinances amending the Future Land Use Map and Official Zoning Map – Auburn Lakes.

**City Commission Meeting
October 2, 2023**

AGENDA ITEM 7: ORDINANCE #1759 AMENDING THE FUTURE LAND USE MAP – CLINGERMAN

AGENDA ITEM 8: ORDINANCE #1760 AMENDING THE OFFICIAL ZONING MAP – CLINGERMAN

____INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on Future Land Use and Zoning Map Amendments.

ATTACHMENTS:

- . Ordinance #1759 Amending the Future Land Use Map – Clingerman Property
- . Ordinance #1760 Amending the Official Zoning Map – Clingerman Property

ANALYSIS: As a result of annexation, the City has received a request for a Future Land Use Map Amendment and Zoning Map Amendment on the following property:

Clingerman Property:

<u>Owner/Petitioner:</u>	Bryan Hunter of Hunter Engineering on behalf of Kevin D. Clingerman
<u>Location:</u>	US Hwy 92 W. and Polk Pkwy.
<u>Current County Future Land Use:</u>	Linear Commercial Corridor (LCC)
<u>Proposed City Future Land Use:</u>	Commercial Corridor
<u>Proposed City Zoning:</u>	Commercial Highway (CH)
<u>Current use:</u>	Vacant +/- 4.28 acres

As a result of annexation, the City has received a request to amend the City of Auburndale's Future Land Use from Polk County Future Land Use of Linear Commercial Corridor (LCC) to City of Auburndale Future Land Use of **Commercial Corridor** on +/- 4.28 acres. The developer also requests to establish a Zoning classification of **Commercial Highway (CH)**. The proposed use is for a plant retail nursery.

The amendments are consistent with the existing commercial development of the surrounding properties. The requested Future Land Use and Zoning Map amendments are consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on September 19, 2023 and are being considered for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Commercial Corridor and the Zoning classification of Commercial Highway (CH) – (5-0, 09/05/2023).

STAFF RECOMMENDATION: Approval of proposed Ordinances amending the Future Land Use Map and Official Zoning Map – Clingerman.

**City Commission Meeting
October 2, 2023**

AGENDA ITEM 9: INTERAGENCY AGREEMENT WITH SHERIFF'S OFFICE

☐ INFORMATION ONLY
☒ ACTION REQUESTED

ISSUE: The City Commission will consider an Interagency Agreement with the Polk County Sheriff's Office for access to and sharing of state/national criminal justice information.

ATTACHMENTS:

- . Interagency Agreement between the City and the Polk County Sheriff's Office.

ANALYSIS: The City of Auburndale Police Department and Fire Department currently use a computer aided dispatch and records management system that allows for access to and sharing of state and national criminal justice information.

Both Police and Fire departments have previously entered into separate Interagency Information Sharing Agreements with the Polk County Sheriff's Office (PCSO). These Agreements provide the guidelines, processes and restrictions needed to protect the integrity of the data system.

In July 2020, the Interagency Agreement merged and superseded the previous Agreements and named the City of Auburndale, for and on behalf of the Police Department and Fire Department, as party to the Interagency Agreement with the Sheriff's Office. The proposed Agreement also incorporates the Criminal Justice User Agreement between the Sheriff's Office and the Florida Department of Law Enforcement.

This three-year Agreement will become effective upon approval and will remain in force until FDLE has determined that a new agreement is required with PCSO. At such event, PCSO will submit new information.

The proposed Interagency Agreement was prepared by the Office of Legal Affairs for the Polk County Sheriff's Office and reviewed by the Police Chief, Fire Chief, City Manager and City Attorney.

STAFF RECOMMENDATION: Approval of the Interagency Agreement with the Polk County Sheriff's Office.

**City Commission Meeting
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AGENDA ITEM 10: STREET CLOSURE REQUEST – FALL-O-WEEN FESTIVAL

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider a temporary street closing for the Chamber Fall-O-Ween Festival.

ATTACHMENTS:

. Street Closure Map

ANALYSIS: The City has received a request to temporarily close a street in the downtown area to accommodate the very successful Chamber of Commerce Fall-O-Ween Festival on **Thursday, October 19, 2023** from 5:30p.m. – 8:30p.m. This event is well attended each year and has good participation from the local merchants.

To make the event safer and more pedestrian friendly, the City and Chamber are requesting to permit temporary closure of W. Park Street from Main Street to Pilaklakaha Avenue from 3:00p.m. – 9:00p.m. This allows detouring of traffic from the area during setup and cleanup of the event.

The closing will allow the main activity related to the event to be held in a “safe zone” in the downtown area and closed to vehicle traffic.

STAFF RECOMMENDATION: Staff has no objections to the request and recommends approval.

**City Commission Meeting
October 2, 2023**

AGENDA ITEM 11: APPROVE 2024 CITY COMMISSION MEETING AND HOLIDAY SCHEDULE

____INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider approval of the 2024 City Commission Meeting and Holiday Schedule.

ATTACHMENTS:

. 2024 City Commission Meeting and Holiday Schedule

ANALYSIS: City Staff is presenting the City Commission Meeting and City Holiday Schedule for 2024. The City Commission will need to adjust meetings in January due to a National Holiday, and September due to proposed budget public hearing dates.

STAFF RECOMMENDATION: Approval of the 2024 City Commission Meeting and Holiday Schedule.

JANUARY

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FEBRUARY

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APRIL

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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Highlighted dates – Commission Meetings
Dates in red – City Holidays

**City Commission Meeting
October 2, 2023**

AGENDA ITEM 12: APPROVE ITEMS RELATED TO 2023 MUNICIPAL ELECTION

____ INFORMATION ONLY

__X__ ACTION REQUESTED

ISSUE: The City Commission will consider the Certificate as to Qualify of Candidates and other items related to the 2023 Municipal Election

ATTACHMENTS:

- . Certificate as to Qualifying of Candidates
- . Sample Ballot

ANALYSIS: The 2023 Municipal Election will be held on Tuesday, November 7, 2023. All voting will be held at the Auburndale Civic Center 115 W Park Street from 7:00 a.m. to 7:00 p.m. A Notice of the Precinct Location will be mailed to all registered voters in the City of Auburndale. The Polk County Supervisor of Elections Office will handle absentee ballots for the election.

The City Commission (not including any commissioners on the ballot) will meet as the Canvassing Board to canvass the absentee ballots and the City Election at the Elections Operations Center, 70 Florida Citrus Blvd., Winter Haven on election night. The City Commission will meet for a Special Meeting at City Hall on Thursday, November 9, 2023 at 5:30p.m. to certify the results of the election.

Additionally, the City Commission as the Canvassing Board will meet on Tuesday, November 14, 2023 (Time TBD), at the Elections Operations Center, to conduct the post-election audit.

In accordance with the City Code, the City Commission is requested to approve the following:

1. Approve Certificate as to Qualify of Candidates
2. Authorize Official Ballots to be prepared - 2,000 ballots (including 100 walk-in/test ballots) (Based on previous elections and current population). The Supervisor of Elections Office orders vote-by-mail ballots separately based on number requested.
3. Authorize the necessary poll workers
4. Appoint the City Clerk to act on behalf of the Canvassing Board relative to ballot testing and other related election matters.

STAFF RECOMMENDATION: Approval of the items related to the 2023 Municipal Election.