



Office of the City Manager

City of Auburndale
AUBURNDALE, FLORIDA 33823

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CITY COMMISSION MEETING
October 16, 2023 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Anthony Lawrence, Spirit of Wisdom Mission

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 10/02/2023

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PRESENTATION – Excellence in Historic Preservation Medal

PROCLAMATION – Florida City Government Week

AGENDA

1. ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES
2. ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – IPUD
3. ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – PD-H2
4. **PUBLIC HEARING** – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – LINCOLN
5. ORDINANCE #1761 – AMENDING THE FUTURE LAND USE MAP – LINCOLN GROUP PROPERTY
6. ORDINANCE #1762 – AMENDING THE OFFICIAL ZONING MAP – LINCOLN GROUP PROPERTY
7. **PUBLIC HEARING** – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – 2nd Floor Residential
8. ORDINANCE #1763 – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – 2nd Floor Residential

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 16, 2023**

AGENDA ITEM 1: ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES

AGENDA ITEM 2: ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – IPUD

AGENDA ITEM 3: ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – PD-H2

 INFORMATION ONLY

 X ACTION REQUESTED

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

ATTACHMENTS:

- . 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

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:

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

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 applicant is requesting to modify the allowed uses to include light manufacturing, health technology, financial institutions and/or information sciences. The applicant is also requesting to modify the overall size of the two previously approved research and development buildings.

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. Intersect is proposing four industrial mixed-use buildings on the southern portion of the subject site. These buildings would allow for research and development, light 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 that would complement the Central Florida Innovation District. Outdoor storage is prohibited.

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. The proposed Ordinances were approved on first reading October 2, 2023, and are being considered for second and final reading.

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 16, 2023**

AGENDA ITEM 4: PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – LINCOLN GROUP PROPERTY

AGENDA ITEM 5: ORDINANCE #1761 – AMENDING THE FUTURE LAND USE MAP – LINCOLN GROUP PROPERTY

AGENDA ITEM 6: ORDINANCE #1762 – AMENDING THE OFFICIAL ZONING MAP – LINCOLN GROUP PROPERTY

 INFORMATION ONLY

 X ACTION REQUESTED

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

ATTACHMENTS:

- . Notice of Public Hearing – 09/22/2023
- . Proposed Ordinance #1761 – Amending the Future Land Use Map – Lincoln Group Property
- . Proposed Ordinance #1762 – Amending the Official Zoning Map – Lincoln Group Property
- . Excerpt from Planning Commission Minutes – 12/06/2022
- . Excerpt from Planning Commission Minutes – 10/03/2023

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

Lincoln Group LLC Property:

<u>Owner/Petitioner:</u>	The Lincoln Group, LLC
<u>Location:</u>	N. Pace Road and Polk County Parkway
<u>Current Future Land Use:</u>	Interchange Activity Center-X (IACX) – Polk County
<u>Proposed Future Land Use:</u>	Regional Activity Center (RAC)
<u>Current Zoning Classification:</u>	None
<u>Proposed Zoning Classification:</u>	Industrial Planned Development (IPUD) +/-75.89 acres
<u>Current use:</u>	Vacant

Lincoln Group, LLC (Lincoln) has requested to establish a Future Land Use designation of **Regional Activity Center (RAC)** on +/- 75.89 acres, formerly the North Pace Road property, located north of Pace Road and east of the Polk Parkway. In December 2022, the property was annexed into City limits and the City Commission held a Transmittal Public Hearing prior to sending the proposed Future Land Use Map amendment to the Department of Economic Opportunity (DEO) for an expedited State review. The State reviewed the requested land use change and had no comments. On September 19th, 2023, a Developer’s Agreement, regarding sewer capacity improvements, was signed between the City and the Property Company of Florida (Lincoln).

Lincoln has requested an to establish the Zoning classification of **Industrial Planned Unit Development (IPUD)** on the property. The Zoning classification would allow the applicant to construct two research and development buildings, approximately 462,840 sq.ft. total, one 499,575 sq.ft. e-commerce and logistic building and five commercial outparcels.

As required by the Land Development Regulations (LDR's) for Planned Developments, this request is accompanied by a binding site plan. Conditions have been placed on the binding site plan regarding allowable and prohibited uses. Buildings #1 and #2 are reserved for research and development, light manufacturing, financial institutions and/or information sciences. Building #1 and #2 would prohibit distribution as the primary use or any outdoor storage. Building #3 allows for E-Commerce, distribution, industrial mixed use, research and development, light manufacturing, health technology, office space and vocational institutions. Building #3 prohibits outdoor storage, car lots, and gas stations. The outparcels allow a variety of commercial uses. Outparcels 1 and 2 would allow a 16 pump, 4 island gas station accompanied by a 10,000 square foot convenience store use. Specific prohibited uses on the outparcels include truck stops and truck terminals, public or private schools, junk yards, childcare facilities, single family residential development, mining operations and fire stations.

The binding site plan depicts a solid six-foot masonry wall along the north property line to separate the use from the residential to the north. A solid six-foot wall is depicted behind each outparcel to help as a visual barrier to the heavier industrial uses. The applicant has also placed Type C landscape buffer along Pearce Road and behind all the commercial outparcels to assist as visual barrier and provide higher landscaping requirements.

Should the developer want to make a major modification in the future, the IPUD would have to come back before the Planning Commission and City Commission.

The proposed binding site plan meets all requirements for parking, landscape buffers and building setbacks per the Land Development Regulations. The requested Zoning District of Industrial Planned Development (IPUD) is consistent with the requested Future Land Use of Regional Activity Center, City of Auburndale Comprehensive Plan and all Land Development Regulations.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on November 6, 2023.

PLANNING COMMISSION RECOMMENDATION: Approval of the Future Land Use Map amendment (5-0, 12/06/2022); Motion to approve the Official Zoning Map amendment was denied (3 no - 2 yes, 10/03/2023).

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

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AGENDA ITEM 7: PUBLIC HEARING – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – SECOND FLOOR RESIDENTIAL

AGENDA ITEM 8: ORDINANCE #1763 AMENDING LAND DEVELOPMENT REGULATIONS TEXT – SECOND FLOOR RESIDENTIAL

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will take public comment and consider a proposed text amendment to the Land Development Regulations to allow for residential dwelling units above specified commercial Zoning categories.

ATTACHMENTS:

- Notice of Public Hearing - 09/22/2023
- Proposed Ordinance #1763 - Amending Land Development Regulations – 2nd Floor Residential
- Excerpt from Planning Commission Minutes – 10/03/2023

ANALYSIS: City Staff is proposing an amendment to the Land Development Regulations (LDRs) policies regulating second floor residential in selected commercial Zoning classifications for the downtown area only.

Currently, the commercial Zoning classifications of General Commercial (CG), General Commercial-1 (CG-1) and Commercial Highway (CH) allow residential dwelling units as an accessory use on the second floor or rear one-half of the ground floor, for owners and employees only. The amendment would allow for no restrictions on owner/employee occupancy for residential dwelling units within these zoning districts if the property is located on Main Street, between US Hwy 92 and East Park Street.

This could provide more economic development in the downtown area and rental opportunities. The suggested text amendment includes language intended to allow for greater mixed-use opportunities in a designated portion of downtown, but also preserve the residential character of adjacent neighborhoods. The Central Business District (CBD) Zoning in the downtown area already allows for residential on the second floor as a permitted use by right (not accessory use), and no restrictions on occupancy by either owner, or for lease or rent.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on November 6, 2023.

PLANNING COMMISSION RECOMMENDATION: Approval of amending the Land Development Regulations, Chapter 5, Zoning. (5-0 vote, 10/03/2023)

STAFF RECOMMENDATION: Approval of Ordinance #1763 amending Land Development Regulations text.