



*City of Auburndale*

AUBURNDALE, FLORIDA 33823

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**CITY COMMISSION MEETING**

**Monday, October 7, 2024- 7:00 P.M.**

**COMMISSION ROOM/CITY HALL**

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Gene Bassham, New Hope Fellowship Church

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 09/17/2024

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PROCLAMATION – National Breast Cancer Awareness Month – October 2024  
Fire Prevention Week – October 6-12, 2024

**AGENDA**

1. **TRANSMITTAL PUBLIC HEARING** – COMPREHENSIVE PLAN TEX AMENDMENT – EAR UPDATE
2. ORDINANCE #1798 AMENDING COMPREHENSIVE PLAN TEXT – EAR UPDATE
3. ORDINANCE #1799 ANNEXING PROPERTY INTO CITY LIMITS – ROAN PROPERTIES
4. ORDINANCE #1800 ANNEXING PROPERTY INTO CITY LIMITS – FOER PROPERTY
5. CONSIDER DEVELOPER'S AGREEMENT – ADM FLORIDA PROPERTIES, LLC
6. RESOLUTION #2024-07 TERMINATION OF EASEMENT – ADM FLORIDA PROPERTIES, LLC
7. APPROVE 2025 CITY COMMISSION MEETING AND HOLIDAY SCHEDULE
8. STREET CLOSURE REQUEST – AUBURNDALE CHAMBER'S FALL-O-WEEN FESTIVAL

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 accommodations 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 7, 2024**

**AGENDA ITEM 1:    TRANSMITTAL PUBLIC HEARING – COMPREHENSIVE PLAN TEXT AMENDMENT – EAR UPDATE**

**AGENDA ITEM 2:    ORDINANCE #1798 AMENDING THE COMPREHENSIVE PLAN TEXT – EAR UPDATE**

\_\_\_\_\_ INFORMATION ONLY  
\_\_\_\_\_  ACTION REQUESTED

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**ISSUE:** The City Commission will take public comment and consider proposed Comprehensive Plan text amendments.

**ATTACHMENTS:**

- . Notice of Transmittal Public Hearing – 09/20/2024
- . Evaluation and Appraisal Notification Letter – 09/30/2024
- . Ordinance #1798 Amending the Comprehensive Plan Text – EAR Update

**ANALYSIS:** The City’s Comprehensive Plan provides a framework for managing the growth and development of the City. At least once every 7 years, each local government must complete an Evaluation and Appraisal Report (EAR) of its Comprehensive Plan to determine if plan amendments are necessary to reflect changes in State Statutes, and then notify the Department of Commerce of its evaluation and determination. All local Florida governments are governed by the review process for Comprehensive Plans found in F.S. 163.3191.

A letter was sent to the Department of Commerce on September 30, 2024, showing that Auburndale’s Comprehensive Plan needed updating to reflect changes in State Statutes since the last EAR update in 2017. The City has one-year from the letter to submit Comprehensive Plan text amendments showing the Department of Commerce it meets all legislative changes.

The proposed Ordinance amends the Comprehensive Plan based on a review by Inspire Placemaking, LLC. and City staff of changes to Florida Statutes since the Comprehensive Plan’s last audit in 2017. Items to be amended or stricken from the Comprehensive Plan have been attached for your review. They include:

- Updating the Plan’s horizon year from 2030 to 2045
- Updated population projections
- Updated maps
- Updating Level of Service (LOS) standards for transportation and utilities
- State Agency’s name changes
- Removing outdated references no longer required by the State
- Amended definitions
- Including floating solar and solar facilities in permitted uses in Agriculture FLU per F.S. 163.32051

The proposed Ordinance is consistent with the changes made by the legislature to Florida Statutes.

Following Staff’s presentation of the Comprehensive Plan Amendment and public comment, the proposed Ordinance will be considered by the City Commission. The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved by the City Commission, the amendments will be transmitted to State Land Planning Agency to undergo a review. Following a review by the State, the proposed Ordinance will be presented to the City Commission for second and final reading.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the proposed Comprehensive Plan Text Amendments (6-0, 10/01/2024).

**STAFF RECOMMENDATION:** Approval of proposed Ordinance #1798 amending the Comprehensive Plan Text based on the Evaluation and Appraisal Report.

**City Commission Meeting  
October 7, 2024**

**AGENDA ITEM 3: ORDINANCE #1799 ANNEXING PROPERTY INTO CITY LIMITS – ROAN PROPERTIES**

\_\_\_ INFORMATION ONLY

\_X\_ ACTION REQUESTED

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**ISSUE:** The City Commission will consider an Ordinance annexing property into the City limits.

**ATTACHMENTS:**

Proposed Ordinance #1799 Annexing Properties into City Limits – Roan Properties

**ANALYSIS:** The City received a petition from Justin Roan, 3630 Old Berkley Rd Auburndale, FL, to annex +/-1.89 acres of property into the City limits. The two lots contain single-residences and are located on Old Berkley Road, north of Gapway Road. The property is adjacent to City limits to the east, west and south. The annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities and city services.

Establishing a Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City.

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 October 21, 2024.

**STAFF RECOMMENDATION:** Approve Ordinance #1799 annexing the Roan Properties into the City limits.

**CITY COMMISSION MEETING  
OCTOBER 7, 2024**

**AGENDA ITEM 4: ORDINANCE #1800 ANNEXING PROPERTY INTO CITY LIMITS – FOER  
PROPERTY**

     INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider an Ordinance annexing property into the City limits.

**ATTACHMENTS:**

Proposed Ordinance #1800 Annexing Property into City Limits – Foer Property

**ANALYSIS:** The City received a petition from Barry Foer 625 W. Bridgers Ave., Auburndale, FL to annex +/-1.04 acres of property into the City limits. The lot is currently vacant and located on Tschetter Drive, south of US Hwy 92. The property is adjacent to City limits to the east, north and south. The annexation does not create an enclave. The proposed annexation is as a result of the owner’s request for city utilities and city services.

Establishing a Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City.

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 October 21, 2024.

**STAFF RECOMMENDATION:** Approve Ordinance #1800 annexing the Foer Property into the City limits.

**City Commission Meeting  
October 7, 2024**

**AGENDA ITEM 5: CONSIDER DEVELOPER'S AGREEMENT – ADM FLORIDA PROPERTIES, LLC**

**AGENDA ITEM 6: RESOLUTION #2024-07 TERMINATION OF EASEMENT – ADM FLORIDA PROPERTIES, LLC**

\_\_\_ INFORMATION ONLY

X  ACTION REQUESTED

**ISSUE:** The City Commission will consider a Developer's Agreement between ADM Florida Properties, LLC and the City for sewer capacity.

**ATTACHMENTS:**

- . Developer's Agreement – ADM Florida Properties, LLC
- . Resolution #2024-07 Terminating Utility Easement – 1020 Hwy 92 W

**ANALYSIS:** In 2022, the City initiated a comprehensive city-wide review of its existing sanitary sewer system with Chastain-Skillman, which identified certain improvements required to serve future development. Improvements were identified by the Regional Wastewater Treatment Facility Service Area Study as necessary to allow development on the subject site. The study showed that development and construction could not discharge into the City's wastewater system until the Pace Road Utility Improvements, Gapway Force Main Extension, and the Southern Force Main Re-route Projects were completed, permitted, and operational along with the planning and design phase of the Regional Wastewater Treatment Plant expansion, as identified in the Study.

The proposed Developer's Agreement is between ADM Florida Properties, LLC, and the City of Auburndale. The Agreement acknowledges that the City makes no representation or warranty as to when it will commence or complete the Utility Improvements. The proposed agreement allows the City to complete the review of all development plans and construction plan documents. ADM Florida Properties, LLC intends to develop a car wash at 1020 Hwy. 92 W. at the intersection of Howard Road. The subject site currently has a Future Land Use of Commercial Corridor with Zoning classifications of Commercial Highway (CH) and would allow for the development of a carwash.

The City and ADM Florida Properties, LLC desire to enter into the Agreement to establish the respective rights and obligations between ADM Florida Properties, LLC and the City, in accordance with the terms and conditions of the proposed Developer's Agreement.

In January 1996, a utility easement was given to the City at 1020 Hwy 92 W for proposed development at the time. Utilities were never constructed in the easement and ADM Florida Properties, LLC. is now requesting the City terminate the easement as there is no longer a public need for the easement.

The proposed Developer's Agreement and Resolution #2024-07 Terminating Utility Easement were prepared by ADM Florida Properties, LLC. and reviewed by the Community Development Director, City Manager's Office, City Public Works Director and the City Attorney.

**STAFF RECOMMENDATION:** Approval of the proposed Developer's Agreement with ADM Florida Properties, LLC. and proposed Resolution #2024-07 terminating a previous utility easement.

**City Commission Meeting  
October 7, 2024**

**AGENDA ITEM 7: APPROVE 2025 CITY COMMISSION MEETING AND HOLIDAY SCHEDULE**

\_\_\_ INFORMATION ONLY

X ACTION REQUESTED

**ISSUE:** The City Commission will consider approval of the 2025 City Commission Meeting and Holiday Schedule.

**ATTACHMENTS:**

2025 City Commission Meeting and Holiday Schedule

**ANALYSIS:** City Staff is presenting the City Commission Meeting and City Holiday Schedule for 2025. The City Commission will need to adjust a meeting in January due to a National Holiday, and September due to proposed budget public hearing dates.

**STAFF RECOMMENDATION:** Approval of the 2025 City Commission Meeting and Holiday Schedule.

**JANUARY**

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**FEBRUARY**

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**MARCH**

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**APRIL**

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**MAY**

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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 7, 2024**

**AGENDA ITEM 8: STREET CLOSURE REQUEST – AUBURNDALE CHAMBER’S FALL-O-WEEN FESTIVAL**

\_\_\_ INFORMATION ONLY

X  ACTION REQUESTED

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**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 24, 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.