



City of Auburndale
AUBURNDALE, FLORIDA 33823

Office of the City Manager

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COMMISSION MEETING
January 6, 2025 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Forest Antemesaris, Orange Street Church of Christ

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 12/16/2024

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

AGENDA

1. ORDINANCE #1797 AMENDING THE LAND DEVELOPMENT REGULATIONS TEXT – SEPTIC TO SEWER
2. ORDINANCE #1805 AMENDING THE FUTURE LAND USE MAP – ROAN PROPERTY
3. ORDINANCE #1806 AMENDING THE OFFICIAL ZONING MAP – ROAN PROPERTY
4. ORDINANCE #1807 AMENDING THE OFFICIAL ZONING MAP – K-VILLE ESTATES PROPERTY
5. ORDINANCE #1808 ANNEXING PROPERTY INTO CITY LIMITS – MATTIE POINTE SUBDIVISION
6. PRESENTATION OF BIDS – LAKE MYRTLE SOCCER STADIUM FENCING
7. CONSIDER AGREEMENT FOR TRANSFER OF PUBLIC ROADS – LAKE MATTIE BOAT RAMP ROAD
8. 2025 COMMITTEE APPOINTMENTS

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
January 6, 2025

**AGENDA ITEM 1: **ORDINANCE #1797 – AMENDING THE LAND DEVELOPMENT REGULATIONS TEXT
– SEPTIC TO SEWER****

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a proposed Ordinance amending the Administration and Procedures Manual of the Land Development Regulations for sewer connections.

ATTACHMENTS:

- . Proposed Ordinance #1797 Amending the Land Development Regulations Administration and Procedures Manual – Septic to Sewer
- . Business Impact Statement

ANALYSIS: During the 2023 Legislative Session, the Florida Legislature passed House Bill 1379 requiring local governments to study the feasibility of converting existing septic systems to sanitary sewer, and to amend the Comprehensive Plan to address the feasibility of such conversions. In March 2024, the City Commission also directed staff to research distance requirements for new developments to connect to public sewer, which would be an amendment to the City's Land Development Regulations.

In September 2024, the City Commission held a Transmittal Public Hearing to transmit to the State Department of Commerce an Ordinance amending the Comprehensive Plan, while also considering an Ordinance that amends the Administration and Procedures Manual of the Land Development Regulations, regarding septic to sewer policies. Following the State's review of the Comprehensive Plan Amendment, the City received an Objection and Recommendation in the ORC Report that stated the City must complete the septic to sewer feasibility study and include the study recommendations in the Comprehensive Plan before adopting the Ordinance. The septic-to-sewer feasibility study is currently underway and a Comprehensive Plan Text Amendment will be brought back before the City Commission following completion of the feasibility study.

The proposed Ordinance amends the Administration and Procedures Manual of the Land Development Regulations to provide language that requires all development to connect to a public sewer system where gravity and force main(s) are considered available. The proposed Ordinance defines availability based on a combination of distance requirements and estimated sewage flow and/or number of Equivalent Residential Connections (ERCs). The proposed Ordinance also states that where the City is unable to provide public sanitary sewers, an Enhanced Nitrogen Septic System shall be required as approved by the Florida Department of Health.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading September 5, 2024, and is being considered for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Land Development Regulations Text Amendment addressing septic to sewer regulations. (6-0, 08/27/2024).

STAFF RECOMMENDATION: Approval of proposed Ordinance #1797 amending the Land Development Regulations – Septic to Sewer.

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AGENDA ITEM 2: **ORDINANCE #1805 AMENDING THE FUTURE LAND USE MAP – ROAN PROPERTY**

AGENDA ITEM 3: **ORDINANCE #1806 AMENDING THE OFFICIAL ZONING MAP – ROAN PROPERTY**

 INFORMATION ONLY

 X ACTION REQUESTED

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

ATTACHMENTS:

- . Ordinance #1805 Amending the Future Land Use Map – Roan Property
- . Ordinance #1806 Amending the Official Zoning Map – Roan 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 properties:

<i>Owner/Petitioner:</i>	Justin Roan
<i>Location:</i>	3610 and 3630 Old Berkley Road
<i>Current Polk County Future Land Use:</i>	Residential Low-1 (RL-1)
<i>Proposed City Future Land Use:</i>	Low Density Residential
<i>Proposed Zoning Classification:</i>	Single Family Residential-1 (RS-1)
<i>Current use:</i>	Single Family Residential (+/- 1.89)

In November 2024, the City annexed approximately +/- 1.89 acres of property into the Auburndale City limits owned by Justin Roan. The property is located at 3610 and 3630 Old Berkley Road, north of Gapway Road. The two lots currently have single family residences.

The owner is requesting to amend the Future Land Use from a Polk County Future Land Use of Residential Low-1 (RL-1) to a City of Auburndale Future Land Use of ***Low Density Residential*** and establish a Zoning classification of ***Single Family Residential-1 (RS-1)***. The requested Future Land Use and Official Zoning Map Amendments are consistent with the City of Auburndale’s Comprehensive Plan, Land Development Regulations, and adjacent properties.

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 first reading December 16, 2024, and are being presented for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Low Density Residential and Zoning classification of Single Family Residential-1 (RS-1). (5-0, 12/03/2024)

STAFF RECOMMENDATION: Approval of proposed Ordinance #1805 amending the Future Land Use Map and Ordinance #1806 amending the Official Zoning Map – Roan Property.

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AGENDA ITEM 4: ORDINANCE #1807 AMENDING THE OFFICIAL ZONING MAP – K-VILLE ESTATES

_____ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a proposed Official Zoning Map Amendment.

ATTACHMENTS:

. Ordinance #1807 Amending the Official Zoning Map – K-Ville Estates Property

ANALYSIS: The City has received a request to amend the Zoning of the following property:

Owner/Petitioner:	Joe Esposito
Location:	K-Ville Ave. and Polk County PRKWY
Current Future Land Use:	Low Density Residential
Current City Zoning:	Planned Development-Housing - (PD-H1)-Expired
Proposed Zoning Classification:	Planned Development-Housing - (PD-H1)
Current use:	Vacant (+/- 128.24 acres)

In 2005, the City approved a Zoning classification of Planned Development-Housing 1 (PD-H1) on a portion of the development known at the time as Ebersbach. The overall development was envisioned to have a mixed residential and commercial development on a total of 917.35 acres. The approved overall development stretched from Old Dixie Hwy to K-Ville Avenue. In the fall of 2008, the project was abandoned and individual properties of the larger development were sold off. No activity has occurred on the subject property since its initial approval.

The developer, Joe Esposito, has requested to re-establish the Zoning classification of Planned Development-Housing 1 (PD-H1) on the +/- 128.24 acres subject parcel. The Land Development Regulations give Planned Developments an expiration of 12-months unless construction is occurring or the applicant proposes for a longer development period.

The developer is requesting 175 single-family residential lots with the typical lot size from 65'x155' to 85'x120' for interior lots and 90'x120' for corner lots. Setbacks are front 25', side 7.5', and rear 20'. Corner lots will have setbacks of 25' front, 15' side road, 7.5' interior side and 20' rear. As required by the Land Development Regulations for Planned Developments, this request is accompanied by a binding site plan. The request is consistent with the City's Comprehensive Plan and the Land Development Regulations.

The property is located within the City's Utility Service Area, but beyond distance requirements to connect to public sewer. An Enhanced Nitrogen Septic System for each unit shall be required as approved by the Florida Department of Health.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading December 16, 2024, and is being presented for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Zoning classification of Planned Development-Housing 1 (PD-H1). (5-0, 12/03/2024)

STAFF RECOMMENDATION: Approval of proposed Ordinance #1807 amending the Official Zoning Map – K-Ville Estates Property.

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**AGENDA ITEM 5: **ORDINANCE #1808 ANNEXING PROPERTY INTO CITY LIMITS – MATTIE
POINTE SUBDIVISION****

INFORMATION ONLY

ACTION REQUESTED

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

ATTACHMENTS:

Proposed Ordinance #1808 Annexing Property into City Limits – Mattie Pointe Subdivision

ANALYSIS: During construction of the Mattie Pointe Subdivision, the City of Auburndale collected voluntary annexation petitions as the single-family homes were constructed and requesting utility services. At the time the various annexation petitions were received, the properties were not contiguous to city limits and the City could not take action on the signed voluntary annexation petitions. The property became contiguous and adjacent to City limits as a result of annexing the Lanier properties to the north and east in May 2022. The Mattie Pointe Subdivision totals +/-47.92 acres of property.

Construction of the Subdivision has since been completed in unincorporated Polk County and consists of 185 single-family residential lots located at CR-559 and Lake Mattie Road. The annexation does not create an enclave. The proposed annexation is as a result of the City being contiguous and able to provide services to the Subdivision. City Staff met with the Mattie Pointe Subdivision Homeowners Association and residents on June 27, 2024, to discuss the process of annexation.

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 Tuesday, January 21, 2025.

STAFF RECOMMENDATION: Approve Ordinance #1808 annexing the Mattie Pointe Subdivision into the City limits.

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AGENDA ITEM 6: PRESENTATION OF BIDS – LAKE MYRTLE SOCCER STADIUM FENCING

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider bids for the construction and installation of decorative fencing around the Lake Myrtle Soccer Stadium and Championship Field.

ATTACHMENTS:

- . Advertisement for Bids
- . Proposals Received (3)

ANALYSIS: In September 2024, the City Commission and Board of County Commissioners approved an Interlocal Agreement for Tourist Development Tax Funding for improvements at Lake Myrtle Sports Park. The Interlocal Agreement proposes several projects at the facility to attract and host higher-level competitive events including the construction and installation of decorative fencing around the Lake Myrtle Soccer Stadium. The Interlocal Agreement provided \$3,000,000 in one-time funding to begin design and construction of the various projects.

An invitation to bid was advertised in the local media on November 20, 2024 and sent to ten (10) local contractors and fence companies. Bidders had the option to bid on fencing costs and installation, and/or masonry columns cost and installation. The City received the following bids:

<u>Contractor</u>	<u>Decorative Fence Bid</u>	<u>Masonry Column Bid</u>
Danielle Fence, Mulberry	\$58,850	No Bid
Williams Fence Co., Lakeland	\$63,892	No Bid
Springer Voss, Lakeland	\$69,517	\$35,000

Danielle Fence of Mulberry was the low bid to install decorative aluminum fencing, gates, and black vinyl chain link fencing around the soccer stadium field. Springer Voss of Lakeland was the only contractor to bid on construction of masonry columns and will be working with Danielle Fence for the installation of the decorative aluminum fencing with the columns. The bids were reviewed by the Parks and Recreation Director and City Manager’s Office. Both Danielle Fence and Springer Voss have assisted the City on projects in the past. City Staff has been pleased with the quality of service provided by both contractors.

STAFF RECOMMENDATION: Award the bid for fence installation at the Lake Myrtle Sports Park Soccer Stadium to Danielle Fence in the amount of \$58,850, and award the bid to construct the masonry columns to Springer Voss Construction in the amount of \$35,000.

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AGENDA ITEM 7: AGREEMENT FOR TRANSFER OF PUBLIC ROADS – LAKE MATTIE BOAT LANDING ROAD

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider an agreement with Polk County for the transfer of Lake Mattie Boat Landing Road.

ATTACHMENTS:

Agreement for Transfer of Public Roads – Lake Mattie Boat Landing Road

ANALYSIS: In June 2023, the City purchased approximately 26.5 acres on Lake Mattie Road from the Schulz Family for future use as a park. The property is bordered on the east by an unimproved right of way known as Lake Mattie Boat Landing Road in the Polk County Road System. The right of way extends from Lake Mattie Road to Lake Mattie, along the eastern boundary of the Schulz property.

The proposed Agreement would transfer the right of way from Polk County to the City. All jurisdiction over the road including operation and maintenance would be the responsibility of the City. Acceptance of the right of way would allow the City to improve the road when the City makes improvements to the former Schulz property for the North Auburndale Park.

The Agreement was prepared by Polk County and reviewed by the City Manager’s Office and City Attorney. After approval by the Board of County Commissioners, the County will record the Agreement and an executed deed, and then deliver the recorded documents to the City.

STAFF RECOMMENDATION: Approve the Agreement for the Transfer of Lake Mattie Boat Landing Road to the City.

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AGENDA ITEM 8: 2025 COMMITTEE APPOINTMENTS

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will make appointments to various committees.

ATTACHMENTS:

2025 List of City Committee Appointments

ANALYSIS: The following appointments have all been contacted and have agreed to serve.

Board of Adjustments

Maulissa Braverman Re-Appointment (Through 01/28)

Planning Commission

Jody Miller Re-Appointment (Through 01/28)
Steve Lawson Re-Appointment (Through 01/28)

Community Redevelopment Agency

Ellie Harper Appointment as Chair (Through 01/28)
Timothy J. Pospichal Appointment as Vice Chair (Through 01/26)

Historic Preservation Commission

Tim Pospichal Appointment (Through 01/28)
Jayme Jamison Re-Appointment (Through 01/28)
Maulissa Braverman Re-Appointment (Through 01/28)

Baynard House Advisory Board

Cindy Hummel Re-Appointment (Through 01/28)
Sally Porter Re-Appointment (Through 01/28)
Sharon Hood Appointment (Through 01/28)
Evelyn Pierce Appointment (Through 01/28)
Lynda Bush Re-Appointment (Through 01/28)
AHS SGA Officer Re-Appointment (Through 01/28)
Zelda West Re-Appointment (Through 01/28)

STAFF RECOMMENDATION: Approval of 2025 Committee Appointments.