

PLANNING COMMISSION MEETING

December 3, 2024

Minutes for the Regular Meeting for the Planning Commission of the City of Auburndale, Florida held Tuesday, December 3, 2024, at 4:00 pm in the City Commission Room at City Hall, after having been properly advertised with the following members present – Chairman Perry Price, Commissioners Danny Chandler, Dave Holt, Steve Lawson, and Crystal Tijerena. Also present was Community Development Director Julie Womble, City Planner Jesse Pearson, and Secretary Marsha Johnson. Absent were Commissioners Tom Dudash and Commissioner Jody Miller.

Chairman Perry Price declared a quorum and the Meeting was called to order and opened with the pledge to the American Flag.

Community Development Director Julie Womble announced the next Planning Commission Meeting would be January 7, 2025.

Motion was made by Commissioner Danny Chandler and seconded by Commissioner Steve Lawson to approve the minutes as written from the October 1, 2024, meeting. Upon vote all ayes.

AGENDA ITEM 1: ELECT CHAIR

City Planner Jesse Pearson stated the Planning Commission will elect a Chair to serve for one year. The City's Land Development Regulations require the Planning Commission to nominate and elect a Chair and a Vice-Chair from among the members of the Planning Commission. The term of the Chair and the Vice-Chair, as provided in the Land Development Regulations, will be for one (1) year, with eligibility for reelection.

Sec. 19.1.2. RULES; MEETINGS; RECORDS.

19.1.2.1. The Planning Commission shall select a Chair and a Vice-chair from among its members and may create such other officers as it may determine. The Administrative Official shall be the permanent secretary of the Commission and is authorized to delegate the administrative work to another. All regular members shall be entitled to vote in matters before the Planning Commission. Terms of all officers shall be for one year, with eligibility for reelection.

Motion was made by Commissioner Dave Holt and seconded by Commissioner Steve Lawson to elect Perry Price as Chairman. Upon vote all ayes.

AGENDA ITEM 2: ELECT VICE-CHAIR

City Planner Jesse Pearson stated the Planning Commission will elect a Vice-Chair to serve for one year. The City's Land Development Regulations require the Planning Commission to nominate and elect a Chair and a Vice-Chair from among the members of the Planning Commission. The term of the Chair and the Vice-Chair, as provided in the Land Development Regulations, will be for one (1) year, with eligibility for reelection.

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Motion was made by Commissioner Dave Holt and seconded by Commissioner Steve Lawson to elect Danny Chandler as Vice-Chair. Upon vote all ayes.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 3: PUBLIC HEARING – FUTURE LAND USE AND ZONING MAP AMENDMENT – _FOER PROPERTY

Jesse Pearson stated the Planning Commission will consider and take public comment on a Future Land Use and Zoning Map amendment before making a recommendation to the City Commission.

Notice of Public Hearing 11-22-24

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

<i>Petitioner/ Owner:</i>	Barry Foer
<i>Location:</i>	Tschetter Dr. and Hwy 92
<i>Current Future Land Use:</i>	Linear Commercial Corridor (LCC)
<i>Proposed Future Land Use:</i>	Commercial Corridor
<i>Proposed Zoning Classification:</i>	Light Industrial (LI)
<i>Current use:</i>	Vacant (+/- 1.04 acres)

As a result of an annexation petition from Barry Foer 625 W. Bridgers Ave., Auburndale, FL, the City has received a request to amend the Future Land Use on +/- 1.04 acres from Polk County Future Land Use of Linear Commercial Corridor (LCC) to City of Auburndale Future Land Use of Commercial Corridor and establish a zoning classification of Light Industrial (LI). The amendments are consistent with the existing residential 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. Following Staff's presentation of the amendment and public comment, the proposed amendment will be considered by the Planning Commission for a recommendation to the City Commission. Staff Recommends approval of the proposed Future Land Use and Zoning Map amendment to the City Commission. Property was shown on the screen.

Chairman Perry Price asked for public comment, there was none.

Chairman Perry Price Closed the Public Hearing and opened the Regular Meeting.

AGENDA ITEM 4: RECOMMENDATION AMENDING THE FUTURE LAND USE MAP

Motion was made by Commissioner Danny Chandler and seconded by Commissioner Steve Lawson to recommend approval of the Future Land Use Amendment Foer Property.

Commissioner Dave Holt asked if Tschetter Drive ran the whole way through.

City Planner Jesse Pearson stated yes, it is difficult to see on the aerial map, but it does.

Commissioner Danny Chandler asked what the property to the east is zoned.

City Planner Jesse Pearson stated that is Light Industrial (LI).

Upon vote all ayes.

AGENDA ITEM 5: RECOMMENDATION AMENDING THE ZONING MAP

Motion was made by Commissioner Danny Chandler and seconded by Commissioner Steve Lawson to recommend approval of the Zoning Map Amendment Foer Property. Upon vote all ayes.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 6: PUBLIC HEARING – FUTURE LAND USE AND ZONING MAP AMENDMENT – ROAN PROPERTY

City Planner Jesse Pearson stated the Planning Commission will consider and take public comment on a Future Land Use and Zoning Map amendment before making a recommendation to the City Commission.

Notice of Public Hearing 11-22-2024

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 Future Land Use:</i>	Residential Low-1 (RL-1)
<i>Proposed 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)

As a result of an annexation petition from Justin Roan, 3630 Old Berkley Rd Auburndale, FL, the City has received a request to amend the Future Land Use on two lots totaling +/- 1.89 acres from Polk County Future Land Use of Residential Low-1 (RL-1) to City of Auburndale Future Land Use of Low Density Residential and establish a zoning classification of Single Family Residential-1 (RS-1). Both lots currently have single family residence. The amendments are consistent with the existing residential 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. Following Staff's presentation of the amendment and public comment, the proposed amendment will be considered by the Planning Commission for a recommendation to the City Commission. Property was shown on the screen. Staff recommends approval of the proposed Future Land Use and Zoning Map amendment to the City Commission.

Chairman Perry Price asked for public comment, there was none.

Chairman Perry Price Closed the Public Hearing and opened the Regular Meeting.

AGENDA ITEM 7: RECOMMENDATION AMENDING THE FUTURE LAND USE MAP

Motion was made by Commissioner Danny Chandler and seconded by Commissioner Steve Lawson to recommend approval of the Future Land Use Amendment Roan Property.

Commissioner Steve Lawson asked if it was contiguous with the property to the north.

City Planner Jesse Pearson stated yes sir.

Community Development Director Julie Womble explained the map further shown on the screen. The property is surrounded by the Lakes District east and west, but to the north it starts conservation and then goes into the county.

Commissioner Danny Chandler asked if this property would be zoned into the Lakes District.

Community Development Director Julie Womble stated no.

Upon vote all ayes.

AGENDA ITEM 8: RECOMMENDATION AMENDING THE ZONING MAP

Motion was made by Commissioner Danny Chandler and seconded by Commissioner Dave Holt to recommend approval of the Zoning Map Amendment Roan Property.

Upon vote all ayes.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 9: PUBLIC HEARING –ZONING MAP AMENDMENT – CIRCUIT CLUB PROPERTY

Community Development Director Julie Womble stated the Planning Commission will consider and take public comment on a Zoning Map amendment amending the Circuit Florida Planned Development Commercial – 1 (PPD-C1) before making a recommendation to the City Commission.

Notice of Public Hearing – 11/22/2024

The City has received a request for a Zoning Map Amendment on the following property:

Circuit Club Property:

Owner/Petitioner:

Corsa CF Land, LLC on behalf of I-4 48 Land Trust

Location:

C. Fred Jones Blvd (CR559A) and Logistics Blvd.

Current Future Land Use:

Tourism Commercial Center (TCC), Conservation-Wetlands ((+/- 52.39 acres)

Current City Zoning:

Planned Development-Commercial 1 (PD-C1) (+/- 52.39 acres)

Proposed Zoning Classification:

Modify Planned Development-Commercial 1 (PD-C1) (+/- 23.96), Change Light Industrial (LI) to Planned Development- Commercial 1 (PD-C1) (+/- 16.46)

Current use:

Commercial- Private Motor Club, vacant

In 2021, the property owner requested to amend the City of Auburndale’s Future Land Use on +/- 52.39 acres from Business Park Center (BPC) to Tourism Commercial Center (TCC) and establish a Planned Development-Commercial 1 (PD-C1) for a private motor club with amenities. In 2021, +/- 3.42 acres were existing Conservation-Wetlands and were not included in that Future Land Use change request. The property owner is requesting a modification of +/- 23.96 acres on the existing Planned Development to expand the existing, private motorsports club. The property owner is also requesting an amendment to the zoning map by reclassifying +/- 16.46 acres from Light Industrial (LI) to Planned Development-Commercial 1 (PD-C1). As required by the Land Development Regulations (LDR’s) for Planned Developments, this request is accompanied by a binding site plan. The binding site plan depicts extending the existing 1.7 mile asphalt road course by 0.71 miles. The combination track will operate as either one full course (2.41 miles) or two individual (approx. 1.1 mile) courses. The modification would allow a private automotive testing on the west course simultaneous with a club member track event on the east course, and/or club member use on the west course simultaneous with a driving school on the east course. Additionally, an off-road course of approximately 2.5 acres for recreational use is included on the west side of the property. a 225x225 Skid Pad and a 30X60 Commercial Building. Similar to the existing motor sports club and amenities the Planned Development would allow 75 additional garage condominiums (“autominiums”) with fee-simple ownership. Overnight stays shall be permitted if the code-required fire separation is met between the garage and living areas above. All binding site plan conditions placed on the original 2021 PD-C1 by Ordinance #1662 shall apply. The requested modification

to the zoning district of Planned Development-Commercial 1 (PD-C1) is compatible with the existing Future Land Use of Tourism Commercial Center (TCC) and is consistent with all Land Development Regulations. Following public comment, the proposed amendments will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval of the proposed modification to the Zoning classification of Planned Development-Commercial 1 (PD-C1) (+/- 23.96) and amend the zoning from Light Industrial (LI) to Planned Development- Commercial 1 (PD-C1) (+/- 16.46).

Chairman Perry Price asked for public comment, there was none.

Chairman Perry Price Closed the Public Hearing and opened the Regular Meeting.

AGENDA ITEM 10: RECOMMENDATION AMENDING THE ZONING MAP

Motion was made by Commissioner Steve Lawson and seconded by Commissioner Crystal Tijerina to recommend approval of the Zoning Map Amendment Circuit Club Property.

Commissioner Danny Chandler questioned the conservation acres.

Community Development Director Julie Womble stated they have done some wetlands delineation and engineering on the site and realized there are some uplands there. There have been working with SWFWMD and requirements for the state.

Commissioner Danny Chandler asked what is the MOL?

Community Development Director Julie Womble that is going to be future light industrial.

Chairman Perry Price stated they show proposed parking there.

Community Development Director Julie Womble that is part of the PD.

Commissioner Danny Chandler the clear is the original PD what we are doing is the gray.

Community Development Director Julie Womble stated yes and the gray is light industrial. That would just be for in-house review with staff.

Commissioner Dave Holt asked if this was set up for spectators to come watch events.

Community Development Director Julie Womble stated that would be a question for the applicant. The parking would be for their members.

Chairman Perry Price asked about the area by I-4.

Community Development Director Julie Womble stated that is owned by DOT.

Commissioner Dave Holt asked if the off-road course is that included as part of the residence membership or is that open to the public.

Community Development Director Julie Womble stated that it is supposed to service the members.

Upon vote all ayes.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 11: PUBLIC HEARING – ZONING MAP AMENDMENT – BELLA VIVA PROPERTY

Community Development Director Julie Womble stated the Planning Commission will take public comment and consider a proposed Zoning Map amendment before making recommendations to the City Commission.

Notice of Public Hearing – 11/22/24

The City has received a request for a Zoning Map amendment for the following property:

Owner/Petitioner:

Location:

Cone Road and CR559

Current Use:

Vacant (+/- 76.28 acres)

Current City Future Land Use:

Low Density Residential -GS and Conservation-Wetlands-GS (+/- 4.25 acres)

Current City Zoning Classification:

Planned Development-Housing - (PD-H1)-Expired

Proposed City Zoning Classification:

Planned Development-Housing 1(PD-H1)

The property was annexed into the City Limits in 2020 and given a Future Land Use of Low Density Residential-Green Swamp and Conservation/Wetlands-Green Swamp and a Zoning District of Single Family Residential-1 (RS-1) and Open Use Agricultural (OUA). In March of 2021, a zone change was requested and granted establishing a Planned Development-Housing 1 (PD-H1) on +/- 76.28 acres. There has been no activity on the property since the initial PD-H1 approval. The Land Development Regulations give Planned Developments an expiration of 12 months unless construction is occurring, or the applicant proposes a later timeline to allow for a longer development period, which must be approved by the City Commission. The Planned Development0(PD-H1) previously proposed 176 single family residences on 72.03 acres with ingress and egress onto Cone Road. The remaining 4.25 acres remained as wetlands which cannot be developed. Because the request is located in the Green Swamp Area of State Concern, single family residential development is capped at a density of 0-3 units per acre. The developer established a density of 2.44 per acre. The typical lot sizes average between 60' X 135' to 70'X135' with a minimum lot area of 8,100 sq. ft. The previously established setbacks are 25'front, 10' side, and 10' rear. The PD shows +/-11.43 acres set aside for recreation and open space and includes a walking trail for the development. Two boulevard entrances were proposed for the project. All other requirements of the Land Development Regulations were met including 5' sidewalks on both sides of the internal streets as well as on along the frontage of Cone Road. Miami curbing was to be incorporated into the design of the project. The developer is proposing to re-establish the previously approved Planned Development-Housing 1 with the same density, lot sizes, and other listed amenities. The only change requested is to move from 10' side setbacks to 7' to accommodate three car garages like the adjacent subdivision to the west. They have also removed the private fishing dock shown on the original PD and will work with property owners on an individual bases if they desire to permit private docks. As required by the Land Development Regulations (LDR's) for Planned Developments, this request is accompanied by a binding site plan. As required by the Land Development Regulations (LDR's) for Planned Developments, this request is accompanied by a binding site plan. The requested zoning district of Planned Development-Housing 1 (PD-H1) is consistent with the existing underlying Future Land Use of Low Density Residential-GS and Conservation/Wetlands-GS and the Land Development Regulations. Issues previous owner dust by neighbors. Following public comment, the proposed amendments will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval of re-establishing the previously approved Zoning Map classification of Planned Development-Housing 1(PD-H1).

Chairman Perry Price asked for public comment.

Bart Allen Land Use Attorney of Peterson and Myers, 225 Lemon Street, Lakeland, Florida. I am here on behalf of Highland Homes and Clayton Properties. Miss Womble gave the review going back to when the PD was originally adopted by Ordinance 1658. What Highland is intending to do is pick that PD and site plan up and move forward with minor changes that Miss Womble stated. Unfortunately, the prior owner who started construction put several million dollars' worth of infrastructure in the ground and later it went into foreclosure action. It took from August 31, 2022, when the complaint was filed until June of this year to get all the way through that foreclosure process. That is why there is that delay, it has nothing to do with Highland Homes. Fortunately, Highland has come to the table to unwind a complicated knot to bring this project to life. We are excited to move forward and appreciate all of Miss Womble's time in bringing this before you with some minor tweaks as related to the setbacks and docks. I appreciate your time, and your staff.

Chairman Perry Price Closed the Public Hearing and opened the Regular Meeting.

AGENDA ITEM 12: RECOMMENDATION AMENDING THE ZONING MAP – Bella Viva Property

Motion was made by Commissioner Steve Lawson and seconded by Commissioner Crystal Tijerina to recommend approval of the Zoning Map Amendment Bella Viva Property.

Discussion was had on the 7' side setbacks and existing infrastructure.

Bart Allen stated that what is in the ground today is the main pipes, the collection system. The connections from the home to the force main that is what is in the ground. The initial grading of where the roads are going to be located that initial sub-base are already done. There is still substantial amount of land development work to go. That is why we are staying with the exact same lot sizes. Tiger Construction was the contractor that did the foreclosure for the prior owner. Since the construction stopped and the lawsuit started, they have been out there making sure the infrastructure that has been put in place has been maintained to the highest degree that they can during this lawsuit type and duration. They have been out pressure testing the force mains and making sure they can keep sand and silt to keep that investment in place. If that is not kept up the project can go upside down and no one can make any sense of the property. As for the side yard set back deciding to go from 10' to 7' does not make ever home go to that, it is the minimum setback. This allows flexibility on the site and allows the homeowner the option to go to a 3-car garage. If the concern is access to the rear one thing we could put AC units in the rear. So that it keeps that 7' open as possible. You will not get a dully truck back there but other truck access etc. This was approved before the Lakes District was established. We are trying to pick the PD back up and put it on its feet and bring the project to Auburndale. This change is a reasonable change in light of all the circumstances.

Community Development Director Julie Womble spoke about the Lakes District vs what you see before you today. The density in Lakes District is higher. Before you what they are requesting is 2.44 units per acre where they can get a density up to 6 units per acre in the Lakes District. There is a portion of this property that is in the green swamp that they can't develop. They are held to that. The density that is before you is the same exact density they proposed and was approved back in 2021. The only difference in the lot is the fact that they are asking for a reduction so that the property owners have the ability to choose the model of house that they would love to go with.

Commissioner Danny Chandler asked if it off set the requirements for green space.

Community Development Director Julie Womble stated that is correct.

Commissioner Danny Chandler stated they have added no additional units, they have taken more land not losing not gaining anything.

Community Development Director Julie Womble stated correct. They still must meet all the requirements for our utilities and infrastructure. All of them have the ability to be built at the 7' setback.

There was more discussion on lot sizes.

Chairman Perry Price asked how Cone Road will handle the increased traffic.

Community Development Director Julie Womble stated they are working with the County and the City on how that will work. They have to submit traffic studies, that is all a requirement of site planning construction plans. The County owns 559 and Cone Road we will work with them regarding the requirements.

Commissioner Danny Chandler asked if Highland Homes were the initial investors.

Bart Allen stated no, Highlands Homes was not involved in this project from the get go. I do not know who all was involved but I do know that Highland has come in after the foreclosure sale.

Commissioner Dave Holt asked if the requirement could be that the three car garage be required to be a two story house to keep the footprint down to keep the setbacks.

Community Development Director Julie Womble said it will not keep the footprint down because the 3 car garage has a minimum requirement by the Florida Building Code for each stall.

More discussion was had on architectural standards.

Bart Allen stated the setback does not affect the density. It allows flexibility for options for a homeowner it build certain types of products and allows for flexibility on where you locate a home on the site.

Roll call vote -Commissioner Chandler – No. Commissioner Holt – No, Commissioner Lawson – yes, Commissioner Tijerena – no. Chairman Price – yes. 2- yes, 3-no.

Julie stated for the record – this will go to City Commission and will need a super majority vote.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 13: PUBLIC HEARING – ZONING MAP AMENDMENT – K-VILLE PROPERTY

Community Development Director Julie Womble stated the Planning Commission will consider and take public comment on a Zoning Map amendment before making a recommendation to the City Commission.

Notice of Public Hearing – 11/22/24

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 Planned Development-Housing 1 (PD-H1) zoning classification, on part of a 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 large development were sold off. No activity has occurred on this property since its initial approval. The subject property was given a zoning classification of Planned Development-Housing 1 (PD-H1). The Land Development Regulations give Planned Developments an expiration of 12 months unless construction is occurring or the applicant proposes a later timeline to allow for a longer development period. The requested timeline extension must be approved by the City Commission. The developer has requested to re-establish the zoning district of Planned Development-Housing 1 (PD-H1) on the +/- 128.24 acres. The applicant is requesting 175 lots with the typical lot sizes average from 65'x155' to 85'x120' for interior lots and 70'x150' 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. A 5-foot sidewalk will be provided on both sides of all internal streets as well as various walking trails. A solid masonry wall will be required along property fronting K-Ville Avenue. As required by the Land Development Regulations for Planned Developments, this request is accompanied by a binding site plan. Access to the site will be off K-Ville Avenue with a secondary entrance off K-Ville Avenue for emergency services. The property is located within the City utility 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 Department of Health. The request meets the requirements of the Comprehensive Plan and the Land Development Regulations, including a required binding site plan. The request is consistent with the existing underlying Future Land Use of Low Density Residential and the Land Development Regulations. As required by the procedure for a zone change request initiated by a property owner, all property owners within 300 feet of this property were notified by mail of the advertised Public Hearings for this request. Following public comment, the proposed amendment will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval to re-establish Planned Development-Housing 1 (PD-H1) zoning district to the City Commission.

Chairman Perry Price asked for public comment, there was none.

Chairman Perry Price Closed the Public Hearing and opened the Regular Meeting.

AGENDA ITEM 14: RECOMMENDATION AMENDING THE ZONING MAP – K-VILLE PROPERTY

Motion was made by Commissioner Danny Chandler and seconded by Commissioner Crystal Tijerina to recommend approval of the Zoning Map Amendment K-Ville Property.

Commissioner Danny Chandler asked about the PD in 2005.

Community Development Director Julie Womble stated it was a large piece of property, I have looked back into the history of it. It seems the City placed pockets of zoning in certain areas. The PD that was established was just for the zoning it did not have the binding site plan that you see before you today.

Commissioner Danny Chandler began discussion regarding no access to the county septic system.

Community Development Director Julie Womble stated it was beyond distance for the county and our utilities. They will be using the Enhanced Nitrogen Septic System.

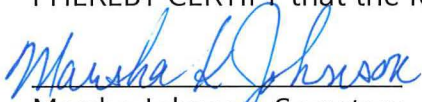
Commissioner Danny Chandler asked about our LDR 7' setbacks minimum.

Community Development Director Julie Womble stated all our residential zoning allows RG-1 and RG-2 7' setback. These are deep large lots. They must have a square footage footprint to have a septic system and they have provided us with the footage for each lot and it all meets the requirements. Four units per acre.

Upon vote all ayes.

Meeting was adjourned at 5:10 p.m. .

I HEREBY CERTIFY that the foregoing minutes are true and correct.


Marsha Johnson, Secretary