PLANNING COMMISSION MEETING
October 3, 2023

Minutes for the Regular Meeting for the Planning Commission of the City of Auburndale, Florida held Tuesday, October 3, 2023, 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, Jody Miller, Jere Stambaugh, and Brian Toune. Also, present was Community Development Director Julie Womble, City Planner Jesse Pearson, and Secretary Marsha Johnson. Absent were Commissioners Matt Maloney and Mike Chevalier.

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

Motion was made by Commissioner Jody Miller and seconded by Commissioner Danny Chandler to approve the minutes as written from the September 5, 2023, meeting. Upon vote all ayes.

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

AGENDA ITEM 1: PUBLIC HEARING –ZONING MAP AMENDMENTS – LINCOLN 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 – 09/22/2023. The City has received a request for a Zoning Map Amendment on the Lincoln Group LLC property located at N. Pace Road and Polk County Parkway. The current County Zoning is Interchange Activity Center-X (IACX). The proposed Zoning classification is Industrial Planned Development (IPUD) +/-75.89 acres. The current use is vacant. In December of 2022 the Planning Commission approved the proposed Future Land Use to Regional Activity Center (RAC). It was transmitted to the Department of Economic Opportunity (DEO) for an expedited State review. The State approved the requested land use change with no comments. On September 19th, 2023, a Developer's Agreement, regarding sewer capacity improvements, was signed between the City and the developer. The Future Land Use, previously approved by this commission, is scheduled to be heard at the City Commission Meeting on October 16th, 2023, along with the zoning request. Lincoln Group, LLC is requesting an Industrial Planned Unit Development (IPUD) on 75.89 +/- acres, on north Pace Road and east of the Polk Parkway. 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. At this time the maps were shown on the screen of the property. 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 Buildings labeled #1, #2 and #3. 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 also 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 also depicted behind each outparcel to help as a visual barrier to the heavier commercial 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. 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 compatible with the City of Auburndale Comprehensive Plan and 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 the approval of the proposed Zoning classification of Industrial Planned Development (IPUD). There are two things she wanted to mention before she finished her presentation, they were:

1. We do not have a current code for the Innovation District in our LDR's. However, last night in the City Commission Meeting we did have one of the commissioners ask us to look at future code and establishing that. Again, that is going to take time and analysis to look at how to incorporate any kind of code in the LDR's. So, it is not going to be overnight. I do know that the City Commission is looking at this area.

2. There is a bill #250 on the table that was mentioned last night in the City Commission Meeting. Basically, if we are within 100 miles of the cone of hurricane Ian and Nichole of last year anything from September 30th of last year until October 1st of 2024 that is more restrictive or taking away any uses or restrictive things to a property owner unless they are requesting it. Remember I mentioned it last time to you and the City Commission that there is this new bill that came out and we need to be careful about our restrictions. I really appreciate the developer coming to us and placing extra restrictions on their site and understanding the need for research and development versus the need for distribution across the site.

Following public comment, the proposed amendments will be considered by the Planning Commission for a recommendation to the City Commission. The developer has a presentation, and I will stand for any questions after that.

Kevin Quinn of Lincoln Property Company, Vice President of Development and Construction, 333 South Garland Avenue, Orlando, Florida stated he was here last night for the Intersect presentation. He complimented Julie Womble and stated she has been great to work with thus far. If there is any technical information you want, I brought Alex Malecki with Langan Engineering to answer any questions. We are trying to collaborate with the Innovation District, Auburndale, and Florida Poly. We've met with Dr. Avent, and Sean Malott with the Innovation District. We are trying to figure out how to not only focus on our parcel but the area as well. We have a lot of hits for prospective tenants: Vertical farming hydroponics, a solar panel company, they want to do further testing in that area and engage the college, a modular construction company to build, manufacture and assemble ordered prefab units that they will shrink wrap and ship out to the site, instead of building bathrooms/kitchens on site – they would build them in these buildings and shrink wrap already made. We have had an artificial intelligence energy reliability company reach out to us, they are looking for a zero impact on the grid as far as power failures and trying to figure how to integrate AI into the power grid – Military training with Frasca helicopters. We

have one in the Orlando Commerce Center, and it would be a repeat customer for us and a pen manufacturing assembly company (Bic). We are here to collaborate and build off what Intersect is doing across the street from us and make it more of a collective area. Instead of just a sole selfish focus of what we are doing here. We have an option also for a quick send business as well. We are here for the long run. We want to invest in Auburndale, and we have come this far so any questions you have we will answer.

Commissioner Jody Miller asked about the helicopters.

Kevin Quinn said it is simulation with monitor training. You do not have to go and actually fly a helicopter. You get all your training inside that simulator.

Commission Brian Toune asked about sewer improvements.

Community Development Director Julie Womble stated the city is making sewer improvements in this area. All new development within the City is in a form of capacity, it is not just this area. When working with Chastain Skillman we did a sewer capacity study last year. We presented that to the City Commission, and they put funding behind it, and they also understood there are 4 major improvements all throughout the city that need to be improved. Any future development commercial or residential, school, anything. Basically, as those improvements are going to be completed and we have a task board, we have drawings done, we have easements we have been working on, and right-of-way acquisition. The property to the south is getting a master lift station and with all those improvements' we knew that we needed to have Developer Agreements in place so that some of these sites can start with permitting and review process and not wait until the sewer improvements are completed. This Developer Agreement just allows us to go ahead and sign the DEP form that needs to be signed so they can go start their process of review, talking with SWFWMD and all the things that they are going to need and then they can start construction but cannot tie in until improvements are made. The Developer Agreements are made by lawyers, and I review them all, and we have our consultant approve that these are the requirements that they will need to go ahead and develop. The language is very clear that they are not allowed to tie in into our service until it is ready. They do have the option of having sewer, but they must tie in within 90 days of that sewer improvement being ready for them to tie into. This is not the only site. Every site within the next two to three years will probably have a Developers Agreement. I wanted to explain this to say they have gone through that process. It has already gone before the City Commission. Not necessarily the site plan or the zoning but allowing the City Commission to understand that there is development coming to this site. They are coming before you in good faith to get a Developers Agreement so that they can go ahead and ask for zoning, or whatever is needed and then the permitting office. It is a long road you know between the time we see this and the time the ground gets shoveled.

Commissioner Brian Toune stated the developer is not having an impact on this sewer plant expansion financially.

Community Development Director Julie Womble stated the developers are all required to connect somehow to our service.

Commissioner Brian Toune said but they are not part of the sewer improvement per say.

Community Development Director Julie Womble stated this one is not. They will be responsible for connecting to the master lift station.

Commissioner Brian Toune said I'm just saying the development of these new sewer relocations, the developer is not asked to contribute to that growth.

Community Development Director Julie Womble stated the developer to the south is. No matter who came here they would be required to pay for their upline. It is not just a sewer upgrade; it is because of the pipes.

Commissioner Brian Toune asked what the worst case of light manufacturing you can think of.

Community Development Director Julie Womble said a brewery. I have toured a lot of these buildings, and they can be split up in a million different ways. They build the shell and depending on how much space the tenant needs they start putting up the walls.

Chairman Perry Price asked for public comment.

Lindsey Zimmerman with the Central Florida Development Council asked do you agree that the investors used for these parcels are uncomfortable? Our comments today are specific to the E-Commerce building and its form as a cross dock facility. Such a design is not compatible to the vision that many folks are working on for the Innovation District. The site plan presented today showcases building #3 as a cross dock facility whose form would be followed by a huge site that incorporates high truck traffic. Within our area of Polk County, we are unaware of any cross-dock facilities designed like this that are used for anything else other than logistics and distribution. Thank you.

Maggie Mariucci with Florida Poly Tech and I am the Assistant Vice President of University Relations. I want to apologize I didn't have time to prepare. We have been working very hard over the last 5 years in partnership with the CFDC, City of Auburndale, City of Lakeland, and Polk County. We have a lot of folks at the table from the Innovation District and one thing Dr Avent our President and I have worked on specifically is trying to limit the large warehouse distribution out there. I understand that is where the market is right now. We are not in real estate we are in very higher ed. I'll just say that we do have some concerns with this development right there on Pace Road, it is kind of what we have been talking about for the last five or six years and not wanting Pace Road to turn into. I met with the Lincoln group once, I may be wrong, but I think this has changed since the first time that we saw the plan. I know there have been some developers that we have been able to work with that will bring in different pieces and make some changes here and there to make it more palatable for either the neighbors or the Innovation District vision. I feel like we have been working really closely with many of the landowners and I appreciate that I have been involved with Florida Poly since the beginning and I can tell you that the landowner relationships that we have out there right now thanks to you folks at the City of Auburndale, Folks at the City of Lakeland, Folks at the CFDC all of us working together is incredible. There are many who have turned down projects like this so much division on such a large, massive distribution. I am just going to say right now that we definitely do have some challenges with it, and I don't think it is necessarily what we want Pace Road to turn into. But we would welcome conversation and always welcome conversation. So, I want to make sure I am on the record saying that from the University's standpoint. We want to work with the developers out there. We understand private property rights and we don't want to come cross with that, but we really do believe in the vision, and I feel like if we don't preserve all this land then we won't have it. We would welcome further conversation and if we could be involved in the process it would be great. I will answer any questions you may have. Thank you.

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

AGENDA ITEM 2: RECOMMENDATION AMENDING THE ZONING MAP – LINCOLN PROPERTY

Chairman Perry Price asked for a motion to recommend to the City Commission for approval of the proposed Zoning classification of Industrial Planned Development (IPUD).

Chairman Perry Price stated if he did not get a motion it will die for lack of a motion.

Community Development Director Julie Womble stated she would answer any questions if that would be helpful.

Commissioner Jere Stambaugh had a question referencing the availability of sewer. Did I hear you say that it is not available at this time?

Community Development Director Julie Womble stated every development on the table right now in the City of Auburndale does not have capacity for sewer anywhere. Every development has had a Developers Agreement. I think almost 8 have gone through to the City Commission so any development in the pipeline on any property in our utility boundary area would have a Developers Agreement on the table. This is no different than any other development.

Commissioner Jere Stambaugh asked when does that go away.

Community Development Director Julie Womble stated the service capacity study was done last year and was approved in the funding budget by the City Commission. The sewer capacity is available when the improvements are made. It is not necessarily taking it to the sewer plant, it is the master lift station pipes need to be bigger. The new master lift station needs to take some of the flow off the Regional. It is not because the Regional Plant can't handle it, it is the pressure. We want to make sure everyone who flushes their toilet in Auburndale has pressure.

Commissioner Jere Stambaugh said it is not the sewer processing plant it is the infrastructure.

Community Development Director Julie Womble said that is correct, along Gapway Road anything in the Lakes District there is going to be an upgrade. That is basically because they need larger pipes. There is a southern force main reroute that is going to happen to the south, a master lift station and a new reroute as well. We are looking at any projects that we have on Havendale in the future for the Allred plant, which is fine right now. We have had an unprecedented amount of growth. Everybody in every city in the whole county is looking at it.

Commissioner Brian Toune asked how long do we have water.

Community Development Director Julie Womble stated we look at developments as they come in, and we determine if we have capacity or not. We have to get that approved by our consulting engineer. I can bring in our Utility Director at another time to talk about all of this.

Commissioner Jere Stambaugh asked the difference between building #3 and #1, and #2.

Community Development Director Julie Womble stated the only difference between building #3 and buildings #1 and #2, is this will also allow for distribution. It is the same exact size as the distribution center to the south. At this time photos of the property were shown on the screen.

Commissioner Danny Chandler asked how tall these buildings are.

Community Development Director Julie Womble stated there are height restrictions on the IPUD, they are not allowed to go over 50 feet at front – taller at back. They have not asked for a variance on the height restriction. If you drive down Pace Road and see the warehouse on the south side, you cannot go any taller than that.

Commissioner Danny Chandler asked if that is one story, two story, three story.....

Community Development Director Julie Womble stated when you have a distribution center, they are usually one story, you don't usually have a second floor because of the height inside them.

Commissioner Danny Chandler asked if we had a defined area for this innovation center.

Community Development Director Julie Womble stated we have a memorandum of understanding which was signed in 2018-2019 that we would have conversation and communication with the CFDC, the City of Lakeland and the City of Auburndale and Polk County.

Commissioner Danny Chandler said you are in collaboration with them?

Community Development Director Julie Womble stated we are in conversation, we have talked with the CFDC, City of Lakeland and Auburndale. We were given direction last night by the City Commission to establish code in the future for the Innovation District and that the boundaries are in our Comp Plan and our LDR's. It is an understanding that we will understand that the vision of this area is to make sure that we are bringing in development that will promote SunTrax, promote Florida Poly and promote keeping and entertaining the students in this area and create opportunity.

Commissioner Danny Chandler asked if he could ask the ladies a question.

Community Development Director Julie Womble said absolutely.

Commissioner Danny Chandler asked them if their associations were in favor of the development that was approved for the south side of this project. Did they meet the type of stuff that you are looking for.

Maggie Mariucci stated we worked with the Intersect developers from square one. Several things have been moved back and forth and moved around, there has been the residential that has been brought in. Yes, we definitely had words with them on many different innovations with the project and they brought in another developer partner recently who we have also met with. And we were here last night in support of that project. I remember meeting them with masks on, it was during COVID, so it was a long time ago. I think the challenge here is maybe it is the same thing across the street, I'm not with Planning and Zoning.

Commissioner Danny Chandler stated I am trying to acknowledge what you all are saying. You don't mind all of it, but you don't like part of it.

Maggie Mariucci said it is a lot. I think that is what we were trying to avoid when we first started the Innovation District, however many years ago it was. It started with a 1.2 million square foot warehouse out there and so what we have been trying to do is work with developers in a way that will get better and complement what we hope the Williams will do on their property to the west of that. We have had great conversations with them lately and I am thrilled about that. At the end of the day, we want to try and make sure that the project that they have approached with will end with what we are looking for in the Innovation District. She asked if that answered his question.

Commissioner Danny Chandler said yes.

Commissioner Jere Stambaugh asked if Poly Tech was here to speak when we were approving the products on the south side.

Community Development Director Julie Womble stated no they didn't come. But we did have Dr. Avent come last night.

Commissioner Jere Stambaugh stated that when we approved the products on the south side no one spoke.

Maggie Mariucci said no, we had met with the folks from Intersect many times on that project. So, we were familiar with that project going in.

Commissioner Danny Chandler said that was my question, were they kosher with what happened there as opposed to here.

Commissioner Jere Stambaugh stated he thought there is a compromise in the way the frontage parcel provides a visual barrier between the project and the road, in my opinion that is a comprise for justification of the project.

Community Development Director Julie Womble asked if there were any more questions before we come to a decision.

Chairman Perry Price said he had not heard a motion, so he was going to table the agenda item.

Motion was made by Commissioner Jere Stambaugh and seconded by Commissioner Jody Miller to recommend to the City Commission approval of the proposed Zoning classification of Industrial Planned Development (IPUD).

Chairman Perry Price asked all in favor? All opposed? Roll call vote. Commissioner Danny Chandler – no, Commissioner Jody Miller – yes, Commissioner Jere Stambaugh – yes, Commissioner Brian Toune – no, Chairman Perry Price – no. 3 no, 2 yes.

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

AGENDA ITEM 3: PUBLIC HEARING – RECOMMENDATION AMENDING CHAPTER 5, ZONING, TO ESTABLISH POLICIES REGULATING SECOND FLOOR RESIDENTIAL IN SELECTED COMMERCIAL ZONING CLASSIFICATIONS

City Planner Jesse Pearson stated the Planning Commission will take public comment and consider a proposed text amendment to the Land Development Regulations before making a recommendation to the City Commission. Notice of Public Hearing - 09/22/2023. City Staff is proposing an amendment to the Land Development Regulations (LDRs) establishing policies regulating second floor residential in selected commercial zoning classifications in the downtown area. Currently, commercial zoning classifications of General Commercial (CG), General Commercial-1 (CG-1) and Commercial Highway (CH) exist along Main Street between parameters of US Hwy. 92 to East Park Street. Upon reviewing the LDR's, one can only build owner/occupied residential on the second floor, with minimum square footage, in CG, CG-1 and CH zoning. This policy could hinder growth on Main Street. By amending the LDR text for Commercial (CG), General Commercial-1 (CG-1) and Commercial Highway (CH) along Main Street, between parameters of US Hwy. 92 to East Park Street, it would allow for residential on the second floor of buildings. This could provide more economic development in the downtown area and rental opportunities. The suggested text amendment includes language intended to allow for greater economic mixed-use opportunities for the City, in a designated portion of downtown, but also preserve the residential character of adjacent neighborhoods. Other areas of downtown, in CBD zoning along the park, already allow for residential on the second floor.

Proposed text would read as follows:

CG

5.6.10.3.4. **Dwelling units shall be permitted for units above second floor, allowed only on Main Street (between parameters of US Hwy. 92 to East Park Street), for Minimum of 500 sq. ft. living area required.**

5.6.10.3.~~5.~~6. Dish Antennas.

CG-1

5.6.11.2.13. **Dwelling units shall be permitted for units above second floor, allowed only on Main Street (between parameters of US Hwy. 92 to East Park Street), for Minimum of 500 sq. ft. living area required.**

5.6.11.2.~~13.~~14 Medical Marijuana Dispensing Facility.

CH

5.6.12.3.4. Dwelling units when a part of the permitted principal use, for owners and employees only, provided all minimum requirements for the area, setback, height and related requirements for the district are met, and provided further, that all such dwellings shall be confined to the rear one-half of the ground floor, or to a floor other than the ground floor of the principal permitted use. Dwelling units shall be limited to one for each permitted principal use and contain a minimum of 500 sq. ft. of living area but in no case shall the aggregate residential floor area exceed the aggregate floor area of the permitted LDR5 - 110 principal use. One off-street parking space shall be provided for each dwelling unit in addition to the required off-street parking for the permitted principal use and shall be provided at the rear or side of the principal use.

5.6.12.3.5. **Dwelling units shall be permitted for units above second floor, allowed only on Main Street (between parameters of US Hwy. 92 to East Park Street), for Minimum of 500 sq. ft. living area required.**

5.6.12.3.~~5~~6. Dish Antennas.

Following Staff's presentation of the amendment and public comment, the proposed text amendments will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval of the proposed Land Development Regulation text amendment. At this time areas were shown on the screen. He stated that currently the owner can live there but no one else. This will stimulate redevelopment in some areas and will also offer flexibility for citizens of the City of Auburndale.

Chairman Perry Price asked for public comment.

There was none.

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

AGENDA ITEM 4: RECOMMENDATION AMENDING CHAPTER 5, ZONING, OF THE LAND DEVELOPMENT REGULATIONS

Motion was made by Commissioner Jody Miller and seconded by Commission Danny Chandler to recommend to the City Commission approval of the proposed Land Development Regulation text amendment.

Discussion was had on just where this would be allowed.

Commissioner Danny Chandler said this would only affect buildings on Main Street.

Commissioner Jody Miller stated Winter Haven has such a nice area downtown. As population ages we look on this favorably.

Upon vote, all ayes.

Chairman Perry Price stated the meeting was adjourned at 5:00 p.m.

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

Marsha Johnson

Marsha Johnson, Secretary