
Minutes of the Regular Meeting of the City Commission of the City of Auburndale held May 7, 2018 at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Tim Pospichal, Commissioners: Dorothea Taylor Bogert, and Richard Hamann. Commissioners Keith Cowie and Bill Sterling were absent. Also present were: City Manager Robert R. Green, Finance Director/City Clerk Shirley Lowrance, City Attorney V. Patton Kee, and Police Chief Chris Nelson.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Pastor Jerry Smith of Berea Baptist Church, and a salute to the flag. He said Pastor Brad Bennett was ill and unable to attend this evening.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve the City Commission Minutes of the April 16, 2018 Meeting. Upon vote, all ayes.

Mayor Tim Pospichal asked for public comment. There was no public comment.

City Attorney Kee read the Proclamation for Municipal Clerks Week – May 6 to 12, 2018.

Mayor Tim Pospichal presented the Proclamation to Finance Director/City Clerk Shirley Lowrance.

City Manager Green said we thank Shirley Lowrance for the job she does as City Clerk and Finance Director.

1. ORDINANCE #1556 AMENDING OFFICIAL ZONING MAP – LOMBARDI PROPERTY

City Manager Green said the first four items come to you as old business. He said the City has received a request from JSK Consulting on behalf of Lombardi Family, LLLP for a Zoning Map amendment to rezone 10.31 +/- acres of property with frontage on Bolender Road and Keystone Road, east of Burlington Ct. and Ariana Woods Circle. The property was annexed in 2006 and given a City of Auburndale Future Land Use of Low Density Residential. Zoning was never established. The requested zoning district of Single Family Residential-2 or RS-2 allows 70 feet wide lots with a minimum of 9,500 sq. ft. and is compatible with the existing underlying land use of Low Density Residential. The applicant is seeking to develop a single-family subdivision on the property. The requested zoning classification of RS-2 is compatible to the existing zoning classifications surrounding the property. The zoning classification to the west, northwest, and southwest of the site is Single Family Residential-1 or RS-1, east of the site is zoned Open Use Agricultural, and to the southeast across Keystone Road is an approved but undeveloped Planned Development subdivision approved for 203 units on +/-65 acres. The requested Zoning Map amendment and its allowable uses are consistent with the City of Auburndale's Comprehensive Plan, the Future Land Use of Low Density Residential, Land Development Regulations and adjacent County land uses. 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 April 16, 2018 and is being presented for second and final reading. The Planning Commission recommendation was approval of the Map Amendment at their meeting of April 3, 2018. Staff recommended approval of the Ordinance.

City Attorney Kee read Ordinance No. 1556, which was presented and passed on first reading on April 16, 2018, by title only.

Mayor Tim Pospichal asked for citizen comment. There was no citizen comment.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1556, as read on second reading by title only. Upon vote, all ayes.

2. ORDINANCE #1557 AMENDING OFFICIAL ZONING MAP – BINION PROPERTY

City Manager Green said the City has received a request from Eric Binion to rezone property at 305 Oak Street from Residential, Institutional and Office or RIO to Single Family Residential 3. The request would accommodate the construction of a single-family residence on the property. The current zoning of RIO would prevent the construction of a house on the lot because of the side setback of 20 feet and the platted lot width of 51 feet, leaving a building pad of only 31 feet. Mr. Binion just completed construction of a new residence on an adjacent lot at 307 Oak Street which is zoned RS-3 and is a platted 51 foot lot. The RS-3 zoning would accommodate 7-foot side setbacks and would leave a total side setback of 14 feet and is consistent with the remainder of the neighborhood to the south. The requested zoning classification of Single Family Residential-3 (RS-3) is compatible to the existing zoning classifications adjacent to the south, east, and west of the site. The requested Zoning Map amendment is consistent with the City of Auburndale's Comprehensive Plan, the Future Land Use of Low Density Residential and Land Development Regulations. 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 April 16, 2018. The Planning Commission recommendation was approval of the Map Amendment at their meeting of April 3, 2018. Staff recommended approval of the Ordinance.

City Attorney Kee read Ordinance No. 1557, which was presented and passed on first reading on April 16, 2018, by title only.

Mayor Tim Pospichal asked for citizen comment. There was no citizen comment.

Motion by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1557, as read on second reading by title only. Upon vote, all ayes.

3. ORDINANCE #1558 AMENDING POLICE OFFICERS PENSION TRUST FUND PLAN

City Manager Green said Items #3 and #4 are identical pertaining to the two pension Plans – Police Officer Pension Plan and Firefighter Pension Plan. The proposed Ordinance allows the Police Officers' Pension Trust Board to broaden their investment opportunities in line with state statute in order to achieve better return results for the Plan portfolios. This is permissible under the statutory requirements; however, the Plan never adopted the language. The Actuaries for the Plan have issued a "no cost" letter as to the adoption of the proposed change. The proposed Ordinance was prepared by Board Attorney Christiansen & Dehner and reviewed by the City Clerk, City Manager and City Attorney. The proposed Ordinance was approved on first reading April 16, 2018 and is being presented for second and final reading. The Police Pension Board recommended approval of the

Ordinance at their meeting of March 20, 2018. Staff recommended approval of the Ordinance.

City Attorney Kee read Ordinance No. 1558, which was presented and passed on first reading on April 16, 2018, by title only.

Mayor Tim Pospichal asked for citizen comment. There was not public comment.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1558, as read on second reading by title only. Upon vote, all ayes.

4. ORDINANCE #1559 AMENDING FIREFIGHTERS PENSION TRUST FUND PLAN

City Manager Green said the same analysis applies to the Firefighter Plan as the Police Officer Plan. The proposed Ordinance allows the Pension Plan to broaden their investment opportunities in order to achieve better return results for the Plan portfolios. The Actuaries for the Plan have issued a "no cost" letter, as to the adoption of the proposed change. The proposed Ordinance was prepared by Board Attorney Christiansen & Dehner, P.A. and reviewed by the City Clerk, City Manager and City Attorney. The proposed Ordinance was approved on first reading on April 16, 2018. The Firefighters Pension Plan recommended approval at their meeting of February 13, 2018. Staff recommended approval of the Ordinance.

City Attorney Kee read Ordinance No. 1559, which was presented and passed on first reading on April 16, 2018, by title only.

Mayor Tim Pospichal asked for citizen comment. There was no public comment.

Motion by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1559, as read on second reading by title only. Upon vote, all ayes.

5. PUBLIC HEARING – OFFICIAL ZONING MAP AMENDMENT – HOWARD G. SMITH PROPERTY

Mayor Tim Pospichal closed the Regular Commission Meeting and opened the Public Hearing.

City Manager Green said the Notice of the Public Hearing was advertised for consideration of amending Ordinance No. 764, the City's Land Development Regulations and Official Zoning Map.

Community Development Director Amy Palmer said the City has received a request for a Zoning Map amendment for the Howard G. Smith property located at US Hwy. 92 and Recker Hwy. It is approximately 0.15 acres. The current City Future Land Use is Commercial Corridor (CC). The current City Zoning classification is Planned Development Commercial 1 (PD-C1). The proposed City Zoning classification is Commercial Highway (CH). The property was annexed into the City in November of 2015. In March 2016, the City Commission approved a Future Land Use designation of Commercial Corridor on the property. An amendment to the existing Walmart Planned Development Commercial-1 zoning classification was also approved including a binding site plan providing for the development of a proposed mattress company. The proposed mattress company project was later withdrawn. The approved zoning classification of Planned Development-Commercial-1 and binding site plan still

apply to the property. The owner has requested the City now amend the zoning to Commercial Highway in order for a car detailing shop to open on the property. The requested zoning is consistent with existing development in the area. The property is contiguous to similar Commercial Highway zoning to the west, south, and east. The proposed zoning is also consistent with the Planned Development Commercial-1 north of the site, the Walmart property. She displayed the property location on the map. She said it was part of the larger planned development with the Walmart property and was planned for a mattress store. The sale never happened for the development of the mattress store and the property owner would like to continue to use his property in a commercial nature. The request is to rezone to Commercial Highway. The Planning Commission recommended approval of the Amendment with a 7-0 vote at their Meeting of May 1, 2018. Staff recommended approval of the Ordinance.

Mayor Tim Pospichal asked for public comment on the item. There was no public comment.

Mayor Tim Pospichal closed the Public Hearing and reopened the Regular Commission Meeting.

6. ORDINANCE #1560 – AMENDING THE ZONING MAP – HOWARD G. SMITH PROPERTY

City Manager Green said the proposed Ordinance changes the zoning from Planned Development PD-C1 to Commercial Highway zoning.

City Attorney Kee read Ordinance No. 1560 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE ZONING MAP RECLASSIFYING A PARCEL OF LAND TOTALING +/- 0.15 ACRES FROM CITY OF AUBURNDALE ZONING CLASSIFICATION PLANNED DEVELOPMENT- COMMERCIAL-1 (PD-C1) TO COMMERCIAL HIGHWAY (CH); AND PROVIDING AN EFFECTIVE DATE (General Locations: US Hwy. 92 W. and Recker Hwy.),** by title only.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1560, as read on first reading by title only.

Commissioner Dorothea Taylor Bogert asked if this takes it back to original zoning.

Community Development Director Amy Palmer said when it was annexed into the City it was given the Planned Development Commercial and it was never Commercial Highway zoning.

Upon vote, all ayes.

7. PUBLIC HEARING- OFFICIAL ZONING MAP AMENDMENT – PROLOGIS/SHARRETT PROPERTY

Mayor Tim Pospichal closed the Regular Commission Meeting and opened the Public Hearing.

City Manager Green said the Notice of the Public Hearing was advertised for consideration of amending Ordinance No. 764, the City's Land Development Regulations and Official Zoning Map

Community Development Director Amy Palmer said the City has received a request from Allison E. Turnbull, Esq. on behalf of the owners of Sharrett Land, LLC to amend the current zoning of Light Industrial on approximately +/-100.40 acres to Industrial Planned Unit Development (IPUD). Allison E. Turnbull, Esq. is representing the developer Prologis, a logistics real estate company. The Sharrett property was annexed into the City in March 2009. In 2010, the City Commission approved a Future Land Use designation of Business Park Center and Conservation Wetlands. In March 2017, Zoning was established on the property including Light Industrial on 100.4 acres and Open Use Agricultural on 46.47 acres. In July 2017, the City approved an amendment to the City's Land Development Regulations requiring any property with a building larger than 500,000 sq. ft. and located within the Business Park Center Future Land Use category of the North Auburndale Joint Planning Area to be subject to the Planned Development Zoning requirements, including Public Hearings. The reasoning behind that is to allow the City Commission to place conditions on any property that would be developed with a building over 500,000 sq. ft. Those conditions would not be allowed to be placed on any property that is regularly zoned, say in the Light Industrial category. The Sharrett property is subject to this policy. Prologis is proposing a building larger than 500,000 SF. They are proposing a 1,015,740 sq. ft. distribution center and is therefore requesting a rezoning to Industrial Planned Unit Development on the 100.4 acres. A requirement for all Planned Developments is that a binding site plan be provided. The binding site plan submitted by Prologis meets or exceeds all Land Development Regulations, including building setbacks, location of overhead doors, trucking operations, and buffering. Prior to submitting the binding site plan and at the request of the City, the applicant met with the residents of the area to get feedback and recommendations on how to minimize the impact of the development on the neighborhoods in the area. The binding site plan for the Sharrett property reflects design aspects that mitigate various concerns addressed during previous Public Hearings including noise, traffic patterns, safety, lighting, visibility of the facility, and environmental issues. The design aspects that Prologis has utilized include:

- tall berms and wide landscape buffers on Fred Jones Blvd. to screen the building to the south;
- using a very deep building setback of 570 feet to mitigate the visual impact of building;
- locating all overhead doors on the I-4 side of the building to mitigate noise and visual concerns;
- locating the guard gate nearly 1,000 ft. into the property to prevent truck traffic from backing up on C. Fred Jones Blvd.; and
- low overhead lighting.

The residents who met with Prologis requested that Prologis reserve some of the property for commercial activity, to which Prologis is also requesting an 8.5 acre outparcel on the binding site plan. The Business Park Center future land use allows up to 15% of the district to be used for commercial activity. The site plan provides a list of allowable and prohibited uses for the 8.5 acres, all of which are consistent with the Business Park Center future land use and the requested Industrial Planned Unit Development zoning district. The site plan also provides for general site planning requirements and would allow administrative/staff approval of any development on this 8.5 acres that meets these requirements. These provisions are included in the "Notes" and "Overall Site Data" sections of the binding site plan. The Land Development Regulations state that Planned Developments "shall begin and proceed in good faith within one year of the date of approval." If no development actions take place, the City shall consider revising the time limits or rezone a portion or all of the Planned Development area to a category in compliance with the Comprehensive Plan. Note #4 on the binding site plan states that should development of the property not commence within one year after final approval of the City of Auburndale, the zoning designation of Industrial Planned Development will

automatically and without any required action revert to Light Industrial. Staff has no objections to this request. The requested Zoning Map amendment and binding site plan are consistent with the City of Auburndale's Comprehensive Plan, Land Development Regulations, and the Joint Planning Area. If the zoning request and binding site plan is approved by the City Commission, the applicant would proceed with construction plan review that includes detailed traffic studies, driveway connection permits, stormwater permits, and any other permit required by the Land Development Regulations. The Planning Commission recommendation was approval of the Amendment (6-0, 1 abstention) at their May 1, 2018 Meeting. Staff recommended approval of the Ordinance. She displayed an aerial picture of the Sharrett property on the screen. The northern boundary of the property is the Orlando utility easement, to the south is C. Fred Jones Blvd, Berkley Rd to the west and SR 559 to the east. She displayed the Future Land Use Map and Zoning Map for the property, which displayed a Business Park Center Land Use and Light Industrial Zoning. She displayed drone shots of the property and described the pictures. She showed the location of the 8.5 acres of commercial property. She displayed a picture of the median openings and location of the Berkley Ridge Subdivision, entrance to the facility as shown on the binding site plan, Old Berkley Road, and truck entrance and exit. She displayed the binding site plan, which is included in the Ordinance and was presented to the Planning Commission. She said she thought after her presentation the applicant and their representatives will talk about the binding site plan and talk about some evolutions that have taken place since the Planning Commission meeting on Tuesday dealing with the driveways. She explained there are four entrances into the property – the entrance on the east is the full access for truck traffic, exit and entrance, trucks go to the back of the building where all of the overhead doors are and their truck parking is. She showed where the employee entrance and exits were. The site plan shows 1,128 auto stalls, the full access opening in the middle lined up with Old Berkley Road, where cars would have the opportunity to go east or west as well as enter the site from the east or west. There is a building setback of 570 feet on the 100 acres. The building itself is just over 1 million square feet. To the front of the parking lot are the ponds and berms, with the tallest berm being 15 feet and on top of that the landscape buffer. If we talk about the 8.5 acre out parcel is being reserved for commercial development, everything about this parcel is defined on the site-plan, including minimum landscape buffer of 25 feet on the side, 35 feet in the front and the building setback. Also listed in the notes of the site plan are allowable uses and prohibited uses for that site. As proposals come into City Hall to develop the site, those would be approved by staff as long as they meet the requirements of this binding site plan. Two other notes to mention are: the guard gate will be about 1,000 feet from the entrance of C. Fred Jones and Note 4 states that should this property not be developed within the one year timeframe the property would revert back to the Light Industrial zoning category of what it is today. She turned the presentation over to applicants.

Allison Turnbull, Gunster Law Firm, 200 Southwest Avenue, Orlando, said she was here on behalf of the applicant. Also with her were Jason Lewis from Kimly Horn and Denver Glazier from Prologis. She said Amy gave a great overview and did most of our work for us. We wanted to give you a better idea of what this will actually look like, more details on the binding site plan. As Amy mentioned, the property is consistent with the land use designation and the zoning designation and we are just going through the IPUD process, as part of the requirements of your Code. She said she wanted to mention that at the Planning and Zoning they heard some comment about the traffic specifically about the Hwy. 559 and Fred Jones Road intersection. She said she wanted to note that we are required to do a major traffic study and that traffic study will take into account all the traffic impact of the project but specifically that intersection and any other impacted. She said we just were not at that point right

now. That was something that would be done once we move past the zoning change. She introduced Jason Lewis from Kimly Horn to go over the site plan in more detail through some renderings. She provided the City Clerk with copies of the renderings.

Jason Lewis, a Public Engineer for Kimly Horn and Associates, 116 S. Kentucky Ave, Lakeland, said he wanted to go over the site plan briefly. We are working with site constraints as well as things we are trying to incorporate into the plan to mitigate concerns we have heard the last couple of months. He said the site is oddly shaped with a power line on the northern boundary. He described the site and said they push the site plan as much to the north west as we could to create as much of a buffer as they could from CR 559A, C. Fred Jones Road. We have a 570-foot building set back with a 300-foot pavement set back. As we get into design, we tried to drop the building site to create as much visual barrier and help with the view lines from the south and north side on I-4 and 559A. The berm along the front, along Fred Jones Road, will be anywhere from 10 to 15 feet high. We placed that directly in front of the building. Across the site, they will have over 1,300 canopy trees and under story trees. He displayed a picture of what the berm would look like from Fred Jones. We concentrate a lot of trees along Fred Jones, along the berm, on the backside and the top side to cover as much as we could. The trees that are in that planting are canopy trees ranging from 10 to 20 feet and the under story trees range from 8 to 15 feet. We are not putting in all small trees; we are putting in more mature trees. Also, in front of the landscape we will have over 1,000 shrubs.

Denver Glazier, Prologis, 2624 NE 29th Street, Fort Lauderdale, Florida, thanked the Commission for the time tonight. He said over the last several months from working with the constituents he felt that the project had greatly improved. He said there has been a lot of good feed back on things they can do better on the site, berming, landscaping, and set backs. We have tired to incorporate everything we could as we learn more about the City and constituent concern. He said over the last three and four weeks we have had a few messages or concerns about potential traffic. We have not done a traffic study yet, and that will be the next step. But, the main entrance coming directly in line with Old Berkley, a two-lane road not meant for a lot of traffic, has been revised with the potential plan to move the alignment off Old Berkley to try to eliminate any potential flow problem. The move is 200 to 300 feet to misalign the roads for the personal cars. They understand final approval of any curb cuts and access is based upon the County approval. We are definitely committed to try to do this in an effort to improve based on feedback we received from the neighbors. He said their objective was to make this successful for the neighborhood, for the City, and for the citizens.

Mayor Tim Pospichal asked if the traffic impact study determined any amendments to the binding site plan at a later date.

Denver Glazier said no, if traffic study says we need to improve Fred Jones and 559 and say we need to add another turn lane and extend or make cut throughs, that is part of the permit process. Those we would do as part of the permit process, but that would not be represented on the site plan. He said it was in the permit process, but will not be amended to the site plan.

Mayor Tim Pospichal said Ms. Turnbull said this will be taken up with FDOT and the county.

Allison Turnbull asked if they could have a minute at the end to address any concerns.

Mayor Tim Pospichal asked for public comment and stated everyone would have three minutes.

Dennis Young, 254 Lake Tennessee Dr. Auburndale, said Ms. Turnbull indicated the concerns we have and he wanted to go over them in a geographic fashion. He said the intersection of 559A and 559 only has about 267 foot turn lane that might accommodate about 4 trucks. When you look at the west side for C. Fred Jones and Berkley Road, you have approximately 450 feet of turn lane, in a double turn lane left. He said with the amount of traffic, he would recommend that staff and maybe the City Commission and City Manager get with the Florida Department of Transportation and modify these intersections. Currently now when a truck is leaving Loves Truck Stop and making a right hand turn, they basically are taking both lanes to make that turn. The recommendation would be to expand that left hand lane back, as far as possible. Also the center lane, make that a left hand turn lane, straight lane and when it is green on the C. Fred Jones side that the red light on Loves Truck Stop or vice a versa. That would allow the semi trucks coming from the Truck Stop to make that right hand turn easily and at the same time also allow the semi truck traffic to go left. We have already had some accidents in that intersection. He said he believed if we solve the problem before it becomes a problem it would be beneficial. Also, he would like to comment and commend Denver Glazier for working with the concerned citizens to make this development worthwhile. If we had the cooperation in 1998 and 1999, we probably would have a warehouse there already. We did not get that cooperation at that point in time. He said regarding the Industrial Planned Development and the only reason for this being the Industrial Planned Development as opposed to a Light Industrial Planned Development, is there is no current classification for Light Industrial Planned Development. He said he would recommend and he has talked to Amy about this to make a Light Industrial Planned Development classification for future consideration, as we move forward with the City of Auburndale. He said this would make it easier for a lot of people from a standpoint of classification of what Light Industrial is and what Industrial is. He said he would recommend that take place. He said he would stand for any questions.

Stewart Prince, resident in Auburndale (1311 US Hwy. 92 W – Lot 44), said he has been looking at C. Fred Jones Road and this current proposal is a better camouflage job than the first one was. He said he has been in the Air Force a couple of times and you cannot hide an aircraft hangar. You can put berms and trees and it still looks like an aircraft hangar. You can see it from miles away. They also tried to hide an entire air force base with trees all along -- it is now called Myrtle Beach Commercial Airport, it looks like an air force base. Aircrafts take off and land right over Hwy. 17. In Sumpter, SC they had Shaw Air Force Base and trying to hide that behind trees and fences. It does not work. We are going to have a whole pile of trucks going through this intersection – we are not suppose to see them or notice them. They are going to be on C. Fred Jones and turn on and off all day and night. I do not think this is an appropriate facility at all. This needs to be rezoned to something like on the south side of C. Fred Jones and some of those residential houses. This is not appropriate for Auburndale.

Jennifer Ellis, 5819 Old Berkley Road, Auburndale said for a little history on Old Berkley Road. She had one young man die in her arms on Old Berkley. Two other people died on Old Berkley Road. She said it was not a square straight ahead road. This road has 90-degree turns on it. She said she lives on the curve. She said she wanted everyone to know that this road has not been brought up to speed for this warehouse or even the neighborhood that is being built out there. She said if you can do anything or have any power, can you keep that warehouse traffic off Old Berkley Road. We would

appreciate it. For example, three weeks ago we were turning into our driveway a guy passes us and totals our van. If you go 40 on those curves, you are going to end up in my yard or the ditch across the street. That is where they all end up. We say there goes another one -- air lifted out of there. She said it was a very dangerous road and it cannot handle the traffic we have now. She said it was a real problem. At 40 miles an hour, it is way too fast for that road. We do not even have a warehouse yet. This is when I presented to them to please move the entrance down, that they cannot come straight out of the warehouse to Old Berkley. It is not just we do not want the traffic in front of our house; I want to live a little bit longer. She said we are guilty too; those people come flying down that road. When people get off work in that warehouse, they will come right down Old Berkley Road. Anything you can do, I do not care what you do - keep them off Old Berkley Road.

Allison Turnbull thanked the Commission for letting them come back up. She said she thought between herself, Jason and Denver they have addressed a lot of the comments made here today. As far as the visual impact, the beauty of this design of a large building and because it is only one building, we are able to have the increased set back of 570 feet and we are able to do the additional landscaping and berming that works with the topography to mitigate that impact. Under the current zoning, if smaller buildings were to come in you would not be able to get the same visual mitigation, as with this one single building. We tried to make every detail to achieve that. As far as the traffic on Old Berkley, it was her understanding that this was a County road. We would be willing to work with the County and it was kind of out of their control. She said she knew they could place signage that says local traffic only or no truck traffic and things like that. We would be willing to work with the County to try and get this. She said she was available for questions.

Mayor Tim Pospichal closed the Public Hearing and reopened the Regular Commission Meeting.

8. ORDINANCE #1561 – AMENDING THE ZONING MAP – PROLOGIS/SHARRETT PROPERTY

City Manager Green said the Ordinance No. 1561 amends the zoning map changing the zoning from Light Industrial to IPUD on the property.

City Attorney Kee read Ordinance No. 1561 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS BY AN AMENDMENT TO THE ZONING MAP RECLASSIFYING AN AUBURNDALE ZONING MAP CLASSIFICATION ON A PARCEL OF LAND TOTALING +/- 100.40 ACRES FROM CITY OF AUBURNDALE ZONING CLASSIFICATION LIGHT INDUSTRIAL (LI) TO INDUSTRIAL PLANNED UNIT DEVELOPMENT (IPUD); AND PROVIDING AN EFFECTIVE DATE (General Locations: Old Berkley Road and C. Fred Jones Blvd.),** by title only.

City Manager Green said after a motion, your Planning Commission has made the recommendation with a binding site plan that has been amended this evening. As you approve the Ordinance, you would need to explain in your motion, which of the binding site plans you prefer -- the one that was recommended by the Planning Commission that showed the parking road coming in directly into Old Berkley or the new revised plan that shows it being offset. He said he did not mean to speak for the petitioner, but is this the petitioner's request?

The petitioners nodded.

Motion by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1561 with the amended site plan, as read on first reading by title only.

Mayor Tim Pospichal said what that does is takes that driveway or entrance way and shifts it to the west, so it will not be funneling straight down into Berkley Road, it will not align.

Commissioner Dorothea Taylor Bogert said that keeps people from coming straight across, as she knows there is concern about through traffic. Why anybody would want to go down that road as a short cut she did not know, because it really is not one. She asked if there were any issues with people who live down there that come out Old Berkley Road regularly to C. Fred Jones. They will not have a median to cross and will have to do a "u" turn and come back. She asked if that was going to be a concern of anyone.

Jason Lewis said the median will still be there. They can still turn left.

Mayor Tim Pospichal said they are keeping the median cut.

Community Development Director Amy Palmer said it should also be noted that the driveway locations are also contingent upon county permitting. If the County allows the driveway to be located, offset from Old Berkley Road that is what will take place. There is a note on the site plan that says that the driveways are contingent upon permitting. She said this is no different than what was approved with the Dollar General site plan, where there was a question if DOT would allow the driveway on Lake Ariana Blvd. A note about the permitting process was placed on the plan.

Commissioner Dorothea Taylor Bogert asked what the elevations of the building was versus the berm and the road.

Jason Lewis said the average site grade was about 171 or 172. The finished floor, because it is a dock is 176. We have not gone through all the finish design, but that is what we are currently planning. The average grades along Fred Jones Road will go from 180 down to 170 directly in front of the site, it drops off more as you go farther west. The berm is set at an elevation of 190, on the site plan. We have enough information currently; we have done enough design to determine we can hit that elevation. The building height at the parapet, the very front of the building, has a front elevation of 43 feet. He said 176 plus 43 gives the overall height. The trees on top of the berm range from 10 to 20 feet for the canopy trees, the under story trees range from 8 to 15 feet, and then the shrub.

Commissioner Dorothea Taylor Bogert said she has concerns about the Industrial versus the Light Industrial and wanted to clarify. If anything changes in the one-year and it converts back, even if they move forward with this plan and at some point in the future, if someone buys this property they cannot change what this plan is without approval coming to the City Commission. She said she wanted to clarify that up front.

City Manager Green said your earlier example on the Smith property, is probably the best example, in front of Walmart, part of the Walmart PUD. They came in and zoned that parcel out front as a PUD for a mattress store and for a retail -- that did not happen. As it came before you tonight, it is

reverting back. That is exactly what would happen here, if there was no activity, and it is noted on the binding site plan that it would revert back to the Light Industrial that sits on that property today.

Commissioner Dorothea Taylor Bogert said her concern was, if this becomes a warehouse and in 15 years could they turn it into a heavy industrial area. She said she thought that Amy clarified this.

City Manager Green said the binding site plan was a binding site plan and any changes would have to come back before the Planning Commission and City Commission and that would be at Public Hearings before both.

Upon vote, all ayes.

City Manager Green said that will come back to you for second and final reading on May 21. He asked Community Development Director Amy Palmer to coordinate with Denver Glazier or someone for when they go before the County for traffic permitting and the like to please let the City know so the City can join you in that meeting to let them know what the Commission's discussion was this evening.

Mr. Glazier nodded.

9. PRESENTATION OF LAKE ARIANA PARK DOCK BIDS

City Manager Green said an invitation to Bid for construction of a dock at Lake Ariana Park was provided to four vendors and advertised in the local media. The single dock being proposed replaces the two that were damaged during Hurricane Irma adjacent to the boat ramp. The planned dock would be 115 ft. in length and 8 ft. wide with a 50 ft. x 15 ft. deck at the end of the dock. The bid proposal included removal of the existing docks that are in disrepair as well. The City only received one bid from the following company: John Carver, LLC., Lake Alfred - \$32,500.00. John Carver, LLC. of Lake Alfred provided the only bid to construct the dock. After checking references, staff feels the vendor is capable of performing the requested work. Expenses related to the dock are reimbursable from the Federal Emergency Management Administration (FEMA) due to the damages being a result of the storm. The bids were reviewed by the Parks and Recreation Director, Assistant City Manager, and City Manager. The City of Lake Alfred has used this contractor for some of their dock work. Staff recommendation was to award the bid to John Carver, LLC. in the amount of \$32,500 for removal of the damaged docks and installation of a new single dock.

Mayor Tim Pospichal asked for public comment. There was no public comment.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to award the bid to John Carver, LLC in the amount of \$32,500 for removal of the damaged docks and installation of a new single dock.

Commissioner Dorothea Taylor Bogert asked where the new one would go.

City Manager Green said both docks were damaged and both will be removed. The replacement dock will be on the right side of the boat dock.

Upon vote, all ayes.

10. ORDINANCE #1562 ANNEXING PROPERTY INTO CITY LIMITS –SADDLE CREEK CORPORATION

City Manager Green said the City has received a petition from Saddle Creek Corporation to annex 1.5 acres of property into the City limits. The property is located west of the Saddle Creek distribution center on Moss Road West. The property is contiguous with existing City limits and the annexation does not create an enclave. The property currently contains a single-family residence and a mobile home. The proposed annexation is as a result of the company's request to expand the site of their distribution center. 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 a late date. 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, the proposed Ordinance will be presented for second and final reading on May 21, 2018. He showed the property location on the map. They have acquired the property at the end of Moss Road. Staff recommended approval of the Ordinance No. 1562 annexing the Saddle Creek Corporation property into the City Limits.

City Attorney Kee read Ordinance No. 1562 entitled: **AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUBURNDALE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE (General Locations: Moss Road W),** by title only.

Mayor Tim Pospichal asked for citizen comment. There was no public comment.

Motion by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1562, as read on first reading by title only. Upon vote, all ayes.

11. ORDINANCE #1563 ANNEXING PROPERTY INTO CITY LIMITS – BERKLEY RANCH INVESTORS, LLC

City Manager Green said the City has received a petition from Berkley Ranch Investors, LLC to annex 43.57 acres of property into the City limits. The property is located west of Berkley Road and the TECO-Auburndale Trail, on Pearce Road, which is south of Pace Road. The property is contiguous with the existing City limits and the annexation does not create an enclave. The property is currently vacant. The proposed annexation is as a result of the property owner's request to develop the property as a single-family residential subdivision. 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 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 May 21, 2018.

Staff recommendation was approval of the Ordinance.

City Attorney Kee read Ordinance No. 1563 entitled: **AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF AUBURNDALE, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE (General Locations: Berkley Road and Pearce Road)**, by title only.

City Manager Green showed the property location on the map. They have reached out to Berkley Road for an interchange at Berkley. They will also be crossing the Trail, which is probably owned by Tampa Electric. They will have to get permission from Tampa Electric as the property owner, as well

Mayor Tim Pospichal asked for citizen comment. There was no public comment.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to approve Ordinance No. 1563, as read on first reading by title only. Upon vote, all ayes.

12. APPROVE PURCHASE OF VACANT LOT LETA STREET – CDBG FUNDING

City Manager Green said in April 2017, the City Commission gave approval to spend Community Development Block Grant or CDBG funds for property acquisition of vacant lots with the CDBG Target Area for donation to Habitat for Humanity. This would allow the parcels to be utilized for Habitat's affordable housing program. The FY 2017-2018 CDBG allocation totaled \$80,322. The City Commission on April 6, 2018, gave approval to purchasing two adjacent buildable lots at 324 and 326 Preston Street that have been vacant for some time. Appraisals on the two separate lots, both 52' x 208' suggested the market value of the property at \$20,000 per lot. On April 16, 2018, the City Commission also gave approval to purchase an additional 57' x 208' vacant lot located at 315 Cleveland Street appraised at \$21,000. City Staff has identified a buildable lot at 320 Leta Street that has also been vacant for some time. The owner Perry Johnson was contacted and is willing to sell. Corneal Appraisal Services, Auburndale, provided the CDBG required appraisal suggesting the market value of the 52' x 104' lot was \$16,000. Each of the lot prices was dependent on the lot size. A Contract for Sale and Purchase of the lot was prepared by the City Attorney and executed by both parties; City Manager signed subject to City Commission approval. Title insurance has also been ordered on that vacant lot. Habitat for Humanity has reviewed the location and is receptive to the conveyance of the property. Staff recommendation was: (1) Approve the purchase of the vacant lot at 320 Leta Street for \$16,000 utilizing CDBG funds. (2) Authorize the conveyance of the subject parcel to Habitat for Humanity of East Polk County. He said as we look at the CDBG target area, funds have to be spent in the area. As we were looking at various projects to spend those dollars, we noticed a good number of vacant, buildable lots. In the Preston Street area, there was about 35 buildable lots. By using CDBG dollars, this allows the City to make purchase of those lots and we turn around and donate the lots to Habitat for Humanity. Habitat goes through their screening process of putting someone in those homes; that then puts a house on those lots and puts those lots on the tax rolls with a house on it. Staff recommended the purchase.

Mayor Tim Pospichal asked for citizen comment. There was no public comment.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Richard Hamann, to (1) Approve the purchase of the vacant lot at 320 Leta Street for \$16,000 utilizing CDBG funds. (2) Authorize the conveyance of the subject parcel to Habitat for Humanity of East Polk County.

Commissioner Dorothea Taylor Bogert said she thought this was a terrific idea.

City Manager Green said the Mayor and he attended the Second Annual Bridgers Avenue Reunion, which consisted of residents in the target area. It was introduced and we received several compliments from the neighborhood about the revitalization in the neighborhood.

Upon vote, all ayes.

City Manager Green said the next Commission Meeting was May 21.

Meeting adjourned at 8:04p.m.

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



Shirley A. Lowrance, Finance Director/City Clerk