



*City of Auburndale*  
AUBURNDALE, FLORIDA 33823

Office of the City Manager

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**CITY COMMISSION MEETING**  
**May 7, 2018 – 7:00 P.M.**  
**COMMISSION ROOM/CITY HALL**

CALL TO ORDER – Mayor Tim Pospichal

INVOCATION – Pastor Brad Bennett, Auburndale Community Church

PLEDGE OF ALLEGIANCE – Mayor Tim Pospichal

ROLL CALL – City Clerk Shirley Lowrance

APPROVE COMMISSION MINUTES – Regular Meeting – 04/16/2018

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PROCLAMATION – “Municipal Clerks Week” – May 6-12, 2018

**AGENDA**

1. ORDINANCE #1556 AMENDING OFFICIAL ZONING MAP – LOMBARDI PROPERTY
2. ORDINANCE #1557 AMENDING OFFICIAL ZONING MAP – BINION PROPERTY
3. ORDINANCE #1558 AMENDING POLICE OFFICERS PENSION TRUST FUND PLAN
4. ORDINANCE #1559 AMENDING FIREFIGHTERS PENSION TRUST FUND PLAN
5. **PUBLIC HEARING** – OFFICIAL ZONING MAP AMENDMENT – HOWARD G. SMITH PROPERTY
6. ORDINANCE #1560 – AMENDING THE ZONING MAP – HOWARD G. SMITH PROPERTY
7. **PUBLIC HEARING** – OFFICIAL ZONING MAP AMENDMENT – PROLOGIS/SHARRETT PROPERTY
8. ORDINANCE #1561 – AMENDING THE ZONING MAP – PROLOGIS/SHARRETT PROPERTY
9. PRESENTATION OF LAKE ARIANA PARK DOCK BIDS
10. ORDINANCE #1562 ANNEXING PROPERTY INTO CITY LIMITS – SADDLE CREEK CORPORATION
11. ORDINANCE #1563 ANNEXING PROPERTY INTO CITY LIMITS – BERKLEY RANCH INVESTORS, LLC
12. APPROVE PURCHASE OF VACANT LOT LETA STREET – CDBG FUNDING

F.S. 286: If an individual decides to appeal any decision made by the City Commission with respect to this meeting, a verbatim transcript may be requested. If so, the individual should make provisions for a transcript to be made at the meeting. Persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk no later than five days prior to the proceeding at 968-5133.

**City Commission Meeting  
May 7, 2018**

**AGENDA ITEM 1: ORDINANCE #1556 AMENDING OFFICIAL ZONING MAP – LOMBARDI**

     INFORMATION ONLY

  X   ACTION REQUESTED

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

**ATTACHMENTS:**

• Ordinance #1556 Amending Official Zoning Map - Lombardi

**ANALYSIS:** The City has received a request for a Zoning Map amendment to rezone the following property:

<b><i>Owner:</i></b>	Lombardi Family LLLP
<b><i>Petitioner:</i></b>	JSK Consulting
<b><i>Location:</i></b>	frontage on Bolender Rd. & Keystone Rd.
<b><i>Current Future Land Use:</i></b>	Low Density Residential
<b><i>Current Zoning Classifications:</i></b>	No Zoning
<b><i>Proposed Zoning Classification:</i></b>	Single Family Residential-2 (RS-2)
<b><i>Current use:</i></b>	Vacant (10.31 +/- acres)

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 (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 Single Family Residential-2 (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 (RS-1), east of the site is zoned Open Use Agricultural (OUA), 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.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Map Amendment – 04/03/2018.

**STAFF RECOMMENDATION:** Approval of the Ordinance.

**City Commission Meeting**  
**May 7, 2018**

**AGENDA ITEM 2: ORDINANCE #1557 AMENDING OFFICIAL ZONING MAP – BINION PROPERTY**

     INFORMATION ONLY

  X   ACTION REQUESTED

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

**ATTACHMENTS:**

- . Ordinance #1557 Amending Official Zoning Map – Binion Property

**ANALYSIS:** The City has received a request for a Zoning Map amendment to rezone the following property:

<b><i>Owner/Petitioner:</i></b>	Eric Binion
<b><i>Location:</i></b>	305 Oak St. (0.17 +/- acres)
<b><i>Current Future Land Use:</i></b>	Low Density Residential
<b><i>Current Zoning Classifications:</i></b>	Residential Institutional, Office (RIO)
<b><i>Proposed Zoning Classification:</i></b>	Single Family Residential-3 (RS-3)
<b><i>Current Use:</i></b>	vacant

The City has received a request from Eric Binion to rezone property at 305 Oak Street from Residential, Institutional and Office (RIO) to Single Family Residential 3 (RS-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 also a platted 51 foot lot. The RS-3 zoning would accommodate 7-foot side setbacks (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 and is being presented for second and final reading.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Map Amendment – 04-03-18.

**STAFF RECOMMENDATION:** Approval of the Ordinance.

**City Commission Meeting**  
**May 7, 2018**

**AGENDA ITEM 3: ORDINANCE #1558 AMENDING POLICE OFFICERS PENSION TRUST PLAN**

\_\_\_ INFORMATION ONLY

X  ACTION REQUESTED

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**ISSUE:** The City Commission will consider an Ordinance amending the Police Officers' Pension Plan.

**ATTACHMENTS:**

- . Ordinance #1558 Amending Police Officers' Pension Trust Fund Plan
- . Letter from Actuarial Letter from Foster & Foster – April 3, 2018

**ANALYSIS:** 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, P.A. 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.

**POLICE PENSION BOARD RECOMMENDATION:** Approval of the Ordinance – 03/20/2018

**STAFF RECOMMENDATION:** Approval of the Ordinance amending the Police Officer's Pension Plan.

**City Commission Meeting**  
**May 7, 2018**

**AGENDA ITEM 4: ORDINANCE #1559 AMENDING FIREFIGHTERS PENSION TRUST PLAN**

     INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider an Ordinance amending the Firefighters' Pension Plan.

**ATTACHMENTS:**

- . Ordinance #1559 Amending Firefighters' Pension Trust Fund Plan
- . Letter from Actuarial Letter from Foster & Foster – March 29, 2018

**ANALYSIS:** The proposed Ordinance allows the Firefighters' 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, P.A. 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.

**FIREFIGHTERS PENSION BOARD RECOMMENDATION:** Approval of the Ordinance -02/13/2018

**STAFF RECOMMENDATION:** Approval of the Ordinance amending the Firefighter's Pension Plan.

**City Commission Meeting  
May 7, 2018**

**AGENDA ITEM 5: PUBLIC HEARING - ZONING MAP AMENDMENT – SMITH PROPERTY**

**AGENDA ITEM 6: ORDINANCE #1560 AMENDING THE ZONING MAP – SMITH PROPERTY**

     INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider and take public comment on a proposed Official Zoning Map Amendment.

**ATTACHMENTS:**

- . Notice of Public Hearing – 04/20/18
- . Excerpts from Planning Commission Meeting – 05/01/18
- . Ordinance #1560 Amending the Official Zoning Map - Howard G. Smith Property

**ANALYSIS:** The City has received a request for a Zoning Map amendment as follows:

**Howard G. Smith Property**

<b><u>Owner/Petitioner:</u></b>	Howard G. Smith
<b><u>Location:</u></b>	US Hwy. 92 and Recker Hwy. (0.15 acres)
<b><u>Current City Future Land Use:</u></b>	Commercial Corridor (CC)
<b><u>Current City Zoning Classification:</u></b>	Planned Development Commercial 1 (PD-C1)
<b><u>Proposed City Zoning Classification:</u></b>	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 PD-C1 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.

The requested Official Zoning Map amendment is consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations. The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on May 21, 2018.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Amendment (7-0) – 05/01/2018

**STAFF RECOMMENDATION:** Approval of the Ordinance.

**City Commission Meeting  
May 7, 2018**

**AGENDA ITEM 7: PUBLIC HEARING – OFFICIAL ZONING MAP AMENDMENT – SHARRETT**

**AGENDA ITEM 8: ORDINANCE #1561 – AMENDING THE ZONING MAP – SHARRETT PROPERTY**

\_\_\_ INFORMATION ONLY

\_X\_ ACTION REQUESTED

**ISSUE:** The City Commission will consider and take public comment on a proposed Official Zoning Map Amendment.

**ATTACHMENTS:**

- . Notice of Public Hearing – 4/20/2018
- . Excerpts from Planning Commission Meeting – 05/01/18
- . Letter of Endorsement from Area Residents
- . Ordinance # 1561 Amending the Zoning Map and Binding Site Plan – Prologis/Sharrett Property

**ANALYSIS:** The City has received a request for a Zoning Map amendment as follows:

**Prologis Development**

<b><u>Owner/Petitioner:</u></b>	Sharrett Land, LLC/Allison E. Turnbull, Esq.
<b><u>Location:</u></b>	C. Fred Jones Blvd (CR559A) and Old Berkley Road
<b><u>Current Use:</u></b>	Vacant (+/-100.40 acres)
<b><u>Current City Future Land Use:</u></b>	Business Park Center
<b><u>Current City Zoning</u></b>	Light Industrial (LI)
<b><u>Proposed City Zoning:</u></b>	Industrial Planned Unit Development (IPUD)

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 (LI) on (+/-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 be subject to the Planned Development Zoning requirements, including Public Hearings. The Sharrett property is subject to this policy. Prologis is proposing a building larger than 500,000 SF (a 1,015,740 SF 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 and 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 C. 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 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 (1) 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 (1) year after final approval by 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 proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and the City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on May 21, 2018.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Amendment (6-0, 1 abstention) – 05/01/2018

**STAFF RECOMMENDATION:** Approval of the Ordinance.



**City Commission Meeting  
May 7, 2018**

**AGENDA ITEM 9: PRESENTATION OF LAKE ARIANA PARK DOCK BIDS**

INFORMATION ONLY

ACTION REQUESTED

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**ISSUE:** The City Commission will consider bids received for the construction of a dock at Lake Ariana Park.

**ATTACHMENTS:**

- . Invitation to Bid/Public Notice – News Chief, April 11, 2018
- . Bid Forms Received (1)

**ANALYSIS:** Invitation to Bid for construction of a dock at Lake Ariana Park was provided to four (4) 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.

**STAFF RECOMMENDATION:** 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.

**City Commission Meeting**  
**May 7, 2018**

**AGENDA ITEM 10:    **ORDINANCE #1562 ANNEXING PROPERTY INTO CITY LIMITS – SADDLE CREEK****

     INFORMATION ONLY

  X   ACTION REQUESTED

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

**ATTACHMENTS:**

- .        Petition to Annex Property into City Limits – Saddle Creek Corporation
- .        Proposed Ordinance #1562 Annexing Property into City Limits

**ANALYSIS:** 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 later dates. The action currently before the City Commission is only on the annexation of the property into the city.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on May 21, 2018.

**STAFF RECOMMENDATION:** Approval of the Ordinance #1562 annexing the Saddle Creek Corporation property into the City Limits.

**City Commission Meeting**  
**May 7, 2018**

**AGENDA ITEM 11:   **ORDINANCE #1563 ANNEXING PROPERTY INTO CITY LIMITS –  
BERKLEY RANCH INVESTORS, LLC****

       INFORMATION ONLY

  X   ACTION REQUESTED

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

**ATTACHMENTS:**

- .       Petition to Annex Property into City Limits – Berkley Ranch Investors, LLC
- .       Proposed Ordinance #1563 Annexing Property into City Limits

**ANALYSIS:** 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 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 proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on May 21, 2018.

**STAFF RECOMMENDATION:** Approval of the Ordinance #1563 annexing the Berkley Ranch Investors, LLC property into the City Limits.

**City Commission Meeting  
May 7, 2018**

**AGENDA ITEM 12: APPROVE PURCHASE OF VACANT LOT LETA STREET – CDBG FUNDING**

INFORMATION ONLY

ACTION REQUESTED

**ISSUE:** The City Commission will consider the purchase of a vacant lot utilizing Community Development Block Grant funding and conveyance of the lots to Habitat for Humanity of East Polk County, Inc.

**ATTACHMENTS:**

- . Contract for Sale and Purchase 320 Leta Street
- . Appraisal for 320 Leta Street Property

**ANALYSIS:** The City Commission in April 2017 gave approval to spend Community Development Block Grant (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 at \$16,000.

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 the lot.

Habitat for Humanity has reviewed the location and is receptive to the conveyance of the property from the City.

**STAFF RECOMMENDATION:** (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.