



City of Auburndale

AUBURNDALE, FLORIDA 33823

Office of the City Manager

P.O. Box 186

(863) 965-5530

Email: cmo@auburndalefl.com

CITY COMMISSION MEETING

Tuesday, May 21, 2019 – 7:00 P.M.

COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Tim Pospichal

INVOCATION – Pastor Kevin Chisholm, Word of Fire Ministries

PLEDGE OF ALLEGIANCE – Mayor Tim Pospichal

ROLL CALL – City Clerk Shirley Lowrance

APPROVE COMMISSION MINUTES – Regular Meeting – 05/06/2019

ANNOUNCEMENTS – Assistant City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

AGENDA

1. ORDINANCE #1607 AMENDING POLICE OFFICER'S PENSION PLAN
2. ORDINANCE #1608 AMENDING FIREFIGHTER'S PENSION PLAN
3. ORDINANCE #1609 AMENDING GENERAL EMPLOYEE'S PENSION PLAN
4. **TRANSMITTAL PUBLIC HEARING** – LAND USE MAP AMENDMENT – OLD BERKLEY ROAD
5. RESOLUTION #2019-03 TRANSMITTING MAP AMENDMENT TO STATE – OLD BERKLEY ROAD
6. **PUBLIC HEARING** – ZONING MAP AMENDMENT – GILILEO PROPERTY
7. ORDINANCE #1610 ZONING MAP AMENDMENT – GILILEO PROPERTY
8. **PUBLIC HEARING** – ZONING MAP AMENDMENT – CG JEANS ROAD PROPERTY
9. ORDINANCE #1611 ZONING MAP AMENDMENT – CG JEANS ROAD PROPERTY

Community Redevelopment Agency (CRA) Meeting to Follow City Commission Meeting

Ref. 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 provision 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 21, 2019

AGENDA ITEM 1: ORDINANCE #1607 AMENDING POLICE OFFICERS PENSION TRUST PLAN

AGENDA ITEM 2: ORDINANCE #1608 AMENDING FIREFIGHTERS PENSION TRUST PLAN

AGENDA ITEM 3: ORDINANCE #1609 AMENDING GENERAL EMPLOYEES PENSION TRUST PLAN

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance amending the Police Officers' Pension Plan, the Firefighters' Pension Plan, and the General Employees' Pension Plan.

ATTACHMENTS:

- . Ordinance #1607 Amending **Police Officers'** Pension Trust Fund Plan
- . Ordinance #1608 Amending **Firefighters'** Pension Trust Fund Plan
- . Ordinance #1609 Amending **General Employees'** Pension Trust Fund Plan

ANALYSIS: The proposed Ordinances are housekeeping in nature and amends the Police Officers' Pension Trust Fund, the Firefighters' Pension Trust Fund, and the General Employees' Pension Trust Fund to be compliant with recent changes to the Internal Revenue Code (IRC) and its associated Regulations, as well as guidance from the Internal Revenue Service (IRS) and recent litigation.

The actuary of the three plans, Foster & Foster, issued letters indicating that there are no costs associated with the adoption of the proposed Ordinances.

The proposed Ordinances were prepared by the Pension Plan Attorney for the three plans, Christiansen & Dehner, P.A., and reviewed by the City Clerk, City Manager and City Attorney. The proposed Ordinances were approved on first reading May 6, 2019 and are being presented for second and final reading.

POLICE PENSION BOARD RECOMMENDATION: Approval of the Ordinance – April 30, 2019

FIRE PENSION BOARD RECOMMENDATION: Approval of the Ordinance – April 30, 2019

GENERAL EMPLOYEES BOARD RECOMMENDATION: Approval of the Ordinance – April 30, 2019

STAFF RECOMMENDATION: Approval of the Ordinances amending the City's Pension Plans.

**City Commission Meeting
May 21, 2019**

AGENDA ITEM 4: TRANSMITTAL PUBLIC HEARING – FUTURE LAND USE MAP AMENDMENT

AGENDA ITEM 5: RESOLUTION #2019-03 TRANSMITTING MAP AMENDMENT – OLD BERKLEY RD

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on a Large-Scale Future Land Use Map Amendment before transmitting to the State for a compliance review.

ATTACHMENTS:

- . Notice of Public Hearing – 4/26/2019
- . Resolution #2019-03 Transmitting Map Amendment to the State and Location Map
- . Excerpt from Planning Commission Meeting – 05/07/2019

ANALYSIS: The City has received a request for a Large-Scale Future Land Use Map Amendment on the following property:

Gapway Grove Corp. Property

Owner/Petitioner:	JSK on behalf of Gapway Grove Corp.
Location:	Old Berkley Road and Gapway Road
Current Use:	Vacant (18.21 +/- total acres)
Current Polk County Future Land Use:	Residential Low-1 (RL-1) (18.21 acres)
Proposed City Future Land Use:	Low Density Residential (18.21 acres)

The Gapway Grove Corporation property consists of 18.21 acres that was annexed into the City Limits on May 6, 2019. Because the property is larger than 10 acres, it is required to go through a Large-Scale Future Land Use Map amendment and must be submitted to the Department of Economic Opportunity (DEO) for an Expedited State Review. The applicant has requested Future Land Use of **Low Density Residential** that would accommodate the development of a single-family residential subdivision.

The requested Future Land Use of Low Density Residential is consistent with the City's Comprehensive Plan, Joint Planning Agreement with Polk County, and with surrounding development. Upon receipt of the State review the City Commission will hold an additional Public Hearing on the adoption of the Future Land Use Amendment and Zoning Map Amendment.

PLANNING COMMISSION RECOMMENDATION: Approval of the Land Use designation (5-0)
05/07/2019

STAFF RECOMMENDATION: Approval of the Transmittal Resolution #2019-03.

**City Commission Meeting
May 21, 2019**

AGENDA ITEM 6: PUBLIC HEARING – ZONING MAP AMENDMENT – GILILEO PROPERTY

AGENDA ITEM 7: ORDINANCE #1610 ZONING MAP AMENDMENT – GILILEO PROPERTY

___ INFORMATION ONLY

X ACTION REQUESTED

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

ATTACHMENTS:

- . Notice of Public Hearing – 4/26/2019
- . Excerpt of Meeting Minutes: Planning Commission – 5/7/2019
- . Ordinance #1610 Amending Official Zoning Map – Gilileo Property

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

Gilileo Property

<u>Owner/Petitioner:</u>	Danny Gilileo
<u>Location:</u>	219 Bolender Rd.
<u>Current Use:</u>	Vacant (4.65 +/- acres)
<u>Current City Future Land Use:</u>	Low Density Residential
<u>Current City Zoning Classification:</u>	None
<u>Proposed City Zoning Classification:</u>	Single Family Residential-2 (RS-2)

The City has received a petition to establish zoning on 4.65+/- acres on Bolender Road. The property was annexed in 2006 and given a Future Land Use designation of Low Density Residential. Zoning was postponed until a later date. The applicant, who lives next door to the property, plans to establish a pole barn for agricultural purposes and storage. The requested zoning classification of Single Family Residential-2 (RS-2) is primarily intended to include land developed for low to medium density single-family detached residences. The RS-2 district also permits citrus groves; plant nurseries with greenhouses not exceeding 200 sq. ft. in area, and similar agricultural uses and structures, which would include pole barns.

The requested zoning map amendment is consistent with surrounding zoning classifications, the City's Land Development Regulations, and the Comprehensive Plan.

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 June 3, 2019.

PLANNING COMMISSION RECOMMENDATION: Approval of the Zoning Map Amendment (5-0) 05/07/2019.

STAFF RECOMMENDATION: Approval of the Ordinance amending the Official Zoning Map.

**City Commission Meeting
May 21, 2019**

AGENDA ITEM 8: PUBLIC HEARING – ZONING MAP AMENDMENT – CG JEANS ROAD PROPERTY

AGENDA ITEM 9: ORDINANCE #1611 ZONING MAP AMENDMENT – CG JEANS ROAD PROPERTY

 INFORMATION ONLY

 X ACTION REQUESTED

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

ATTACHMENTS:

- . Notice of Public Hearing – 4/26/2019
- . Excerpts of Planning Commission Meeting Minutes - 5/7/19
- . Ordinance #1611 Amending Official Zoning Map & Binding Site Plan – CG Jeans Road Property

ANALYSIS: The City has received a request to rezone the following property:

CG Jeans Road Property:

<u>Owner/Petitioner:</u>	Susan Collins/Kyle P. Wilkes, AICP Poulos and Bennett
<u>Location:</u>	lying between Adams Road and Lake Van Road
<u>Current Future Land Use:</u>	Low Density Residential
<u>Current City Zoning:</u>	None
<u>Proposed Zoning Classification:</u>	Planned Development-Housing 1 (PD-H1)
<u>Current use:</u>	Vacant (+/- 120.56 acres)

ANALYSIS: Kyle P. Wilkes of Poulos and Bennett on behalf of property owner Ms. Susan Collins has requested to establish a zoning district of ***Planned Development-Housing 1 (PD-H1)*** on 120.56 +/- acres. As required by the Land Development Regulations (LDR's) for Planned Developments, this request is accompanied by a binding site plan. The request will allow the applicant to construct a 259-lot single family residential subdivision.

This project was presented to the Planning Commission on January 8, 2019 as a 249-lot subdivision with minimum lot size of 6,900 SF, minimum lot width of 60 ft, and setbacks of 20' front, 5' side, and 15' rear. The Planning Commission recommended denial of the proposal based on the discussion of lot sizes and setbacks not being compatible with the area, the poor condition of Adams Road, and the failing level of traffic capacity at the intersection of Adams Road and SR 559.

The developer presented the project to the City Commission during a Public Hearing on March 4, 2019, which included discussion of increasing side setbacks to 7 feet and the relocation of the air conditioning units from the side yards to the back of the houses. The developer also committed to finding a solution to the failing intersection at Adams Road and SR 559, and entering into a developer's agreement to fund a proportion of the costs of the intersection improvements. Following the presentation and discussion, the City Commission tabled the item and requested that the developer meet with City Staff to discuss lot setbacks, lot sizes, and Adams Road. After meeting with City Staff, the developer requested to withdraw the proposal and planned to resubmit plans before the Planning Commission and City Commission in May.

The new proposal includes an increased minimum lot size of 7,200 sq. ft. The minimum lot size of 7,200 sq. ft. exceeds the minimum lot sizes of the Eagle Point, Diamond Ridge, Lake Van Estates, and Water Crest Subdivisions. The proposal also includes a minimum lot width of 60 feet, which is comparable to the Eagle Point, Diamond Ridge, Lake Van Estates Subdivision and exceeds the Water Crest Subdivision. The proposed setbacks are 25' front, 15' front setback on the side of the house for corner lots, 7' interior side, and a 15' rear setback. The front setback of 25' exceeds all of the same subdivisions and the side and rear setbacks are either consistent or exceed them as well.

The minimum living area provided of 1,500 sq. ft. exceeds the minimum living area of the *Single Family Residential-1 (RS-1)* zoning designation. Overall density for the project is 3.05 units per acre, which is consistent with the Comprehensive Plan and Future Land Use designation of **Low Density Residential**.

All other requirements of the Land Development Regulations are met, including sidewalks on both sides of the street and street width. The binding site plan includes 3.37 acres of open space, landscaping, and recreation tracts. Included in the "Notes" section of the binding site plan is the developer's commitment addressing the improvements to Adams Road to include constructing an additional 1-2 feet of pavement on Adams Road, sidewalk along the road, relocating telephone poles along the road as well as committing to fund the proportionate fair share of intersection improvements to Adams Road and SR 559.

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 June 3, 2019.

PLANNING COMMISSION RECOMMENDATION: Approval of the Zoning Map Amendment (3-2) 05/07/2019.

STAFF RECOMMENDATION: Staff has no objections and would recommend approval of Ordinance #1611 Amending Official Zoning Map – CG Jeans Road Property.