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Minutes of the Regular Meeting of the City Commission of the City of Auburndale held October 7, 2019 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, Keith Cowie, Richard Hamann, and Bill Sterling. Also present were: City Manager Robert Green, Finance Director/City Clerk Shirley Lowrance, City Attorney V. Patton Kee, and Police Chief Andy Ray.

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.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve the Minutes of September 17, 2019. Upon vote, all ayes.

City Manager Green introduced Gabriel Carlson and said he was in the FL Poly Rotaract mentorship program.

City Attorney Kee read the Proclamation for Fire Prevention Week.

Mayor Tim Pospichal presented the Proclamation to Fire Chief Bradway.

Fire Chief Brian Bradway said Fire Prevention Week began today and that during this week they will have about 700 kids through the Fire station. They will learn about stop, drop, and roll, exit drills in the home, a truck ride, a station tour, spray a fire hose, see a rappel show and a tour of the City's first fire engine – a 1925 fire engine. We teach them about fire safety and maybe spark an interest in becoming a public safety professional. He invited everyone to the Fire Station and said that 10:00 was the prime time to visit.

Lieutenant Nick Snyder introduced the C Shift firefighters - Brandon Chavez, Bryn Le Rue, Casey Clark, Aaron Sheppard and Sparky or James Whedon.

City Manager Green said on Friday, Finance Director/City Clerk Shirley Lowrance will celebrate her 45th anniversary with the City of Auburndale.

Mayor Tim Pospichal presented her with flowers.

Mayor Tim Pospichal asked for public comment.

Tanner Atkinson, 3003 Lantana Cir., said he was running for City Commission Seat #4. He said he wanted

to introduce himself. He said he is attending Polk State and working on his AA. He has gone through the private pilot program and achieved his license. He works for a distribution center in Lakeland, as a leader there. He said he also works on a non-profit he created during the aviation program. He said looking forward to getting to know everyone here further and getting to know the residents of Auburndale. He said he hopes to contribute as much as possible.

## **1. APPROVE ITEMS RELATED TO 2019 MUNICIPAL ELECTION**

City Manager Green said the 2019 Municipal Election will be held on Tuesday, November 5, 2019. All voting will be held at the Auburndale Civic Center 115 W Park Street from 7:00 a.m. to 7:00 p.m. A Notice of the Precinct Location will be mailed to all registered voters in the City of Auburndale. The Polk County Supervisor of Elections Office will handle absentee ballots for the election. The City Commission, not including any Commissioners on the ballot, will meet as the Canvassing Board to canvass the absentee ballots and the City Election at the Supervisor of Elections Office, 70 Florida Citrus Blvd. Winter Haven on election night. The City Commission will meet for a Special Meeting at City Hall on Thursday, November 7, 2019 at 5:30 p.m. to certify the results of the election. In accordance with the City Code, the City Commission is requested to approve the following: 1) Approve Certificate to Qualify Candidates; 2) Authorize Official Ballots to be prepared 1,525 ballots (including 25 test ballots) and 1,800 absentee ballots (Based on previous elections); 3) Authorize the necessary poll workers and; 4) Appoint the City Clerk to act on behalf of the Canvassing Board relative to ballot testing and other related election matters.

Finance Director/City Clerk Shirley Lowrance read the Certificate to Certify Candidates. The Candidates for Seat #4 were: Tanner Atkinson, Danny Chandler, and Jack R. Myers. The Candidate for Seat #5 was Richard O. Hamann, who was declared Commissioner-Elect.

City Manager Green said Staff recommends approval of the items related to the 2019 Municipal Election.

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

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert, to approve the items related to the 2019 Municipal Election. Upon vote, all ayes.

## **2. APPROVE 2020 CITY COMMISSION MEETING AND HOLIDAY SCHEDULE**

City Manager Green said Staff was presenting the City Commission Meeting and City Holiday Schedule for 2020. The City Commission will need to adjust meetings in January due to a National Holiday and September due to proposed budget public hearing dates. Staff recommended approval.

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 the 2020 City Commission Meeting and Holiday schedule.

City Manager Green said the January Meetings will be held on January 6 and Tuesday, January 21. He said January 27<sup>th</sup> and 28<sup>th</sup> will be Polk County Days in Tallahassee.

Upon vote, all ayes.

### **3. STREET CLOSING REQUEST – HALLOWEEN HARVEST FESTIVAL**

City Manager Green said the City has received a request to temporarily close streets in the downtown area to accommodate the very successful Chamber of Commerce Halloween Harvest Festival on Thursday October 24, 2019 from 5:30-8:30 P.M. This event is well attended each year and has good participation from the local merchants. To make the event safer and more pedestrian friendly, the City and Chamber again this year requested the Florida Department of Transportation to permit temporary closing of State Road 559 from Stadium Road to Pontotoc Plaza. This allows detour of traffic from the downtown business area for three hours during the event. The closing will allow the main activity related to the event to be held in a "safe zone" in the downtown business area and closed to vehicle traffic. In addition to the State Road 559 closing, the City Commission is also requested to close:

- . Pontotoc Plaza between Main Street and Lake Avenue
- . Lake Avenue between Pontotoc Plaza and Main Street
- . Polk Street between Pontotoc Plaza and Main Street
- . City Hall Plaza to accommodate vendors

Staff had no objections to the request and recommended approval.

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

**Motion** by Commissioner Bill Sterling, seconded by Commissioner Dorothea Taylor Bogert, to approve the requested street closing for the Halloween Harvest Festival. Upon vote, all ayes.

### **4. PRESENTATION BY THE CITRUS CONNECTION**

City Manager Green said the City has received a request from the Citrus Connection to appear before the Commission to provide an update on transit, ridership data and improvements being made to the transit system. He introduced Erin Killebrew, Citrus Connection Director of External Affairs.

Erin Killebrew, Director of External Affairs, thanked the Commission for approving the transit budget for this year and next year, as the City has the two-year budget. She said as of today, the bus routes are being rerouted, but in the beginning do not affect Auburndale's routes. She explained that the routes were numbered routes and now are colored routes. She described the route changes. She said the Auburndale ridership for Route 12 or the Purple route was 17,909 from October 2018 to August 2019. She said the ridership for Route 50 was 13,877. She described the ADA ridership and said from October 2018 to July 2019 the ridership was 5,080. She told about their new phone app for the bus line – Mystop. They will be introducing the new app through the Chambers and through social media. The app will allow a rider to know where their bus is and to know if it is late.

Commissioner Keith Cowie asked about any new routes. He said at one point, we partnered with Lakeland and purchased a bus with the caveat that there would be additional service. He asked if there was any update on the timeline for that.

Erin Killebrew said she and Community Development Director Amy Palmer spoke this morning and the short answer is no. She said the City did partner with Lakeland and they did have the bus that had the Poly Technic wrap. She said that FL Poly cancelled their contract with them and they understood it. She said they have met with the Central Florida Development Council and understand there will now be an Innovation District near FL Poly. She said they got new advertisers about three months ago and their biggest advertiser is Advent Health. Advent Health is putting in Florida Hospital across from FL Poly. With the growth, we will not have any choice but to do something for the area. She said no, they do not have plans for new routes

now and plans will come in 2020.

Commissioner Keith Cowie asked if they had any agreement with FL Poly. He asked if the Citrus Connection provided service for someone to the VA hospital in Tampa.

Erin Killebrew said no, the contract with FL Poly expired and we unwrapped the bus. She said yes, they have transportation to the VA Hospital in Tampa three times a week and twice daily – Monday, Wednesday, and Friday. The VA comes to the Lakeland terminal and picks up those patrons going to the VA and then bring them back.

**5. PUBLIC HEARING – TEXT AMENDMENTS TO LAND DEVELOPMENT REGULATIONS**

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

City Manager Green said the purpose of the Public Hearing was to consider the first reading of an Ordinance amending Ordinance No. 764, the City’s Land Development Regulations.

Community Development Director Amy Palmer said City Staff is proposing several text amendments to various chapters of the Land Development Regulations. The suggested text amendments have stemmed from recent discussions during Planning Commission and City Commission meetings where the City Commission would approve new subdivisions. She we usually go over the Development Road Map for a piece of property and talk about how they move through the process. As we are addressing Land development Regulations text amendments, we are talking about those policies that are going to affect Development in the City limits. The policies we are proposing tonight would affect how a subdivision may look or how a commercial property may look. She went over the proposed text amendments.

CHAPTER 6. SPECIAL PROVISIONS. (Requiring Minimum Area & Width in Planned Developments)

She said there have been discussions by the City Commission and the Planning Commission regarding lot sizes in these Planned Developments. The City has our regular residential zoning districts that have minimum standards and we have planned developments. In a Planned Development, a developer may make up the rules for their subdivision, lot layout, look of subdivision, size of lots, what the setbacks would be, etc. She said there have been discussions to not have smaller lot sizes and to see more open space. We are going into our Land Development Regulations Chapter and tightening up the Planned Development Chapter to not allow developments that have lots that are less than 60 feet wide, 7,200 square feet for single-family homes. She said that is the smallest allowed in our zoning district regulations. She went over the suggested minimums for a multi-family, as shown below. She said there has been discussion of there not being enough room between the houses with the 5-foot setback. We suggest at a minimum a Planned Development not allow anything less than a 7 feet side setback, 25 feet for the front setback and 10 feet for the rear setback. She displayed pictures of lots with the 5’ setback and 7’ setbacks in the nearby subdivisions.

MINIMUM LOT REQUIREMENTS.

**Single-family:**

Detached:

Lot width: 60 feet  
 Lot area: 7,200 square feet

Semi-detached and attached dwellings:

Lot width: 80 feet  
 Lot area: 8,400 square feet  
 Lot width for attached unit: 20 feet  
 Lot width for end unit: 30 feet

**Multiple family:**

Lot width: 70 feet  
 Lot area: 8,400 sq. ft. plus 2,000 sq. ft. for each dwelling unit in excess of 2.  
 MINIMUM YARD REQUIREMENTS. (Depth of front & rear yard, width of side yard)  
 Front: 25 feet  
 Side: 7 feet  
 Rear: 10 feet

MAXIMUM IMPERVIOUS SURFACE COVERAGE. 55% for all upland soils. All other soils shall remain unimproved.

City Manager Green said the big argument with Planned Developments is we want bigger homes, but smaller lots. He said everything stays the same in our traditional zoning districts, the RS-1, RS-2, RS-3, RG-1, RG-2. We are taking the minimum standard already allowed in a conventional zoning and saying you can ask for a Planned Development, but you really cannot go any smaller than the minimum in our conventional zoning.

CHAPTER 13. SUBDIVISION. (Requiring Recreation and Open Space)

Community Development Director Amy Palmer said there has also been discussion about recreation and open space in the new subdivisions. This amendment proposes a minimum acreage requirement for Recreation and Open Space for all new residential projects. The minimum acreage requirement is based on the City's Recreation Level of Service Standard, which is found in our Comprehensive Plan of 5.5 acres per 1,000 residents. The suggested policy shall state:

The developer shall provide at a minimum 700 Square Feet of neighborhood park per residential unit for all new subdivisions and multi-family developments. Neighborhood Parks shall incorporate various elements of the facilities as listed in Chapter 23, Article 8, Concurrency Management Standards of the Land Development Regulations.

She explained how the 700 square feet level of service was arrived at. She said the level of standard service standard is 5.5 acres for 1,000 residents and she wanted to convert that into a unit count. We have 2.9 average residents in a unit and that equated to about 690 sf per unit. She displayed examples of recreation and open space. Standards with the parks that a developer would provide include: play apparatus, recreational buildings, sports fields, courts, senior citizen areas, picnic areas, etc. She displayed two neighborhood parks – Eagle Point and Lake Van on Adams Road near Mohawk. She said phase 1 of Auburn Cove was just platted and they have provided 2.9 acres of open space at the entrance of their subdivision. The Auburn Cove Phase 1, 2, and 3 are providing more than what would be required. They are providing almost 6 acres of open space and would be required 3.8 acres. Eagle Point would have been required to provide 1.2 acres and they provided .2 acres. If the CG Jeans property on Adams Road were required to go through the subdivision process now, they would be required to have 3.9 acres and they provided 2.83 acres. She said this gives some examples of what the subdivisions are providing.

CHAPTER 13. SUBDIVISION. (Requiring Subdivision Walls and Landscaping)

Community Development Director Amy Palmer said this amendment proposes that all new residential subdivisions be required to have a wall and landscaped perimeter along any right of way. The following standards are already required of all new developments in the North Auburndale Planning Area. She said in the North Auburndale area the JPA requires the subdivision to provide a wall and landscaping along any right of way. She said this would be required of all subdivisions elsewhere in the City.

- A. Walls and fences shall be limited to concrete, masonry, brick, stone and ornamental iron. The use of chain link, PVC, barbed and razor wire fencing is strictly prohibited.
- B. All walls and fences shall have a decorative or ornamental finish on both sides.

- C. Decorative columns shall be provided at systematic intervals, not to exceed a separation distance of more than twenty feet (20').
- D. No wall or fence shall cause the collection or ponding of stormwater.
- E. Walls and fences shall not encroach upon any utility or right-of-way easements.
- F. Owners of property where fences or walls are constructed are required to maintain the fence or wall in good repair.
- G. Fences and walls shall be a minimum of six feet (6') in height and a maximum of eight feet (8') in height.
- H. Landscape buffers shall be a minimum of 15' in width with a minimum of 4 canopy trees, a minimum of 3 understory trees and a minimum of 15 shrubs every 100 linear feet. She said this standard was taken out of our North Auburndale planning area.
- I. Trees and other vegetative plantings may be clustered so as to accentuate articulations of the fence or wall.
- J. No more than 50% of the required plantings shall be of any one species.
- K. Unless otherwise specified in this section, all landscaping standards shall meet the minimum policies of Chapter 10, Landscaping of the Land Development Regulations.

She displayed pictures of subdivisions from around the City that have provided landscaping or just a wall or both landscaping and a wall. She said we are looking at what is undesirable versus desirable.

CHAPTER 10. LANDSCAPING. (Requiring Retention/Detention Pond Landscaping)

Community Development Director Amy Palmer said this amendment would require a buffer to improve aesthetics of all retention and/or detention areas. These areas shall be landscaped with native species and species that adapt well to this area, but are not exotic or invasive species. This policy exists for retention ponds in Chapter 13, Subdivisions, Policy 13.3.8.2. Landscaping. Staff is requesting this policy be incorporated into Chapter 10, Landscaping, to be required of all new developments, not just new residential developments. She displayed pictures of retention landscaping - the new Dollar General pond behind the building, Aldi retention pond, and the Circle K retention. The Planning Commission recommended approval of the Amendments on October 1, 2019. Staff recommended approval of the amendments to the Land Development Regulations.

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

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

**6. ORDINANCE #1621 TEXT AMENDMENTS TO LAND DEVELOPMENT REGULATIONS**

City Manager Green said 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 October 21, 2019.

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City Attorney Kee read Ordinance No. 1621 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE TEXT OF CHAPTER 6, SPECIAL PROVISIONS; CHAPTER 10, LANDSCAPING; CHAPTER 13, SUBDIVISION; AND PROVIDING AN EFFECTIVE DATE,** by title only.

**Motion** by Commissioner Richard Hamann, seconded by Commissioner Bill Sterling, to approve Ordinance No. 1621, as read by title on first reading.

Commissioner Bill Sterling asked if we could call open space and retention pond the same for recreation.

Community Development Director Amy Palmer said no, they would be completely separate purposes. She said there is language that suggests that retention areas shall not be considered recreation space.

Commissioner Dorothea Taylor Bogert asked on the Subdivision Wall requirement in Chapter 13, it says the owners of the property will maintain, however if the HOA maintains it - is there any conflict.

Community Development Director Amy Palmer said no, that would not be an issue. She said she has seen it set up different ways like at Lake Juliana Estates where the wall is in the property owner association. She said some others may be individual owners. She said if the maintenance were a Code Enforcement issue, the maintenance would fall on the individual property owner rather than HOA.

Commissioner Dorothea Taylor Bogert asked on Chapter 10 Landscaping, if was any requirement for fencing around retention.

Community Development Director Amy Palmer said no, there was not a requirement. Some just choose to do that. In the North Auburndale area, the chain link fences are not allowed. There would be nothing around the retention area.

Mayor Tim Pospichal said thank you for your hard work. We are very excited about this, these are going to be great changes. He said this is going to work real well.

Commissioner Keith Cowie asked if this takes care of his irregular lots.

Community Development Director Amy Palmer said yes, Chapter 13 takes care of the reverse frontage lots.

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Commissioner Keith Cowie said he was in favor of all changes. He asked if they wanted to build a subdivision or building that had zero lot lines or 5-foot lot lines, was there a provision for that.

Community Development Director Amy Palmer said in Chapter 6 there is a provision for a cluster subdivision and that allows zero lot lines. She said there is the opportunity for someone to use that provision of the Code, but it has to be under the standard zoning districts and they must ask permission of the Commission

Commissioner Bill Sterling thanked Community Development Director Amy Palmer for addressing the 5 foot and going to 7 foot.

City Manager Green said this allows teeth at the Staff level to suggest that now when the petitioner comes in -- they have to abide by the law and it is the law. He said we appreciate it as well.

Upon vote, all ayes.

Meeting adjourned at 7:55 p.m.

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

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Shirley A. Lowrance, Finance Director City Clerk

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Meeting adjourned at 7:55 p.m.

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



Shirley A. Lowrance, Finance Director City Clerk