

## City Commission Meeting October 18, 2021

Minutes of the Regular Meeting of the City of Auburndale held October 18, 2021, 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 Jack Myers. Also, present were: City Manager Jeffrey Tillman, City Clerk/Special Projects Director Jeffrey Brown, City Attorney Frederick J. Murphy Jr., and Police Chief Andy Ray.

Mayor Tim Pospichal declared a quorum present, and the Meeting was opened with prayer by Pastor Forest Antemasaris, Orange Street Church of Christ, and a salute to the flag.

**Motion** by Commissioner Taylor Bogert, seconded by Commissioner Cowie, to approve the Minutes of the City Commission Meeting of October 4, 2021. Upon vote, all ayes.

Parks and Recreation Director Cody McGhee gave an update on improvements to the dog park. He also provided an update on the Halloween Harvest Reverse Parade to be held at the Auburndale Civic Center on October 28, 2021.

Vice Mayor Taylor Bogert said she expects the parade to go faster this year with how candy will be distributed. She also stated she had a chance to see the improvements at the dog park and the citizens she spoke with were very impressed with the dog park.

Commissioner Myers stated the Chamber of Commerce need volunteers for the Parade.

Mayor Pospichal read an email from former City Manager Green thanking the City Commission for the opportunity to attend the ICMA Annual Conference and be recognized for 30 years of service.

Mayor Pospichal asked if there was public comment on any item not on the agenda. None was received.

City Manager Tillman presented a proclamation recognizing "City Government Week" October 18 – 24, 2021.

### **1. ORDINANCE #1674 AMENDING CITY CODE - CHAPTER 23 – ARTICLE II. SEWERS**

City Manager Tillman stated the City Commission in 1988 established an industrial pretreatment program to protect the City's wastewater treatment facilities from substances that may interfere with their operations, prevent contamination, or cause a violation of the City's discharge permits.

The City has amended the pretreatment policies on several occasions to stay compliant with new laws and guidelines, or as a result of plant modifications. However, it has been several years (2012) since the entire pretreatment policy as stated in the City Code of Ordinances was reviewed for compliance.

In 2020, the Environmental Protection Agency (EPA) recommended the City update the Sewer Use Ordinance resulting in a complete review of the Ordinance by Chastain-Skillman. After review, Chastain-Skillman has recommended three (3) changes to the City's Sewer Code.

- Revise the current permit renewal window for significant industrial users to apply for reissuance from 180 days to 90 days before permit expiration.
- Add language to prohibit discharges of hazardous waste pharmaceuticals from healthcare facilities and reverse distributors into the sewer system.
- Add language to prevent dental amalgam releases into the sewer system.

## City Commission Meeting October 18, 2021

The proposed Ordinance is housekeeping in nature and updates the City's Code to meet all of the required EPA guidelines and standards.

Also, as a part of the review, Chastain-Skillman evaluated the Industrial Pretreatment Local Limits and the City has revised the Pollutant Table based on their recommendations.

The proposed Ordinance was prepared by the City Manager's Office incorporating significant work by the City's Consulting Engineer Chastain-Skillman. The proposed Ordinance has been preliminarily approved by the FDEP and reviewed by the City Attorney and Public Utilities Director.

City Attorney Frederick J. Murphy, Jr. read Ordinance No. 1674, which was presented and passed on first reading on October 4, 2021, by title only.

Mayor Pospichal asked for public comment. None was received.

**Motion** by Commissioner Cowie, seconded by Commissioner Taylor Bogert, to approve Ordinance #1674. Upon vote, all ayes.

## 2. PUBLIC HEARING – OFFICIAL ZONING MAP AMENDMENT – CABANA CLUB

Mayor Pospichal closed the regular meeting and opened a public hearing.

Assistant City Manager Palmer stated the City has received a request for a modification to an existing Planned Development as follows:

### **Cabana Club Development**

<b><i>Owner/Petitioner:</i></b>	JSK Consulting on behalf of 5 Star Family Growers, LLC
<b><i>Location:</i></b>	Denton Ave. and Moss Rd.
<b><i>Current Use:</i></b>	RV Resort (+/-37.38 acres)
<b><i>Current City Zoning:</i></b>	Planned Development-Recreational Vehicle Park (PD-RVP)
<b><i>Proposed Zoning:</i></b>	Amend Existing Binding Site Plan

Assistant City Manager Palmer stated In April of 2019, the City Commission approved a zoning classification of Planned Development-Recreational Vehicle Park (PD-RVP) accompanied by a binding site plan for the establishment of a recreational vehicle resort. The City has received a request from JSK Consulting on behalf of 5 Star Family Growers, LLC to modify the binding site plan for the Planned Development-Recreational Vehicle Park (PD-RVP) on (+/-37.38 acres) known as the Cabana Club.

The applicant has requested a modification to the binding site plan to allow for accessory structures of tiki huts on approximately 55 RV lots along the outer boundary of the development. Since these structures are new to the development, the applicant is required to modify the existing binding site plan. Specifically, Note #2 has been amended to read that the accessory structures are only allowed on lots on the north, northeast, and northwest boundary of the binding site plan.

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 Agreement with Polk County.

## City Commission Meeting October 18, 2021

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 Ordinances will be presented for second and final reading on November 1, 2021.

Mayor Pospichal asked for public comment. None was received.

Mayor Pospichal closed the public hearing and reopened the regular meeting.

### 3. ORDINANCE #1675 AMENDING OFFICIAL ZONING MAP – CABANA CLUB

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1675 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 A PLANNED DEVELOPMENT RECREATIONAL VEHICLE PARK (PDRVP) ZONING CLASSIFICATION ON A PARCEL OF LAND TOTALING +/-37.38 ACRES: AND PROVIDING AN EFFECTIVE DATE (General Location: Denton Avenue and Moss Road).**

Commissioner Cowie asked if there was a setback regulation between the tiki huts and the RV's parked on the site. Assistant City Manager Palmer stated it would be addressed by Florida Building Code.

**Motion** by Commissioner Hamann, seconded by Commissioner Taylor Bogert, to approve Ordinance No.1675. Upon vote, all ayes.

### 4. FUTURE LAND USE AND ZONING AMENDMENT–HENDERSON/ROWE

Mayor Pospichal closed the regular meeting and opened a public hearing.

Assistant City Manager Palmer stated as a result of annexation, the City has received a request for a Future Land Use Map Amendment and Zoning Map Amendment on the following property:

**Henderson Property:**

<b>Owner/Petitioner:</b>	Peterson and Myers on behalf of owner Intersect Development Group
<b>Location:</b>	Pace Road and Bryan Lane
<b>Current County Future Land Use:</b>	Interchange Activity Center- (+/- 37.1 acres) and Business Park Center-1X (+/- 35.4 acres)
<b>Proposed Future Land Use:</b>	Regional Activity Center (RAC)
<b>Current City Zoning:</b>	None
<b>Proposed Zoning Classification:</b>	Planned Unit Development (IPUD)
<b>Current use:</b>	Vacant (+/- 72.5 acres)

The subject property was originally annexed as two separate parcels. The Henderson Property was annexed into the City in March of 2021 and the Rowe Property was annexed into the City in June of 2021.

Peterson and Myers on behalf of Intersect Development Group has requested to amend the City of Auburndale's Future Land Use on +/- 72.5 acres from Polk County Future Land Use Interchange Activity Center-X (IAC-X) and Business Park Center-1X (BPC-1X) to City of Auburndale Future Land Use of Regional Activity Center (RAC). Because the property is larger than 50 acres, the City Commission held a Transmittal Public Hearing on September 9, 2021, to send the proposed Future Land Use Map amendment to the State for an expedited review. The State responded with no objections to the map amendment.

## City Commission Meeting October 18, 2021

The applicant is also requesting to establish a Zoning district of Industrial Planned Unit Development (IPUD) on the +/- 72.5 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 464,400 sq. ft. E-commerce and logistics building and two research and development buildings. The binding site plan also shows 10 outparcels of various sizes for future mixed-commercial development on 15.4 +/- acres. The request for a regional e-commerce center, a research and development center, and commercial outparcels is consistent with the requested Future Land Use of Regional Activity Center. The requested Future Land Use of Regional Activity Center (RAC) and Zoning district of Industrial Planned Unit Development (IPUD) is consistent with the City's Comprehensive Plan, Joint Planning Agreement with Polk County, and with surrounding development.

Mr. Bart Allen, Peterson Myers P.A., 225 E. Lemon St. representing the owner, indicated the owner is designing the site to align the driveways with the median cuts along Pace Road. The out parcels will need to have a PUD modification for each parcel. Mr. Allen presented a video depicting the site when it is fully developed.

Mayor Pospichal asked for public comment. None was received.

Mayor Pospichal closed the public hearing and reopened the regular meeting.

#### 5. **ORDINANCE #1676 AMENDING FUTURE LAND USE MAP – HENDERSON/ROWE**

City Manager Tillman stated the proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinances will be presented for second and final reading on November 1, 2021.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1676 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 72.5 ACRES FROM POLK COUNTY FUTURE LAND USE INTERCHANGE ACTIVITY CENTER - X/BUSINESS PARK CENTER - 1X TO CITY OF AUBURNDALE REGIONAL ACTIVITY CENTER (RAC); AND PROVIDING AN EFFECTIVE DATE (General Location: Pace Road and Berkley Road).**

Mayor Pospichal asked for public comment. None was received.

Vice Mayor Taylor Bogert asked if there was a requirement to have open space in an IPUD?

Assistant City Manager Palmer stated there is a requirement for landscaping buffers which provides the open space. In addition, there is a limit on impervious surface.

**Motion** by Commissioner Taylor Bogert, seconded by Commissioner Cowie, to approve Ordinance No. 1676. Upon vote, all ayes.

#### 6. **ORDINANCE #1677 AMENDING OFFICIAL ZONING MAP – HENDERSON/ROWE**

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1677 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 OFFICIAL ZONING MAP ESTABLISHING A CITY OF AUBURNDALE ZONING MAP CLASSIFICATION OF INDUSTRIAL PLANNED DEVELOPMENT (IPUD) ON PARCELS OF LAND TOTALING +/- 72.5 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Pace Road and Berkley Road).**

## City Commission Meeting October 18, 2021

Mayor Pospichal asked for public comment. None was received.

**Motion** by Commissioner Cowie, seconded by Commissioner Taylor Bogert, to approve Ordinance No. 1677.  
Upon vote, all ayes

The Meeting was adjourned at 7:46 p.m.

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

---

Jeffrey Brown, City Clerk/Special Projects Director

City Commission Meeting October 18, 2021

Mayor Pospichal asked for public comment. None was received.

**Motion** by Commissioner Cowie, seconded by Commissioner Taylor Bogert, to approve Ordinance No. 1677.  
Upon vote, all ayes

The Meeting was adjourned at 7:46 p.m.

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



Jeffrey Brown, City Clerk/Special Projects Director