

Planning Commission Meeting Minutes August 3, 2021

Minutes for the Regular Meeting for the Planning Commission of the City of Auburndale, Florida held Tuesday, August 3, 2021, at 4:00 pm in the City Commission Room at City Hall, after having been properly advertised with the following members present - Chairman Perry Price, Vice Chairman Danny Chandler, Commissioners Mike Chevalier, Jody Miller, Jere Stambaugh and Brian Toune. Also, present was Community Development Director Julie Fife, and Secretary Marsha Johnson. Chairman Perry Price declared a quorum and the Meeting was called to order and opened with the pledge to the American Flag. Absent was Commissioner Matt Maloney.

Motion was made by Commissioner Jody Miller and seconded by Commissioner Danny Chandler to approve the minutes as written from the July 6, 2021, meeting. Upon vote all ayes.

Community Development Director Julie Fife announced on August 31st at 2:00 p.m. we are going to have a Special Planning Commission to discuss the Lakes District. It is earlier than your normal 4:00 but, we feel the consultant coming and the time frame for questions that we will need the extra time. At the August 31st Special Planning Commission, we will also address your concerns that we have received lately concerning regarding your lot size questions and research on density. Also, next Tuesday at 6:00 p.m. at the Civic Center we are going to have a Special Public Workshop on the Lakes District. It is not for people to come and give opinion. It is more for us to reveal what the Lakes District is. We will have pictures; consultants will be there and City Staff. We will go over the Lakes District in a visual format. You are more than welcome to attend and invite your neighbors and other residents.

Chairman Perry Price closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 1: PUBLIC HEARING – LARGE SCALE FUTURE LAND USE AND ZONING MAP AMENDMENTS – HENDERSON PROPERTY

Community Development Director Julie Fife stated she was here to talk to you about public comment for a Future Land Use and Zoning Map Amendment for the Henderson Property. Today we are talking about amending the Future Land Use and also recommendation for that Zoning Map. 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). 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 research and development area and E-commerce building on 57.1 acres, and mixed commercial development on 15.4 +/- acres. The property was originally annexed into the City in March and another piece of it in May. The Future Land Use and zoning request would accommodate a unique development of 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. The requested Future Land Use of Regional Activity Center (RAC) is intended to accommodate regional shopping centers, other regional attractors, residential development, and community facilities. This request for outparcels and a regional e-commerce center is consistent with the intent of the RAC. All requirements of the Land Development Regulations are met, including a binding site plan. Included in the "Notes" section of the binding site plan is a statement that shows a traffic study for the outparcels will be provided during the development review process of the outparcels. The outparcel landscape buffers and building setbacks shall be per the LDR regulations. The requested zoning district of Industrial Planned Unit Development (IPUD) is compatible with the requested Future Land Use of Regional Activity Center (RAC) and is consistent with the City of Auburndale Comprehensive Plan, all Land Development Regulations, and the Joint Planning Agreement with Polk County. Following public comment, the proposed amendments will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends the approval of the

proposed Future Land Use Regional Activity Center (RAC) and Zoning classification of Planned Unit Development (IPUD). At this time the property was shown on the screen. The developer is here to answer any questions.

Chairman Perry Price asked for public comment, there was none.

Bart Allen Land Use Attorney with Peterson and Myers, Lakeland Florida stated he was here on behalf of Intersect Development. This property was recently annexed into the City we are requesting Regional Activity Center Future Land Use to be designated on the property to take place of the counties Interchange Activity Center and binding site plan on the 72 ½ acres. Scott is a long-time developer and has a good reputation and a good history with bringing good quality development to Polk County with the Wal-Mart distribution at I-4 and 27. What we are proposing here is substantially different but for context Scott has a good reputation. He showed the Site Plan on the screen at this time of the Ecommerce building. We do not know what our outparcels will be at this time.

Scott Brown 3461 Tuxedo Road Atlanta, Georgia. This is a wonderful location right off Polk Parkway and I-4 right in the middle of everything. Bart was able to get me with Dr. Avent. They wanted to do something that maybe the students could go to and the community would be able to be involved in. We will hold back the front 260 feet for retail or maybe even office, whatever comes. We will put the logistics building behind it. On the west side it is a little deeper, we will do an ecommerce logistic building on the west. On the east side it is a little narrower we will do a research development building. A shallower bay, more jobs, more people and put that on the east and hold out the front 160 for retail and office. He said that is great, let me call my friend Bobby Green. He set up a meeting with Bobby and we came to Auburndale and discussed it and said we want to annex this into the city. We want this to be the front door that you want for students and community to come to. It is a little bit of a retail island. You have growth coming from all sectors. This needs a spot that retail can come to, and we hope that happens. Agendas on a piece of property if done correctly they intersect at the building. This is a true of an example of intersection different needs. opinions, agendas all come together for this development. We are excited about it, we hope to do something great for Auburndale, we hope to do something great for ourselves. People like other people. We will get some activity there, we will get some out parcels, we will get some retail and it is going to come together. I think it is going to be a great project. We are very excited about the site plan. Literally drawn on the back of a sheet of paper a year ago. As we got into it we wanted to see, what does it really look like. We created a video that is straight off the site plan. He showed the video at this time. He said he thought retail would follow faster that one would think. We are here to answer any questions.

Chairman Price closed the Public Hearing and reopened the Regular Meeting.

AGENDA ITEM 2: RECOMMENDATION AMENDING THE FUTURE LAND USE HENDERSON PROPERTY

Motion was made by Commissioner Jere Stambaugh and seconded by Brian Toune to approve the site plan as submitted.

Commissioner Jere Stambaugh had a question regarding easements.

Scott Brown said no we do not have a finalized easement with Knight Holdings at this point. We don't see any reason why we will not. We don't have anything set legally. Even if we didn't than you have the main center drive. The trucks want one way in and one way out. We will leave that up to how it falls out.

Chairman Perry Price state all of that is existing anyway.

Scott Brown stated all the curb cuts are existing. With the amount of infrastructure and money that has been put into Pace Road with the sidewalks and the curb cuts. If you go one exit down to Highway 33 the industrial and the interchange, it is frankly a disaster.

Commissioner Mike Chevalier asked if they would be adding a traffic light where the main entry is.

Scott Brown stated we are doing a traffic light need studies for all the intersections. It has a light coming off Polk Parkway as you come up to Pace Road. Effectively this has a light. Eventually Knight will do something with theirs. We fully plan on closing on the Singletary Property.

Commissioner Danny Chandler asked Julie to pull up the arial of the area, and he asked about the residential property.

Community Development Director Julie Fife stated there are houses but it is part of the purchaser's property. They will not remain. They are part of this development.

Chairman Perry Price asked if there were any more questions.

Upon Vote all ayes.

AGENDA ITEM 3: RECOMMENDATION AMENDING THE ZONING MAP HENDERSON PROPERTY

Motion was made by Commissioner Danny Chandler and seconded by Mike Chevalier to approve the Amendment to the Zoning Map.

Upon vote all ayes.

Chairman Perry Price closed the Regular Meeting and reopened the Public Hearing.

AGENDA ITEM 4: PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – POULTRY

Community Development Director Julie Fife stated before you is a Land and Development Regulation Text Amendment on Poultry. A recommendation basically to look at the Land Development Regulations. On February 1, 2021, Mr. John Bennett of 209 Noxon Street requested to appear before the City Commission to ask consideration of relaxing the City Code to allow for chickens in residential zoning districts. After consideration of Mr. Bennett's request, the City Commission instructed staff to research the regulations of other municipalities and at a later date present the information before the City Commission for further consideration. Currently, in all Zoning Classifications of the City, chickens are prohibited. On June 21, 2021 City staff presented Land Development Regulations of the various jurisdictions and standards regarding chickens before the City Commission. Research showed that Auburndale, Haines City and Lake Alfred prohibit fowl. Cities that allow for chickens are Lakeland, Lake Wales, Polk County, and Winter Haven, however, with restrictions. Winter Haven and Lake Wales require a coup and Lakeland also requires a fenced in area. After discussion, the City Commission voted 3:0 to have staff research development regulations for chickens and present a proposed amendments to the Planning Commission for their recommendation. City Staff will present the findings of the research and the proposed regulations regarding the definition of Poultry and where they are presently allowed, permitted by special exceptions, and prohibited. The proposed definition for Poultry is a flightless and primarily ground-feeding bird kept, raised, or bred for hobby or for its eggs or flesh. She explained updates to Land Development Regulations if poultry was to be added:

Chapter 4 – adding the definition of poultry. Currently we do not have a definition.

Chapter 5 Zoning

Article 2

Showing the new language if poultry was added to the LDR's. She stated they looked at applying the approved and prohibited Zoning location, zoning classifications, special exemptions, yard location, design, construction, operation, and maintenance of the poultry. She did the research on all the other jurisdictions. This is from their guidance and other cities in the state of Florida.

Section 5.2.21 Poultry

5.2.21.1 Poultry shall mean female chicken (hen), and not a rooster. Roosters are prohibited.

5.2.21.1.2 Poultry Pen shall mean a wire enclosure connected to a henhouse for the purpose of allowing the fowl to leave the henhouse while remaining in an enclosed environment. A poultry pen shall be required, provided all setbacks are met.

5.2.21.1.3 Henhouse shall mean the roofed structure for the sheltering of female chickens and shall be required. An existing shed or garage shall not be used for a henhouse.

5.2.21.1.4 The property owner shall attend and complete a Poultry Education Class before pulling a permit to allow poultry on the property.

5.2.21.2. Poultry shall be permitted in the following zoning classifications with the following regulations: Open Use Agriculture, Single Family Residential 1, Single Family Residential 2, Single Family Residential 3, General Residential 1 and General Residential 2.

5.2.21.2.1 Poultry Regulations

Poultry shall be kept in a henhouse and attached pen area at all times. A henhouse shall be required. A henhouse must be a roofed structure, enclosed on all four sides, with access. The enclosed henhouse shall contain a minimum of 1.5 square feet per poultry and an open run area containing a minimum of eight square feet per poultry. Openings of windows or vents must be covered with predator and bird proof wire. Henhouses and attached pen's must be clean, dry, odor-free, sanitary and in a manner that will not disturb the use or enjoyment of neighboring lots due to noise, odor or other adverse impact. Henhouses and pens shall not be placed in the front yard. An existing shed or garage shall not be used for a henhouse. Henhouses and pens must be located 20 feet from rear and side property lines and 10 feet from any residential structures. Poultry breeding, selling of eggs and fertilizer production for commercial purposes is prohibited. Maximum number allowed: Up to four for under one acre parcel. Up to 12 for any parcel over one acre. Poultry shall be provided with access to feed and clean water at all times. The feed and water shall not be unavailable to rodents and predators. Provision must be made for the storage and removal of manure. All stored manure shall be covered by fully enclosed structure with roof and lid over the entire structure. The henhouse and pen shall be kept free from trash and droppings. If a poultry dies, it must be disposed of properly and in a timely manner.

5.2.21.2.2 Poultry Enforcement A resident may detain in a humane manner any poultry found upon its premises or upon public right-of-way and shall file an impoundment written notice with the City Manager's office. Upon receiving the written notice, the City Manager or their designee shall give three day's written notice to the owner of said poultry, if known or ascertainable, to come into compliance with keeping the poultry contained within their property boundaries and inside the required henhouse and pen. In the event the owner of the poultry is unknow or cannot be ascertained or does not come into compliance with the regulations set by this ordinance or upon the expiration date of the said three-day written notice by the City, the City or the resident detaining the poultry may remove said fowl in a humane manner. She also listed the articles in zoning that had listed poultry as prohibited as those would need to have poultry strike through. Poultry She stated that concluded her presentation.

There was no one from the public in attendance.

Chairman Perry Price closed the Public Hearing and reopened the Regular meeting.

AGENDA ITEM 5: RECOMMENDATION AMENDING THE LAND DEVELOPMENT REGULATIONS

Motion was made by Commissioner Danny Chandler seconded by Commissioner Jody Miller to approve the recommendation of amending the Land and Development Regulations to include poultry.

Commissioner Brian Toune stated he was a farm boy, raised until he was 18 years old on a farm. Have you ever seen a racoon in a chicken pen? I will tell you the biggest problem you are going to have here, rat and vermin like racoons and other animals are going to be in with the chickens, you talk about a noise. The next thing is, have you ever heard a chihuahua in the next-door neighbor's house out in the yard by the chicken coop at 4 in the morning? There is a history to this. We must have said no at some time. I want to know what the history is. Have you ever smelled a chicken after it is six days old laying in the garbage can? You don't want to. I find no identification of the cost of policing this mess. There is no way in God's green earth that this city is prepared to hire more people. We are not talking about one person. Tomorrow it will be 10. Three days from now it will be 17. Six months from now it will be 50 people. Are we prepared to spend budget for policing? At what point when a man says he has 4 chickens, but you go find out he has 5. Do we take him to court, do we sue him? The cost would be phenomenal to police this and regulate this and to control this. The next thing we are going to vote on are pigs okay.

Commissioner Jere Stambaugh stated they are already allowed.

Community Development Director Julie Fife stated they are not.

Commissioner Brian Toune stated we raised more than 200 chickens, the only thing I hated more than a chicken was another chicken. I am biased about chickens but I'm more biased about protecting the city and the smell, the noise, and the cost. I'm nothing else we should destroy this for the cost and no other reason. I want to hear the cost of monitoring 50-100 chicken coops in the city. Chickens die at the rate of one every 25 days. If you get a chicken to last 2-3 years, it is a miracle. You will have to police that; it is a monster of unimaginable proportions. I have seen it almost break another city in Illinois in 1975, a town of 15,000 people finally got rid of the chickens. Their budget was astronomical of what it cost to monitor that in 1975. Where we would be today with the cost of policing. We will have to hire staff unless Julie is going to do that, I don't think so. My opinion of this is, it is as poor an idea that could be brought to the City at this point.

Commissioner Danny Chandler asked will residents have to apply for a permit and be approved.

Commissioner Jere Stambaugh said they will have to go to poultry school first.

Commissioner Danny Chandler asked if he got a permit to have chickens will someone come to his house to see that he has 4 chickens or 5.

Community Development Director Julie Fife stated we do not have language that addresses that however we do know that if you do have a henhouse a permit is required.

Commissioner Danny Chandler stated if you allow it, I live on a ¼ acre lot in town, 20 feet off the property line, 10 feet off the house I don't know if it is going to fit in there. That would be my biggest thing. If it does it is in the middle of the yard. That might be too restrictive. Was that based off other cities?

Community Development Director Julie Fife stated the HOA laws will supersede.

Commissioner Danny Chandler stated Bennett behind Hardee's some of those are not even 1/4 acre lots it would be impossible.

Chairman Perry Price said the are 50-foot lots.

Commissioner Brian Toune stated 4 chickens is not going to produce enough eggs to feed two people in a day anyway.

Commissioner Mike Chevalier asked when you said 10 feet from residential structures, if they have a detached garage is that included in that?

Community Development Director Julie Fife stated no it would be the primary house.

Commissioner Mike Chevalier asked if someone owned a parcel that their house is on and they own the lot next to it, that is all separate up to 12 on a parcel over 1 acre?

Community Development Director Julie Fife stated the City looks at those as a combined lot.

Commissioner Jere Stambaugh asked beside the gentleman on Noxon Street that came to the City Commission, how many other requests have you had.

Community Development Director Julie Fife stated I believe we had two that stood up and requested. One was Mr. Noxon and a guest. It was brought to the City Commission there was a lot of discussion about it that night. The City Commissions in vote was 3-1.

Commissioner Danny Chandler asked what about the other voters.

Commissioner Jere Stambaugh said he heard they were absent that day.

Community Development Director Julie Fife said yes, there was a lot of discussion that night too. The City Commission was concerned, and they were also looking to receive this information of the standards of other cities do, to see if it would fit in and to also to get your recommendation.

Commissioner Jere Stambaugh stated for only two requests to do a major change in our LDR and Zoning is not a prudent thing to do. This has been on the books for years. It was thought out very thoroughly before it was done. I just do not think that there is enough justification.

Commissioner Brian Toune stated there is some past history here.

Commissioner Jody Miller stated we are living in an age now where people are wanting organic food. The people that I know that have chickens want organic chicken.

Commissioner Danny Chandler said, they don't live in the city limits, correct?

Commissioner Jody Miller stated we have them in our neighborhood. I didn't know there was a regulation that they couldn't have them. I have never seen them, I've never smelled them, but I've eaten some of the eggs.

Commissioner Jody Miller stated she also friends that have elaborate henhouses that are gorgeous and they enjoy a few eggs. I live in a neighborhood where there are six dogs behind me, nobody cares. They are all pedigree dogs, they bark all day, and they bark in the middle of the night. If there is not a rooster. Now I think a rooster would be a problem.

Community Development Director Julie Fife said that is prohibited.

Commissioner Jody Miller said she had no objection to a few chickens.

Commissioner Jere Stambaugh said he did not think there was justification. There are burdens that are going to be imposed. Who is going to be the chicken cop? Who is going to detain that chicken for three days and then no one claims it? Who is going to reimburse me for three days of care?

Commissioner Danny Chandler said apparently the person who captures said chicken detains the chicken for three days.

Commissioner Jere Stambaugh said they will have to issue the detainment.

Community Development Director Julie Fife said they must notify the city.

Commissioner Jere Stambaugh said that is another burden upon administration.

Commissioner Brian Toune asked if you capture a chicken do you have to go to the class.

Commissioner Jere Stambaugh said, I don't know.

Commissioner Danny Chandler asked about permitting a henhouse. If you want to build your own do you have to submit a plan or blueprint if you buy a premade kit do you have to submit kit detail?

Community Development Director Julie Fife said she didn't know they had a premade kit. We have not got that far as what the permit would look like. I will have to talk to the Building Official.

Chairman Perry Price said tractor supply sells them.

Chairman Perry Price called for a Roll call vote - Commissioner Danny Chandler approve, Commissioner Mike Chevalier don't approve, Commissioner Jody Miller approve, Commissioner Jere Stambaugh do not approve, Commissioner Brian Toune do not approve absolutely do not, Chairman Perry Price do not approve. Vote is Approve 2 – Disapprove 4

Commissioner Danny Chandler asked if you currently have chickens what would happen if you were reported.

Community Development Director Julie Fife stated if it is prohibited like it is currently now and someone was reported I believe our code officer would get involved.

Chairman Perry Price Closed the Regular Meeting and reopened the Public Hearing.

AGENDA ITEM 6: PUBLIC HEARING – PUBLIC HEARING –TEXT AMENDMENT TO THE CITY OF AUBURNDALE COMPREHENSIVE PLAN – PROPERTY RIGHTS ELEMENT

Community Development Director Julie Fife stated agenda item 6 is before you to look at the text amendment to amend the comprehensive plan regarding property rights element. Growth management legislation enacted by the Florida Legislation in House Bill 59, Property Rights, requires all unincorporated and incorporated jurisdictions to update their Comprehensive Plans to ensure property owners rights are more clearly addressed. Specific language regarding property owner rights was suggested in the State's legislation. Specifically, the proposed amendment addresses the following:

The following rights shall be considered in local decision making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

The recommendation by City Staff is for approval of the proposed Comprehensive Plan Text Amendment for Property Rights.

Chairman Perry Price asked for public comment, there was none.

Chairman Perry Price closed the Public Hearing and reopened the Regular Meeting.

AGENDA ITEM 7: RECOMMENDATION AMENDING THE COMPREHENSIVE PLAN – PROPERTY RIGHTS ELEMENT

Motion was made by Commissioner Jere Stambaugh and seconded by Danny Chandler to approve as presented.

Commissioner Brian Toune said so there are no former rates that address any four of these issues.

Community Development Director Julie Fife stated not this specific language and the Florida Legislation has provided us this specific language that is to be included in incorporated and unincorporated jurisdictions.

Commissioner Brian Toune asked how #3 effects the police entering the property, or the fire department or emergency crew.

Community Development Director Julie Fife stated she believed it had more to do to protect your own property and not necessarily a public service.

Chairman Perry Price asked about protecting your property are there any limits to what you can do. What means of protection are not allowed?

Community Development Director Julie Fife stated I understand your question. Unfortunately, they didn't give us much more to go on than this language.

Chairman Perry Price said should we say as to exclude others as he seems necessary to do?

Community Development Director Julie Fife stated I think it just shows it is their right to exclude. Not necessarily as he or she sees fit, it is just their right to say, you are not allowed entrance unto my property. Us getting into specifics or particulars on how they would police their property may be too restrictive for our compressive plan.

Chairman Perry Price said he just asked about that about the police or somebody coming and serving or whatever. The owner needs to do his own policing and we need provisions in there that he can police it with any force that he sees fit, up to violation our laws.

Commissioner Danny Chandler stated he thought legally you have to have a no trespassing sign.

Chairman Perry Price said yeah you would.

Community Development Director Julie Fife stated other regulations that we have, or other state regulations this would just be additional language.

Commissioner Danny Chandler said they don't think we are making the law, right? Or saying what force do we use?

Community Development Director Julie Fife stated no, the Florida Legislation is giving us specific language to incorporate in our comprehensive plan.

Chairman Perry Prices asked what about mineral rights, now we are going to have people digging up their whole yards for 50 feet down. Oh, I found a sapphire.

Commissioner Brian Toune said this was brought to us by the State of Florida government.

Commissioner Jere Stambaugh asked if this was just a suggestion that we approve it or mandated.

Community Development Director Julie Fife stated it is mandated.

Upon Vote all ayes.

Commissioner Danny Chandler asked what if we had voted it down what would they have said.

Community Development Director Julie Fife stated she appreciated their vote of approval.

End of Agenda.

Commission Discussion

Chairman Perry Price stated he wanted to address the property issue about not being able to access your property from the rear with a vehicle. And I want to suggest again about raising the limits of the lot sizes. I want that considered and the fact that we had given you some work from last week., I would like to find out at what level in our city do you decide to add an extra patrol. When do you decide to buy another firetruck? When do you decide to ask the county for any kind of assistance in adding ambulances or anything like that? At what level of population do these trigger the movements that we need to do.

Community Development Director Julie Fife stated I can bring that information to you in a different planning commission, or I can have our chief speak to you.

Chairman Perry Price asked when do you hire a new city worker. Do you use population as a level for hiring? I'm afraid with us doing these little lots again, we are going to get a bunch of population and we are going to have to add city services.

Assistant City Manager Amy Palmer stated that a lot of that is taken care of during the city budget process. The proposed budget was presented last night. The City Manager makes those decisions as far as new hires and new employees. Currently the city has 180 employees, we are getting ready to add two additional next year and four additional in the two-year budget. Likewise in capital improvements in actual things that we are buying we have a five-year capital improvement plan. A lot of that is taken care of, I think it would probably be appropriate for specific questions to maybe step offline and talk about the budget process and our capital improvement planning process to help you understand.

Chairman Perry Price stated he kind of wanted it in the minutes. Whenever the population sees our minutes they we know we are working and we are seeing what we are told every meeting when there is standing room only.

Assistant City Manager Amy Palmer stated a lot of those decisions regarding personnel and capital improvements are made at the City Commission level and during the budget process with the City Manager.

Chairman Perry Price stated we just approve 500-600 houses and the Lakes Project I think the maximum is 24,000.

Assistant City Manager Amy Palmer stated 19,000 at full build out. We are experiencing growth. We have the largest budget ever I think it was approved last night at 54 million dollars. A lot of that is the water improvements that are having to be made, and the wastewater improvements that are having to be made. Last night the City Commission approved new utility rates and they approved new impact fees for water and sewer. The cost of things is increasing as well as a result of the growth, so the City Commission is trying to take care of that as far as managing that growth and how the City provides the services for the new residents that are moving to the City.

Commissioner Jere Stambaugh said what he can hear Perry say is the past 2-3 years in the City of Auburndale we have experienced more residential development than there has ever been. If this were to continue at this pace which it appears it is, are we really prepared to service all these houses.

Assistant City Manager Amy Palmer stated yes.

Commissioner Jere Stambaugh asked how they determined the formula for that, because we are doing something we have never done before.

Assistant City Manager Amy Palmer stated that water is a good example, there is the Polk Regional Water Cooperative, that is every jurisdiction in Polk County and the County itself has come together and formed a new body to spend money on water projects knowing what the growth is. There are projections out there as far as how much water we need to draw from the ground and is the ground water the appropriate source. Where are we going to get our water, how are we going to pay for it? For example, one of the water projects is an interconnect between the City of Auburndale, Winter Haven and Polk County down at Simmers Young Park. With that water connect we will be able to connect to other sources of water to provide to our residents. Those things are looked and at and are put in our long and short-term budget as far as a 5-year capital improvement plan. The 5-year capital improvement plan pretty much you keep it constant every year as far as looking out 5 years and as the years pass the projects planned for year 5 can move up. In addition to that how we fund those projects, the City is unique in that we put money into reserves every year. If the City needs a new firetruck there us money being put into reserves to help pay for that firetruck that is out in year 5 of our capital improvement plan. The manager works with the department directors in being able to provide those services so that we maintain the same level of service that the residents experience right now. It pays a little bit into our land use and zoning. Land use and zoning happens so far in advance as to when the resident moves into the house and demands services. The land use that we are seeing today, it might take two years before we finally get a resident in that house, it allows us to plan and prepare for the projects we have to fund in the future.

Commissioner Jere Stambaugh stated one thing we all would have to agree is the inadequacy of County Road 559 and all the traffic that is on it. I know that it converted from a State Road to a County Road, so they have different formulas. At Adams Road there is going to be a stop light then you go up to Gapway Road, we are still having trouble providing those adequate services.

Commissioner Danny Chevalier asked if any of that was in the Lakes District.

Everyone said yes.

Commissioner Brian Toune stated I'm hearing people talk about an issue that scares me as much as water is brown outs. We have areas in the city that are consistently having brown outs, where the lights will dim for

periods of time. We cannot control what the electric supply is but we are having the same problem with our electric company that we are having with our county and we are having with our facilities. We are pushing an overlimit on this area and it is simply because we are becoming a bedroom community for Tampa and Orlando. I know several families that have had many brown outs especially north on 559 and out toward the west side of the city. It is not an issue that it happened once a year it happens 2-3 times a month sometimes. What can we do about that? There is nothing we can do about it.

Commissioner Danny Chandler asked Amy if as a member of the public I came into your office, and I wanted to start the change of the Land Use and Zoning regulations. Say I am of the same mind as Perry, I am Joe Smith citizen, and I would want the smallest setback to be R-1 – a ¼ acre lot. Would that look like a petition? What would that have to look like for the city to entertain that?

Assistant City Manager Amy Palmer asked if he was talking about other people's property?

Commissioner Danny Chandler stated yes, just in general where would the public come to get the city to change their Land regulations and Zoning regulations.

Commissioner Jere Stambaugh stated just like we did with the chickens. That is a change to the LDR's.

Commissioner Danny Chandler stated he thought it would be a lot more involved than chickens, a lot more legal action taking place that we would say today that we would no longer allow a house be built that was not a ¼ acre.

Assistant City Manager Amy Palmer stated there is no simple answer to your question.

Commissioner Danny Chandler stated it would either take a city-initiated thing or public initiation.

Assistant City Manager Amy Palmer stated if Land Use or Zoning is going to change on a piece of property that you don't own it is either come from the City or that property owner. If it comes from the city, we have talked about notice requirements before. That piece of property sits there with a bundle of rights, if the City is going to change that or take rights away from them, law doesn't support that.

Commissioner Danny Chandler stated if we sit at zoning R-3 and Joe Smith comes in and he wants to build according to R-3 he is going to get a green pass.

Assistant City Manager Amy Palmer stated if he is zoned for R-3, he can build to R-3. Just like your piece of property may be zoned to RS-1, you can build to RS-1.

Commissioner Danny Chandler stated okay we would have no say. If he comes in and wants to build a PUD or an R-2, he would have to come to us to get that.

Assistant City Manager Amy Palmer stated yes, to change it.

Commissioner Danny Chandler said it would be up to us to make the decision based on whether it conforms to the area around it. We cannot deny him based on the fact that we don't want an R-2 where and R-3 should be.

Assistant City Manager Amy Palmer stated right, there is the consistency question. Is it consistent with the neighborhood, we also look to see if it is consistent with the laws that are on the books? Our Comprehensive Plan, our Land Development Regulations, our Joint Planning Agreement, all those documents.

Chairman Perry Price stated we can change those laws.

Commissioner Danny Chandler stated that is what my question was, where is the process?

Assistant City Manager Amy Palmer stated let me give you an example of the Lakes District, which I know Julie announced earlier on before the meeting. We are going into our Land and Development Regulations for this particular area of the city, and we are looking at the development standards there. We are looking at a new Land Use category called "The Lakes District". Remember there is vision that the city adopted back in 2019 and those vision maps are online. How do we implement that vision? The development standards on the books today do not implement that vision. We are going to keep getting what we have today if we don't change the books. So, to get to the vision, we have a new Land Use category called the Lakes District. It allows mixed use, it allows commercial, it allows residential. We are coming in with two new Land Use categories, Village Center and Residential Neighborhood. We are going to turn zoning on its head, it is not the traditional zoning that we are used to. All of this will be presented to you during the community workshop as well as later in the month by a consultant. We are looking at new development standards so instead of saying every lot in this subdivision has to be 10,800 square feet, what we are saying is we are looking for a variety, we are looking for a certain density, we are opening the book and allowing more creativity to come in. A lot of this is based on new organism standards. We are increasing landscape standards, walkability, open space requirements. We are going to be very development standard intensive, very intense as looking at our development standard. The Lakes District, I think is going to be a good example of how we are going to be changing our codes so that we don't get what we currently get today, as far as development. It will be a completely different way of looking at things. I'm really excited to share it with you all later this month.

Commissioner Brian Toune stated it is a standalone Comprehensive Plan.

Assistant City Manager Amy Palmer stated yes, it is a standalone plan for that area.

Commissioner Danny Chandler stated if I take my commissioner hat off and I'm like Perry, I'm tired of seeing Southern Homes and Lennar come in and just cram as many houses as possible. How do you stop that as a community? Without doing what you are talking about. That same area that is the Lake District, in that is county land correct. What if I say I'm not doing that, I'm going to sell that to Southern Homes. All that is coming up Cass Road, this way from Lake Alfred right now. If it is not careful that is going be Davenport down through there.

Chairman Perry Price stated my whole deal driving this I don't want to limit the population, but I don't want an increase in density. That was the way we can essentially control traffic. Because traffic is the underlying question in everything that comes up here.

Commissioner Jere Stambaugh said the problem is a lot of the property is in the county and just as they are doing now, they are doing it under the county regs and annexing into us. Which we have no control over that.

Chairman Perry Price said we can't withhold something?

Commissioner Jere Stambaugh said probably not. Water and sewer are the two items they have to have and probably we cannot do that. I wish we could. It's an issue. Amy you talked about this Lakes District you said these villages are mixed residential that is probably be single family apartments, townhouses, condos, duplexes.....

Assistant City Manager Amy Palmer stated limited to the current density that we have now in place which is a maximum of 6 units per acre district wide. There will be opportunities to transfer density. If someone is building a neighborhood with 3 units to the acre, we are creating a market for density. You can sell those extra 3 units to someone in the Village Center. Someone in the Village Center can then go and do the true mixed-use development with some commercial on the bottom floor and residential on the top floor if they wanted to or

just separate the uses. But we are looking at human scale, we are looking at smaller scale development and we accomplish that through block sizes, by requiring pedestrian facilities and other types of standards.

Chairman Perry Price asked if he could go down to the Post Office every Saturday and stand with a petition. Sign this because we want only 3 units per acre.

Commissioner Brian Toune asked what triggered the comprehensive land change, and why can't we do that again. Something somewhere that triggered the comprehensive plan to be changed from a 50 foot minimum to a 60. What did they do then that we are not smart enough to do now?

Assistant City Manager Amy Palmer stated the RS-3 standard was reduced.

Commissioner Brian Toune said yes, what triggered that to make it happen?

Assistant City Manager Amy Palmer stated I think everything you all are talking about right now; it was the subdivision with all the 50-foot lots. There was a question of quality. The City Commission and the Planning Commission had several discussions about it and that is when they decided to act. With the Lake District coming in we are trying to get around and get in front of the quality question by addressing the development standards and talking about density and high-quality development. That is some of the standard that you will see later in the month when they are presented to you is talking just about that.

Commissioner Brian Toune said that still didn't answer my question. What in this city made us cancel the 50-foot the RS-3? Where was the action? I would love to read the action that occurred when we did this because that is what we are talking about basically. We are talking about the planning commission, you all from your department and your department Julie and everybody else's department. Something in this city was triggered 2-3 years ago. I would love to see what that was that made somebody say, hey we need to do this, what are we going to do? What is our step-by-step program to change our comprehensive plan to whatever we change it to?

Commissioner Danny Chandler said it had to have something to do with the PUD's, right? Coming in with the 5-foot setbacks and stuff. I heard Watercrest was like the trigger, but I don't know who initiated it.

Commissioner Brian Toune stated there is a formula.

Commissioner Jere Stambaugh said that was a zone change.

Commissioner Brian Toune stated that was a comprehensive plan change.

Commissioner Danny Chandler said it was our LDR's.

Assistant City Manager Amy Palmer stated we changed the standard in the LDR's that was driven by the City Commission, they requested the planning commission look at that, that is how that came about.

Commissioner Brian Toune stated how do we go about getting the City Commission to listen to us to hear that?

Assistant City Manager Amy Palmer stated I think they are.

Chairman Perry Price stated they are reading the minutes. That is my vehicle for saying something, I'm not trying to overburden or anything like that.

Commissioner Brian Toune said I agree with you 100%.

Chairman Perry Price stated the 4 cars at every house. That's what drives this.

Commissioner Brian Toune said exactly.

Commissioner Jody Miller said cars parked in the front yard.

Commissioner Danny Chandler stated they are not going to like these minutes.

Assistant City Manager Amy Palmer stated she looked forward to presenting the Lakes District to everybody. I think we will have some really good feedback and input some new standards in our LDR's and an opportunity to make a difference and to change the way development looks in the city. I am looking forward for that opportunity for you all.

Commissioner Jere Stambaugh stated he had a question about the new County Road 559 instead of the State Road. What are the county's thresholds are for instance to put another stop light in.

Community Development Director Julie Fife stated it is triggered. Now currently we have H-Block on Adams Road, when the other development to the east develops, there will be a point where it triggers that. The county has standards that they use for single family, they use for multifamily, they use for commercial, there are all different calculations that they use. For a single family they take that calculation per household then they calculate how many trips per day and then pm peak hours which is 6 pm and 6 am. They take those calculations and that is what they use to trigger if a light is needed or not. There is a threshold. Same for development, same for transportation for e-commerce or distribution. There is a percentage they use per trip count and pm peak to justify if a light is needed or not. I know that in the past the county has heard people who have said we are concerned about traffic on this road. We need a light, or we need speed bumps. Unfortunately, until those numbers can justify the light is needed. I think you will see improvements as development comes into the east you are going to see that; it is going to trigger it eventually.

Commissioner Jere Stambaugh stated that development that you are speaking of is the project that runs from Lake Van Road all the way down to Adams Road. They are putting in the improvements now. I know the H-Block is two phases. One of the things besides a stop light is Adams Road has to be widened. That was in our motions when we approved that, so, that is coming along with a stop light there. I don't know with H-Block before their second phase if that light is supposed to be in. I think that is what I am remembering.

Community Development Director Julie Fife said that is correct.

Commissioner Jere Stambaugh said as fast as they are building those out on the H-Block, it looks like an old John Wood Development that they just started right down the street. If any of us can remember John Woods. That will probably be sooner than later.

Community Development Director Julie Fife said thank you for your questions. I know that some of the information I can bring in workshops that we can do before the planning commission in the next couple of months some on traffic analysis I can show you what some of those calculations look like. We talk about some of the questions regarding traffic and concerns about density. I'm hoping as we roll out the Lakes District will be able to address some of your questions. We can also talk more about property rights, and how a developer comes in to request for zoning changes and how it can't just be people that don't have property rights, who do not own that property or have legal representation to represent that piece of property. We can do that in workshops. I will probably reach out to you in the next week or so and get a list of those topics so that we don't make our planning commissions long, but we can address some of those in workshops and good discussion at another time.

Chairman Perry Price asked if he could have paper copies and not digital.

Commissioner Danny Chandler seconded it.

Commissioner Mike Chevalier asked with the Lakes District going in out on the north side, is that including the road infrastructure changes with 559 and things and Gapway.

Assistant City Manager Amy Palmer said not specifically it is more dealing with the development standards that a developer would have to apply. We have talked with the property owner about a roundabout at Gapway Road we do have the developer's agreement for Adams Road that is near the finish line. There is also a standard for pedestrian paths.

Commissioner Danny Chandler asked if we got to vote on a roundabout.

Assistant City Manager Amy Palmer said that was county.

Commissioner Jody Miller said we have enough to do with lot sizes we don't need to worry about a roundabout.

Chairman Perry Price we are using the right-a-way to get property though.

Community Development Director Julie Fife said true.

Chairman Perry Price stated the meeting was adjourned at 5:29 p. m.

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

Marsha Johnson, Secretary