



*City of Auburndale*  
AUBURNDALE, FLORIDA 33823

Office of the City Manager

P.O. Box 186  
(863) 965-5530  
Email: [cmo@auburndalefl.com](mailto:cmo@auburndalefl.com)

**CITY COMMISSION MEETING**  
**August 1, 2022 - 7:00 P.M.**  
**COMMISSION ROOM/CITY HALL**

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Donishia Yarde, Faith Builders Worship Center

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 07/18/2022

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

**AGENDA**

1. ORDINANCE #1707 AMENDING THE FUTURE LAND USE MAP – ENCLAVE AT LAKE ARIETTA
2. ORDINANCE #1708 AMENDING THE OFFICIAL ZONING MAP – ENCLAVE AT LAKE ARIETTA
3. ORDINANCE #1709 ANNEXING PROPERTY INTO CITY LIMITS – VARIOUS GAPWAY GROVE PROPERTIES
4. ORDINANCE #1710 ANNEXING PROPERTY INTO CITY LIMITS – AUBURN VILLAGE
5. ORDINANCE #1711 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – LANIER PROPERTY
6. ASSIGNMENT OF OPIOID LITIGATION FUNDS TO THE POLK COUNTY REGIONAL FUND AGREEMENT
7. PRESENTATION OF FISCAL YEAR 2023 AND FISCAL YEAR 2024 ANNUAL BUDGETS

***“Commission Day” Function for the City Commission and CRA Board is scheduled for Monday, August 8, 2022, beginning at 8:00a.m.***

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

**City Commission Meeting  
August 1, 2022**

**AGENDA ITEM 1:     ORDINANCE #1707 AMENDING THE FUTURE LAND USE MAP – ENCLAVE AT LAKE ARIETTA**

**AGENDA ITEM 2:     ORDINANCE #1708 AMENDING THE OFFICIAL ZONING MAP – ENCLAVE AT LAKE ARIETTA**

\_\_\_\_ INFORMATION ONLY

\_\_X\_\_ ACTION REQUESTED

---

**ISSUE:** The City Commission will hear and consider Ordinances amending the Future Land Use Map and the Official Zoning Map for the Enclave at Lake Arietta Property.

**ATTACHMENTS:**

- . Ordinance #1707 Future Land Use Map Amendment – Enclave at Lake Arietta
- . Ordinance #1708 Official Zoning Map Amendment and Binding Site Plan – Enclave at Lake Arietta

**ANALYSIS:** The City has received a request for a Future Land Use Map Amendment and Zoning Map Amendment on the following property:

**Enclave at Lake Arietta Property**

<b><i>Owner/Petitioner:</i></b>	JSK Consulting on behalf of Gapway Groves Corp.
<b><i>Location:</i></b>	Berkley Road and Lake Myrtle Park Road
<b><i>Current City Future Land Use:</i></b>	Low Density Residential
<b><i>Current City Zoning:</i></b>	Planned Development-Housing 1 (PD-H1)
<b><i>Proposed Future Land Use:</i></b>	Convenience Center
<b><i>Proposed Zoning Classification:</i></b>	Planned Development-Commercial 1 (PD-C1)
<b><i>Current use:</i></b>	Vacant 2.5 acres

The City has received a request for a Future Land Use Map Amendment and Zoning Map Amendment on approximately +/- 2.5 acres for the Enclave at Lake Arietta Property. In March 2019, the City approved a Planned Development-Housing 1 (PD-H1) Zoning classification, which included a binding site plan for 91 residential dwelling units that included 41 single-family units and 25 two-family detached short term rental homes on +/-78.77 acres. The Binding Site Plan also included 7.03 acres reserved for “future development.” On July 5, 2022, the City Commission approved an amendment to this binding site plan that incorporated 4.53 acres of the “future development” outparcel and changed the 25 short-term rental duplexes into 54 single-family units. The previous proposal did not include the 2.5-acre vacant parcel.

The property currently has a City of Auburndale Future Land Use designation of Low Density Residential and a Zoning classification of Planned Development-Housing 1 (PD-H1). The owner is requesting the Future Land Use and Zoning change to allow for medical and professional offices. The proposed **Future Land Use** of Convenience Center is a low-intensity commercial district intended to accommodate the convenience shopping needs of residents living in the immediate area. The proposed **Zoning** district of Planned Development Commercial – 1 (PD-C1) and binding site plan

comes with conditions allowing only medical and professional offices as the permitted uses. A six-foot wall is proposed to separate the commercial use from the residential neighborhood to the north. The binding site plan shows a +/- 32,670 SF building with the entrance on Enclave Lake Blvd.

The requested Future Land Use of Convenience Center and Zoning classification of Planned Development-Commercial 1 (PD-C1) is consistent with Future Land Use and Zoning on adjacent properties to the west. The requested Future Land Use and Zoning Map amendments are consistent with the City of Auburndale's Comprehensive Plan, Land Development Regulations and the City of Auburndale and Polk County Joint Planning Area (JPA). All requirements of the Land Development Regulations are met, including a binding site plan.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on first reading on July 18, 2022 and are being presented for second and final reading.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Future Land Use and Official Zoning Map Amendments (5-0, 1 abstention, 07/05/2022).

**STAFF RECOMMENDATION:** Approval of Ordinance #1707 amending the Future Land Use Map and Ordinance #1708 amending the Official Zoning Map – Enclave at Lake Arietta property.

**City Commission Meeting  
August 1, 2022**

**AGENDA ITEM 3:   ORDINANCE #1709 ANNEXING PROPERTY INTO CITY LIMITS – VARIOUS GAPWAY GROVE PROPERTIES**

       INFORMATION ONLY

  X   ACTION REQUESTED

---

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

**ATTACHMENTS:**

        Proposed Ordinance #1709 Annexing Properties into City Limits – Gapway Groves Properties

**ANALYSIS:**   The City has received a petition from John Strang of Gapway Groves Corporation and Gapway Road, LLC. to annex +/-77.35 acres of properties located in various areas into the City limits. The properties are located near Old Berkley Road and Gapway Road, and on Old Lake Alfred Road north of Lake Mariana. The various properties are contiguous to City limits and the annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities and proposed residential and mixed-use development within the Lakes District.

Establishing a Future Land Use and Zoning classification on the properties will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading on July 18, 2022 and is being presented for second and final reading.

**STAFF RECOMMENDATION:**   Approval of Ordinance #1709 annexing various Gapway Groves properties into the City limits.

**City Commission Meeting  
August 1, 2022**

**AGENDA ITEM 4:    ORDINANCE #1710 ANNEXING PROPERTY INTO CITY LIMITS – AUBURN VILLAGE**

       INFORMATION ONLY

  X   ACTION REQUESTED

---

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

**ATTACHMENTS:**

.            Proposed Ordinance #1710 Annexing Properties into City Limits – Auburn Village property

**ANALYSIS:**    The City has received a petition from Eugene Strickland and Michael Strickland to annex +/-9.78 acres of property into the City limits. The property is located on Jersey Road and has just been developed as the Auburn Village apartment building. The property is contiguous to City limits and the annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities.

Establishing a Future Land Use and Zoning classification on the properties will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading on July 18, 2022 and is being presented for second and final reading.

**STAFF RECOMMENDATION:** Approval of Ordinance #1710 annexing the Auburn Village property into the City limits.

**City Commission Meeting  
August 1, 2022**

**AGENDA ITEM 5:   ORDINANCE #1711 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT –  
LAKE MATTIE PRESERVE**

\_\_\_\_ INFORMATION ONLY

\_X\_ ACTION REQUESTED

---

**ISSUE:**   The City Commission will consider the Community Development District for Lake Mattie Preserve.

**ATTACHMENTS:**

- .       Amended and Restated Petition To Establish Lake Mattie Preserve Community Development District
- .       Proposed Ordinance #1711 Establishing Community Development District – Lake Mattie Preserve

**ANALYSIS:**   DLD Development, LLC. has filed a Petition to Establish the Lake Mattie Preserve Community Development District with the City of Auburndale pursuant to Section 190.005(2)(a), Florida Statutes.

Chapter 190 of Florida Statutes allows a developer to petition to establish a CDD for the purpose of managing the provision of infrastructure improvements and public services including funding. The proposed CDD is comprised of approximately 234.157 acres, generally located north of Lake Mattie Road and east of County Road 559. The subject site is located in the Lakes District Master Planned Community and has a Zoning of *Residential Neighborhood* (RN) and a Future Land Use of *Lakes District Mixed Use* (LDMU).

The petitioner has proposed to establish the CDD to finance, construct, and install improvements and facilities to benefit the lands within the District in two (2) phases over an estimated three (3) year period from 2022 through 2025. The petitioner has proposed a summary of infrastructure that will be constructed through the establishment of the CDD such as offsite improvements, stormwater facilities, water, sewer, lift stations, street lighting, conduit, roadways and parking areas, entry features, signs and parks and recreational features. Costs not funded by bonds will be funded by the developer.

The Lake Mattie Preserve CDD will consist of a five (5) member Board of Supervisors having the authority to oversee the installation of infrastructure improvements, secure financing within its boundaries. All meetings are open to the public and are subject to all applicable Government in the Sunshine laws. In the event that the established CDD is terminated for any reason, the City shall in no way be required to accept ownership and/or maintenance responsibility for any proposed infrastructure that is necessary for the development in the District without the City's express written consent. In the event of termination, the CDD shall be responsible for ensuring the transfer of such ownership and maintenance responsibilities to an appropriate entity other than the City as authorized by law.

The proposed CDD has been reviewed by the Community Development Office, City Manager and the City Attorney.

PUBLIC NOTIFICATION REQUIREMENTS: In accordance with Chapter 190 of Florida Statutes, the petitioner will publish public notice of this request in a local newspaper for four (4) consecutive weeks prior to the second reading on September 8, 2022 and public hearing of the Ordinance.

FINANCIAL IMPACT: There is no direct financial impact to the City as a result of this request; however, upon development of the CDD, the City will receive a budget and schedule of meetings annually.

The proposed Ordinance and Petition for the Community Development District were prepared by the attorney representing the development with extensive review by the Community Development Department, City Manager and the City Attorney.

**STAFF RECOMMENDATION:** Approval of Ordinance #1711 establishing the Community Development District for Lake Mattie Reserve.

**City Commission Meeting  
August 1, 2022**

**AGENDA ITEM 6: MUNICIPAL ASSIGNMENT OF CITY/COUNTY FUNDS FROM THE OPIOID LITIGATION  
TO THE POLK COUNTY REGIONAL FUND AGREEMENT**

       INFORMATION ONLY

  X   ACTION REQUESTED

---

**ISSUE:** The City Commission will consider assigning City funds from the Opioid Litigation to the Polk County Regional Fund.

**ATTACHMENTS:**

Municipal Assignment of City/County Funds from the Opioid Litigation to the Polk County Regional Fund Agreement

**ANALYSIS:** In November 2021, the City Commission approved Resolution #2021-11 supporting the State of Florida's Plan for a Proposed Memorandum of Understanding allocating and describing the Use of Opioid Settlement Proceeds. Through the State of Florida's Opioid Litigation, a Regional Fund and City/County Fund were created. The City also approved an Interlocal Agreement with Polk County for the City's Regional Funds to be paid directly to Polk County to implement the Polk County Florida Opioid Abatement Plan.

The proposed Agreement anticipates separate payments being directly distributed to the City of Auburndale through the City/County Fund, in addition to the funds received in the Regional Fund. The proposed Agreement assigns the City/County Funds to Polk County, to be combined with the Regional Funds, to implement the Polk County Florida Opioid Abatement Plan.

The Municipal Assignment of City/County Funds from the Opioid Litigation to the Polk County Regional Fund Agreement was prepared by the County Attorney's Office and reviewed by the City Manager and City Attorney.

**STAFF RECOMMENDATION:** Approval of the Municipal Assignment of City/County Funds from the Opioid Litigation to the Polk County Regional Fund Agreement.



**City Commission Meeting  
August 1, 2022**

**AGENDA ITEM 7:    PRESENTATION OF FY 2023 AND FY 2024 ANNUAL BUDGETS**

  X   INFORMATION ONLY

       ACTION REQUESTED

---

**ISSUE:** The City Manager will present to the City Commission the proposed Annual Budgets for the Fiscal Year ending September 30, 2023, and for the Fiscal Year Ending September 30, 2024.

**ATTACHMENTS:**

Proposed FY 2023 Budget and Planned FY 2024 Budget  
***(To be passed out at Commission Meeting)***

**Note:** If necessary, the City Commission will have the opportunity to further discuss the proposed budgets during “Commission Day” activities on Monday, August 8, 2022, and at the Regular City Commission Meeting on August 15, 2022.

Public Hearings on the proposed budget and millage rate are scheduled for Thursday, September 8, 2022, and Tuesday, September 20, 2022.

The proposed FY 2023 and FY 2024 Annual Budgets are also posted on the City’s website at [www.auburndalefl.com](http://www.auburndalefl.com).