



City of Auburndale
AUBURNDALE, FLORIDA 33823

Office of the City Manager

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CITY COMMISSION MEETING
December 19, 2022 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Charles Harkala Good Shepherd

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 12/05/2022

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

AGENDA

1. **PUBLIC HEARING** – ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – WATERSIDE SHORES
2. ORDINANCE #1722 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – WATERSIDE SHORES
3. ORDINANCE #1724 ANNEXING PROPERTY INTO CITY LIMITS – RITCHEY PROPERTY
4. **TRANSMITTAL PUBLIC HEARING** – FUTURE LAND USE MAP AMENDMENT – INTERSECT PROPERTY
5. RESOLUTION #2022-09 TRANSMITTING FUTURE LAND USE MAP AMENDMENT TO STATE
6. **TRANSMITTAL PUBLIC HEARING** – FUTURE LAND USE MAP AMENDMENT – NORTH PACE ROAD
7. RESOLUTION #2022-10 TRANSMITTING FUTURE LAND USE MAP AMENDMENT TO STATE
8. FINAL PLAT – BROOKLAND SUBDIVISION

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
December 19, 2022**

AGENDA ITEM 1: PUBLIC HEARING – ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – WATERSIDE SHORES

AGENDA ITEM 2: ORDINANCE #1722 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – WATERSIDE SHORES

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance establishing the Community Development District for Waterside Shores.

ATTACHMENTS:

- . Notice of Public Hearing – 11/15/2022, 11/21/2022, 11/28/2022, 12/05/2022
- . Proposed Ordinance #1722 Establishing Community Development District – Waterside Shores
- . Petition To Establish Waterside Shores Community Development District & Pre-Filed Testimonies

ANALYSIS: Clayton Properties Group, Inc. has filed a petition with the City of Auburndale pursuant to Section 190.005(2)(a), Florida Statutes to establish the Waterside Shores Community Development District (CDD), formerly known as the Wheeler Farms Property.

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 +/- 118.25 acres, generally located north of Lake Mattie Road and east of Lake Mattie Boat Landing Road. The subject site is located in the Lakes District Master Planned Community and has a Future Land Use of *Lakes District Mixed Use* (LDMU) and a Zoning of *Residential Neighborhood* (RN).

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 two (2) year period from 2023 through 2024. 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 Waterside Shores 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.

PUBLIC NOTIFICATION REQUIREMENTS: In accordance with Chapter 190 of Florida Statutes, the petitioner published public notice of this request in a local newspaper for four (4) consecutive weeks prior to the second reading on December 19, 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. The proposed Ordinance was approved on first reading November 21, 2022, and is being considered for second and final reading.

STAFF RECOMMENDATION: Approval of Ordinance #1722 establishing the Community Development District for Waterside Shores

**City Commission Meeting
December 19, 2022**

AGENDA ITEM 3: ORDINANCE #1724 ANNEXING PROPERTY INTO CITY LIMITS – RITCHEY PROPERTY

INFORMATION ONLY

ACTION REQUESTED

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

ATTACHMENTS:

Proposed Ordinance #1724 Annexing Property into City Limits and Location Map

ANALYSIS: The City has received a petition from property owner Diane Ritchey 1205 Old Dixie Hwy. Auburndale, FL. 33823 to annex 1.22+/- acres of property into the City limits. The property is located south of Old Dixie Highway, east of the Polk Parkway. The property is adjacent to City limits to the south and east. The annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities and proposed mixed use development.

Establishing a Future Land Use and Zoning classification on the property 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 Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading December 5, 2022, and is being considered for second and final reading.

STAFF RECOMMENDATION: Approve Ordinance #1724 annexing the Ritchey property into the City limits.

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December 19, 2022**

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

AGENDA ITEM 5: TRANSMITTAL RESOLUTION #2022-09 TRANSMITTING MAP AMENDMENT TO STATE

___ INFORMATION ONLY

X ACTION REQUESTED

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

ATTACHMENTS:

- . Notice of Public Hearing – 11/25/2022
- . Resolution #2022-09 Transmitting Future Land Use Map Amendment to State
- . Excerpt from Planning Commission Meeting – 12/06/2022

ANALYSIS: The City has received a request to amend the Future Land Use Map for the following property:

Intersect Properties

Owner/Petitioner:	Bart Allen, Peterson & Myers, P.A., on behalf of Intersect Development Group
Location:	Pace Road and Bryan Lane
Current County Future Land Use:	Business Park Center-1X (BPC-1X)
Proposed City Future Land Use:	Regional Activity Center (RAC)
Current use:	Vacant (+/- 66.3 acres)

ANALYSIS: As a result of annexation, a Future Land Use Map Amendment has been requested by Peterson & Myers, P.A. on behalf of Intersect Development Group to amend the Future Land Use on +/- 66.3 acres from a Polk County Future Land Use of ***Business Park Center-1X (BPC-1X)*** to a City of Auburndale Future Land Use of ***Regional Activity Center (RAC)***.

The properties were originally annexed into the City in February and December of 2022. The Future Land Use request of Regional Activity Center (RAC) would accommodate a mixture of commercial and light industrial uses and is the second phase of the applicant's project. The first phase, adjacent to the north, was approved by the City in November 2021. Zoning for these parcels will come before the City Commission at a later date following the State's review of the large-scale map amendment.

The request is consistent with the City of Auburndale Comprehensive Plan and the Joint Planning Agreement with Polk County and is located in the Central Florida Innovation District.

The action before the City Commission is only to take public comment on the proposed Future Land Use and authorize transmittal to the Florida Department of Economic Opportunity for a compliance review. Upon receipt of the State Review, the City Commission will hold an additional Public Hearing on the adoption of the Future Land Use designation.

The proposed Transmittal Resolution was prepared by the Community Development Department and reviewed by the City Manager and City Attorney.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Regional Activity Center (RAC) (5-0, 12/06/2022).

STAFF RECOMMENDATION: Approval of Transmittal Resolution #2022-09 transmitting the Future Land Use Map Amendment to the State for a compliance review.

**City Commission Meeting
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AGENDA ITEM 6: TRANSMITTAL PUBLIC HEARING – FUTURE LAND USE MAP AMENDMENT – NORTH PACE ROAD PROPERTY

AGENDA ITEM 7: TRANSMITTAL RESOLUTION #2022-10 TRANSMITTING MAP AMENDMENT TO STATE

___ INFORMATION ONLY

X ACTION REQUESTED

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

ATTACHMENTS:

- . Notice of Public Hearing – 11/25/2022
- . Resolution #2022-10 Transmitting Future Land Use Map Amendment to State
- . Excerpt from Planning Commission Meeting – 12/06/2022

ANALYSIS: The City has received a request for a Future Land Use Map amendment for the following property:

North Pace Road Property

Owner/Petitioner:	Knights PC Holdings, LLC
Location:	Pace Road and Polk County Parkway
Current Use:	Vacant (75.70 +/- acres)
Current County Future Land Use:	Interchange Activity Center-X (IAC-X)
Proposed City Future Land Use:	Regional Activity Center (RAC)

As a result of annexation on December 5, 2022, a Future Land Use Map Amendment has been requested by Knights PC Holdings, LLC to amend the Future Land Use on +/- 75.70 acres from a Polk County Future Land Use of **Interchange Activity Center-X (IAC-X)** to a City of Auburndale Future Land Use of **Regional Activity Center (RAC)**.

The Future Land Use request would accommodate development of a mixed-use project, which will incorporate commercial lots along the frontage of Pace Road and office, commercial, distribution and research and development buildings on the interior of the property. By providing commercial outparcels along Pace Road, the mixed-use corridor intent for the region will be maintained. The request is consistent and compatible with the previously approved development directly adjacent to the south across Pace Road.

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 a mixed-use is consistent with the intent of the Regional Activity Center (RAC) Future Land Use category.

The request is consistent with the City of Auburndale Comprehensive Plan and the Joint Planning Agreement with Polk County and is located in the Central Florida Innovation District.

The action before the City Commission is only to take public comment on the proposed Future Land Use and authorize transmittal to the Florida Department of Economic Opportunity for a compliance review.

The proposed Transmittal Resolution was prepared by the Community Development Department and reviewed by the City Manager and City Attorney.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Regional Activity Center (RAC) (5-0, 12/06/2022).

STAFF RECOMMENDATION: Approval of Transmittal Resolution #2022-10 transmitting the Future Land Use Map Amendment to the State for a compliance review.

**City Commission Meeting
December 19, 2022**

AGENDA ITEM 8: FINAL PLAT – BROOKLAND PARK

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider the Final Plat for Brookland Park subdivision.

ATTACHMENTS:

- . Final Plat
- . Performance Bond

ANALYSIS: The City has received a request to plat the Brookland Park Subdivision, formerly known as Keystone Hills. The property is located on Keystone Road and Lake Alfred Road and has a Zoning classification of *Planned Development-Housing 1 (PD-H1)*.

The City Commission approved the Zoning and binding site plan on April 19, 2021. The Brookland Park Subdivision consists of 197 lots and the minimum lot size is 8,400 SF, which meets the Planned Development-Housing 1 Zoning regulations. The development meets all Land Development Regulations including lot size, setbacks, open space, and sidewalk requirements.

As provided for in the Land Development Regulations (LDR's), the developer is requesting Final Plat approval before all infrastructure improvements are made. The LDR's allow a developer to execute a surety bond, which is available to the City, in an amount 120% of the estimated completed construction cost as determined by the engineer. The Bond paperwork includes the list of improvements that need to be made, which will be covered by the bond, and a timeframe of May 21, 2023, to complete the work. The developer estimates that all necessary infrastructure improvements will be made within this time period and that the purpose of bonding is to expedite sales of the lots. The bond ensures that the City can complete improvements if the developer does not.

Infrastructure required by City specifications and covered by the bond include: Earthwork and grading, maintenance of traffic, storm drainage, a sewer lift station, paving and material costs for road base and concrete and road striping and signage.

To accomplish the necessary improvements, the developer's engineers have estimated the cost at \$1,021,891.48. In accordance with the City's LDR's, the bond amount is \$1,226,269.78, or 120% of the cost of improvements. Approval of the Final Plat would acknowledge acceptance of the terms of the performance bond. Approval of the Final Plat allows the developer to sell the lots and begin building houses.

STAFF RECOMMENDATION: Acceptance of the performance bond and approval of the Final Plat for the Brookland Park Subdivision.