



City of Auburndale
AUBURNDALE, FLORIDA 33823

CITY COMMISSION MEETING
April 3, 2023 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

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

Office of the City Manager

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Curtis Johnson, New Life Praise and Worship

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 03/20/2023

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PROCLAMATION – Water Conservation Month – April

AGENDA

1. ORDINANCE #1730 AMENDING THE FUTURE LAND USE MAP – YARDE PROPERTY
2. ORDINANCE #1731 AMENDING THE OFFICIAL ZONING MAP – YARDE PROPERTY
3. ORDINANCE #1732 AMENDING THE LAND DEVELOPMENT REGULATIONS TEXT – DEFINITIONS
4. ORDINANCE #1733 ANNEXING PROPERTY INTO CITY LIMITS – EPCAR PROPERTY
5. **PUBLIC HEARING** – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – VARIOUS GAPWAY GROVE PROPERTIES
6. ORDINANCE #1734 AMENDING THE FUTURE LAND USE MAP – VARIOUS GAPWAY GROVES PROPERTIES
7. ORDINANCE #1735 AMENDING THE OFFICIAL ZONING MAP – VARIOUS GAPWAY GROVES PROPERTIES
8. **PUBLIC HEARING** – COMMUNITY DEVELOPMENT BLOCK GRANT PRIORITY PROJECTS
9. APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS
10. PRESENTATION OF SIDEWALK BIDS – COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING
11. APPROVAL OF PROPERTY PURCHASE – SCHULZ PROPERTY – LAKE MATTIE ROAD

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
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AGENDA ITEM 1: ORDINANCE #1730 AMENDING THE FUTURE LAND USE MAP – YARDE PROPERTY

AGENDA ITEM 2: ORDINANCE #1731 AMENDING THE OFFICIAL ZONING MAP – YARDE PROPERTY

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider Ordinances amending the Future Land Use and Official Zoning Map.

ATTACHMENTS:

- . Ordinance #1730 Amending the Future Land Use Map – Yarde Property
- . Ordinance #1731 Amending the Official Zoning Map – Yarde Property

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

<i>Owner/Petitioner:</i>	Donishia and Derrick Yarde
Location:	Lawrence Lane and Berkley Road
Current County Future Land Use:	Residential Low-3 (RL-3)
Proposed City Future Land Use:	Low Density Residential
Proposed City Zoning:	Single Family Residential-1 (RS-1)
Current use:	Vacant (+/- 1.69 acres)

As a result of annexation, the City has received a request to amend the City of Auburndale’s Future Land Use on +/- 1.69 acres from Polk County Future Land Use of Residential Low-3 (RL-3) to City of Auburndale Future Land Use of Low Density Residential and establish a Zoning classification of Single Family Residential-1 (RS-1).

The amendments are consistent with the existing residential development of the surrounding properties. The requested Future Land Use and Official Zoning Map Amendments are consistent with the City of Auburndale’s Comprehensive Plan and Land Development Regulations.

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 March 20, 2023, and are being presented for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use and Official Zoning Map Amendments (5-0, 03/07/2023).

STAFF RECOMMENDATION: Approval of the proposed Ordinances for the Yarde property.

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AGENDA ITEM 3: ORDINANCE #1732 AMENDING THE LAND DEVELOPMENT REGULATIONS – DEFINITIONS

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance amending the Land Development Regulations, Chapter 04, Definitions.

ATTACHMENTS:

- . Proposed Ordinance #1732 Amending the Land Development Regulations, Chapter 04, Definitions

ANALYSIS: In working with developers on properties located within the Central Florida Innovation District, the Land Development Regulations (LDR's) are lacking descriptions for uses needed to assist in making development decisions. Chapter Four (04) of the LDR's provide terms and definitions to assist with simple interpretation and technical assistance for planning. Due to growth and new development, along with new uses since the LDR's were established, definitions are needed for different manufacturing types, mixed-use development, research and development, warehousing, and distribution centers. These commercial definitions will assist staff and the City in understanding uses and applying LDR criteria.

Definitions are recommended based on research conducted from Polk County Land Development Code, Lake Alfred Unified Land Development Code, Winter Haven Unified Land Development Code and the American Planning Association, A Planners Dictionary. All development criteria, specified within the LDR's or Comprehensive Plan, will still dictate permitted or prohibited uses and standards.

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 March 20, 2023 and is being presented for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval to amend Chapter 04, Definitions of the Land Development Regulations (4-0, 03/07/2023).

STAFF RECOMMENDATION: Approval of proposed Ordinance #1732 amending the Land Development Regulations, Chapter 04, Definitions.

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AGENDA ITEM 4: ORDINANCE #1733 ANNEXING PROPERTY INTO CITY LIMITS – EAST POLK COUNTY ASSOCIATION OF REALTORS PROPERTY

INFORMATION ONLY

ACTION REQUESTED

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

ATTACHMENTS:

Proposed Ordinance #1733 Annexing Properties into City Limits – East Polk County Association of Realtors Property

ANALYSIS: The City has received a petition from a property owner, East Polk County Association of Realtors, to annex +/-5.83 acres of property into the City limits. The property consists of one parcel located at 1062 US Highway 92, west of the Polk County Parkway. The property is adjacent to City limits to the north and south. The annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities and proposed office redevelopment.

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 March 20, 2023, and is being presented for second and final reading.

STAFF RECOMMENDATION: Approve Ordinance #1733 annexing the East Polk County Association of Realtors property into the City limits.

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AGENDA ITEM 5: PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – VARIOUS GAPWAY GROVE PROPERTIES

AGENDA ITEM 6: ORDINANCE #1734 AMENDING THE FUTURE LAND USE MAP – VARIOUS GAPWAY GROVE PROPERTIES

AGENDA ITEM 7: ORDINANCE #1735 AMENDING THE OFFICIAL ZONING MAP – VARIOUS GAPWAY GROVE PROPERTIES

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on Future Land Use and Official Zoning Map Amendments for various Gapway Grove properties.

ATTACHMENTS:

- . Notice of Public Hearing – 03/24/2023
- . Ordinance #1734 Amending the Future Land Use Map – Various Gapway Grove Properties
- . Ordinance #1735 Amending the Official Zoning Map – Various Gapway Grove Properties
- . Excerpt from Planning Commission – 08/02/2022

ANALYSIS: The City has received a request to establish Future Land Use and Zoning on the following properties:

Gapway Groves Property:

Owner/Petitioner:

Gapway Grove Corp.

Location:

Gapway Road and Lake Alfred Road

Current Polk County Future Land Use:

Residential Low-1 (RL-1), Residential Low-2 (RL-2) and Agricultural/Rural Residential (A/RR)

Proposed Future Land Use:

Lakes District Mixed Use (LDMU)

Proposed Zoning Classification:

Residential Neighborhood (RN) / Village Center (VC)

Current use:

Vacant (+/- 77.35 acres total)

As a result of annexation on August 1, 2022, the City has received a request from Gapway Grove Corp. for Future Land Use and Official Zoning Map Amendments on six properties in various locations totaling +/- 77.35 acres. The properties are being reviewed independently since each parcel is considered a Small-Scale Future Land Use Map Amendment per the Department of Economic Opportunity's guidance.

The properties currently have Polk County Land Use designations of Residential Low-1 (RL-1), Residential Low-2 (RL-2) and Agricultural/Rural Residential (A/RR). The owner is requesting a Future Land Use designation of **Lakes District Mixed Use (LDMU)** on all the properties. The Lakes District Mixed Use Future Land Use category provides opportunities for a mix of open space, pedestrian and bicycle connectivity, residential and mixed-use village centers, and the establishment of the Transfer of Development Rights program. The proposed Future Land Use of LDMU allows up to 6 dwelling units per acre.

The applicant is requesting Zoning classifications of **Residential Neighborhood (RN)** on +/-66.74 acres and **Village Center (VC)** on +/- 10.61 acres. The requested zoning classifications allow low to medium density residential areas and commercial with the intention to be scaled to the needs of pedestrians, with local destinations within walking distance such as centers, schools, and community parks.

The requested Future Land Use and Zoning Map Amendments are consistent with the City of Auburndale's Comprehensive Plan, Land Development Regulations, the City of Auburndale and Polk County Joint Planning Area (JPA), and The Lakes District Vision and Strategy.

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 April 17, 2023.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Lakes District Mixed Use (LDMU) on each parcel and Zoning classification of Residential Neighborhood (RN) and Village Center (VC) – (6-0, 08/02/2022).

STAFF RECOMMENDATION: Approval of proposed Ordinance #1734 amending the Future Land Use Map and proposed Ordinance #1735 amending the Official Zoning Map - Various Gapway Grove Properties.

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AGENDA ITEM 8: PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

AGENDA ITEM 9: APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will hold a Public Hearing on proposed Community Development Block Grant (CDBG) projects.

ATTACHMENTS:

- . Notice of Public Hearing & Proposed Projects – News Chief, 3/28/2023
- . Letter of Request from Polk County Health and Human Services Division

ANALYSIS: In compliance with the Community Development Block Grant (CDBG) regulations, the City of Auburndale is holding a Public Hearing for the purpose of receiving direct citizen input on suggested proposals. After a presentation by City Staff on suggested proposals, the Commission will entertain public comment on these and other community development needs.

The City of Auburndale is scheduled to receive an estimated \$93,683 in CDBG funding for FY 2023-2024. Combined with the Town of Dundee’s estimated allocation of \$12,813, the City of Auburndale will have approximately \$106,496 to spend in the targeted CDBG area. The FY 2023-2024 reimbursement represents the fourth and final installment received from the Town of Dundee.

City Staff is proposing to utilize the FY 2023-2024 CDBG funding to:

- . Purchase and install a backup generator at the Bridgers Ave. stormwater lift station.

In addition, the City anticipates roll-over funds from previous funding cycles (FY 2020 through FY 2022) to spend during the 23/24 funding cycle. The City plans to continue the following project that was approved in previous funding cycles. This project has been delayed due to complications with property acquisition.

- . Provide additional parking adjacent to Auburndale Community Center. Proposed project may include acquisition, demolition, and construction.

STAFF RECOMMENDATION: Approve the proposed projects for the FY 2023-2024 Community Development Block Grant funding.

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AGENDA ITEM 10: PRESENTATION OF SIDEWALK BIDS – CDBG FUNDING

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider bids for new sidewalks on Green Street and Center Street.

ATTACHMENTS:

- . Advertisement for Bids
- . Proposals Received (2)

ANALYSIS: The City has identified Green Street between W. Polk Street and Dickey Drive, and Center Street between E. Lake Ave and Green Street for necessary sidewalk improvements. These two areas are located within the Community Development Block Grant Target Area. In March 2022, the City Commission gave approval of these improvements as a priority project utilizing CDBG Funding.

A request for sidewalk construction bids was advertised in the local media on February 2, 2023 and distributed to three (3) local contractors. On March 20, 2023 the City received the following bids:

Timothy Gaskins, Inc.	\$67,995.00
Curb Man, Inc.	\$86,262.00

Timothy Gaskins Inc. of Auburndale was the low bid to construction sidewalks on Green Street and Center Street in the amount \$67,995. The bids were reviewed by the Public Works Department and City Manager’s Office. The City has had positive work experiences with the contractor in the past.

The project is included in the Fiscal Year 2023-2024 Budget with offsetting revenue coming from the \$113,450 Community Development Block Grant Revenue line item.

STAFF RECOMMENDATION: Award the bid to Timothy Gaskins, Inc. of Auburndale in the amount of \$67,995.00 to construct sidewalks on Green Street and Center Street.

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AGENDA ITEM 11: CONSIDER PURCHASE OF PROPERTY – SCHULZ PROPERTY – LAKE MATTIE RD

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider the purchase of a 26.59-acre site located on Lake Mattie Road for the development of a passive City park.

ATTACHMENTS:

- . Agreement for Sale and Purchase of Real Property — Lake Mattie Rd/Lake Mattie Boat Landing Rd
- . Property Appraisal of Schulz Lake Mattie, LLC Property — 7/8/2022

ANALYSIS: Due to residential growth in the North Auburndale area, the City identified the need to purchase additional property for park improvements to serve the additional residents to the City. Property acquisition for park improvements is listed in the Five-Year Capital Improvement Plan in FY 2024/2025 at \$2,000,000.

The proposed site for purchase is a former orange grove owned by Schulz Lake Mattie, LLC. The 26.59-acre site is currently vacant and located on Lake Mattie Road, with frontage on Lake Mattie. As reflected in the Purchase and Sale Agreement, the intention for purchasing the site is to create passive recreational park space for the residents of the City.

The contract price of the Purchase and Sale Agreement is \$1,500,000.00 to acquire the property. The expense of the purchase is being offset utilizing previously collected Recreation Impact Fees. The Agreement for Sale and Purchase of Real Property was prepared by the City Attorney and reviewed by the City Manager's Office.

STAFF RECOMMENDATION: Approval of the Agreement for Sale and Purchase of Real Property from Schulz Lake Mattie, LLC in the amount \$1,500,000.00 and authorize the City Manager to execute all closing documents.