

Planning Commission Meeting Minutes
June 7, 2022

Minutes for the Regular Meeting for the Planning Commission of the City of Auburndale, Florida held Tuesday, June 7, 2022, at 4:00 pm in the City Commission Room at City Hall, after having been properly advertised with the following members present – Vice Chairman Danny Chandler, Commissioners Mike Chevalier, Matt Maloney, Jody Miller, and Jere Stambaugh. Also, present was Assistant City Manager Amy Palmer, City Planner Jesse Pearson, and Secretary Marsha Johnson. Absent was Chairman Perry Price and Commissioner Brian Toune.

Vice Chairman Danny Chandler declared a quorum and the Meeting was called to order and opened with the pledge to the American Flag.

Motion was made by Commissioner Jody Miller and seconded by Commissioner Mike Chevalier to approve the minutes as written from the May 3, 2022, meeting. Upon vote all ayes.

AGENDA ITEM 1: PRELIMINARY PLAT – Everest Hospital-Hwy. 92 and Polk County Parkway

City Planner Jesse Pearson stated that the Planning Commission will consider a preliminary plat before making a recommendation to the City Commission. The City has received a preliminary plat from Chad Brooker of Traditions Engineering on behalf of MF Partners, LLC for a 5 lot split preliminary plat on +/- 32.33 acres located at US Hwy 92 W. and the Polk Parkway. The preliminary plat has been reviewed by all City Departments and meets all City Codes and Land Development Regulations. The property is zoned Planned Development-Housing 1 (PD-H1) and Planned Development-Commercial 1 (PD-C1) and meets or exceeds all Land Development Regulations, including minimum lot size, accessibility, and setbacks. The Planned Development-Commercial 1 (PD-C1) was approved in August 2021 for a hospital. Access will be from US Hwy. 92 W., a State maintained road. All retention areas, internal roads, sidewalks, and open spaces are to be maintained by the property owner. Following the Planning Commission’s recommendation, the preliminary plat will go to the City Commission for approval. Preliminary plat approval by the City Commission allows the developer to proceed with construction plan approval and final plat approval. At this time the property was shown on the screen. Staff recommends approval of the Preliminary Plat to the City Commission.

Motion was made by Commissioner Matt Maloney and seconded by Commissioner Jody Miller to approve the Preliminary Plat – Everest Hospital-Highway 92 and Polk County Parkway. Upon vote all ayes.

Vice-Chairman Danny Chandler closed the Regular Meeting and opened the Public Hearing.

AGENDA ITEM 2: ZONING MAP AMENDMENT– ENCLAVE OF LAKE ARIETTA SUBDIVISION

Notice of Public Hearing – 05/23/22

City Planner Jesse Pearson stated the Planning Commission will take public comment and consider a modification to an existing Zoning Map classification before making a recommendation to the City Commission. The City has received a request for a modification to an existing Planned Development-Housing 1 (PD-H1) zoning classification as follows: The owner petitioner is JSK Consulting on behalf of Gapway Groves Corp. The property is located at Berkley Road across from Lake Myrtle Park Road. The current Future Land Use is Low Density Residential, and the current City Zoning is Planned Development-Housing 1 (PD-H1). The proposed Zoning classification is to amend Planned

Development-Housing 1 (PD-H1) (+/- 28.93 acres). In March 2019 the City approved a two phased Planned Development-Housing 1 (PD-H1) zoning classification, which included a binding site plan for 41 single family units and 25 two-family detached short term rental homes (50 units) for a total of 91 residential dwelling units on +/-78.77 acres. This land use and zoning amendment does not include the first phase (+/-47.42 acres) of the development. The request is only for Phase 2. Phase 1 has been platted already. Also, 2.5 acres of the 7.03 outparcel was advertised for a Residential, Institutional, Office (RIO) zoning classification amendment. The request for RIO zoning amendment has been withdrawn by the applicant and will be heard at a future date. JSK Consulting on behalf of property owner Gapway Groves Corp. is requesting to amend a zoning classification of Planned Development-Housing 1 (PD-H1) on +/-28.93 acres of a +/-31.43-acre tract of land. The request is compatible with the proposed zoning and adjoining Zoning classifications. The zoning modification to the Planned Development-Housing 1 (PD-H1) of the residential portion request removes the proposed short-term rental approval and returns the Planned Development- Housing 1 (PD-H1) to traditional single-family residential. The proposal is to continue to develop residentially and be compatible what is already constructed to the east in Phase 1 of the project. The minimum lot size will average 9,100-9,200 sq. ft. and a proposed six-foot high wall will run the perimeter of Phase 2. Setbacks proposed are 25' on the fronts, 10' on the side and 10' on the rear. Corner lots would have a setback of 20'. Following public comment, the proposed amendment will be considered by the Planning Commission for a recommendation to the City Commission. At this time he showed the property on the screen. Staff recommends approval of the proposed modification to the zoning classification of Planned Development-Housing 1 (PD-H1) to the City Commission.

Vice Chairman Danny Chandler asked for public comment. There was none.

Vice Chairman Danny Chandler closed the Public Hearing and reopened the Regular Meeting.

AGENDA ITEM 3: RECOMMENDATION AMENDING THE ZONING MAP- ENCLAVE AT LAKE ARIETTA

Motion was made by Commissioner Jody Miller and seconded by Commissioner Matt Maloney to approve the proposed modification to the Zoning classification of Planned Development-Housing 1 (PD-H1) to the City Commission.

Commissioner Jere Stambaugh asked if the lots in Phase 2 are the same size as Phase 1?

City Planner Jesse Pearson said they are comparable.

Commissioner Jere Stambaugh said it will all be consistent now.

Commissioner Jody Miller stated she drove through it today. It is really nice.

Vice Chairman Danny Chandler asked if they were removing the short-term rental completely.

City Planner Jesse Pearson said yes, sir. It will fall under the policies of our Land Development Regulations.

Upon Vote all ayes.

Commissioner Jere Stambaugh presented Form B voting conflict to abstain from voting, included with minutes.

Vice Chairman Danny Chandler closed the Regular Meeting and reopened the Public Hearing.

AGENDA ITEM 4: PUBLIC HEARING – LAND DEVELOPMENT REGULATION TEXT AMENDMENT- THE LAKES DISTRICT MASTER PLANNED COMMUNITY AREA AMENDMENTS

Notice of Public Hearing – 05/23/2022

Assistant City Manager Amy Palmer stated the Planning Commission will take public comment and consider a proposed amendment to the Land Development Regulations before making a recommendation to the City Commission. In 2019, the City Commission endorsed “The Lakes District” Vision and Strategies for the North Auburndale area, which has been experiencing rapid growth and development. The Lakes District Vision is a master plan to help with the creation of greenway and trails corridors, mixed-use centers, walkability enhancements, and protection of environmental resources and agricultural character. At the end of 2021, the City Commission amended the Comprehensive Plan and the Land Development Regulations to include The Lakes District Master Planned Community Area, which is intended to implement the Vision and Strategies for The Lakes District. City Staff is proposing an amendment to the Land Development Regulations, Chapter 15, and Special Overlay Districts to include Architectural Standards for the Lakes District Master Planned Community Area and to correct several scrivener’s errors. The Lakes District Master Planned Community Area Architectural Code will provide architectural definitions, architectural theme of “Florida Heritage” with four main architectural styles to choose from: Craftsman, Neoclassical, Old Florida and Modern Farmhouse. The Architectural Code contains universal architectural rules, which all new development and redevelopments must comply with. The Lakes District Master Planned Community Area Architectural Universal Rules are as follows:

1. “Heavy” materials below “light” materials. For example, smaller balconies or windows on upper stories, or coarse building materials on the bottom with smooth materials above.
2. Vertically proportioned fenestration.
3. Visible joints i.e., doors, windows, and columns, are required to have spanning lintels.

A development must then identify with one of the four architectural styles and comply with the style’s universal rules, the styles permitted exterior building materials, the style’s permitted roofline and shape, the style’s roofline materials, and at least one characteristic feature as defined for each style provided. Staff will make a presentation of each of the four architectural styles and the required architectural elements of each style. Staff is proposing several scrivener’s errors such as revising and correcting any references to figures and maps, grammatical corrections, addition of additional agency coordination for the protection of wetlands, clarifying width of garages and sidewalks and updated cross-references to other sections of the LDR’S. At this time, she introduced William Roll of Kimley Horn in attendance today. She made her presentation on the screen of steps 1-9.

Step 1 Include all District Universal Rules in Building Design

Step 2 Select an Architectural Style

Step 3 Include all Architectural Style Universal Rules in Building Design

Step 4 Select Relevant Exterior Building Materials

Step 5 Select Relevant Roofline and Shape

Step 6 Select Relevant Roof Materials

Step 7 Select Characteristic Feature

Step 8 Submit to City Staff for Compliance Review

Step 9 Receive Building Permit

She explained Lakes District Master Planned Community Area Architectural Universal Rules. Heavy materials below Light materials. For example, smaller balconies or windows on upper stories, or coarse building materials on the bottom with smooth materials above. Vertically proportioned fenestration (the arrangement of windows and doors on the elevations of a building) and Visible joints i.e., doors, windows, and columns, are required to have spanning lintels. She went over the Architectural themes, Craftsman, Neoclassical, Old Florida, Modern Farmhouse, and the scrivener's errors in more detail.

The proposed text amendment to the Land Development Regulations is consistent with the City of Auburndale Comprehensive Plan and all other Land Development Regulations. Following public comment, the proposed amendments will be considered by the Planning Commission for a recommendation to the City Commission. Staff recommends approval of the proposed Land Development Regulation text amendment to the City Commission

Vice Chairman Danny Chandler asked for public comment. There was none.

Vice Chairman Danny Chandler closed the Public Hearing and reopened the Regular Meeting.

AGENDA ITEM 5: RECOMMENDATION AMENDING THE LAND DEVELOPMENT REGULATIONS

Motion was made by Commissioner Matt Maloney and seconded by Commissioner Mike Chevalier to recommend to the City Commission approval of amending the Land Development Regulations.

Commissioner Jere Stambaugh stated that scrivener corrections did not change the real meat of the document.

Assistant City Manager Amy Palmer stated the scrivener error's section of the amendment makes the corrections however the architectural standards are all new meat.

Commissioner Jere Stambaugh stated the developments we have already approved in the Lakes District have to abide by this also?

Assistant City Manager Amy Palmer stated there have been no developments approved with the new Lakes District Zoning Districts. Everything new moving forward will have to comply with the architectural standards.

Commissioner Jere Stambaugh stated that which has been built lately won't be that way.

Commissioner Matt Maloney stated that is the aim of this.

Commissioner Jody Miller said no more ranch.

Assistant City Manager Amy Palmer stated we have met with local builders, and they do have model homes that will fit within our box and meet the code. There must be a mix of models and elevations.

Danny Chandler asked when a builder comes in are they able to mix these styles. Do they have to stick to a style per phase of development or just run with all four and mix it all up.

Assistant City Manager Amy Palmer stated they can do whatever they want, they can mix and match they can go with one style if they like. We tried to pick styles that would complement each other.

Danny Chandler asked if we don't develop all this in the next ten years and something new comes in that is popular. If the farmhouse goes away and suddenly, we are in a modern midcentury again.

Assistant City Manager Amy Palmer stated there is room to open the door to new architectural style. We may see that come especially if we start to see more commercial development come our way. There is always the opportunity to open the text back up to make those changes.

Commissioner Jere Stambaugh asked will that apply to development that is in process.

Assistant City Manager Amy Palmer stated I would see it being for new development. It would be an addition to the code an addition to the four styles.

Commissioner Mike Chevalier asked what if a builder renovates a house or does a complete makeover of a house in this area. Do they have to follow the four different styles?

Assistant City Manager Amy Palmer stated there is a grandfathering rule in the LDR's this would apply across the city with any zoning district. She stated these are great questions.

Upon vote all ayes.

Vice Chairman Danny Chandler stated the meeting was adjourned at 4:35 p.m.

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


Marsha Johnson, Secretary

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Stambaugh III Jere Lomg	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Auburndale Planning Commission
MAILING ADDRESS 209 Osceola St.	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="checked" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Auburndale FL 33823	COUNTY Polk
DATE ON WHICH VOTE OCCURRED June 7, 2022	NAME OF POLITICAL SUBDIVISION: City of Auburndale
	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="checked" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jere L. Stambaugh III, hereby disclose that on June 7, 20 22 :

(a) A measure came or will come before my agency which (check one or more)

inured to my special private gain or loss;

inured to the special gain or loss of my business associate, John Strang ;

inured to the special gain or loss of my relative, _____ ;

inured to the special gain or loss of _____, by
whom I am retained; or

inured to the special gain or loss of _____, which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

John Strang is the President of Gapway Groves Corp. John Strang and I are on the Board of Directors of Growers Fertilizer Corp.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

June 6, 2022

Date Filed

Jere L. Stambaugh III
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.