

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held April 17, 2023, at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Dorothea Taylor Bogert, Commissioners: Keith Cowie, Richard Hamann, Jack Myers, and Bill Sterling. Also, present were: City Manager Jeffrey Tillman, City Attorney Frederick J. Murphy Jr., City Clerk Brandon Henry, and Police Chief Terry Storie.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Commissioner Sterling, and a salute to the flag.

Motion by Commissioner Myers, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of April 3, 2023. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that we received our annual donation from the Tuesday-Thursday Pickleball Gang of Auburndale. Mr. Tillman read a letter from Brian Toune regarding the donation. Mr. Tillman invited Eagle Scout Nathan Lugo to the podium for a presentation regarding a Scout project he worked on with the City.

Nathan Lugo said he and other Scouts took an old City drop box and refurbished it to accept old American flags for proper retirement. He presented photos of the final product. He thanked his fellow Scouts and the City for their help and expressed gratitude for being able to give back.

City Manager Tillman said the box was an old utility billing drop box that was at the Water Department for many years. Within the first week, the box filled up a couple times – with people dropping off old flags. It has been a great amenity for the Downtown, it is getting a lot of use from residents. He thanked Mr. Lugo.

City Manager Tillman said the Greater Auburndale Chamber of Commerce is hosting their National Day of Prayer Breakfast on Thursday, May 4th, from 7:30 a.m. to 9 a.m. The City usually has a couple tables there. Staff will be reaching out for RSVPs. We had a big City Fest over the weekend. It was a great turnout with a good time had by all. The “Touch-a-Truck” addition to City Fest was well received. He thanked City staff.

Mayor Taylor Bogert said we also had the water ski event at City Fest.

City Manager Tillman confirmed. There was a water ski event done with Polk County Tourism and Sports Marketing. It was a soft opening, they wanted to see how the lake banks handled the erosion. They had about 40 wakeboarders. The lake held up well. He looks forward to having additional events on the new lake.

Mayor Taylor Bogert recognized Greater Auburndale Chamber of Commerce President Alex Cam, who was in attendance.

Mayor Taylor Bogert asked if there was public comment on any item not on the agenda. There was no public comment.

1. ORDINANCE #1734 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman said the next seven items come before the Commission on second reading. 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 Lakes District Mixed Use 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. The proposed Ordinances were approved on first reading April 3, 2023 and are being presented for second and final reading.

The Planning Commission recommended 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). Mr. Tillman asked Community Development Director Womble for clarification on the Planning Commission recommendation date. Staff recommends approval of proposed Ordinance #1734, Ordinance #1735, Ordinance #1736, Ordinance #1737, Ordinance #1738, and Ordinance #1739 amending the Future Land Use Map, and proposed Ordinance #1740 amending the Official Zoning Map - Various Gapway Grove Properties.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1734 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 1.55 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1734 amending the Future Land Use Map – Gapway Grove Property, as read on second and final reading by title only.

Commissioner Myers said Community Development Director Womble has additional information to share.

Community Development Director Womble clarified the date of the Planning Commission recommendation.

Upon vote, all ayes.

2. ORDINANCE #1735 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1735, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1735 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 9.05 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF**

AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road), by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Hamann, seconded by Commissioner Cowie, to approve Ordinance #1735 amending the Future Land Use Map – Gapway Grove Property, as read on second and final reading by title only. Upon vote, all ayes.

3. ORDINANCE #1736 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1736, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1736 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 4.56 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Sterling, seconded by Commissioner Hamann, to approve Ordinance #1736 amending the Future Land Use Map – Gapway Grove Property, as read on second and final reading by title only. Upon vote, all ayes.

4. ORDINANCE #1737 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1737, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1737 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 0.01 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1737 amending the Future Land Use Map – Gapway Grove Property, as read on second and final reading by title only. Upon vote, all ayes.

5. ORDINANCE #1738 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1738, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1738 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF**

AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 45.4 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road), by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1738 amending the Future Land Use Map – Gapway Grove Property, as read on second and final reading by title only. Upon vote, all ayes.

6. ORDINANCE #1739 AMENDING THE FUTURE LAND USE MAP – GAPWAY GROVE PROPERTY

City Manager Tillman introduced Ordinance #1739, amending the Future Land Use Map – Gapway Grove Property.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1739 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING PARCELS OF LAND TOTALING +/- 16.78 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION RESIDENTIAL LOW-1 (RL-1), RESIDENTIAL LOW-2 (RL-2) AND AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LAKES DISTRICT MIXED USE (LDMU); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: Gapway Road and Lake Alfred Road),** by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1739 amending the Future Land Use Map – Gapway Grove Property, as read on second and final reading by title only. Upon vote, all ayes.

7. ORDINANCE #1740 AMENDING THE OFFICIAL ZONING MAP – VARIOUS GAPWAY GROVE PROPERTIES

City Manager Tillman introduced Ordinance #1740, amending the Official Zoning Map – Various Gapway Grove Properties.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1740 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE OFFICIAL ZONING MAP BY ESTABLISHING AUBURNDALE ZONING MAP CLASSIFICATION OF RESIDENTIAL NEIGHBORHOOD (RN) AND VILLAGE CENTER (VC) ON PARCELS OF LAND TOTALING +/- 77.35 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Gapway Road and Lake Alfred Road),** by title only.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Ordinance #1740 amending the Official Zoning Map – Various Gapway Grove Properties, as read on second and final reading by title only. Upon vote, all ayes.

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

8. PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENT– EPCAR PROPERTIES

City Manager Tillman said notice is hereby given that the City Commission of the City of Auburndale, Florida, will hold a Public Hearing on Monday, April 17th, 2023, at 7:00 p.m. in the City Commission Room, City Hall, to hear and consider the first reading of a proposed Ordinance amending Ordinance No. 752, the City's Comprehensive Plan and Future Land Use Map, and Ordinance No. 764, the City's Land Development Regulations and Official Zoning Map.

Community Development Director Womble said as a result of annexation, the City has received a request to amend the City of Auburndale's Future Land Use on +/- 5.83 acres from Polk County Future Land Use of Linear Commercial Corridor (LCC) to City of Auburndale Future Land Use of Commercial Corridor and establish a Zoning classification of Commercial Highway (CH).

The amendments are consistent with the existing commercial development of the surrounding properties. Ms. Womble presented a graphic depicting the proposal. 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 Planning Commission recommended approval of the Map amendments on the EPCAR property (5-0, 04/04/2023).

City Manager Tillman said staff recommends approval of proposed Ordinance #1741 amending the Future Land Use Map and Ordinance #1742 amending the Official Zoning Map - EPCAR Property.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

9. ORDINANCE #1741 AMENDING THE FUTURE LAND USE MAP – EPCAR PROPERTIES

City Manager Tillman introduced Ordinance #1741, amending the Future Land Use Map – EPCAR Properties.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1741 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING THE FUTURE LAND USE MAP RECLASSIFYING 1 PARCELS OF LAND TOTALING +/- 5.83 ACRES FROM POLK COUNTY FUTURE LAND USE CLASSIFICATION LINEAR COMMERCIAL CORRIDOR (LCC) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION COMMERCIAL CORRIDOR (CC); AND PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: US Hwy 92 W. and Polk Pkwy.),** by title only.

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1741 amending the Future Land Use Map – EPCAR Properties, as read on first reading by title only. Upon vote, all ayes.

10. ORDINANCE #1742 AMENDING THE OFFICIAL ZONING MAP – EPCAR PROPERTIES

City Manager Tillman introduced Ordinance #1742, amending the Official Zoning Map – EPCAR Properties.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1742 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE OFFICIAL ZONING MAP BY ESTABLISHING AUBURNDALE ZONING MAP CLASSIFICATION OF COMMERCIAL HIGHWAY (CH) ON 1 PARCEL OF LAND TOTALING +/- 5.83 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: US Hwy 92 and Polk Pkwy.),** by title only.

Motion by Commissioner Sterling, seconded by Commissioner Myers, to approve Ordinance #1742 amending the Official Zoning Map – EPCAR Properties, as read on first reading by title only. Upon vote, all ayes.

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

11. PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – DEFINITIONS

City Manager Tillman said notice is hereby given that the City Commission of the City of Auburndale, Florida, will hold a Public Hearing on Monday, April 17, 2023, at 7:00 p.m., in the City Commission Room, City Hall, to hear and consider the first reading of the Ordinance amending Ordinance No. 764, the City's Land Development Regulations.

Community Development Director Womble said in working with developers, the Land Development Regulations (LDR's) needs a description for mini warehouses/self-storage. Chapter Four (4) of the Land Development Regulations provide terms and definitions to assist with simple interpretation and technical assistance for planning. Due to growth and new requests for self-storage, definitions are needed.

The definition is recommended based on research conducted from Polk County Land Development Code and the American Planning Association, A Planners Dictionary. All development criteria, specified within the Land Development Regulations or Comprehensive Plan, will still dictate permitted or prohibited uses and standards.

The definition will read as follows - Mini warehouse: A continuous building, group of buildings, with a fixed permanent location on the ground, divided into separate compartments used to meet the temporary small storage needs of businesses and residential uses. Units are accessible to the lessees through individual doors. Mini warehouses can contain covered RV's, boats, and vehicles storage. Also defined as a self-storage facility. The Planning Commission recommended approval of the proposed Land Development Regulation Text Amendment (5-0, 04/04/2023).

City Manager Tillman said 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 May 1, 2023. Staff recommends approval of proposed Ordinance #1743 amending Land Development Regulations Text – Chapter 4 Definitions – Mini Warehouses.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

12. ORDINANCE #1743 AMENDING LAND DEVELOPMENT REGULATIONS TEXT – DEFINITIONS

City Manager Tillman introduced Ordinance #1743, amending Land Development Regulations Text – Definitions.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1743 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING CHAPTER 04 DEFINITIONS; AND PROVIDING AN EFFECTIVE DATE**, by title only.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1743 amending Land Development Regulations Text – Definitions, as read on first reading by title only.

Commissioner Myers asked if this applies to climate-controlled mini warehouses as well?

Community Development Director Womble answered yes. She clarified the definition.

Upon vote, all ayes.

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

13. PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – SOLID WALLS

City Manager Tillman said notice is hereby given that the City Commission of the City of Auburndale, Florida, will hold a Public Hearing on Monday, April 17th, 2023, at 7:00 p.m., in the City Commission Room, City Hall, to hear and consider the first reading of the Ordinance amending Ordinance No. 764, the City's Land Development Regulations.

Community Development Director Womble said the City Commission has requested language in the Land Development Regulations to create consistent standards in development for solid walls between residential and commercial uses and subdivisions. Solid walls are currently required in some Planned Developments to separate uses and create a buffer. To encourage the same standards throughout the Land Development Regulations regarding solid walls, research was conducted and the following language is proposed.

The Land Development Regulations would incorporate the use of solid walls:

- To minimize the impact of nonresidential development on any abutting residential district.
- May be required between mixed use development per the Administrative Official.
- All nonresidential uses adjoining residential shall require a solid six (6) foot masonry wall along all side and rear property lines adjoining residential districts.
- The Administrative Official may also require additional appropriate fences, walls, or vegetative screening in order to protect adjacent property in residential districts from lights, noise or undesirable views.
- All residential subdivisions along collector, urban collector and arterial roads shall require a solid masonry decorative wall, a minimum of 6 feet in height. A solid fence is required along perimeter sides and rear property lines of the subdivision.
- All Residential Planned Development subdivisions, along collector, urban collector, and arterial roads, shall require a solid masonry decorative wall, a minimum of 6 feet in height.
- Takes out options of choosing a 100-foot buffer and landscaping in lieu of a solid wall.

Community Development Director Womble presented the proposed language in Chapter 5 of the Land Development Regulations:

- A solid wall shall be provided to minimize the impact of nonresidential development on any abutting residential district.
- The Administrative Official may also require additional appropriate fences, solid walls or vegetative screening between mixed use development that includes residential.
- All nonresidential uses adjoining any residential district shall require a solid masonry wall, minimum 6 feet in height.
- All residential subdivisions along collector, urban collector and arterial roads shall require a solid masonry decorative wall, a minimum of 6 feet in height. A solid fence is required along perimeter sides and rear property lines of the subdivision.

Commissioner Myers asked to confirm that we would not require solid walls around an entire subdivision?

Community Development Director Womble confirmed this. She clarified the requirements.

She presented the proposed language in Chapter 6 of the Land Development Regulations:

- All Residential Planned Development subdivisions, along collector, urban collector and arterial roads, shall require a solid masonry decorative wall, a minimum of 6 feet in height. A solid fence is required along perimeter sides and rear property lines of the subdivision.
- PD-H1 and PD-H2 adjacent to conventional single family residential developments shall follow the rules for solid masonry walls and solid fences.
- Take out the options of 100-foot separation of uses with no wall required and require solid wall with standard 25 foot setback.
- Fences, walls, or vegetative screening shall be provided where needed to protect residents from undesirable views, lighting, noise or other adverse off-site influences, or to protect residents of adjoining properties.

She presented the proposed language in Chapter 15 of the Land Development Regulations:

- It creates more flexibility for mixed use in the Village Centers, based on design.
- The Administrative Official may require along collector, urban collector, arterial roads, perimeter sides and in transition areas, solid walls, fences or vegetative screening to assist in separation of uses.
- Residential Neighborhood shall have solid walls along collector, urban collector, and arterial roads. The Administrative official may require solid fences along perimeter sides and rear property lines of the subdivisions to assist in separation of uses.

The Planning Commission recommended approval of the proposed Land Development Regulation text amendment (5-0, 04/04/2023).

City Manager Tillman said 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 May 1, 2023. Staff recommends approval of proposed Ordinance #1744 amending Land Development Regulations text – Chapter 5 Zoning, Chapter 6 Special Provisions, PUDs, Cluster, and Chapter 15 Special Overlay Districts – Solid Walls.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

14. ORDINANCE #1744 AMENDING THE LAND DEVELOPMENT REGULATIONS TEXT – SOLID WALLS

City Manager Tillman introduced Ordinance #1744, amending Land Development Regulations text – Chapter 5 Zoning, Chapter 6 Special Provisions, PUDs, Cluster, and Chapter 15 Special Overlay Districts – Solid Walls.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1744 entitled: **AN ORDINANCE OF THE CITY OF AUBURDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURDALE, FLORIDA, BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURDALE, FLORIDA, BY AMENDING VARIOUS CHAPTERS TO ESTABLISH POLICIES REGULATING SOLID WALLS; AND PROVIDING AN EFFECTIVE DATE**, by title only.

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1744 amending Land Development Regulations text – Chapter 5 Zoning, Chapter 6 Special Provisions, PUDs, Cluster, and Chapter 15 Special Overlay Districts – Solid Walls. Upon vote, all ayes.

15. PRELIMINARY PLAT – LAKE MATTIE PRESERVE

Community Development Director Womble said the City has received a preliminary plat for Lake Mattie Preserve located on County Road 559, north of Lake Mattie Road, on +/- 229.61 acres from Bryan Hunter, P.E. from Hunter Engineering, Inc., on behalf of B.L. Lanier and Associates. The property is located in the Lakes District Master Planned Community.

Community Development Director Womble made a presentation outlining the history of the Lakes District. This is the first preliminary plat in the Lakes District.

In July of 2022, the City Commission recommended approval of the Lakes District Master Planned Community. The new development standards are intended to establish coherent and compact interconnected districts and neighborhoods, mixed and integrated uses, provide for a range of housing options, sizes, and prices, develop a balanced transportation system that provides alternatives to driving, ensure a connected and walkable street network, and to enhance public spaces.

She presented a graphic depicting the "Planning & Development Road Map".

The property has a Future Land Use Lakes District Mixed Use (LDMU) and a Zoning classification of Residential Neighborhood (RN), which requires a mixture of various lot sizes and single-family and multi-family residential uses. The Residential Neighborhood Zoning classification allows for 6 residential units per acre. The proposal is for 223 single-family small lots averaging smaller than 6,000 square feet with alley access, 45 single-family standard lots of 6,001 square feet - 8,400 square feet with alley access, 466 single-family large lots greater than 8,400 square feet with front access, and 90 townhome units with rear access for a total of 824 housing units.

Access will be on Lake Mattie Road and County Road 559. She presented a graphic of the plat. The subdivision will also have a solid masonry six (6) foot wall along Lake Mattie Road and County Road 559. All retention areas, roads, and open spaces will be dedicated to and maintained by the Homeowner's Association. She pointed out various features of the plat. The preliminary plat has been reviewed by all City Departments and meets all City Codes and Land Development Regulations.

The Developer's Agreement between the City and DLD Development, LLC, the developer of the Lanier properties, approved by the City Commission on March 6, 2023, allowed the City to complete the review of the preliminary plat, subdivision plan, and other construction documents. The Developer's Agreement also reserved capacity in the City's Sewer Collection System for 457 dwelling units to be constructed and tie into the City's Sewer Collection System. The Developer's Agreement between the City and DLD Development, LLC will need to be amended to allow development beyond 457 dwellings following the completion of the Regional Sewer System Evaluation currently underway. She summarized what is reviewed during a preliminary plat approval. The Planning Commission recommended approval of the Preliminary Plat (6-0, 04/11/2023).

City Manager Tillman said staff recommends approval of the Preliminary Plat – Lake Mattie Preserve.

Mayor Taylor Bogert asked for public comment.

Les Dunson, 6755 Winterset Gardens Road, Winter Haven, said he is here representing DLD Development. It is an exciting night. It is the first preliminary plat to come to the City out of the Lakes District. It has been years in the making, bringing into fruition the vision the City had. Bryan Hunter, our engineer, is also in attendance and can address any questions the City may have. We are happy to be here seeking approval for the first preliminary plat in the Lakes District, which staff and Bryan spent countless hours trying to meet the City's vision. We tried to bring the City's vision into fruition with this first plat.

Motion by Commissioner Hamann, seconded by Commissioner Cowie, to approve the Preliminary Plat – Lake Mattie Preserve.

Commissioner Myers asked if the developer is phasing the project?

Mr. Dunson answered yes, we are looking at a couple phases.

Commissioner Hamann said this is what we are looking to do with the Lakes District. He appreciates the applicant's due diligence in getting this to the City. It will be a great asset to the City.

Upon vote, all ayes.

16. PRESENTATION OF BIDS – WATER MAIN EXTENSION PROJECTS

City Manager Tillman said this is something we have been working on for some time. He is excited to get these projects going. He appreciates Public Works / Public Utilities Director John Dickson's efforts in acquiring easements and working with Chastain Skillman on construction documents. These are exciting projects.

Public Works / Public Utilities Director Dickson said for several years the City has planned three (3) water main extension projects to provide reliability and the necessary water pressure to accommodate growth in the North Auburndale area.

The Gapway Road Water Main Extension Project installs approximately 6,780 linear feet of 12-inch PVC (polyvinyl chloride) and 90 linear feet of 12-inch HDPE (high-density polyethylene) water main along Gapway Road to connect the Berkley Road Water Treatment Plant to County Road 559 to sustain pressure and reliability in the area.

The Plymouth Road Water Main Extension Project installs approximately 3,000 linear feet of 8-inch PVC (polyvinyl chloride), including HDPE (high-density polyethylene) horizontal directional drills, and PVC (polyvinyl chloride) open cut. Fire hydrants will also be accommodated on the proposed water main. The project will create a loop between existing water mains on Moss Road and Berkley Road for reliability in the area.

The Old Berkley Road Water Main Extension Project installs approximately 2,650 linear feet of 8-inch PVC (polyvinyl chloride) and 830 linear feet of 8-inch HDPE (high-density polyethylene) water main along Old Berkley Road to loop existing water mains on C. Fred Jones Boulevard and Berkley Knight Drive for reliability in the area.

An invitation to bid was advertised in the local media and on March 31, 2023, the City Manager's Office received the following seven (7) bids. The costs are a combined total for all three Water Main Extension Projects:

- Killebrew, Inc. - \$1,490,530.00
- Benchmark Construction Co., Inc. - \$1,980,295.00
- OPCC - \$2,232,000.00
- Accurate Drilling Systems, Inc. - \$2,291,343.13
- Carr & Collier, Inc. - \$2,247,300.00
- Stage Door II, Inc. - \$2,379,700.00
- Metro Equipment Service, Inc. - \$3,077,340.00

The bids were reviewed by the Public Utilities Director and the City's consulting engineer, Chastain Skillman. Killebrew, Inc. was the low bidder and they have completed various utility projects previously for the City.

City Manager Tillman said the three projects are budgeted in the Fiscal Year 2022/2023 Budget. Staff recommends utilizing available water impact fees for construction of the projects. He said the Gapway Water Main was previously tagged for an American Rescue Plan Act project. Staff recommends utilizing available water impact fees as opposed to American Rescue Plan Act funds, to provide for sewer projects that we know are coming in the future. The Commission will also be seeing a Regional Sewer Capacity Study from Chastain

Skillman, it is nearing completion. Staff recommends awarding the bid to Killebrew, Inc. in the amount of \$1,490,530.00.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to award the bid to Killebrew, Inc. in the amount of \$1,490,530.00.

Commissioner Myers asked if Killebrew Inc. has any history of change orders on jobs?

Public Utilities / Public Works Director Dickson answered no. We went through their items and quantities – they were all accommodated for. We feel it is tight.

Upon vote, all ayes.

17. CONSIDER PURCHASE OF PROPERTY – WRIGHT PROPERTY/W. POLK STREET

Assistant City Manager Palmer said during the January 2023 Community Redevelopment Agency meeting, the Community Redevelopment Agency provided direction to staff to make an offer to purchase the property on Polk Street that is next door to the City's tennis courts. She presented a graphic depicting the location. The purchase of this property has been on the Community Redevelopment Agency's suggested project list for a number of years. As contemplated in the Purchase and Sale Agreement, the purchase of this property would be funded by the Community Redevelopment Agency, but owned by the City of Auburndale. The City Commission would be required to approve the Purchase and Sale Agreement because the City of Auburndale will ultimately be the owner.

The proposed site is +/-1.23 acres. The proposed use of the property is for pickleball courts and a possible expansion of the tennis courts, which are also listed on the Community Redevelopment Agency's suggested project list. The contract price of the Purchase and Sale Agreement is \$390,000, which would be an expenditure of the Community Redevelopment Agency. If approved by the City Commission, the Purchase and Sale Agreement would become effective if the Community Redevelopment Agency authorizes the funding of the purchase. The agreement was prepared by the City Attorney. She appreciates his guidance for this process.


City Manager Tillman said staff recommends approval of the Agreement for Sale and Purchase of Real Property with Gracie A. Wright and authorize the City Manager to execute all closing documents. With this being a City property, the Commission would just be approving the contract. After the City Commission meeting tonight, there is a planned Community Redevelopment Agency meeting, where they will be discussing Community Redevelopment Agency funding. The Cindy Hummel Tennis Center was a Community Redevelopment Agency project years ago. The possible expansion of the Tennis Center was something that was always planned, if a property in the area became available. This property meets that test.

Mayor Taylor Bogert asked for public comment. There was no public comment.

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve the Agreement for Sale and Purchase of Real Property with Gracie A. Wright and authorize the City Manager to execute all closing documents. Upon vote, all ayes.

The Meeting was adjourned at 7:55:10 p.m.

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



Brandon Henry, City Clerk