

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held October 16, 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, and Bill Sterling. Commissioner Jack Myers was absent. Also, present were: City Manager Jeffrey Tillman, City Attorney Frederick J. Murphy Jr., Assistant City Manager Amy Palmer, and Police Chief Terry Storie.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Pastor Anthony Lawrance, Spirit of Wisdom Mission, and a salute to the flag.

**Motion** by Commissioner Cowie, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of October 2, 2023. Upon vote, all ayes.

City Manager Jeffrey Tillman announced Fall-o-Ween will be held on Thursday, October 19. The street resurfacing project is ongoing – we completed streets off of Adams Road, and are now moving into Bolender Road. You may see mast arms going up at Adams Road. We are expecting the contractor to start construction on Adams Road in early November.

City Manager Tillman announced that the Applicant for Items #4, #5, and #6 has requested a continuance of these items to a future date. We will readvertise these items before they come back before the Commission.

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.

Representatives of the Daughters of the American Revolution Ponce de Leon Chapter presented the City Commission with an Excellence in Historic Preservation Medal.

Mayor Taylor Bogert presented a Proclamation recognizing Florida City Government Week. City Attorney Frederick J. Murphy Jr. read the proclamation.

## **1. ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES**

Community Development Director Julie Womble said on November 1, 2021, the Intersect Development Group (Intersect) received a Future Land Use designation of Regional Activity Center (RAC) and Zoning classification of Industrial Planned Unit Development (IPUD) on +/-72.5 acres. The binding site plan accompanying the Industrial Planned Unit Development allowed Intersect Development Group to construct a 464,000 sq. ft. E-commerce and logistics building, two research and development buildings, and ten mixed-use commercial outparcels.

Peterson and Myers, on behalf of Intersect Development Group, has requested to establish a Future Land Use designation of Regional Activity Center (RAC) on an additional +/- 69.3 acres. In 2022, the additional property was annexed into the City and the City Commission held a Transmittal Public Hearing prior to sending the proposed Future Land Use Map amendment to the State. The State responded with no objections to the map amendment.

Intersect is requesting to modify and expand the established Zoning classification of Industrial Planned Unit Development (IPUD). The modification request of the existing Industrial Planned Unit Development allows Intersect to remain consistent with the prior entitlements and provide subtle modifications to facilitate desired changes in the development. Conditions were previously placed on the binding site plan regarding the two research and development buildings being reserved solely for research and development. The applicant is requesting to modify the allowed uses to include light manufacturing, health technology, financial institutions and/or information sciences. The applicant is also requesting to modify the overall size of the two previously

approved research and development buildings. Community Development Director Womble presented a slide depicting graphics of the proposal.

The request from Intersect would expand the Industrial Planned Unit Development (IPUD) onto +/-45.3 acres of the additional +/-69.3 acres of property for the project. Intersect is proposing four industrial mixed-use buildings on the southern portion of the subject site. These buildings would allow for research and development, light manufacturing, health technology, office space, vocational institutions, and distribution. The mixed use would provide an opportunity for different operators to have flex space and bring in uses that would complement the Central Florida Innovation District. Outdoor storage is prohibited.

Intersect is requesting Planned Development-H2 (PD-H2) for multi-family on the northeast portion of the development to allow for apartments and possible student housing for the nearby university. PD-H2 allows for a density of up to 15 units per acre, which would allow approximately 360 units on the remaining +/-24 acres of property. The binding site plan shows a clubhouse, additional amenities, and will be required to meet all active open space and landscaping requirements per the Land Development Regulations.

As required by the Land Development Regulations for Planned Developments, the requests are accompanied by binding site plans. The requested Zoning classification of Industrial Planned Unit Development and Planned Development-H2 are compatible with the requested Future Land Use of Regional Activity Center (RAC) and is consistent with the City of Auburndale Comprehensive Plan, all Land Development Regulations, the Central Florida Innovation District, and the Joint Planning Agreement with Polk County.

The Planning Commission recommended approval of the proposed Future Land Use Map amendment – (5-0, 12/06/2022). Approval of the proposed Zoning classification of Industrial Planned Unit Development (IPUD) and Planned Development-H2 (PD-H2) – (5-0, 08/02/2023). Staff recommends approval.

City Manager Tillman said the proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager's Office and City Attorney. The proposed Ordinances were approved on first reading October 2, 2023, and are being considered for second and final reading. Staff recommends approval of the proposed Ordinances amending the Future Land Use Map and Official Zoning Map.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1747 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING PARCELS OF LAND TOTALING +/- 69.3 ACRES FROM POLK COUNTY FUTURE LAND USE MAP CLASSIFICATION BUSINESS PARK CENTER-1X (BPC-1X) TO CITY OF AUBURNDALE REGIONAL ACTIVITY CENTER (RAC); AND PROVIDING AN EFFECTIVE DATE (General Location: Pace Road and Bryan Lane),** 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 #1747 amending the Future Land Use Map – Intersect Properties, as read on second and final reading by title only. Upon vote, all ayes.

## **2. ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – IPUD**

City Manager Tillman introduced Ordinance #1748.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1748 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 ESTABLISHING A CITY OF AUBURNDALE ZONING MAP CLASSIFICATION OF INDUSTRIAL PLANNED UNIT**

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**DEVELOPMENT (IPUD) ON PARCELS OF LAND TOTALING +/- 45.3 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Pace Road and Bryan Lane), by title only.**

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

**Motion** by Commissioner Cowie, seconded by Commissioner Sterling, to approve Ordinance #1748 amending the Official Zoning Map – Intersect Properties - IPUD, as read on second and final reading by title only. Upon vote, all ayes.

**3. ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – PD-H2**

City Manager Tillman introduced Ordinance #1749.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1749 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 ESTABLISHING A CITY OF AUBURNDALE ZONING MAP CLASSIFICATION OF PLANNED DEVELOPMENT-H2 (PD-H2) ON PARCELS OF LAND TOTALING +/- 24 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Pace Road, Bryan Lane), 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 #1749 amending the Official Zoning Map – Intersect Properties – PD-H2, as read on second and final reading by title only. Upon vote, all ayes.

**(As noted above under the City Manager’s comments at the request of the Applicant, Items #4, #5, #6 on the Agenda have been continued until a later date)**

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

**7. PUBLIC HEARING – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – SECOND FLOOR RESIDENTIAL**

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 October 16<sup>th</sup>, 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 City Staff is proposing an amendment to the Land Development Regulations (LDRs) policies regulating second floor residential in selected commercial Zoning classifications for the downtown area only.

Currently, the commercial Zoning classifications of General Commercial (CG), General Commercial-1 (CG-1) and Commercial Highway (CH) allow residential dwelling units as an accessory use on the second floor or rear one-half of the ground floor, for owners and employees only. The amendment would allow for no restrictions on owner/employee occupancy for residential dwelling units within these zoning districts if the property is located on Main Street, between US Hwy 92 and East Park Street. Community Development Director Womble presented a slide depicting a graphic of the proposal.

This could provide more economic development in the downtown area and rental opportunities. The suggested text amendment includes language intended to allow for greater mixed-use opportunities in a designated portion of downtown, but also preserve the residential character of adjacent neighborhoods. The Central

Business District (CBD) Zoning in the downtown area already allows for residential on the second floor as a permitted use by right (not accessory use), and no restrictions on occupancy by either owner, or for lease or rent.

The Planning Commission recommended approval of amending the Land Development Regulations, Chapter 5, Zoning (5-0 vote, 10/03/2023). Staff recommends approval. She presented additional slides depicting graphics of the proposal.

City Manager Tillman said the proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on November 6, 2023. Staff recommends approval of Ordinance #1763 amending Land Development Regulations text.

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.

## **8. ORDINANCE #1763 AMENDING LAND DEVELOPMENT REGULATIONS TEXT – SECOND FLOOR RESIDENTIAL**

City Manager Tillman introduced Ordinance #1763.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1763 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 5, ZONING TO ESTABLISH POLICIES REGULATING SECOND FLOOR RESIDENTIAL IN SELECTED COMMERCIAL ZONING CLASSIFICATIONS; AND PROVIDING AN EFFECTIVE DATE**, by title only.

**Motion** by Commissioner Cowie, seconded by Commissioner Hamann, to approve Ordinance #1763 amending Land Development Regulations Text – Second Floor Residential, as read on first reading by title only.

Commissioner Hamann asked how this ordinance relates to the old hotel property.

Community Development Director Womble said it is already zoned in the Central Business District.

Mayor Taylor Bogert asked how many floors are permitted?

Community Development Director Womble said we have height restrictions; they are different for each zoning category. We would have to abide by those restrictions.

Mayor Taylor Bogert said it would probably not be anything taller than what is already down there.

Community Development Director Womble confirmed. We would also look at setbacks, and the Florida Building Code.

Upon vote, all ayes.

The Meeting was adjourned at 7:28:30 p.m.

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



Brandon Henry, City Clerk