

Planning Commission Minutes of June 20, 2022

Minutes of the Planning Commission Meeting of the City of Davenport, Florida, held Monday, June 20, 2022 at 6:30 p.m. in the Commission Room after having been properly advertised with the following members present: Mayor H.B. Robinson and Vice-Mayor Brynn Summerlin and Commission Members: Commissioner Bobby Lynch and Commissioner Tom Fellows. Also present: City Manager Kelly Callihan and City Attorney Tom Wilkes. Absent and excused was Commissioner Clark.

Mayor Robinson declared a quorum present and opened the meeting.

BUSINESS

1. **ORDINANCE NO. 955: PUBLIC HEARING AND REQUEST TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 1140 NORTH BOULEVARD WEST FROM POLK COUNTY RESIDENTIAL LOW (RL-1) TO RESIDENTIAL LOW (RL)**

City Planner Raymond Perez explained that this was a Future Land Use amendment from Polk County Residential Low (RL-1) to Residential Low (RL) consisting of .93 acres.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Lynch to recommend to the City Commission approval of Ordinance No. 955. Motion carried unanimously with no discussion.

2. **ORDINANCE NO. 956: PUBLIC HEARING AND REQUEST TO REZONE 1140 NORTH BOULEVARD WEST FROM POLK COUNTY RESIDENTIAL LOW (RL-1) TO SINGLE FAMILY RESIDENTIAL (R-3)**

Raymond explained that this was the rezoning of the same property above from Polk County Residential Low-1 (RL-1) to Residential 3 (R-3) which was consistent with the surrounding area.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Lynch and seconded by Vice-Mayor Summerlin to recommend to the Commission, Ordinance No. 956. Motion carried unanimously with no discussion.

3. **ORDINANCE NO. 957: PUBLIC HEARING AND REQUEST TO APPROVE THE LAND USE PLANNED AMENDMENT (LUPA) TO 610 HIGHWAY 17/92 SOUTH FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL HIGH (RH)**

Raymond advised that this was a Future Land Use amendment from Polk County Residential Suburban (RS) to Residential High (RH) consisting of 10.51 acres.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to recommend to the City Commission approval of Ordinance No. 957.

Discussion ensued with the Vice-Mayor voicing his concern that it was not conducive to the surrounding properties. He continued to state that his concern was with the number of entrances/exits. The number of these would be dependent on the number of units. He didn't want

the same thing happening again as it had on the Mystery House Road subdivision. He questioned if FDOT had been contacted by the landowner if they could get a driveway to handle the potential apartments and units; if not how were they getting out of there. He further added that he would be much happier if the density was more Residential Medium vs Residential High.

Raymond provided that he had not gotten any type of conceptual plans on this project, but they did intend to do the zoning of multi-family, which the challenge would be to create the appropriate entrances and exits. Once they went through the concept stages they would be contacting FDOT.

Taking the floor, Jesse Munro, the property owner advised that they had already had their pre-application with FDOT. They have been assured that they would be able to have access to Highway 17/92. Even though the driveway would be nonconforming by their regulations, they couldn't deny them access to the property. They were also in negotiations with the adjoining property owner to get a highway cross access agreement to get further away from South Boulevard. They were also looking to make substantial improvements to Highway 17/92 as part of the access permit requirements. This most likely would be a left and right turning lane and also donating right-of-way to FDOT to allow for the eventual widening of 17/92. As far as the discussion regarding the density, he strongly doubted that they were going to hit 20 units per acre. Their target would probably be closer to 12 or 13. They were trying to develop it in a way that minimized the amount of impact to the environment and would try to leave as many trees as possible and also stay out of the flood plain. Their intention for the multi-family classification was to provide a more efficient use of the property with apartments and provide as many as they could and make them affordable.

The Vice-Mayor asked him to keep in mind that they would be limited to the number of units with a single entrance, unless they acquired some of the property to the west. If he could get approval from FDOT for an entrance on 17/92 then he couldn't object too much.

Mr. Munro informed him that they were trying to do this.

There being no other discussion, the Mayor called for the vote. Motion carried unanimously.

4. ORDINANCE NO. 983: PUBLIC HEARING AND REQUEST TO REZONE 610 HIGHWAY 17/92 SOUTH FROM POLK COUNTY RESIDENTIAL SUBURBAN (RS) TO MULTI-FAMILY (MF)

Raymond explained that this was the rezoning of the same parcel from Polk County Residential Suburban (RS) to Multi-family (MF) consisting of 10.51 acres and didn't need to go to the Department of Economic Opportunity.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Commissioner Fellows and seconded by Commissioner Lynch to recommend to the City Commission approval of Ordinance No. 983. Motion carried unanimously with no discussion.

5. ORDINANCE NO. 1079: PUBLIC HEARING AND REQUEST TO ANNEX 1006 SNELL CREEK ROAD (OWNER OF RECORD: JOSE MORALES)

Raymond explained that this was a request to annex a parcel consisting of 4.95 acres.

The Mayor opened and closed the Public Hearing with no public input.

Motion by Vice-Mayor Summerlin to recommend approval to the City Commission of Ordinance No. 1079. Motion carried unanimously with no discussion.

6. ORDINANCE NO. 1081: PUBLIC HEARING AND REQUEST TO REZONE PARCEL #272703-721000-006220 - REDDING STREET FROM COMMERCIAL NEIGHBORHOOD (C-1) TO COMMERCIAL HIGHWAY (C-3) (GENERAL LOCATION: SOUTH OF BARGAIN BARN ROAD AND EAST OF HWY 17/92 NORTH)

Raymond advised that this was a rezoning request from Commercial Neighborhood-1 (C-1) to Commercial Highway-3 (C-3) consisting of 1.04 acres. He further advised that it was the owner's intention to have a landscape service with storage of his equipment in an enclosed structure.

The Mayor opened the Public Hearing.

Jennie Calhoun of 106 E. Pine Street voiced her concern with the storage and use of chemicals in a residential area. Ms. Calhoun concluded by requesting that it not be placed in the residential area. Raymond responded that it was his understanding that it was a landscape facility for the storage of material and their equipment.

In the audience, property owner Steven Briggs stated that they were storing vehicles and tree equipment on the property and were not storing any kind of chemicals.

The Vice-Mayor drew their attention to the fact that the business that was there before was Ingram Grove Service and the product that was there then was far more dangerous than what this gentleman was going to do. What they were getting was commercial property frontage and certainly an improvement to what was there now.

Twila Smith of 305 W. Magnolia Street and previously of 121 West Murphy Street pointed out that before they didn't know better and didn't say anything. They had Holly Hill and Ingram Grove Service and this is why their ancestors were no longer with them because they didn't know better. She strongly voiced her opposition for this to be in their community and they didn't want it and asked that it be placed somewhere else. This was something that they would have to look at every day.

She also stated that her next comment had nothing to do with the Ordinance but today was a federal holiday and here they were before them on Juneteenth. She felt like they were not showing any regards to them as African Americans. Yes they were that and they were going to continue to speak and saying no to the ordinance. They didn't want it in their community and it should be moved somewhere else.

There being no one else the Mayor closed the Public Hearing and entertained a motion.

Motion by Vice-Mayor Summerlin and seconded by Commissioner Fellows to recommend to the City Commission approval of Ordinance No. 1081. Motion carried unanimously with no discussion.

There being no further business, a motion to adjourn was made by Vice-Mayor Summerlin and seconded by Commissioner Lynch. Meeting adjourned at 6:53 p.m.

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

Raquel Castillo, City Clerk