

5 Ordinance 2006-16 Annexation & Rezoning – K B Homes
6

7 *Speakers had been sworn in at an earlier hearing.*
8

9 **Scott Gerken:** Read Ordinance 2006-16 by title only for the second time.
10

11 **Peter Brandt:** Stated that the request meets the statutory requirements.
12

13 **Steve Richey:** Explained that the PUD agreement had been included in the packet and
14 that he had a request from a resident of White Wing Circle to build a 6 ft. wall along their
15 property.
16

17 **Shane Perreault:** Expressed his dislike for the setbacks in the PUD.
18

19 **Sue Cordova:** Requested that the bike paths be separated from the roadway and that the
20 language be included in the developers agreement and the following sections were
21 discussed:

- 22 • City Parks & Recreation Dept.
- 23 • Gap fees
- 24 • Additional staff
25

26 Financial contributions and concurrency were discussed at length.
27

28 **Sue Cordova:** Requested that this issue be tabled to allow for changes to be made.
29

30 **Ed Earl:** Stated that he preferred that the developers agreement be more specific, and
31 agreed with Councilwoman Cordova.
32

33 A general discussion pursued regarding the plat process and schedule.
34

35 **Joe Teri:** Asked if the stormwater retention areas would be in the right of way and if
36 there was adequate right of way.
37

38 **Steve Richey:** Explained that the ponds would be built to County standards and that the
39 plans are in conjunction with the County road requirements.
40

41 **Scott Gerken:** Stated that he had spoken to Jim Stivender and that there was adequate
42 ROW.
43

44 **Joe Teri:** Stated that in the original Schedule C the road would be built prior to the
45 school being built.
46

1 **Steve Richey:** Explained that because of the delays with improving this project, the
2 construction of the road had been moved back and it would be difficult to complete the
3 road in time of the school opening. He stated that as soon as this project is approved,
4 they would begin the process to begin construction.

5
6 **Joe Teri:** Requested that the bike paths be separate from the road, clarified that the
7 lighting of the development would be the responsibility of the HOA, requested that the
8 grading section be more detailed, add that the trees would be maintained by the HOA,
9 and requested that the developer would designate more conservation areas.

10
11 **Scott Gerken:** Stated that the plant upkeep and Maintenance is in the City's LDR's,
12 explained that the plan presented is a conceptual plan, and the contributions by the
13 developer could be caused to acquire conservation area.

14
15 **Mayor Yeager:** Asked if the exit from Quail Valley issue had been decided and was it
16 Banyan's responsibility to build the road, requested that the developer contribute to an
17 Educational Facility Benefit District when it was established, and expressed his wishes
18 for the City of Minneola to meet concurrency.

19
20 **Scott Gerken:** Stated that he would check the Quail Valley Agreement and get back to
21 the Council.

22
23 **Mayor Yeager:** Asked for public comment.

24
25 **Becky Elswick (Lake Co. School Board):** Stated that the schools are over capacity and
26 the timing is wrong for this development.

27
28 **Sherie Wolkens (13302 Debbie Lane):** Expressed her appreciation for the wall to be
29 constructed as a buffer, and asked for clarification of the trails.

30
31 **Nancy Fullerton (Alliance to Protect Water Resources):** Expressed her concerns with
32 the additional water withdrawal that the development would cause.

33
34 **Patti Donahue (17221 Grassy Lake Road):** Expressed her disapproval for the
35 development and urged the Council to stop all development.

36
37 **Richard Coppock (422 White Wing Circle):** Urged the Council to consider the impact
38 the development would have on the current elementary school.

39
40 **Shane Perreault:** Stated that he did not support this and asked the Council to deny the
41 annexation and rezoning.

42
43 **Sue Cordova:** Requested that the endangered species Ordinance be brought to Council
44 prior to any more discussion, and asked if the developer would consider a 55 and over
45 community. She also disclosed that Mr. Cowherd had called her but she did not believe it
46 to be ethical to speak with developers.

1
2 **Steve Richey:** Stated that his client would not build a 55 and over community.

3
4 **Ed Earl:** Stated that he had spoken to Mr. Cowherd on the phone, and had no further
5 comments.

6
7 **Joe Teri:** Disclosed that he had spoken with Mr. Cowherd on the phone. He stated that
8 the developer was not using St. Augustine grass and therefore, would be using much less
9 water.

10
11 **David Yeager:** Spoke about the need for schools, and the need for the road that K B
12 Homes would provide.

13
14 **MOTION by Shane Perreault to deny Ordinance 2006-16.**

15
16 *No second, motion died.*

17
18 **MOTION by Sue Cordova, SECONDED by Shane Perreault to table this, to allow**
19 **K B Homes to come back with an amended agreement to add an Educational**
20 **Benefit District; to add the natural resources protection ordinance; to add no**
21 **construction on roadways around the current Minneola Elementary school site; that**
22 **the pedestrian and bike path be separate from the roadways in sec. 12; to add an**
23 **energy charge to sec. 13; and to come back with revised figures with no less than**
24 **triple in sec. 22, a - b-c.**

25
26 **AYE:** Perreault, Cordova

27
28 **NAY:** Yeager, Earl, Teri

29
30 **MOTION FAILED: 2-3**

31
32 **MOTION by Joe Teri to approve Ordinance 2006-16 with all the changes that have**
33 **been discussed.**

34
35 *Scott Gerken clarified those changes as:*

36 that the bike paths both interior and exterior would be separate from the roadways; that
37 the HOA would pay the power bill for the street lighting; that the HOA would maintain
38 the tress in the grading tracts and replant trees if they die; to agree to be included in any
39 benefit district if formed that is contiguous with the property; to construct a 6' wall along
40 White Wing Circle provided the easements were obtained; to add the endangered species
41 Ordinance.

42
43 Construction traffic was then discussed.

44
45 *No second, motion died.*

1 Mayor Yeager called a 5 minute break at 10:41 P.M. The meeting reconvened at 10:46
2 P.M.

3
4 **MOTION by Sue Cordova, to approve Ordinance 2006-16 with the following**
5 **conditions:**

6 **The 6' wall for White Wing Circle requested by the residents; joining of the**
7 **Education Benefit District; adhering to the natural resource protection Ordinance;**
8 **construction traffic after the original road is built from the entrance to Hwy 27 no**
9 **construction traffic on the roadways in the older sections of Minneola; Sec. 12**
10 **adding bicycle paths separated from the roadway; sec. 13 adding HOA responsible**
11 **for paying the energy charges for the lighting; and doubling the fees on Sec. 22 a, b**
12 **& c.**

13
14 **Steve Richey:** Stated that he did not have the authority to increase the fees.

15
16 **Sue Cordova withdrew her motion.**

17
18 **MOTION by Sue Cordova, SECONDED by Joe Teri by to table to give Mr. Richey**
19 **the opportunity to go back and speak with the owners and developer of the property**
20 **and to come back to the July 11th meeting with the proposed changes.**

21
22 **AYE:** Cordova, Yeager, Teri

23
24 **NAY:** Perreault, Earl

25
26 **MOTION PASSED: 3-2**

27
28 The Quasi-Judicial Hearing ended at 10:50 P.M.

29
30
31
32
33 _____
34 Mayor David Yeager

35 Attest

36
37 _____
38 Jan McDaniel, CMC