

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

7 **Scott Gerken:** Read Ordinance 2006-16 by title only for the second time and explained
8 that the requested changes had been made or would be made as follows:

- 9 • Sec. 18 the Ordinance # for the Endangered Species was included
- 10 • Sec. 24 the language was changed regarding the Educational Facility District, and
11 that KB had requested that an additional sentence be added that the development
12 would pay their fair share as stated in the statute
- 13 • Sec. 22, the developer had agreed to up the “upfront” money and the language had
14 been clarified

15
16 **Shane Perreault:** Asked if a Fire Station would be built by K B Homes.

17
18 **Steve Richey:** Stated that K B Homes was donating property to the City and that it
19 would be up to the City to build a station if desired.

20
21 **Sue Cordova:** Discussed the requested fees to be paid to the City.

22
23 Financial contributions, construction time, school concurrency, Educational Facility
24 Benefit Districts, and plat approvals were discussed at length.

25
26 **Ed Earl:** Discussed platting phases, gap fees, and school concurrency.

27
28 **Joe Teri:** Asked for clarification of an exhibit and had no further questions.

29
30 **Mayor Yeager:** Clarified that the developer was aware of an Educational Facility
31 Benefit District and expressed his wishes for the City of Minneola to meet concurrency.

32
33 **Mayor Yeager:** Asked for public comment.

34
35 *Scott Gerken swore in those wishing to speak on this matter.*

36
37 **Sherie Wolkens (13302 Debbie Lane):** Asked that the developer be careful as to where
38 the entrances are placed because of the way the road curves, that a wall is built to buffer
39 the surrounding areas and that there are scrub jays and gopher tortoises on the property.

40
41 **Becky Elswick (Lake Co. School Board):** Stated that she understands that the City was
42 working toward an Educational Facility Benefit District and that the Lake County School
43 Board would need to approve that district.

44
45 **Bob Foley (Montverde):** Complimented the Council on the school concerns and urged
46 the Council to proceed with caution when establishing an EFBD.

1 **Lorrain Frankenfield (18146 Victorian Dr.):** Urged the Council not to approve any
2 more development and spoke on the overcrowding of the schools.

3
4 **Joe Emanuele (212 Grassy Lake Rd):** Stated that the timing was not right for this
5 development.

6
7 **Shane Perreault:** Stated that he could not support this and asked the Council to deny the
8 annexation and rezoning.

9
10 **Sue Cordova:** Asked that the dollar amount to be worked out.

11
12 **Steve Richey:** Explained the fees and payment schedule that was included in the
13 developers agreement.

14
15 **Ed Earl:** Had no further questions.

16
17 **Joe Teri:** Stated that he believed this development would benefit all of the residents in
18 the area and noted that the density of this development is less than Founders Ridge.

19
20 **David Yeager:** Stated that he believed that the project, the road, and an Educational
21 Facility Benefit District would benefit the City.

22
23 **MOTION by Shane Perreault to deny Ordinance 2006-16.**

24
25 *No second, motion died*

26
27 **MOTION by Sue Cordova, to approve Ordinance 2006-16 with the following**
28 **conditions:**

- 29
- 30 • **Sec. 16 – remove *Owner/Developer also agrees that after acquiring all***
31 ***easements necessary to do so and begin that sentence with Owner shall***
32 ***construct a 6’ wall; also add the information regarding the 6’ wall for the***
33 ***property owners abutting on Debbie Lane***
 - 34 • **Sec. 18 –add Ordinance # 2006-22**
 - 35 • **Sec. 22 – clarify that those are minimum payments**
 - 36 • **Sec. 23 – add *If school concurrency has not been adopted by the city, no***
37 ***certificate of occupancy shall be issued until permanent student stations are***
38 ***constructed.***

39 Ms. Cordova amended her motion.

40
41 **To approve the K B agreement on the following stipulations:**

- 42
- 43 • **Sec. 16 - to add the information regarding the 6’ wall on Debbie Lane**
 - 44 • **Sec. 18 –add Ordinance # 2006-22**
 - 45 • **Sec. 22 – clarifying A, C, & D that the amounts stated are minimum**
46 **amounts, and amounts may exceed if the final plat is not recorded in Sec. C,**
& Sec. D, and approved in Sec. A, with a 90 day provision.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- **Sec. 23 – add *If school concurrency has not been adopted by the City at the time of the preliminary plat, or the developer is not part of an Educational Benefit District or does not have a proportionate share agreement with the school board, the preliminary plat will not be approved.***

MOTION was Seconded by Joe Teri.

AYE: Cordova, Yeager, Teri

NAY: Perreault, Earl

MOTION PASSED: 3-2

The Quasi-Judicial Hearing ended at 8:10 P.M.

Mayor David Yeager

Attest

Jan McDaniel, CMC