

1 City of Minneola  
2 Planning & Zoning Commission Meeting  
3 Minneola Council Chambers  
4 800 North US Hwy 27, Minneola, FL  
5

February 2, 2009

6 Debbie Veit called to order the Minneola Planning and Zoning Meeting.  
7

<i>Present</i>	<i>Absent</i>	<i>Others Present</i>
<i>Debbie Veit, Chairperson</i>		<i>Timothy Green, Consulting Planner, Green Consulting Group</i>
<i>Jim Frana, Vice Chair</i>		<i>Katrina Thomas, Assistant City Attorney</i>
<i>John Flowers</i>		<i>Laura Jones, Senior Planner</i>
	<i>Charlie Humphries</i>	<i>Sue Niswonder, Assistant Planner</i>
<i>Sherry Zielonka</i>		<i>Rose Folan, Admin.Asst., Planning</i>
<i>City Council Representative, Victor Ortega</i>		

8  
9 *A moment of Silence and Pledge of Allegiance*

10  
11 **Agenda Review**

12  
13 **Review of Planning and Zoning Meeting Minutes for January 5, 2009**

14  
15 **MOTION** by John Flowers to approve the minutes.

16 **SECONDED** by Jim Frana.

17 **Debbie Veit** called for a vote.

18 **APPROVED 4 – 0.** Charlie Humphries absent.

19

20

21 **Resolution 2009-27 – Variances:**

22 **Devindra Property – 302 North U.S. Highway 27**

23 **Applicant/Property Owner: Umadat Devindra**

24

25 Tim Green opened the discussion regarding the variances requested for this property.

26

27 Applicant representative, Ken Leeming, came forward.

28

29 *Katrina Thomas requested that anyone wishing to speak on any matter during this meeting stand to be sworn in at this time. Katrina swore in applicant representative, Ken Leeming, as well as other audience members.*

30

31  
32  
33 Sherry Zielonka and John Flowers had no questions. Jim Frana asked about the size of the building and expressed concern about the setbacks and buffers on Main Avenue.  
34 Ken Leeming pointed out that the site was redesigned from a previous submittal to address concerns about a neighboring parcel, but that the size of the building was not significantly changed.  
35  
36  
37

38

1 Debbie Veit asked Tim Green for his opinion on how this would fit with what has been  
2 discussed for Main Avenue parking. Tim responded that it would be in the right-of-way  
3 and so it has no impact. He added that the new proposal is for a slightly smaller  
4 building. Tim also brought up that the proposed double driveways may be a problem  
5 with DOT. Ken Leeming responded that they are meeting with DOT. Debbie asked if  
6 the plan meets the parking requirements. Mr. Leeming responded in the affirmative.

7  
8 Debbie Veit asked what would be considered the front of the building. Mr. Leeming  
9 provided a hand-out of the conceptual building elevations. Debbie and Jim Frana both  
10 complimented the applicant on returning with a conceptual drawing that addressed  
11 previous concerns.

12  
13 Debbie Veit opened the meeting to the audience; no one came forward; she closed that  
14 portion of the meeting and returned to the board.

15  
16 **MOTION by Jim Frana to recommend approval of Resolution 2008-27 with the**  
17 **following recommendations to City Council: consider numbers of plantings to be**  
18 **used in the buffers; conceptual drawing presented to P&Z be used as a tool; and**  
19 **be sure that the building meets our architectural standards.**

20 **SECONDED by John Flowers.**

21 **Debbie Veit called for a vote.**

22 **APPROVED 4 – 0. Charlie Humphries absent.**

23  
24 **Site Plan Review – McDonald's:**

25 **901 North U.S. Highway 27 (north of Walgreens)**

26 **Applicant: Justin Polk, CPH Engineers**

27 **Property Owner: Rock Southern Breeze, LLC**

28  
29 Laura Jones opened the discussion introducing the project and providing an overview  
30 of the issues regarding buffers and lighting.

31  
32 Debbie Veit asked about the issue of the fire hydrants. Laura Jones responded regarding  
33 confusion about the location of the hydrants.

34  
35 Justin Polk, the applicant, came forward to speak. *He was previously sworn in by*  
36 *Katrina Thomas.* Mr. Polk added confirmation about the location of the fire hydrant. He  
37 added that the issue of the buffer relates to fact that it was necessary to add a wall,  
38 which decreases the buffer area. Mr. Polk continued explaining about lighting and their  
39 willingness to work out any issues.

40  
41 Sherry Zielonka and John Flowers had no questions. Jim Frana asked about night  
42 lighting. Justin Polk responded that they do not have any pole lights on the site only  
43 ambient lights on the building and canister lights that are in the ground.

44  
45 Debbie Veit opened the meeting to the audience; no one came forward; she closed that  
46 portion of the meeting and returned to the board.

47  
48 **MOTION by Sherry Zielonka to recommend approval of the Site Plan for**

1 **McDonald's.**  
2 **SECONDED by Jim Frana.**  
3 **Debbie Veit called for a vote.**  
4 **APPROVED 4 – 0. Charlie Humphries absent.**

5  
6 **Ordinance 2009-03:**  
7 **Amending Chapter 102 and Chapter 82 of the Land Development**  
8 **Regulations**

9  
10 Laura Jones opened the discussion by explaining the changes that this Ordinance would  
11 make in the Code relative to B-1 and I-1 districts. She also explained that the special  
12 meeting on February 5<sup>th</sup> would be to address a Resolution for a specific Special  
13 Exception Use. Laura pointed out that this Ordinance is only to change the Code, which  
14 will then allow the applicant to seek a Special Exception.

15  
16 Debbie Veit restated that this Ordinance does have to be approved before the  
17 Resolution can be presented for approval. Laura Jones pointed out that this is the City  
18 Council's response to P&Z's recommendation that the Code be modified relative to  
19 recent consideration of this topic.

20  
21 Sherry Zielonka asked for a reminder as to whether or not any stipulations were placed  
22 during the previous consideration. Debbie Veit responded that none were included.

23  
24 John Flowers asked about restrictions in the B-1 district. Debbie Veit asked about the  
25 difference between Conditional Use Permits and Special Exception Use Permits. Tim  
26 Green responded that a Special Exception Use is a use that is allowed some where in  
27 the Code, which is being allowed by Special Exception in other zoning districts;  
28 Conditional Uses are not allowed anywhere in the Code. Katrina Thomas pointed out  
29 that conditions can be placed on both types.

30  
31 Debbie Veit commented that this should be a Conditional Use in both districts. Tim  
32 Green pointed out that if kennels were not listed in the Code, this could be done as a  
33 CUP in both zoning districts. General discussion of the options followed.

34  
35 Debbie Veit opened the meeting to the audience.

36  
37 David Yeager, 318 Magellan Circle – *Katrina Thomas swore in the speaker*

- 38 • Current provisions of our Code do not address needs
- 39 • Council's direction was to correct the provisions
- 40 • Council wants to fix something that doesn't work
- 41 • Understands it may not be perfect
- 42 • Similar use does exist in B-1 district
- 43 • Understands all the concerns

44  
45 Debbie Veit asked if anyone else in the audience wanted to speak; no one came  
46 forward; she closed that portion of the meeting and returned to the board.

47  
48 Debbie Veit stepped down from the chair in order to make the motion. Jim Frana took

1 the chair.

2

3 **MOTION by Debbie Veit to recommend approval of Ordinance 2009-03 striking**  
4 **the use of such business in the B-1 zoning district and to also recommend that the**  
5 **Special Exception Use in the Industrial (I-1) district have a list of minimum**  
6 **requirements. The suggested list of requirements would include: guidelines of the**  
7 **American Kennel Club and the ASPCA, 24-hour supervision, waste disposal,**  
8 **soundproofing, occupancy per square foot, outside recreational areas, and health**  
9 **and vaccination requirements.**

10 **SECONDED by John Flowers.**

11 **Jim Frana called for a vote.**

12 **APPROVED 4 – 0. Charlie Humphries absent.**

13

14 **Discussion items:**

15

16 • Victor Ortega expressed, on behalf of the City Council, thanks to the board for  
17 their efforts and the thorough job they are doing.

18

19 • Debbie Veit asked about setting an end time for the February 5<sup>th</sup> workshop and  
20 suggested 8-8:30 p.m. as appropriate. All were in agreement.

21

22

23 **MOTION by Jim Frana to adjourn.**

24 **SECONDED by Sherry Zielonka.**

25 **Meeting adjourned 8:56 p.m.**

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30   
**Debbie Veit**

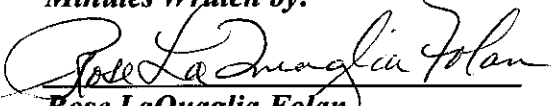
31 **Chairperson, Planning and Zoning**

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33 **Minutes Written by:**

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36   
**Rose LaQuaglia Folan**

37 **Administrative Assistant, Planning Dept.**

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39

40 **Attest:**

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**Janet McDaniel**

44 **City Clerk**

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