

**Minneola Planning & Zoning Commission
Minutes**

**January 8, 2024 at 6:30 PM
Minneola City Hall**

The City of Minneola Planning & Zoning Commission was called to order by Chairman Jeff Henderson. Also present were Commissioner William McCoy, Commissioner Nathan Focht, Alternate Member Joanna O'Halloran, Councilor Debbie Flinn (Council Liaison), Mark Johnson (City Manager), Scott Gerken (City Attorney), Joyce Heffington (City Planner), Heather Urwiller (City Planner) Ramon Flores (Code Enforcement Supervisor) and Corey DeVogel (Planning Technician).

Commissioner Leonard Jackson and Vice-Chairman Oscar Trujillo were not present.

CALL TO ORDER

Chairman Henderson called the meeting to order.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by **Chairman Henderson**.

MOTION by Commissioner Focht, SECONDED by Commissioner McCoy to excuse Commissioner Jackson.

AYE: Focht, McCoy, Henderson

NAY: None

MOTION PASSED: 3-0

AGENDA REVIEW

Scott Gerken appointed and swore in the returning members of the Planning and Zoning Commission board (Nathan Focht, Jeff Henderson, William McCoy) as well as the new alternate member (Jessica O'Halloran). He noted that the members that were not in attendance will be sworn in at the next Planning and Zoning meeting.

PUBLIC COMMENTS

No public comment.

Scott Gerken swore in all that were going to speak.

MINUTES

Chairman Henderson requested a change on line 99 of the previous Minutes (December 4th 2023), noting a name being misplaced on a vote.

Item 2: Nominations

No public comment.

MOTION by Commissioner Focht, SECONDED by Commissioner McCoy to keep Chairman Henderson and Vice-Chairman Trujillo in their previous nominated positions.

AYE: Focht, McCoy, O'Halloran

NAY: None

MOTION PASSED: 3-0

Item 3: Pointe Grande Live Local

Scott Gerken discussed the Live Local Act and noted that there was an inability to say no, noting that there would not be a vote. Instead, it would be a discussion. He noted that the city adopted a procedure to inform the public of Live Local Applications since there were no provisions in the state approval to give any kind of notice to the neighbors and community. The city wanted to have a procedure to let the neighborhood know of coming projects and to provide a forum to get information on the project and ask questions. Unlike normal hearings, it would be considered a meeting to provide information about the project and to ask about the project, as well as the commission giving specific recommendations they would like to see. The hope would be to address some concerns construction starts.

Joyce Heffington provided a slideshow presentation on the Live Local project: Pointe Grande. Located on the two eastern corners of Sullivan Road, the commercial portion would be on the northern parcel and apartments would be on the southern portion. She noted that at least 40% has to be housing and the Live Local Act allows for low-income apartments within business and industrial zoning. She noted that there would not be a vote, but did want to state the staff recommendations:

1. A declaration of restrictive covenants to be recorded in the public records of Lake County, Florida, at the developer's expense, running in favor of the City of Minneola, Florida.

The declaration of restrictive covenants shall include the following restrictions:

a. A provision that a minimum of forty percent (40%) of the residential units must be reserved for individuals or families who qualify as defined under Section 420.0004, Florida Statutes.

b. The covenants shall be recorded for a period of no less than thirty (30) years. The covenants shall also include a provision that the covenants shall not be amended or released without the express, written approval of the City of Minneola City Council.

2. On an annual basis, beginning with the year the Developer, or its successors or assigns, receives the first Certificate of Occupancy (CO) for the residential units, annual reporting and income qualification shall commence. Due no later than January 31st each year, a report shall be provided to the City Manager or designee identifying:

- a. The total number of units issued a CO.
- b. The unit set-aside percentage as outlined in the project.
- c. The total number of occupied units.
- d. The total number of vacancies and an explanation of units vacant for over six (6) months.

Tara Tedrow (Applicant Representative) provided a slideshow presentation on the Pointe Grande apartments and commended the City of Minneola for passing an ordinance requiring public discussions on Live Local applications, commending the transparency. She noted that the project will comply with code requirements for multi-family developments as well as having shared drainage.

Chairman Hendeson called for public comment.

Denise Price (Resident) asked if the Live Local Act was the same as Senate Bill 102.

Scott Gerken confirmed that it is.

Denise Price noted that it exempts the property owner from paying property tax on the land as well as a sales tax refund for building materials. She inquired if the City of Minneola was told it would have to do this type of development.

Commissioner Focht noted that the issue is that it was preempted on a state level telling local municipalities what they can and can't do.

Scott Gerken noted that every city within the state falls under the act. There may be glitch bills to change parts of it, but the City of Minneola did not choose for it to happen, and it was mandated by Tallahassee.

Caree Lee Simonds (County resident) thanked the City of Minneola for providing all of the documents pertaining to the Pointe Grande project. She noted that she understood that city's have no choice in the matter, creating an imbalance. She noted that there were 30-year valorum tax exemption noting that the community would be footing the bills. She stated that there is very little info for Phase 2 and traffic will be a right in and right out. She stated that the traffic study does not accurately reflect traffic in the area. She also noted a possible expansion with the traffic study factoring in 360 units as opposed to only 300.

139 **Mary Brogdon (County resident)** expressed concerns with the water retention during
140 construction as well as Sullivan Road's ability to keep up with the increased traffic.

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142 **Lorraine Frankenfield (County resident)** noted that the City of Debarry had instituted a nine
143 month moratorium on building in order to wait and see what the government is going to do with
144 the Live Local Act and suggested that the City of Minneola consider implementing something
145 similar.

146
147 **Phyllis Muller (County resident)** expressed that \$2,000 a month for an apartment is not
148 affordable housing, stating that it would just be a way for the developers to put in apartments where
149 they shouldn't go just to make money. She expressed concern for the removal of all of the trees
150 and hills.

151
152 **Chairman Henderson** called on the applicant.

153
154 **Tara Tedrow** noted that there would be 300 units instead of 360. She also stated that the Live
155 Local Act does not supersede state laws and would still have to comply with FDEP.

156
157 **Commissioner McCoy** expressed to the audience that the best way to get feedback from the state
158 is writing a letter to their representative or setting up a workshop with the representative and the
159 people of the community. He expressed concern about Sullivan Road.

160
161 **Chairman Henderson** inquired about the possibility of a moratorium.

162
163 **Scott Gerken** noted he can look into the moratorium and described it as a temporary pause to get
164 things together instead of completely stopping something, but it would be looked into.

165
166 **Commissioner Focht** suggested landscape buffering on the commercial parcel where it would be
167 against a cul-de-sac due to the higher elevation as well as expressing concern over water control
168 during construction as well Sullivan Road traffic.

169
170 **Commissioner O'Halloran** noted the community's concern for the lack of information on the
171 development as well as the concern for the wildlife species and agriculture noting that it should be
172 taken into account as well as the aquifer, wells and also who would incur the cost if those on wells
173 would need to transfer to city lines.

174
175 **Tara Tedrow** stated that there will be a construction access.

176
177 **Scott Gerken** noted that no motion would be necessary, and the item would come before the city
178 council on February 6th 2024.

179
180 **Item 4: Ordinance 2024-01 Townhome Design Standards**

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182 **Joyce Heffington** detailed Item 4 noting the requirements that would be placed into the design
183 standard change that the commission has previously suggested such as no parking signs by fire
184 hydrants.

185 **Chairman Henderson** called for public comment.

186
187 No comment.

188
189 **MOTION by Commissioner Focht, SECONDED by Commissioner McCoy to approve Item**
190 **4: Ordinance 2024-01 Townhome Design Standards**

191
192 **AYE: Focht, McCoy, O'Halloran, Henderson**

193
194 **NAY: None**

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196 **MOTION PASSED: 4-0**

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198 **Item 5: Ordinance 2024-03 Artificial Turf**

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200 **Heather Urwiller** read out and presented a slideshow on Artificial Turf looking to establish a
201 definition and determine what would or wouldn't be allowed. The slideshow included a variety of
202 ordinances from other municipalities across Florida, drawing comparisons and contrasts as well as
203 only allowing it to be placed in the backyard of a house.

204
205 A discussion on where the turf would be allowed, drainage, swales and requiring the usage of
206 licensed contractors to install the turf ensued.

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208 **MOTION by Commissioner Focht, SECONDED by Commissioner McCoy to approve Item**
209 **5: Ordinance 2024-03 Artificial Turf**

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211 **AYE: Focht, McCoy, O'Halloran, Henderson**

212
213 **NAY: None**

214
215 **MOTION PASSED: 4-0**

216 **FINAL PUBLIC COMMENTS**

217
218 No public comment.

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220 **FINAL REPORTS**

221
222 **Scott Gerken** provided paper oath forms for the board to fill out and reminded the members of
223 the board that they are subject to the Sunshine Law and that they are not to communicate with
224 anyone on the board (including alternates) about anything that would come before them outside of
225 the board meetings. He suggested that if they had a question about it, to give the attorney's office
226 a call.

227
228 **Commissioner Focht** noted that he had been helping Commissioner O'Halloran on Lake
229 Minneola's traffic issue by attending the meetings, and if there would be any issue with it.

Scott Gerken noted that he would not want to discourage people from helping with worthy projects, and they would be fine to talk to each other about school projects, but if it is something that could be coming to the P&Z board, it could be sensitive.

No other staff reports.

MOTION by Commissioner Focht, SECONDED by Commissioner O'Halloran to adjourn.

AYE: Focht, McCoy, O'Halloran, Henderson


NAY: None

MOTION PASSED: 4-0

(Meeting adjourned at 8:36 P.M.)


Jeff Henderson, Chairman

ATTEST:


Corey DeVogel, Planning Technician