

Minneola Planning and Zoning Commission**Minutes****June 1, 2020 at 7:00 PM****Minneola City Hall**

The City of Minneola Planning and Zoning Commission was called to order by Chairwoman Debbie Flinn. Also present were Vice Chairman Paul Giacalone, Commissioner Jeff Henderson, Commissioner William McCoy, Commissioner Daniel Smith, Grant Watson (City Attorney), Joyce Heffington (City Planner), and Kristine Thompson (Administrative Assistant).

Commissioners Leonard Jackson and Oscar Trujillo were absent.

CALL TO ORDER

Chairwoman Debbie Flinn called the meeting to order.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

A moment of silence was observed, and the Pledge of Allegiance was led by **Vice Chairman Paul Giacalone**.

AGENDA REVIEW

Commissioner Smith requested Item 3 be moved to Item 1 and move Item 1 to Item 3.

Joyce Heffington explained that the applicant for Item 1 has requested the item be postponed.

Commissioner Smith then asked for Item 3 to be moved to Item 1.

PUBLIC COMMENTS

Chairwoman Debbie Flinn asked for public comments. There were no comments.

Chairwoman Debbie Flinn stated Commissioners Leonard Jackson and Oscar Trujillo would be absent from tonight's meeting and requested a motion to excuse.

MOTION by Commissioner Giacalone, SECONDED by Commissioner McCoy to excuse Commissioner Jackson and Commissioner Trujillo.

AYE: Henderson, Flinn, Giacalone, McCoy, Smith

NAY: None

MOTION PASSED: 5-0

MINUTES

MOTION by Commissioner McCoy, SECONDED by Commissioner Smith to approve the minutes from March 2, 2020 as written.

AYE: Henderson, Flinn, Giacalone, McCoy, Smith

NAY: None

MOTION PASSED: 5-0

DISCUSSION ITEMS**Item 3: Resolution 2020-04 Variance RaceTrac Grass**

Grant Watson swore in staff and members of the audience wishing to speak on the item.

Joyce Heffington stated RaceTrac has asked for a variance to the section of code regarding approved sod types. The code prohibits St. Augustine for any property, except for 40% of a residential yard. Explained there had been some discussion back and forth regarding the sod type. The Planning Consultant who reviewed the plans initially did not notice the plans showed St. Augustine grass, but it was then caught in a later submittal. However, the contractor working on the site had an old set of plans showing the St. Augustine grass and installed this type of sod. RaceTrac is now asking for a variance to leave the St. Augustine grass rather than replace it. Staff is recommending denial because it does not meet code.

Chairwomen Flinn requested the applicant come forward.

Grant Watson swore in the applicant.

Jeffery Baird, with RaceTrac Petroleum, indicated Joyce was correct. The first five submittals showed St. Augustine grass when the final submittal was sent in removing the ice machine the sod issue was caught. They have spoke with Deidre Irwin, with St John's River Management District, regarding the St. Augustine sod and she suggested she was on board with the sod as long as a separate rain irrigation meter was installed, which it has been. Also explained to remove the St. Augustine sod and replace it with Bahia sod it would waste a lot of water due to the excessive water to establish new sod.

Commissioner McCoy stated standard water will be used for irrigating, not reclaimed water.

Jeffery Baird confirmed that was true.

Grant Watson reminded the Commission of the section of code pertaining to Variances and the criteria an item must meet in order to qualify for a variance.

1 **Mark Johnson** stated the building and landscaping is beautiful and appreciates the
2 investment in the city. The city has argued with St. John's in the past due to these
3 requirements. Expressed concern with the amount of water being used to water the St.
4 Augustine, suggested this water is being taken out of the aquifer. Suggested if the
5 Commission considers approval of this variance request the applicant should be required to
6 get a letter from St. John's stating, they will not hold this against the City when renewing
7 our consumptive use permit.

8
9 **Ramon Flores** asked Grant Watson if a variance can be obtained for an item that is
10 expressly prohibited by code.

11
12 **Grant Watson** confirmed that is the idea of a variance. If the code is creating a hardship on
13 a situation.

14
15 **Ramon Flores** asked if this was still true even if it is expressly prohibited.

16
17 **Grant Watson** confirmed again stated this variance was being requested because the code
18 indicated St. Augustine is not allowed in this situation. Then explained again the criteria for
19 approving a variance but it is up to the Commission whether they'd like to adhere to that.

20
21 **Commissioner Henderson** asked how the Project Manager missed this. Suggested the
22 Landscape Contractor installed the grass, but how did the Project Manager miss it once it
23 was installed.

24
25 **Jeffery Baird** indicated the plans were previously approved, but once it was resubmitted
26 removing the ice machine the sod issue was caught. The plans including St. Augustine were
27 provided to the contractor because they had already been approved.

28
29 **Commissioner Henderson** stated they were told to adhere to all city's ordinances.

30
31 **Jeffery Baird** confirmed they do try to meet city's code.

32
33 **Commissioner Henderson** indicated some dates on the variance application needed to be
34 changed. Indicated a potential issue with the notary's signature date.

35
36 **Chairwoman Flinn** indicated she had no issues with the sod. It would be a financial
37 hardship to replace the sod and thinks it looks great. Indicated they should get a letter from
38 St. John's stating the city would not be held accountable for the sod.

39
40 **Vice Chairman Giacalone** asked if it was approved in the past with St. Augustine.

41
42 **Joyce Heffington** explained the plan had been approved contingent on some changes.
43 Therefore, it had been reviewed again when resubmitted and this is when the sod was
44 caught.

45
46 **Commissioner McCoy** stated he does not have an issue with the sod.

1 **Commissioner Smith** stated the sod looks good and believe the applicant has does
2 everything they can do to adhere to the code as much as possible. Suggested as long as we
3 get a letter from St. John's they should not have to rip it up.

4
5 **Vice Chairman Giacalone** asked if the sod were to die, it would have to be replaced with
6 the correct sod.

7
8 **Jeffery Baird** confirmed if the sod were to die, it would be replaced with code compliant
9 sod.

10
11 **MOTION by Commissioner McCoy, SECONDED by Commissioner Smith to approve**
12 **Resolution 2020-04 Variance RaceTrac Grass.**

13
14 **AYE:** Flinn, Giacalone, McCoy, Smith

15
16 **NAY:** Henderson

17
18 **MOTION PASSED: 4-1**

19
20 **Vice Mayor Serviss** asked when this item would be seen by City Council.

21
22 **Joyce Heffington** indicated June 16, 2020.

23
24 **Item 2: The Hills of Minneola Area 2 Pod 1 Phase 1 Park Site Plan**

25
26 **Joyce Heffington** explained this site plan is for a neighborhood park that is owned by the
27 HOA. The Hills of Minneola Area 2 Pod 1 Phase 1 subdivision plan has already been seen
28 but because is an individual site this must be seen separately. Staff recommends approval
29 once the plat is recorded, a right of way agreement is executed agreeing to maintain the right
30 of way because some parking is in the grassed part of the right of way, and all impact fees
31 are paid.

32
33 **Commissioner McCoy** asked if this is the park that was discussed north of the Turnpike.

34
35 **Joyce Heffington** explained this was not. This was a provide park in a private neighborhood
36 maintained by the HOA.

37
38 **Chairwomen Flinn** asked if Grant Watson had anything to add.

39
40 **Grant Watson** suggested the right of way agreement needed a minor revision, clarify
41 paragraph 4 change working to "owner agrees to", strike out "assessed against it" leaving
42 "rising out of anyway relating to" strike out "owners".

43
44 **Grant Watson** swore in Denver Marlow to speak on the item.

45
46 **Denver Marlow** confirmed he agrees with staff's recommendation.

1
2 **Commissioner Smith** stated the park looks great. Suggested moving the trees inward to
3 avoid any root encroachment.

4
5 **Denver Marlow** stated they would review the plans to ensure there would be no issues
6 down the road.

7
8 **Vice Chairman Giacalone** asked if this should be shown on the Final Plat.

9
10 **Joyce Heffington** explained it is shown as one of the lots.

11
12 **Vice Chairman Giacalone** inquired on a plan he saw earlier that showed streets.

13
14 **Denver Marlow** explained this is a subsequent plan for a specific parcel that shows the
15 layout and components of a park. Approval would allow then to do horizontal work, utilities,
16 no building permits until the plat is recorded.

17
18 **Vice Chairman Giacalone** asked why the streets are shown along with lot numbers.

19
20 **Denver Marlow** stated this was just information to show the parks location.

21
22 **Vice Chairman Giacalone** asked if the Fire Department had reviewed this, he does not see
23 truck routing.

24
25 **Denver Marlow** stated the truck routing would have been shown as a part of the
26 construction plan.

27
28 **Joyce Heffington** stated the truck routing was part of the subdivision plan, this is just one
29 lot within the subdivision.

30
31 **Commissioner McCoy** discussed the plant schedule, asked if the trees were consistent with
32 the direction the city wanted to move toward.

33
34 **Joyce Heffington** stated they have talking about keeping trees in the parks and not so many
35 in the lots. Suggested we would have Brooke Moffis, with the University of Florida, look
36 at the plans to see if she is ok with the landscape plan.

37
38 **Chairwomen Flinn** stated she is good with the plan if the conditions are met.

39
40 **Commissioner Henderson** has no problem with the site, the city is not going to incur any
41 expense for maintaining it so he is good with it.

42
43 **Commissioner Smith** asked if this would be a public park maintained by the HOA.

44
45 **Denver Marlow** stated it is a community park maintained by the HOA, individuals outside
46 of the neighborhood should not be coming in to use it.

1
2 **Chairwoman Flinn** requested a motion.

3
4 **MOTION by Commissioner Smith, SECONDED by Commissioner McCoy to approve**
5 **The Hills of Minneola Area 2 Pod 1 Phase 1 Park Site Plan**

6
7 **AYE:** Henderson, Flinn, Giacalone, McCoy, Smith

8
9 **NAY:** None

10
11 **MOTION PASSED: 5-0**

12
13 **FINAL PUBLIC COMMENTS**

14
15 No public comment.

16
17 **FINAL REPORTS**

18
19 **Commissioner McCoy** suggested we should move the tree discussion item up with some
20 priority because there is going to be a lot of building in the coming years and we need some
21 idea what direction we want to move in.

22
23 **Joyce Heffington** explained it was not on this agenda because Publix was due to be here,
24 and it would have been a heaving meeting.

25
26 **Commissioner McCoy** asked if Mark Johnson was still present.

27
28 **Ramon Flores** indicated he had left.

29
30 **Commissioner McCoy** inquired who owned the retention pond on the north side of The
31 Reserve of Minneola.

32
33 **Joyce Heffington** stated it is owned by the HOA.

34
35 **Commissioner McCoy** explaining he is referring the one just off of Citrus Grove Rd, under
36 the traffic light.

37
38 **Ramon Flores** and **Joyce Heffington** both suggested it belongs to Overlook at Grassy Lake
39 or possibly Lake County.

40
41 **Vice Mayor Serviss** asked what the reason Publix was postponed their item.

42
43 **Joyce Heffington** stated she believed their representation was new and may be trying to get
44 a handle on the item.

45
46 **Grant Watson** stated they had reached out to his office as well requesting the continuance.

1 **Joyce Heffington** stated they have requested a meeting with staff.

2
3 **Commissioner Henderson** stated he may not be present for the July meeting.

4
5 Vice Mayor Serviss had no reports.

6
7 Joyce Heffington had no reports.

8
9 **MOTION by Commissioner McCoy, SECONDED by Commissioner Giacalone to**
10 **adjourn.**

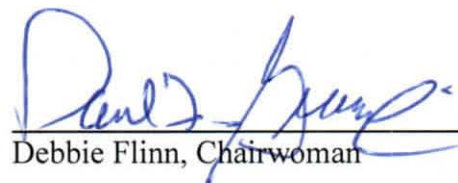
11
12 **AYE:** Henderson, Flinn, Giacalone, McCoy, Smith

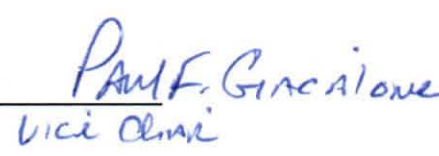
13
14 **NAY:** None

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16 **MOTION PASSED: 5-0**

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18 *(Meeting adjourned at 7:50 P.M.)*

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Debbie Flinn, Chairwoman


Paul F. Giacalone
Vice Chair

ATTEST:


Kristine Thompson, Planning Technician