

**AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, DECEMBER 21, 2020 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting Monday, December 21, 2020, at the Venetian Center. Mayor Dennison called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian
Commissioner Jay Hurley
Commissioner Dan Robuck
Commissioner Mike Pederson
Mayor Elise Dennison

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Fred Morrison, the news media, and others.

INVOCATION

Commissioner Hurley gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS

A. NONE

3. PRESENTATIONS

A. NONE

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

There were none.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

Commissioner Christian moved to adopt the Consent Agenda, and Commissioner Robuck seconded the motion.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Hurley	Yes
Commissioner Pederson	Yes
Mayor Dennison	Yes

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:
(Each item has its coordinating Resolution number listed below the header)

A. CITY COMMISSION MEETING MINUTES:

1. NONE

B. PURCHASING ITEMS:

- 1. Purchase request by the Police Department for the purchase of two (2) new Dodge Charger Pursuit vehicles from Garber Auto Mall for a total purchase cost of \$52,404.00.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Kelly Brothers, Inc. for the Venetian Cove Floating Docks for an amount of \$1,103,050.75; and providing an effective date.**

Resolution 10,772

- 3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Piggyback Agreement with US Submergent Technologies, LLC for structure cleaning services; and providing an effective date.**

Resolution 10,773

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida authorizing applying for and accepting, if awarded, a grant from the Florida Department of Health for the purchase of one (1) Physio-Control LifePak 15 Cardiac Monitor/Defibrillator; and providing an effective date.**

Resolution 10,774

2. **Resolution of the City Commission of the City of Leesburg, Florida appointing one member to the Leesburg Police Pension Plan Trustee Board for a two-year term to expire December 31, 2022; and providing an effective date.**

Resolution 10,775

3. **Resolution of the City commission of the City of Leesburg, Florida appointing one member to the Leesburg Firefighters' Retirement Plan Board of Trustees for a two-year term to expire December 31, 2022; and providing an effective date.**

Resolution 10,776

4. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Partial Release of Easement and Quitclaim Deed between the City of Leesburg and The Villages Land Company, LLC for the purpose of releasing a utility easement across property of The Villages which is no longer in active use due to previous relocation of the utility lines once within the easement; and providing an effective date.**

Resolution 10,777

**6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW)
AVAILABLE**

A. SECOND READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, Annexing certain real property consisting of approximately 83.51 acres; and being generally located East of County Road 44 and South of Clark Street, lying in Sections 01, 09, 10, and 16,**

Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said City; providing that such annexed property shall be subject to all Laws and Ordinances of said City as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said Laws and Ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (RO Residential AX)

ADOPTED ORDINANCE 20-42

Commissioner Hurley introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Hurley made motion to adopt the ordinance and Commissioner Christian seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Kathy Hattaway, Poulos & Bennett, LLC, E Livingston Street, Orlando, stated she is present tonight for the annexation, followed by the next two items, the future land use amendment and the PUD. She asked if the Commission would allow them to address all three issues at one time to help streamline. **Mayor Dennison** replied that was fine.

Ms. Hattaway said they have three applications under review; the annexation, the future land use and the PUD zoning. All three applications have received first reading and were approved by city. At the first reading the future land use amendment was transmitted to the Department of Economic Opportunity and received state review comments. Tonight, is the final reading and approval for all three applications.

They had a lot of dialogue from the first hearing for these items and they came back with some changes to the plan. The lots closest to Silver Lake Drive were 80 x 120 on the last concept plan and those lots have now been increased to 100 x 140; approximately a third of an acre lot. There is a buffer being retained to the south of those lots with a minimum of an additional 20 foot in addition to the lot depth in that area. On the terminus of Mid Summer Lane they have turned that into a cul-de-sac, so there will never be a cut through to Mid Summer Lane. There will be lots between the terminus of the cul-de-sac and the boundary of the property, which will have a significant buffer between the southern portion of those lots and the boundary of the property.

She pointed out the value and benefits of this project to the city under the PUD process. The project commitment is to have 100 x 140 foot lots on the southern border, the remainder of the interior lots and the northern border are 50 foot in width and either 110 foot or 120 foot in depth. They will also have the additional 20 foot southern buffer. The project will have a pool and a cabana recreational amenity along with over 26 acres of open space. The project will be governed by a homeowners association in perpetuity and the only access to this project will be directly off County Road 44.

Claude Hucorne, Supreme Court, asked if anybody has done any impact research on Silver Lake Drive with this being built. **Mayor Dennison** inquired as to which type of impact research he was referring to.

Mr. Hucorne replied a traffic study.

Planning Manager (PM) Dan Miller stated he has had conversations with Lake County about closing off North Silver Lake Road. There has been a traffic study done and he believes that person is in attendance tonight who can better answer specifics to that study. **CM Minner** pointed out that at the previous meeting there was concern about traffic coming from CR-44 onto North Silver Lake Road cutting around to Meadow Road, Radio Road or College Drive. The way to cut or alleviate that CR-44 traffic would be

to close North Silver Lake Road and keep it open only to access the apartment complex and the Arbours. You could turn left there to take an immediate left depending on the direction you are coming from into the apartment complex and then the road would close. The plan would be to remove it and deed that property to the property owners next to the road who have an entryway and the house on the southwest corner of Silver Lake Drive. They have a dual ingress/egress, where one is north, so you would open it there so they could access the road and then everything in between. The County was amendable to that plan; however, they did not commit to that plan, nor has that plan been made. If mitigation and traffic is a concern, then the Commission may want to consider that as a contingency that goes into the approval of the PUD. The county's position was that they would be open to that concept, but they would want input from the Silver Lake Drive residents. It would be successful in keeping a considerable amount of growth from CR-44 from coming into Silver Lake so it would mitigate that concern reasonably. The other side of the equation is the folks that live on Silver Lake, then your access back to CR-44 is now going to be circuitous. The county's concern was as long as the Silver Lake residents were happy with the other side of the equation they would be open and amenable to closing off that road. He commented that no other progress was made, that was just a conversation on how to mitigate a traffic concern and the traffic study that was done may not even say that has to be done.

Rick Rojas, Overton Drive, stated he is a future owner of lot 24 in the Silver Lake Estates subdivision on Silver Lake Road. With respect to the expansion of the lots on the buffer, he noticed that there is a segment that will impact this subdivision and it is not much of a buffer along the Silver Lake Meadows subdivision. He wants to know if there will be a restriction in the covenants being submitted that will show the lot sizes of the homes and that they will not be smaller than 1,600 square feet even on the big lots because that will be detrimental to the Silver Lake area. **PM Miller** said the home and lot sizes would be in the PUD and that for a 50 foot lot the house size would be 1,600 square feet and on an 80 foot lot the house size would be 1,900 square feet. We do not have anything yet for the 100 foot lot but something can be added tonight. **Mr. Rojas** then questioned with the HOA has anyone put that together with the policies because he is a builder, grown up in Leesburg, and he has been involved in numerous projects within the Silver Lake area and surrounding area where he has seen irresponsible developments and HOA's where people just do not care. A big concern of his with this subdivision is that 50 foot wide lots just does not seem suitable for the Silver Lake area; may be suitable for other areas, but not here. **Mayor Dennison** pointed out that the City is not responsible for the HOA, that would be the responsibility of the homeowners who join and govern the HOA. If you are not happy or pleased with them you get rid of them. If they are not doing their job you find another HOA company. **Rick Rojas** agreed, but it has to be done and voted upon amongst all the residents; so if you have residents there that are changing oil in their driveways and they have abandoned cars and things like that they may not care. **Mayor Dennison** said the HOA would need to make some changes to the HOA so people cannot haphazardly make changes, decorate or paint their homes pink. As far as houses falling apart or falling down, if you are in Leesburg we have very strong codes. Those codes would come after them and the city would start fining them until those things are cleaned up.

James Spiker, Matthews Cove, asked with the square footage of the houses is that an overall square footage of the living space or does that include the garage. **Ms. Hattaway** replied that the square footage is typically the size under heat and air. As Mr. Miller indicated the lot sizes or the home sizes in the PUD ordinance were based on the 80 foot lots that were previously considered so they would certainly be willing to increase that to 2,100 square feet for the 100 foot lots since that lot size has gone up as a minimum. **Mr. Spiker** stated he is located in the Silver Lake Meadows subdivision and those are not 100 foot lots; what changed with the cul-de-sac house sizes. **Ms. Hattaway** responded that the minimum house size in the PUD condition for the 50 foot lot is 1,600 square feet under heat and air.

Cindy Clark, Silver Lake Drive, stated she has lived here over 30 years and five years ago they found out

that part of their property was in a flood zone. Several months ago her husband was about to retire and he wanted to build an elaborate greenhouse, had a builder come out, he went out to the county and they told him they were going to have to move it because on that side of the property was a flood zone. She has a home that has started construction behind her about three weeks ago in the Spring Lake Drive area; she looks down at their property but yet she is in a flood zone and cannot build a green house. She would like to know the extent of the flood zone studies that have been done on this property. **Ms. Hattaway** answered that there are flood maps published for this property which were included with the application package. The flood plain line is shown on the concept plan of this property and if any development occurs in that area they will have to follow the City's rules, as well as the Water Management Districts rules for development a floodplain, but that will come with the engineering of the property. **PM Miller** added that the only flood zone shown on this property is the one on the far eastern side by the cul-de-sac and there is no development going there. A flood zone can be developed, but according to these plans, they are not asking to do that.

Todd Drennan, Silver Lake Drive, commented that there are still 50 foot lots being proposed with 1,600 square foot homes. The smallest home on Silver Lake Drive is two and a half times larger than that and it seems like an inappropriate discrepancy in the property sizes. He noticed where the larger lots have a minimum square footage, but the square footage needs to be added for a couple of reasons; one those lots at 50 square feet, people who build larger homes are unlikely to purchase those lots where they have drive through very small homes to get to their larger home; not the kind of thing to attract a larger home buyer. He suggested that those properties be forbidden from being subdivided and that there be a minimum lot size. He thinks 1,300 is just to small; the lot size is fine, just double the size and build a two story home or whatever it needs to be so they are a more appropriate size to the neighbors around that. To him, with the closing of Silver Lake Drive, that seems like a logical compromise although it would be a pain because he uses it all the time and would like that to be a conditional thing which would protect the walking nature of the road.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Pederson	Yes
Commissioner Christian	Yes
Commissioner Robuck	Abstain
Mayor Dennison	Yes

Four yeas, one abstain, no nays, the Commission adopted the ordinance.

2. **An Ordinance Amending Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map designation of certain property containing 83.51 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential for a property generally located East of County Road 44 and South of Clark Street, as legally described in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (R O Residential)**

ADOPTED ORDINANCE 20-43

Commissioner Christian introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Christian made motion to adopt the ordinance and Commissioner Hurley seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Rick Rojas, Overton Drive, pointed out with the zoning, if this developer was to go to the county and request this density, they would not get it. He had a project back in 2006 down CR-44, not in Leesburg, but with a Leesburg address of 73.3 acres and they were only granted 159 lots. That was hard pressed and they said that would not have been approved two years later. **Mayor Dennison** remarked even though they have cut back on the number of houses it does not mean that they cannot build smaller houses. **PM Miller** added that they can go to any zoning that is compatible with the future land use, which is up to four units an acre; both in the city or the county. **CM Minner** commented that with the future land use designation, the density can be equal to what they are petitioning here to get to R-4 zoning. **Mr. Rojas** stated if it was Lake County still retaining this property they would mandate the greenspace and the sidewalks. Going back to his last subdivision, in the Sunnyside area in Leesburg within the city limits, they had 30 acres and were only granted 118 lots with strict mandates from the city. To him, that also means that Silver Lake, the former Silver Lake Golf Course, would have been approved for 400 lots using these calculations, but they were only approved for 233 lots with a significant buffer surrounding the perimeter of the golf course to maintain a transition from the larger homes and the surrounding neighborhoods to the higher density within the center of that subdivision.

Jim Spiker stated he brought a letter from Tim McClendon, who works for Lake County Planning & Zoning department, which was sent to him by Doug Shields a Lake County Commissioner. The letter only speaks to the Ostrander property because it had the highest zoning, he confirmed it is R-3 zoning, it is approximately forty one acres between the county lot size requirements and open space requirements. He believes in order to meet the R-3 zoning this development would end up closer to an 85 or 95 lot subdivision. That is the only way they would be able to move directly forward with it on just the Ostrander property without having to start from scratch at the county. At least that is the feeling he got from the County Commissioner that he was not in favor of this project.

Ms. Hattaway remarked she has the letter from Tim McClendon that indicates all the information and discussions with the Ostrander property, zoned R-3, states the development standards for the R-3 zoning and the 75 foot width for the lots as well as the setback requirements. This is straight zoning, it has been granted on the property, and it exists as R-3 zoning, so if someone were to come in to develop the Ostrander parcel today it would go straight to preliminary plat with no public hearings in Lake County because the zoning already exists. The future land use exists, no other requirements would have to be met, no public hearing would be required, it would go straight to preliminary plat. She introduced the letter for the record. **Mr. Spiker** then added that they would have to match exactly to the current code requirements and that would only be for the Ostrander property.

Claude Hucorne, Spring Court, remarked that we will have this development along with the development on Cemetery Avenue and the other development just before Poe Street. Now Sunnyside is being brought up and he questioned where are all these kids going to go to school. **Mayor Dennison** answered that there is plenty of room in Leesburg schools; that was one of the questions asked prior to this even coming before the Commission.

Commissioner Hurley stated he has had multiple meetings and conversations since the first reading and he thinks sometimes opinions get skewed based on things we have known or experiences, etc. For him, the issue is we have residents who are important, we have a community and a city and we have to look at all aspects. We have a developer who has purchased property and we know what their plans are. There is about a thousand people a day moving to Florida; they are not all 55 years old and they are not all

moving to The Villages. We do have growth coming to Lake County and we are trying to capitalize on that growth. We are also trying to bring business and economic development into Lake County and hence our focus is on the City of Leesburg. We do not want to be the armpit of Lake County. We do not want people living everywhere else but Leesburg. We do not want to be known for our crime rates or only known for the negativity aspects that seems to be brought up a lot. We are trying to do things that bring in the structure and the development so that we can bring businesses in here so our city can grow. We are not a little small community in the sense of a Howey in the Hills or a Umatilla; we are trying to be the hub of Lake County. He is trying to help the city do that in a reasonable and respectful manner and looking at Silver Lake, people are looking at this development as a Silver Lake development and it is not. This development is a CR-44 development that happens to back up to Silver Lake just like other neighborhoods back up to Silver Lake as you go around the lake. As you drive around Silver Lake the average lot size is around 90 feet wide and they are deep, but they are only 90 feet wide and many people own two lots and a few go up to 150 feet wide. Lake County right now will allow them to build three to one, they can go through the process again and put up to four to one so we are going to have growth here. He then asked the developer if they could do 2,400 square foot on the homes instead of 2,100 square foot.

Mike Galvin, The Galvin Company, Inc., Ulmerton Road, Clearwater, stated the minimum will be 2,400 square feet and that will be put into the PUD agreement.

Commissioner Pederson asked if they are going to apply that to the northern boundary, can they also apply that to the cul-de-sac and make those lots a little bigger and those homes a minimum of 2,400 square feet. Those homes in the cul-de-sac back up to larger homes and they do not have a huge buffer between them. Also, could we restrict this development from having any rentals as the smaller homes may not be maintained as well.

Mr. Galvin replied that when you purchase a house it is a fair act regulation so he could not speak to that, but this will not be a built for a rent community. He stated that they will also commit to the 2,400 square foot home in the cul-de-sac.

Rick Rajos stated he appreciates Commissioner Hurley's comments with promoting the well being of Leesburg. Six months ago he met with Mr. Minner regarding the old Silver Lake Golf Course property with a proposal to turn that into a 33 acre estate gated community because he receives calls all the time for estate homes. The smallest home he built in the last five years is 4,500 square feet and he is closing on two this week. He receives calls all the time from people looking to move to Leesburg and he has nothing for them. Going back to the Silver Lake Golf Course they were trying to get it where everything was going to be city water, electric and gas, and they were getting to the septic but that was denied; it queried the whole deal because of the cost of running the sewer. He has a lady right now in Boca Raton trying to move to Leesburg, she wants a 7,000 square foot and he has nothing to offer them. He said the city cannot just focus on low income housing or smaller homes because there are many other places that offer that and Silver Lake is one of the most prime pieces of real estate. He wanted to know if CR-44 was going to commit to going to four lanes.

Commissioner Hurley remarked that he understands the difference between the Silver Lake and CR-44 housing and they changed the entrance to that development; they do not want them to be able to enter off Silver Lake Road. With the Lake County school board and how they are going to handle the buses, they are an elected board and they handle their own budget of 5.6 million to do that. The county has a plan and he recommends contacting them regarding the widening of the roads because growth is and will be coming down CR-44. **Mr. Rojas** asked who is going to purchase a 2,400 square foot house when you have a smaller house right next to it. **Commissioner Hurley** responded people have bought a 7,000 square foot house right next to a 1,500 square foot house right on Silver Lake Road; its the same thing. **Mr. Rojas** said that he feels strongly that Leesburg is missing out on some golden opportunities. **Commissioner Hurley** added that he is not a builder, nor a developer, but if the developer

wants to build an 8,000 square foot house then so be it.

Jim Spiker wanted clarification with the houses on the cul-de-sac that they have committed to bigger houses, and the question is the lot size are those going to be larger as well. **Ms. Hattaway** responded that the commitment is for 2,400 square foot houses. It would be hard in the cul-de-sac because of the radius to start spreading the lot sizes out. **Mr. Spiker** then questioned the first drawing showing 16 lots in the cul-de-sac with smaller houses and now the second drawing shows larger houses with 16 lots in the same position; just shaped a little different. He is not sure how those 2,400 square foot houses are going to fit on those lots. **CM Minner** replied that they lost one lot on the revised plan in the cul-de-sac and those lots are going to be 100 feet instead of 80 feet. In total on the revised plan they lost six lots. **Mr. Spiker** commented that they only thing they have lost is six houses out of the entire plan. **CM Minner** remarked that he would not take his categorization of what he said, but yes, that is correct the Planning Commission did turn it down; they wanted more density so the developer reduced it by six lots. **Mr. Spiker** understands where he is coming from with growth, but he owns a business on the boulevard and a commercial property in Leesburg and he just feels from a planning perspective that you need a more transitional development here. We are just looking for something to ease the pain from Silver Lake into this development. **Ms. Hattaway** stated looking at the cul-de-sac area the houses are 50 feet along the road, which are deemed compatible with the two lots on the end of Mid Summer Lane, lots 64 and 65, at the southern border of the property and there is a 25 foot buffer in addition at the back of these lots. They are basically the same length of the two lots on Mid Summer Lane, lots 66 and 67, those lots are adjacent to the open space, the flood plain and the wetlands. They are no where near any lots on Mid Summer Lane.

Commissioner Hurley remarked he would like to see better density in this development. He not sure that is the commissions role, but it does come down to economics, supply and demand and whatever people are purchasing. He is not crazy about 50 foot lots, but we have had other developments approved with 50 foot lots. He is slowly buying into the affordability factor and wants to be sure the development is done right and that we put the right controls in place. There was mention of no rentals, he wished they could do better on the cul-de-sac, but he thinks the developers tried hard to do the right thing here. He wants to be sure for the group in the room that they understand the City has no control over the red lights or the roads; we wish we could put in a traffic light at the entrance, but we cannot; unfortunately, growth comes first and then the roads. With Silver Lake Road he would like to see a recommendation to close it so that the neighbors know the city is behind them to get this to the table at the county and then let them decide what they want to do. **CM Minner** added that the closure of that road needs to be contemplated in the PUD, which is the next item on the agenda. His recommendation to the Commission is to have the closure of North Silver Lake Road as a process within the PUD and that could have a trip lever to where the city would consider closure of that road. Whether it be when a certain amount of houses have been developed in that subdivision that trips the process, then someone who lives on North Silver Lake Drive can petition the city to have that road closed. The city could hold a public meeting on that matter, people from Silver Lake can say they want to close the road and then it can go to the county.

CA Morrison pointed out that he does not know if the city has the authority to hold a public hearing because it is not the city's jurisdiction. You can characterize it as a hearing on whether the city will recommend closure to the county but the city has no authority over that road.

Chuck Hill, Silver Lake Drive, stated the bottom line is we have a historical part of Leesburg that they are now wanting to turn into track homes; literally right behind our homes. There is a reason why we have zoning in America so things like this do not happen. Here we have 100 year old, larger size homes and now they want to come in with track homes. He asked what really has the developers given up in this project from the time it was presented to where it is now because all he hears is six lots. This developer must be a great negotiator to come in asking for 200 or so lots and walk away with 254. They are not

coming back with a plan B, C or D. The city has other opportunities, there are other custom builders in the audience and the people who own homes on Mid Summer Lane, the city has the opportunity to have a nice section of town here. As he drives around this town he does not see this type of development anywhere else, and is almost embarrassed to go anywhere in Leesburg. He goes to Mt. Dora every night for dinner because he is not proud of Leesburg; Leesburg does not have a good reputation. Here we have a custom home builder who says people are calling him, but if we allow this development to come in with these track homes where are we going to put the nice homes. As you said earlier we are going to have a lot of developments on CR-44 and right now there is 50 acres for sale on CR-44 and another 50 acres for sale on Radio Road. There are loads of places to do this type of development; we do not have to do it right on the back of these 100 year old homes. The developer comes in gives up five lots on the back side, has made a few minor adjustments on the cul-de-sac, and that is all they have given up. There has been no push back from the Commission as far as he is concerned and he thinks there is something very strange about this. No one here is saying this is going to be great; it just does not fit.

Commissioner Hurley stated that with the arrogance of saying the only nice houses are on Silver Lake is stupid and you should really learn the demographics of Leesburg. You may not be proud of Leesburg, but you are talking to the wrong group. He has been fighting for this city since 1988 and he is damn proud of Leesburg. Now, he understands the point and he appreciates it and he does not want to go down to a condescending level. **Mr. Hill** then said its a fact looking at the average size homes, he pointed out that there are custom home builders in the audience who builds beautiful homes and he wants to continue that here in this area. **Commissioner Hurley** commented that he is not the only builder in Leesburg and he is not the biggest by any means. We have a lot of builders in Leesburg and we have a lot of realtors. We have a lot of people that give us input, so he understands the argument. We have made concessions, we do not want a road, we want a cul-de-sac, so we did that; we want bigger lots, so we did that.

Mayor Dennison added that she also loves Leesburg and that is why she lives here. She called for the roll call.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Christian	Yes
Commissioner Robuck	Abstain
Commissioner Hurley	Yes
Mayor Dennison	Yes

Four yeas, one abstain, no nays, the Commission adopted the ordinance.

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 83.51 +/- acres from Lake County A (Agriculture), Lake County R-1 (Rural Residential), Lake County R-3 (Medium Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for Single-Family Residential Neighborhood development for a property generally located East of County Road 44 and South of Clark Street as legally described in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (RO Residential PUD)**

ADOPTED ORDINANCE 20-44

Commissioner Christian introduced the ordinance to be read by title only. CC Purvis read the ordinance

by title only.

Commissioner Christian made motion to adopt the ordinance and Commissioner Hurley seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

CM Minner stated with the discussions we have had thus far on the PUD for it to be modified which the Commission agreed with first the houses on the 100 foot lots would be 2,400 square feet, then we have the Silver Lake issue and we need a plan to take to the county where the city encourages/recommends that the road be closed. He recommended allowing staff some wiggle room to write up a portion of the PUD for the Silver Lake Road closure so the City Commission could recommend to the Board of County Commissioners that the road be closed. The City will review this through a public process duly advertised after a certain amount of units have been developed and through that we can say to the county that we would like that road closed based on this formal recommendation. We can take proof to the county that the community wants to close the road; so the PUD with these two amendments is what is on the table for approval and consideration.

Commissioner Robuck questioned if the road closure is going to give the county legal ability to stop the PUD because they just did something like this in Eustis where they ended up having to give a piece of property away because they did not like what Eustis was doing. He asked for the City Attorney's opinion was on this. **CA Morrison** answered that all the City can do is write into the PUD that we would encourage the road closure. It is the county's prerogative whether they close it or not. If they do not close it then it remains as is. If they do close it then the land goes half to the owners on each side of the road by law.

Mike Galvin stated he understands and wants to let them know where he is in the process of entitlements. They are ready to enter the construction plan and with approval they will spend in the next six to eight months over \$300,000 going through the construction plan approval process to commence development. He is not sure they could move forward if there is an underlying approval that could stop them especially from a different jurisdiction. He is concerned having a condition where Lake County could stop them a year from now. **CA Morrison** said he does not believe that the PUD is going to be written in a way that would trigger a rejection of any plans for the development; it is an attempt to persuade the county to close the road.

Ms. Hattaway added for the record that the commitment is for all six of the lots in the cul-de-sac, which would be lots 62 to 67, with houses at 2,400 square feet and that will be reflected in the PUD amendment.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Abstain
Commissioner Hurley	Yes
Commissioner Pederson	Yes
Mayor Dennison	Yes

Four yeas, one abstain, no nays, the Commission adopted the ordinance.

4. **An Ordinance of the City of Leesburg, Florida, Annexing certain real property consisting of approximately 18.5 acres; and being generally located east of Sunnyside Drive, lying in Section 33, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 1; and providing an effective date. (Sunnyside Lake Land Holdings, LLC)**

APPROVED ORDINANCE

(This Item was REVISITED after item 6.A.5 and the COMMISSION DENIED ORDINANCE 20-39)

Commissioner Pederson introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Robuck made motion to approve the ordinance and Commissioner Christian seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

Commissioner Robuck wanted to clarify for the record that he had a brief conversation about this development with Greg Beliveau, LPG Urban & Regional Planners, Inc. on the phone and with Joshua Kaufman on Facebook and neither of those have any prejudice on his opinion with this issue.

Brent Spain, Theriaque & Spain Law Firm, Conroy Windermere Road, Windermere, stated much like the previous cases this case involves an annexation, a comp plan and a rezoning. He would respectfully request that they be allowed to address all three of their requests at once to try and streamline their presentation. He continued by saying he was here for the first readings as well and he is familiar with the issues and anticipates there to be some public comments on this issue. The commission generally deals with two types of decisions in this land use arena legislative and quasi-judicial decisions and those become important for meetings like tonight because it affects the standard by which the decision is governed. It also governs the evidentiary standard that an applicant, like his client, must meet so the annexation and the comprehensive plan amendment before the commission those are what we call legislative decision. Those are governed by a highly deferential fairly debatable standard in the applicable statutes, Chapter 171 for annexations. In Chapter 163, of Florida's Community Planning Act for the comprehensive plan amendment site specific zoning for example the PUD that was just considered and his clients PUD those are called quasi-judicial decisions and that is important because the decision this evening must be based upon what is called competent substantial evidence. Under Florida law, his client has the initial burden to demonstrate to the Commission that his project complies with the City's published criteria and that is going to be important tonight because it is not an un-adopted criteria of people whims or wishes, it is the City's criteria that they have to comply with. Once they satisfy that, then the initial burden shifts to those who are opposed to the project to demonstrate by competent substantial evidence that in fact the application does comply with the City's published and adopted criteria. Competent substantial evidence in this type of arena the staff report that was provided in the packet supports competent substantial evidence, so the the packet this evening recommends approval on all three of applications. The City's professional staff has reviewed these applications and indicate that it complies with the City's published criteria and applicable statutes. He submits on that basis that they have

met that burden. Neighbors in opposition to a project is not competent substantial evidence upon which a local government can base a local quasi-judicial decision. It would be erroneous to base a quasi-judicial decision on simple neighborhood popularity poll. Related to issues where technical expertise is required for traffic, environmental noise and property diminution of value those issues require more than just late testimony; those require expert testimony. When a late witness speculates about where there will be traffic problems, light noise pollution or my home values are going to decrease substantially, Florida's case law indicates that is insufficient grounds to deny an otherwise compliant application. The commissions role tonight is to look at this application and decide whether or not this project has met the published criteria that the City has adopted.

Greg Beliveau, LPG Urban & Regional Planners, Inc, Camp Avenue, Mt Dora, stated that this site is located off Sunnyside Drive and there are two sites; a parent parcel approximately 120 acres and a site newly annexed on the east that is approximately 18 acres. The parent site of 120 acres has been in the City of Leesburg since about 2005, where it was in comp plan, approved with the future land use of estate that allows up to four units per acre. Recently they annexed another 18 acres, which was processed through the Department of Economic Opportunity and they found no issues through their review. They recommended approval to the City of Leesburg as estate residential as on the parent track of 120 acres, which allows up to 480 units as its current land use. We are obviously are not asking for the full benefit of the density allowed under that land use. The current zoning on the parent track which is listed as PUD within the current mapping system and in the county on the 18 acres its R-1, which allows up to 1 unit per acre. When we originally came to the City of Leesburg we were asking for 219 units and we had 50 foot lots, but after meeting with staff it was highly recommended that we not proceed with that application. They subsequently went back and met with their clients, reduced the density from 219 to 159 and took out 60 lots. They took out 60 lots and made them 80 foot lots on the 18 acres which are now half acre lots. They also placed 80 foot lots along the perimeter of Sunnyside Drive. The open space on this property, and they used the definition in the City's comprehensive plan, the open space is 45% (62 acres of open space) that includes; wetlands, the uplands, open space, recreations areas and the buffers. They have buffers along the northern property line on Sunnyside Drive, along with buffers on the eastside of this PUD where they are working with Lake County because they would like them to help buffer that curve. They are working with them to dedicate an additional right-of-way so that curve will be less acute and it will become a more flowing s-curve. Since that is open space for them they do not have a problem with that. They also have a buffer along the north and west boundary of those five lots along with the south end that butts up to the two houses on the north and then it is vacant along the rest of that parcel, which is where they put rather large lots. The closest between the two houses there is 365 feet to the immediate north and 373 feet to the house due north so that is 240 feet. They are trying to keep themselves as far away as possible and allow as much green space as possible. With the homes looking south into the property most of that is open space and greenbelt. There is only one small edge on the south and northeast where the two lots are; it is wooded and most of that will remain wooded as a buffer. At the south end there is a water retention area, there is a wetland to the left and at the the south end of that there is an existing orange grove as a buffer to the existing subdivision due south. The closest house is 439 feet to where their houses will be or 431 feet, but again across a preexisting orange grove. With the 18 acres that has been annexed there is an existing house across the property to the south; there is one house on a driveway that is about 100 feet between where the new house will be and the existing house. There is a buffer there and it will be a vegetated buffer between this house and the existing one. Continuing, he said the development pattern that exists on Sunnyside Drive with the wetlands there is a historical pattern of the platted lots and platted subdivisions not only to the north but also to the south and southwest. Those development patterns have existed for quite sometime. They have lots anywhere from half an acre with over a thousand parcels. Then they go to .50 to .75 acres having 115 parcels, then .75 to 1 acres having 58 parcels and then 1.00 to 1.25 acres having 69 parcels. He provided a superimposed overlay of the project with the area around the development and when looking it illustrates the abundance

of buffers, open space, and the minimal number of lots that they have butting the neighbors, along with the lot sizes. They had an environmental assessment performed by Stillwater Environmental and their assessment came back that there are the normal gopher tortoises on the site and there are some other species that they need to look at moving forward. They have been asked to check on the bald eagle that seems to be on the property, but it is not. It is across the street from the s-curve it has not been observed on this property. The one that was on this property is no longer there. There is an osprey nest in the chimney of the house, which is in pretty good shape and there will be protocols for that.

With the traffic analysis and the 219 lots, they did not have a new study done because they reduced the number of lots and it was concluded that they did not negatively impact the level of service. The only modification recommended was to the intersection and the timing of the mechanism. It basically said in the report that the study of roads left sufficient capacity to accommodate background and project traffic in the future condition. He has been coordinating with the Department of Public Works throughout this process and they did not ask for any additional right of ways from this property because that has already been taken care of when this property came through in 2005. They donated an additional right of way to Sunnyside, so Public Works does not need anything additional from the parent track. They will take care of the s-curve and buffer out that curve when they do improvements to the system on Sunnyside. City staff stated all improvements butting this property will improve the entrance to the main entry and since it lines up with the portion across on the eastside they will do an entry feature there as well. They are committed to being responsible for this at the PUD level. Moving forward, going through the preliminary plats, construction phase, there is another transfer transportation level of detail that has to be provided to the county at that level. That is a deeper dive, but they will do more analysis at that point. They will find out exactly what kind of entry feature and requirements they will have to do and what kind of improvements will need to be done to Sunnyside at that point but at this point they know they do not have a negative impacts of service on Sunnyside Drive.

Commissioner Pederson asked if they gave the county some right of way if widening the roads. **Mr. Beliveau** answered that if they have to do any improvements to Sunnyside along their property line they will do whatever is asked. **Mayor Dennison** wanted to verify that the s-curve will be taken care of. **Mr. Beliveau** said that is a condition of Public Works and that could be a contingency in the PUD because they have already offered that.

Commissioner Robuck inquired with the lots on the southside there is only a couple of them on the 18 acres, but on the original parcel there does not appear to be any buffer; just an orange grove. **Mr. Beliveau** replied he only reason there is not a buffer is because of the orange grove. **Commissioner Robuck** remarked that he would like to see a ten foot buffer there just in case that orange grove develops. He just saw a case like this where a project on CR-48 where the development had no buffer so the new development had to have all the buffer and there were complaints about that. **Mr. Beliveau** stated that the lots are big enough so they should be okay.

Zach Burn, Bowen Schroth, Jennings Ave, Eustis, asked if they were allowed to make a presentation from a notice of appearance in opposition. **Mayor Dennison** answered right now they are just taking questions but there will be time later for their presentation. **Mr. Burn** then questioned as to what the applicants position was to the current allowable density for the project in each of the three respective areas and if there was a discussion about the open space requirement with the 62 acres. He was hoping there would be some clarity for the record of whether that is entirely the jurisdictional conservation area or whether the developer is apportioning additional developable land into the open space. **Mr. Beliveau** replied that the current land use in the parent track is estate within the City of Leesburg which allows up to four units per acre. The 18 acres is agriculture and that is being processed through the city to estate and that has gone through the process and the state has signed off on that request. At the county for the 18 acres the open space they have to be in accordance with the comprehensive plan. The allowance for open space includes wetlands,

water retention areas, parks, recreation, buffers, and landscape buffers those can be utilized for open space. They have included that on this property and it comes up to 62 acres, which includes the wetlands at 44 acres and the balance of that includes landscape buffers, parks, recreation and water retention areas. It totals about 45% of the site. They are only required to do 25%, but they have almost 18 acres of upland area in addition to the wetlands and open space.

Mayor Dennison asked the City Attorney with the covenant that was originally granted years ago after the first development what was decided on that. **CA Morrison** responded referring to the Sunnyside Task Force in his opinion it is essentially the same as it was the last time it was implemented by way of resolution. The resolution itself contained a provision unless otherwise decided by the City Commission that predated the first PUD on this. While that is expired and has no force or effect now, the implementation of that PUD when it was granted is an indication that the City Commission at that time decided otherwise. This Commission has the authority notwithstanding the Task Force report to approve this if that is the desire of the Commission.

Theodore Stratton, Sara Lane, remarked when this first opened the attorney stood up and read chapter and verse telling everyone that he checked all the boxes, that he did all the work so are we here, why are we hearing this if he met the test of law. This whole thing is a joke. **Mayor Dennison** responded that everyone has a right to speak in front of the Commission. **CA Morrison** wanted to clarify that is important for Mr. Spain to accurately describe the legal standards for this legal hearing, but his statements about competent substantial evidence apply equally to both sides. He is not prejudging this, but there is the possibility that the opposition to the request could present competent substantial evidence that convinces the City Commission to not grant it. All he is doing is outlining what the law says and outlining it accurately. For example, when someone comes in and says they do not like 7-Elevens and do not put one on my corner that is not competent substantial evidence. Or if someone comes in and presents a traffic study that says placing a 7-Eleven on this corner will create a dangerous condition and you should not grant it and they back it up with expert testimony that is competent substantial evidence. Not to use the cliché, but the jury is still out and they have not heard the other side, so there is no prejudging this until they have heard from all sides.

Zach Burn pointed out that there are a few conflicting standards going on here because they are hearing all three applications at the same time and that is especially relevant for the PUD application, which is quasi-judicial. As Mr. Morrison indicated simply quoting the standard does not mean they have met the standard for provision of competent substantial evidence. The law on the previous PUD and the resolution is a little more muddled than clear. At the first reading there was Resolution 7158 that was brought up where it directed the city to implement all of the Sunnyside Task Force recommendations and to consider any annexations or proposed developments within the boundaries of that study area. While that document initially was not an ordinance, cities do routinely pass resolutions governing administrative control over their city's affairs. To his knowledge this resolution has never been repealed, amended or modified. From his review of the staff report and the documents presented there was no analysis ever performed with the annexation, the PUD, the study or any other part of the development. That resolution is still there and there is no evidence that was met. When talking about the staff report where the applicant met competent substantial evidence we simply do not have any where on the record that they looked at or even evaluated that criteria. Secondly, the resolution states the City Commission shall review the study unless otherwise approved and as a simple matter of law we have an issue with that because the city can legislatively eliminate this resolution, but while its here there is no criteria and there are no guidelines. His position is arbitrary because there is no criteria and there are no guidelines for when it will or when it will not be used.

In terms of looking at whether something is a matter of record in the annexation that was recorded with the attached PUD conditions. The original 2005 PUD explicitly referenced that the density of one (1) unit

per acre was done parenthetically in compliance with the Sunnyside Task Force report. As a matter of record for this property as part of their annexation agreement they explicitly say in that annexation that they are incorporating the entire PUD of 2008 and the July 7th agreement, which includes the Task Force report. The reason the PUD from 2005 comes up at all is the applicant asked for it. When looking at the application, the application they are citing to 068-1-062305 is the 2005 PUD. They are asking the city to evaluate their request in light of a 2005 PUD that has expired. The PUD has conditions on limiting density and it states if you want to come back and renew, it has to be at the same or a lower density. If the applicant is asking you to anticipate or look at this as a continuation or modification of an application and say it does not really have any effect anymore those are inherently inconsistent positions to take. He believes it is irrelevant because in the staff report, and in the analysis performed by the applicant, they are looking at the existing surrounding zoning and future land use and one of those existing zonings is the City of Leesburg's PUD. That PUD is not just a generic catch all phrase, it usually refers to certain density restrictions and what those requirements are within that PUD. If we go back to the 2005 PUD it has significant density. The reason they even brought up the question about open space is because on the study they have shown a significant portion of this property zoned as conservation or wetlands, but it is not buildable land. The notion of that being compatible with the area because of the significant open space that exists is a matter of law. Another side of this we bring up is with the future land use and zoning that we have here in the county. They are currently talking about R-1 zoning with the county having met that density versus the gross density analysis. It was his understanding that Leesburg does not engage in that analysis and that the closest thing the city does is if the city is doing a clustering development in which case they would say that the clustering density has to mirror the underlying zoning of the district. There are significant distinctions between the county with the existing zoning and land use that you cannot just say they are one to one compatible because the applicant says this is what we are doing.

He finalized his comments by saying that after looking at the Sunnyside Task Force report and the resolution that was not reviewed or incorporated there is a gradation of density that is appropriate and only a portion of this project would be in that one density gradation. In fact a decent amount of it is in the much lower density where they are talking one unit for every three acres. If they are going to throw out the Task Force report, resolution, annexation and the original PUD, then it is not relevant. If we are not going to say that then it is and it has not been analyzed at all. Then the Commission does have to rely on confident substantial evidence and not emotion in this case and the applicant has not met that burden because the staff report is not available for them to do that because it was not part of the analysis and that was not made as part of that analysis. This should be denied because there is complex substantial evidence to deny it because the applicant did not meet their burden.

Murray Tucker, Tuscahill Street, pointed out that he loves Leesburg; he was born here, his great grandfather came to the Sunnyside area and built his house where his grandfather was born at the turn of the century. Back in those days Sunnyside was nothing but orange groves and we all know what happened to those. Pine trees were planted and the property was sold off and development began. In the early 2000's at the GSAPA, which stands for the Greater Sunnyside Area Property Owners Association, his dad was the president and they kept finding themselves battling developments that they did not think fit the Sunnyside area. They got to the point where they decided to talk to the city and that is when the task force was created. They held meetings, they did an extensive study on Sunnyside of what was already there and what it could hold in the future. It was looked at from every angle. They know it passed resolution and they were arguing over whether its relevant or not, but instead of giving it from a lawyers standpoint he wanted to give it from a joe blow point of view on how government should work. If citizens have an issue they work with the city or county government to come up with a solution, it is implemented and developed and not challenged ever. They have had no reason to come to the city and fight so whether or not you chose to listen he cannot answer; but should you, yes. They came to the government in good faith and for them to not take that into consideration does not shine a very good light

on the situation.

Looking at the Lake County comprehensive map, he said with the outline of the property they can go less dense, but not more. This property gets tricky and everybody wants to talk about units per acre, but it is 118 acres going off the county website and only 74 acres of that is actually dry; there is a significant amount of wetlands on this development. He did not want to address the 18 lots across the street from the proposed development because they said those are in the county right now and that is where it should stay. Staying with the current PUD if they divide that up that leaves .53 acres per lot before taking away a retention pond, a road, or an open space. Per the application the minimum size for a 70 foot lot is 8,750 square feet, which is .2 acres and for an 80 foot lot it is 5,000 square feet, which is .11 acres. He does not know what the average lot size is here, but he assumes they are going to lose half of everything to roads and they will need to be quarter acre lots. Sunnyside Trail butts up to the property to the west/northwest this is also in the city and the reason why he finds this significant is because in previous presentations the petitioner has said that they had to increase density to pay to bring in the sewer or the water, but that is already there. He is comparing the lot sizes on Sunnyside Drive and how they range from one acre lots to eight acre lots and the way they line up and lead across the street. Without being a hypocrite he has deducted the wetlands from the property and comparing apples to apples it is not adding up for the total buildable dry land.

He continued to say that there are 10.4 acre and 10.38 acre tracks which are owned by some really great people and then there is the 7.53 acre track up to the north, which is one of the subdivisions that the applicant showed and that was platted back in 1925. There is another subdivision out there the Johnson Mary K&T's subdivision that was platted back in 1891 and of the subdivision that they are using as comparable, these have been platted so long ago that they are not adequate comps. They were platted well before any of the current comprehensive plans have been put into place or the Sunnyside Task Force. To the south they have 13.23 acres and that is not an orange grove it is a single lot that is part of the Sunny Ridge development and the rest of the properties range from 1.55 to 2.44 acres. What they are proposing here in terms of house size just does not fit. The current surrounding house sizes are at least two times as much larger as the minimum proposed size; it just does not fit here. During previous meetings it was established that the current PUD expired in 2007 so there are no vested rights under an expired PUD, so this land is not guaranteed anything. The Commission is not bound by the previous PUD. It should not be approved for the 120 units. If the Commission decides to go back and look at the PUD, even though it is expired, the language clearly states that it has to be extended or reduced. There is no verbiage for higher density. Therefore, what they are asking for does not fit. It is a great piece of property and there are really nice lots and houses around it. There is a lot of potential to be something great, but this is not it.

Jim Curtis, Sunnyside Drive, mentioned that he has numerous pictures and videos of the eagle. He lives right next door to the house where they say is the osprey nest. He was not sure how to bring this to the Commission meeting other than his phone and can prove the dates for the last three months, each month they have been taking pictures and videos. He asked that the expert who conducted the review and wrote the report review his pictures and videos. **Mayor Dennison** stated that they could have them reviewed that after the meeting. She then asked Mr. Beliveau to go over the lot sizes one more time.

Commissioner Pederson added that he would like them to touch on the expired PUD and whether there is an extension or if a reduction as granted on the houses within the PUD.

Mr. Beliveau remarked that it is 120 houses, 119 acres. **CM Minner** pointed out that the density count was one acre a unit and the next part of the question on the parent site is still the same acreage 119.35 and instead of 120 lots it is 140 lots. The density is now 1.18 units an acre for an increase of .8 units an acre not counting the one acre 18 lots on the non-parent site where you could build a really big estate house.

The original plat that they were referring to as the parent site on the non-lake side part of the road is 119.35 acres and that is 120 lots approved. The revision of 119.35 acres on the non-lake side with 141

lots is an increase of 21 lots; so that is an increase of .18 units per acre. On the water side that is an 18 acre site with approximately one acre lots. **Mayor Dennison** asked when the 18 acres was approved. **CM Minner** answered that the applicant is requesting approval on the 18 acres tonight.

Mr. Beliveau stated that they looked at the Task Force analysis for the reason of overlaying their parcel on the task force map. They looked at the percentage in the one unit per acre versus the other land use designation and it appeared that the parent track ran about 56% in the one unit per acre. All they could do is surmise they did not know for sure because there was nothing in the minutes and majority of the property was within the one unit per acre and the City Commission cited for one unit per acre. It is all one owner so they went with one unit per acre, it made logical sense, but there is nothing in the minutes that says that. Looking at it from the standpoint of where they are now they have 137/138 acres and they are asking for 159 units. It is a slight bump up of about 20 over that per acre. In looking at the criteria of the development with the subdivisions around this development they were platted a while ago, but that does not mean they are not there. They are developed at densities pretty close to what they are proposing and those houses and lots exist. They went to the tax office and looked at the lot sizes in Gibson subdivision, those lots fall into the range size of their lots. Looking at lot sizes there the average lot size comes out to 1.22 units per acre. They looked at what the average lot size encompasses and they know that subdivision has been there awhile, but that is the size of the lots in the area. Looking at the proposed subdivision it is .88 we are still not looking at five acre tracks we are not looking at three acre tracks this is an older subdivision. Looking at Shady Dells to the west, an older development as well, but those lots are very small, but they are aggregated. They have been aggregated to build a house because the lots are so small. That development yielded almost four units per acre. Sunny Crest is at 2.75 per acre, Lenora Park subdivision, the lot size there encompasses 2.31 per acre, Woody Acres has .95 per acre and Cisky Park is over two per acre. This is the pattern going around this proposed development and even though there are large lots that about us that is what we used for examples. We will have buffers buffering those large lots. If you take the density of four acres per acre and times the uplands that are on our property for the future land use designation of estate that still gives us the allowable 316 units. That is only on the uplands and that estate residential. Again, we are not looking at anything excessive. If there is some room and if the City's not happy with it they are open to suggestions.

Mayor Dennison asked if they were willing to go to one to one acre lots. **Mr. Beliveau** replied that they could not do one acre lots because they would not be able to get to one to one acres throughout the development. **Commissioner Robuck** wanted to clarify that they would not be able to get the one lot per acre for the whole parcel. **CM Minner** also questioned if they would need to go back to the 120 lots on the parent side of the development. **Mr. Beliveau** remarked that on the parent side it would be 120 and 18 on the other side would give him the 138 lots. **CM Minner** stated that is what the Mayor is asking them to go to. **Mr. Beliveau** said yes. **CM Minner** wanted to verify that they are agreeable to 120 lots on the parent side and 18 on the other because that sounds like a one lot increase on the existing side and they are bringing in 18 lots of estate on the other side of the lake.

Commissioner Hurley stated he has lived in Leesburg since 1988 and since then from Fern Street down to Sleepy Hollow Road it has been neighborhood after neighborhood with small 50 foot lot lines. Sunnyside Drive has always been the barrier for Lake County and the people in this area this is where we have the five acre tracks and the bigger pieces of property with the beautiful homes. We have areas like CR-44 where the higher density developments will go, but when you get to Sunnyside heading south, which is down towards the lake, he cannot wrap his head around putting high density homes in that area.

Mr. Beliveau said that one unit per acre is not high density. **Commissioner Hurley** replied that compared to what is in the area it is. **Mr. Beliveau** continued to say that there are subdivisions that wrap around them that are pretty close to what their development would be. That is why they looked at this and

they came close to having it comparable. **Commissioner Hurley** asked if he was referring to the other side of Sunnyside on Sleepy Hollow Road. **Mr. Beliveau** answered no, they used the ones that are to the south of them, which is what the maps illustrated. **Commissioner Hurley** stated looking at the diagram he pulled up on satellite imagery he does not see where they are getting the subdivision butting up to this property. All he sees is two houses, then one house, the orange grove, then two more houses. He asked where in here is the subdivision. **Mr. Beliveau** replied referring to the map; there is a subdivision just south of the 18 acres, there is a small subdivision going down Sunnyside to the south, then you pick up another subdivision directly west of the western boundary. There are a few more subdivisions heading down Sunnyside Drive. **Commissioner Hurley** pointed out that one of the subdivisions only has nine houses and to him that makes a big difference. **Mr. Beliveau** mentioned that they are also sitting on 139 acres versus those nine houses sitting on approximately 12 acres.

Vicky Coffin, Gibson Terrace, stated she lives just south of this monstrosity that is trying to come in. When looking at Gibson Terrace they are a high and dry community. They have ten lots that make up their cul-de-sac; there are no wetlands, nothing. If they want to count that then they need to take out all the wetlands that they are including for their measure of houses and look at it that way. Sunny Ridge Trail across the street has nine lots and the one that Mr. Beliveau keeps referring to as the buffer that is a lot which will be built on at some point. Those are all fairly good sized lots. If you go up Sunnyside and go through the first s-curve you run into Chuck Idell's property; he has eight acres. Then you have one small property built on about half an acre. Then there is a rental house on five acres. They are all high and dry. It is so frustrating because you can play with the numbers and play with the acreage, but what they are trying to put in is four houses to an acre. They have one house to an acre and a lot of them have two houses to an acre. Across the street from Chuck Idell's house is the Sunnyside Estates and most of those are five acre lots and that includes the wetlands. They are all beautiful homes ranging from \$300,000 or more. You cannot compare Shady Dells, built so long ago before there was even much of development out there. She does not know if there was even paved roads when that was built. For the piece they want to annex into the comprehensive plan that in the county right now she knows it was presented for the Sunnyside Task Force Plan where they want to put in 18 homes. Right now those are one home to three acre lots. When talking high and dry there should only be five homes there because you have a lakefront view and part of that was to keep the beauty of the lake. She gets wound up because you cannot compare Shady Dells or Cisky Park because most of that was platted or built prior to the Task Force. That was the whole point of the Task Force so that area would stay nice. They have residents that run and bike that area and the roads really are not safe for all the bikers because they are so small. Just like Silver Lake its nice, they have a nice recreational area, and this is going to destroy it. They did not say anything when they were building from Sunnyside down to 441 because they thought they had an agreement they could rely on. Now they are trying to say that for whatever reason and because Ron Stock snuck in one little weasel word line that they never saw that the city may get out of this agreement. She thinks you cannot take into consideration the subdivisions and include all the wetlands as part of being buildable because its not.

CM Minner pointed out for clarity the chronology is important and what he understands. The Sunnyside development agreement came into play in 2004. Then the original parent subdivision was approved in 2005 after the agreement and the subdivision was approved with 120 lots on the 119 acres. That agreement has now expired and they are here asking for it to be renewed. **CA Morrison** added that the Task Force was adopted June 28, 2004, the annexation application for the old PUD was May 2005. Planning and Zoning heard it in July of 2005. The City Commission granted the PUD in December of 2005 and according to the terms of the PUD, it expired in 2007. **CM Minner** continued to say if you go back to what Mr. Beliveau put on the table we are basically going back to what the Commission originally approved after the agreement was made with the Sunnyside POA.

Chuck Riddle, Sunnyside Drive, said they have heard about 137 acres and 157 homes and of that 137 acres you have maybe 70 acres of buildable land. They should only be building 70 houses because you have 70 buildable acres. He knows there is a formula out there, but to the current homeowners it makes no sense.

Mr. Beliveau answered that they have 93 acres of uplands not 70 in the PUD. Even with the 159, the density is only 1.7 units per acre so they are still below two. If they drop it down to the 139 then they are even below that on a net basis. They have 93 acres of upland and they already flagged it because they wanted to know what their playing field was. They are willing to go back to the original agreement for the one unit per acre, which is almost a 100 unit drop. His client will not be happy with him though when he gets that call. **Commissioner Hurley** inquired how many actual acres can you build on. **Mr. Beliveau** answered 93 acres. **Commissioner Hurley** then remarked what you are saying right now is that you would propose building 93 houses. **Mr. Beliveau** replied no, he is proposing the 139 homes. **CM Minner** pointed out that he proposed 120 houses on the parent side. **Mr. Beliveau** said that he still had the 18 acres to work with on the other side. **CM Minner** said no, he thought the 18 acres was on the waterside. **Mr. Beliveau** agreed, it is on the waterside. **CM Minner** then asked for clarity of the 119 acres you have 90 lots that are buildable. **Mr. Beliveau** replied no, they have 93 acres total between the two tracks. He believes Commissioner Hurley was referring to the total project. **CM Minner** replied that was not the questions; the Commissioners asked is 93 acres the total buildable project land to build on. **Mr. Beliveau** answered yes. **Commissioner Robuck** pointed out that we have always included the wetlands as part of the project whenever we have done these. **Commissioner Hurley** questioned without looking at the total project with the houses they own, they mow, they take care of a one acre lot is that number 139. **Mr. Beliveau** said he is not willing to go down to 139. **Commissioner Hurley** remarked that he is a no vote.

Commissioner Christian commented back in 2005 it was discussed in the initial PUD where they were approved for 120 lots on 119 acres without the 18 additional that they are bringing in today. With trying to look at both sides of the equation, and he was here in 2005, there was probably just as many people in the audience then as there is now and that was probably one of the reasons the Commission actually voted. We are here now and no matter in what part of the city development wants to come we have people saying not in my backyard; whether it is Silver Lake, Sunnyside and now we are hearing Whitmarsh. So being the developer, his questions would be what can he build on 137 acres that would pay taxes every year, that would be amendable for the city and the neighborhoods. There was a guy earlier saying he could build 6,000 square foot custom homes and if they have 18 acres on the lake that would be the perfect place to put a custom homes, but apparently that market does not bare that because if it did that would be proposed tonight. We have a developer here who is trying to make amends, trying to get something that everyone can live with and he is giving up something the community is asking for. He thinks we also need to be considerate because this is a capitalist society and it is about making money without destroying a community or a neighborhood. What the Commission is asking for is one house per acre, he thinks that is where the confusion is coming in because what he is hearing is 93 acres and putting in 93 houses and for the representative to stand here without being the owner of the property he does not want him to make any statements he cannot fulfill. He does not want him coming back later saying he just cannot build it and he does not want to put him in that type of situation. In 2005 there was an agreement on the table for 120 houses. The applicant now wants to add 18 units in total; looking at approximately 138 units. **Mr. Beliveau** agreed and said that it is the same deal that was here in 2005. **Commissioner Christian** wanted to know how the city's positions is on this. **CM Minner** replied that staffs perspective is that the original deal plus the 18 estate lots was a reasonable request. It lives up to the PUD. It was something that was approved in the past by this body after the Sunnyside agreement and it renews the entitlement that was already issued by this body in 2005. We made the agreement and said Sunnyside is sacrosanct, then the Commission went and put 120 lots on 119 acres and they are back

tonight saying lets do the same thing that we already agreed to in 2005, plus give them up to 18 one house on one acre lots on the other side of the road. That is the deal before the Commission and staff believes that to be reasonable, it is within the code, and it was previously approved by this body back in 2005.

Commissioner Hurley stated that he appreciates the comments made by Commissioner Christian for the developer and for the developer to be able to make money and everybody understands that there is a ratio where he breaks even or makes money. However, with the wetlands they do come cheap, you do not pay a lot of money for wetlands, your paying for the dryland that you are building on. **Mr.**

Beliveau remarked to the extent of the water and the sewer lines that was his main problem and that was his cutoff line with the developer that if we have to extend the water and sewer lines to get here that is where they would have a financial obligation and a problem. If they get anywhere south of one to one his cut off line for that was between 139 and 159 and anything south of that he cannot afford because he cannot get there from here. Its not going to work because water and sewer is required by the City of Leesburg and you cannot do a project unless you have water and sewer. He would have to extend water and sewer from the north of this project and for them to get those lines extended he would have to make that cost efficient and the more that goes up, the more the cost of the homes go up. He is getting to the point that this product is going from a product one market up to a different market level and he is not meeting the type of people they are trying to meet here. **Commissioner Hurley** asked if he does not think there is a market for this type of home because that is his argument. Some people say there is no where in Leesburg they can get a nice higher end home and people do not want to spend a lot of money on a small lot. Then they are like where can we go that has a house that sits on an acre that is about 3,500 to 5,000 square foot with all the goodies and for him that is the issue. There have been an enormous amount of subdivisions built in the area when you go down Sleepy Hollow Road every but here. **Mr. Beliveau** pointed out that is a whole different product and square footage. These are 1,800 to 2,400 square foot homes. **Commissioner Hurley** remarked they are building that everywhere. **Mr. Beliveau** said these are bigger, they are building 1,200 to 1,600 square foot houses. **Commissioner Hurley** answered that they were just here; we just had this discussion with the previous applicant. **Mr. Beliveau** stated you only bumped up a series of their homes. We are starting at 1,800 to 2,400 square feet, that is our base and these are 8,750 to 10,000 square foot lots. This is a completely different product line compared to the project before them. This is a different market segment. From a density standpoint, they are not high density, they are not a cluster development. They have 62 acres of open space, which is 45%, they have recreation amenities and are working with the county on helping with the road improvements.

Linda Tucker, Tuscawilla Street, commented that she grew up in Leesburg, you have an agreement that was put in place twenty years ago and some developments are still abiding by that. Looking at Sunnyside Trails that is city, easy access to your water supply. When you have three to five acre lots and want Leesburg growth and attractiveness to bring things like the University of Florida who has partnered with the Leesburg Hospital and doctors into an environment, you need to make it that way and make it like that agreement was twenty to thirty years ago. One to three acre track homes with 119 homes is for selling purposes. Do we really have to go that low and make it that dense? That is just putting nails in the coffin and making Leesburg even more of a crimes hill, but in Lake County. So how is that attractive 18 homes on a beautiful lake, instead of five or six lake front homes. Depends on how you want Leesburg to grow, but if we can copy Secretariat or Sunnyside Trails and flip it over we can make it a beautiful community that everybody has abided by in the agreement from twenty to thirty years ago.

Murray Tucker, Tuscawilla Street, addressed Commissioner Hurley's earlier statements regarding the subdivisions with a few homes in them and as he said before those smaller subdivisions that wrap around those were platted in the 1920's. He does not care how much they squint and turn their heads they cannot call that a development pattern because they have been there forever. They were taken into account when

the Task Force was presented. He does not think you can call this a one to one property. Even if there are a few houses to the north and a quarter of what we have here it just does not go.

Jack Gelb, Woody Court, commented that he has been a resident there for almost ten years and his house sits on about an acre. He has a well and septic and does not know if that will ever be an issue if they went to one house per acre with that subdivision; would they make him go to city sewer and water. Looking at recent development within the interior of Sunnyside, he believes the Meadows, and comparing the size of the property we are talking about he thinks there is about thirty five homes there. He believes that is the latest development within the interior of Sunnyside that actually sits right inside where it says "Welcome to Sunnyside". If we took that and transposed that into their area of buildable land you could probably double that, which would get you at about 70 houses. If that was the case then so be it, but as Commissioner Christian pointed out everyone is entitled to make money and they should be able to prosper. However, we are also looking at the integrity of what was put inside of Sunnyside; what is there now. What the Task Force, they should go back to those bylaws and what was in there and stick to what is really on the interior and not the existing red that is on the outside of Sunnyside.

Mayor Dennison asked PM Miller if when the Planning commission viewed this, it was denied. PM Miller answered yes, the Planning Commission's recommendation was Denial. Mayor Dennison inquired if PM Miller remembered why it was denied. PM Miller responded if he remembers correctly it was the roadways and then density; those two major concerns.

Mayor Dennison called for the roll call.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Hurley	Yes
Commissioner Pederson	No
Commissioner Christian	Yes
Mayor Dennison	No

Three years, two nays, the Commission adopted the ordinance.

- 5. An Ordinance of the City of Leesburg, Florida, amending the Comprehensive Plan Future Land Use Map of the City of Leesburg, changing the Future Land Use Map designation of certain property containing 18.5 +/- acres from Lake County Rural to City of Leesburg Estate, for a property generally located South of U.S. Highway 441, and East of Sunnyside Drive, as legally described in Section 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Sunnyside Lake Land Holdings LLC)**

DENIED ORDINANCE 20-40

Commissioner Robuck introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Robuck made motion to adopt the ordinance and Commissioner Hurley seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

The roll call vote was:

Commissioner Hurley	No
Commissioner Pederson	No
Commissioner Christian	Yes
Commissioner Robuck	Yes
Mayor Dennison	No

Two years, three days, the Commission denied the ordinance.

Mayor Dennison stated the Commission denied the acceptance of the future land use for the City of Leesburg for this property. **CA Morrison** added that Lake County rural would not allow the density proposed by the PUD so that moots the next agenda item.

ITEM 6.A.4 - ANNEXATION REVISITED

Commissioner Robuck thinks, even though we normally do not do this, that maybe we should at least ask the applicant if they would like the Commission to reconsider a revote on the annexation.

Mayor Dennison asked Mr. Beliveau if he would like a re-vote on the annexation.

Commissioner Pederson inquired that even though the Commission approved the annexation, the applicant still does not have to annex into the city if he does not want to; correct.

CM Minner replied no, the Commission annexed the property on a 3-2 vote, so the next phase would be that we need to land use this because it still has a county zoning designation. If Mr. Beliveau does not request to have this reconsider of the annexation vote then this matter needs to go back to the Planning Commission for a recommendation on a zoning classification while it sits in the city with a county designation. This is not normal which is why Commissioner Robuck asked Mr. Beliveau if he wanted the Commission to reconsider.

Mr. Beliveau responded that he does not have his client present to find out his intent. They do have a 30-day appeal period under state law so he would like to leave it there and if within that 30-days they can appeal the ruling for the annexation.

CA Morrison pointed out that typically at the next meeting the prevailing party could bring it up for reconsideration. **Mr. Miller** agreed with the city attorney that somebody who voted in favor of denial could bring it back up.

CM Minner then asked if they can put a future land use designation on the property now that it is one unit per acre. It has not been advertised, but at least it would be in there and it would have a zoning classification. **Mr. Beliveau** remarked that they have one estate and that is the lowest one. He would rather leave it here. He will meet with his client and they can appeal the annexation within the 30 days.

Commissioner Hurley questioned can they appeal the annexation and turn, then he is out if he wants to.

CM Minner replied yes. **Commissioner Hurley** added that he just wanted to make sure he would not be stuck. **CA Morrison** pointed out that it is more likely they will appeal the denial of the future land use.

Mr. Beliveau said unless you can vote for the PUD and deny with prejudice.

Mayor Dennison asked what happens when you have two members who voted yes are no longer here in January; what happens if the third member is unable to attend that meeting. **CA Morrison** stated then it would stand as it is now. **Mr. Beliveau** then stated he would like the Commission to vote for the PUD and deny without prejudice. That way they at least have it on the record that they are denying the PUD, but if he wants to bring something back they want to leave the annexation intact. That way they can apply for another shot at it where he does not have to wait another year. **CA Morrison** remarked that he is unsure the Commission has that authority to vote on the PUD because it would grant entitlements that the future land use does not permit and that is a big no-no. Speaking to his concern, if the PUD is not

denied formally then with or without prejudice does not matter. Right now you do not have an obstacle there.

Mr. Spain requested that the Commission consider reconsidering its vote on the plan amendment being that as the city planner can attest and Mr. Beliveau testified there are no future land use designations less dense than what his applicant has requested. If the property is annexed into the city, which it was, then the city at some point has an obligation to assign a land use designation. Obviously, this evening we heard concerns about the density of the PUD that goes to zoning which is separate from the land use.

When you look at the available land use classifications that the city has there is nothing less dense than what they are asking for. The state reviewed the application and they responded with no objections on the future land use designation and it is the same designation as on the parent track. Again, you want to assign the zoning and approve the PUD based on density concerns. Right now we have a piece of property that technically came into the city that has no city land use designation and there is no city designation that is less dense than what his client has asked for. He respectfully asks for the Commission to reconsider the vote, they have heard their concerns on the PUD, and they anticipate the Commission would likely vote to deny that for the reasons expressed.

CA Morrison replied that there is some sense in what is being proposed because whatever they may want to apply for they cannot go any lower on the future land use. The Commission would reach the same result if it granted the future land use and deny the PUD. Just because the land use permits up to four units per acre that does not obligate them to determine that this particulate piece of property is suitable for that density. Due to extraneous factors whatever it be traffic, the proximity to the lake or whatever, it might be based on the evidence presented at an upcoming meeting. This is an awkward situation and he is not sure how they should move forward from here. If they reconsider and grant the future land use designation and then deny the PUD still nothing is going to get built until they come back with a revised plan or a court says we shall whichever it turns out to be. But setting it up that way is a much cleaner situation so moving forward whether it be judicially or before the Commission.

Commissioner Hurley made motion to reconsider the annexation and Commissioner Robuck seconded the motion.

The roll call vote was:

Commissioner Christian	No
Commissioner Robuck	Yes
Commissioner Hurley	Yes
Commissioner Pederson	Yes
Mayor Christian	Yes

Four yeas, one nay, the Commission approved reconsideration of the annexation.

Commissioner Robuck made motion to table the annexation so that the petitioner does not have to wait a year, they can make the changes needed and come back to the Commission at a later date and Commissioner Christian seconded the motion.

Commissioner Pederson inquired that in tabling this the applicant can bring it back within the year.

CM Minner replied yes. **Commissioner Hurley** asked what if we vote no. **CM Minner** answered that if its voted to be tabled its still annexed and you still have an unincorporated parcel in the city without a designation because you already annexed it in.

Commissioner Robuck withdrew his motion.

CM Minner stated that there was a motion on the floor to reconsider that passed Commissioner Robuck then put a superseding motion to the table the annexation, which he just withdrew so now we are back to an open floor. We would need a motion to de-annex.

Commissioner Hurley made a motion to de-annex the property.

CA Morrison asked that they not word it like that because there is a whole lot of panoply of legal requirements for de-annexation and we have no evidence before us to suggest this is eligible for de-annexing. He suggested making a motion to rescind the earlier vote to annex the property.

Commissioner Hurley made a motion to rescind the earlier vote to annex the property and Commissioner Pederson seconded the motion.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Pederson	Yes
Commissioner Christian	Yes
Commissioner Robuck	Yes
Mayor Dennison	Yes

Five yeas, no nays, the Commission DENIED ORDINANCE 20-39 for annexation.

Mayor Dennison remarked that the Commission did not annex the property into the City, so the applicant will need to deal with the county from here on out.

6. **An Ordinance of the City of Leesburg, Florida, Rezoning approximately 137.35 acres from City PUD (Planned Unit Development) and Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for the development of 159 Detached Single Family Units, for a property generally located South of U.S. Highway 441 and East and West of Sunnyside Drive (South) as legally described in Sections 29, 32, and 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (SUNNYSIDE LAKE LAND HOLDINGS, LLC)**

Per City Attorney this item does not need to be heard per the Denial of the Annexation and Comprehensive Plan.

B. FIRST READING OF ORDINANCES

1. **NONE**

C. NON-ROUTINE ITEMS

1. **NONE**

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

A. NONE

8. CITY ATTORNEY ITEMS:

None

9. CITY MANAGER ITEMS:

CM Minner informed the Commission that he would be out of the office tomorrow, Wednesday through Monday. If they need him they could contact him by cellphone. Chief Johnson will be in charge. He also wanted to let them know as of Friday all the Cares Act money was spent. We spent the original allotment and fingers crossed that maybe another \$75,000 will be forthcoming from the county. We should know more after Christmas and before the New Year. He wished everyone a Happy Holiday. To Commissioner Hurley and Mayor Dennison he appreciated working with them, they have one more meeting to attend on the first Monday of the new year and he is sorry their eight years had to end with a tough meeting.

10. ROLL CALL:

Commissioner Hurley commented that it has been a fun eight years and he has enjoyed them. They have accomplished many things that the community is proud of. He loves Leesburg and he looks forward to seeing what the next Commission will bring. He wished everyone a Merry Christmas and hopes they have a blessed holiday season and New Year.

Commissioner Pederson stated he has enjoyed working with both Mayor Dennison and Commissioner Hurley; it has been a fun two years. He has learned much and he is going to miss them both. He wished everyone a Merry Christmas.

Commissioner Christian wished everyone a Merry Christmas. He wants everyone to stay safe and to continue to wash their hands, and avoid large crowds and gatherings. We see there is another surge going around in our country and our communities. He has a good friend, a Pastor in Ocala, that was just found deceased on Friday due to Covid complications. This is a very serious matter he knows some people think its a political game, but people close to our city are passing away. He wants people to continue to be vigilant and safe. To Mayor Dennison and Commissioner Hurley, its been great working with you both. Leesburg has done some great things and he does get offended when people come in who are supposed to live in our city and they say they go to Mt. Dora or other places. He does not think anyone who buys a house has to live in that house forever, they are free to move if they want to. This city does great things including the concerts, look at our boat ramps, other city's around Lake County cannot tip their hats to these boat ramps. We have the new community building, gymnasium and swimming pool. We have done a great job and this city is not in debt; we are poised for growth. As Commissioner Hurley said its a very nice area and it will continue to grow and people will come in and say do not build a house in my back yard, but the reality is these areas are where developers want to go. He would just hate to be the guy that owns the land, to try and develop it and this Commission tells him no. He wished everyone a wonderful New Year and God bless.

Commissioner Robuck said he has enjoyed serving with both Commissioner Hurley and Mayor Dennison. Certainly we have focused on equality of life and despite his kicking and screaming about the

price tags sometimes they got a lot of really nice buildings built. Mayor Dennison with all the stuff you have done you did a really wonderful job getting your district along with the south end of Leesburg more involved and he really appreciates that. He wished everyone a Merry Christmas and a Happy New Year.

Mayor Dennison thanked everyone, stating it has been an exciting eight years and we have accomplished a lot. You may see the Commission fighting, but that is because we love Leesburg and we care about what happens to it. She hopes that the new Commission coming on, that the two new members will help to keep this moving ahead and continue to make Leesburg shining in central Florida and for the rest of Florida. She thanked everyone for coming tonight. She then thanked Commissioner Christian, it has been an honor to serve. Commissioner Robuck she had enjoyed working with him. Commissioner Pederson thank you very much and good luck. Commissioner Hurley what can she say, but please everyone have a Merry Christmas and a Happy New Year. Its been one heck of year, please stay safe and realize this is not over yet we want all of you to come back next year and to let your concerns be heard. As you see with this latest we do listen to the citizens, so please enjoy and stay safe.

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 8:50 p.m.