

**AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, JULY 24, 2023 5:30 PM**

1. CALL TO ORDER

INVOCATION

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.

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

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held July 10, 2023

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida approving a Local Government Contribution through Fee Deferral for Affordable Housing Project, Montclair Meadows; and providing an effective date.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2022-23 Budget for the Gas, Wastewater, Police Impact Fees and Fleet Services Funds for the Third Quarter; and providing an effective date.**

**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 relating to the City of Leesburg Municipal Firemen' Retirement System; amending the Title of the Retirement System for the Members of the City of Leesburg Fire Department to be inclusive; amending the City of Leesburg Firefighters' defined benefit plan to implement the Heart and Lung Act and Firefighter Cancer presumption established by Sections 112.1816, 112.18, 112.181 and 175.231, Florida Statutes; Creating Section 2.4(B)(1) and (2) of the Retirement System relating to Line of Duty Disability benefits; providing for inclusion in the Code; providing for severability; and providing an effective date.**

B. FIRST READING OF ORDINANCES

- 1. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 0.4 +/- acres from City of Leesburg General Commercial and Low Density Residential to City of Leesburg General Commercial, for a property generally located south of West Main Street and north of Butler Street, lying in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Main-Butler Properties SSCP)**
- 2. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.4 +/- acres from City of Leesburg C-1 (Neighborhood Commercial) and R-1 (Low Density Residential) to City of Leesburg C-1 (Neighborhood Commercial), for a property generally located south of**

West Main Street and north of Butler Street, lying in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Main-Butler Properties RZ)

- 3. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.33 +/- acres; and being generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 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 3; and providing an effective date. (VOWL 0.33 Acre)**
- 4. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing approximately 0.33 +/- acres from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development, for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)**
- 5. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.33 +/- acres from Lake County A (Agriculture) to City of Leesburg ARD (Age Restricted Development) to allow for residential uses for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)**

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:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

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.

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, JULY 10, 2023 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, July 10 , 2023, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Allyson Berry
Commissioner Jay Connell
Commissioner Mike Pederson
Commissioner Alan Reisman
Mayor Jimmy Burry

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

Mayor Burry informed the public that agenda item 5.C.5 (In-fill Housing) under the consent agenda was pulled as staff still had some work to do on it, so it will not be discussed tonight.

INVOCATION

Mayor Burry 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.

Joanie Smalley, Leesburg Partnership, 401 West Magnolia, thanked everyone who came out for the 4th of July celebration. A lot of people attended. It was a great event, but it was very hot. She thanked Mayor Burry and Commissioner Reisman for doing the countdown to the fireworks.

Ms. Smalley stated on behalf of the Leesburg Partnership and Board of Directors, she wanted to present a request for an Event Management Contract with the city. She wanted to publicly present it to the City Clerk. **CM Minner** stated he received an email and a letter from the Leesburg Partnership seeking a management contract for events. They are requesting \$450,000 on an annual basis. They wanted to bring this request to the city's attention. There is a budget workshop scheduled for tomorrow evening where they will discuss the CRAs. He suggested if the commission does such a contract that it be paid out of the Downtown CRA available funds. They will have that discussion tomorrow and if they decide to move in that direction, there will still be a number of meetings where they can iron out the contract. The budget is not adopted until September, so they would shoot for October 1st as a start date. **Commissioner Connell** wanted to verify they were asking for a reoccurring annual contract. **CM Minner** answered yes, and they would have more discussions tomorrow. **Commissioner Connell** asked if they were looking to receive \$450,000 annually. **CM Minner** answered yes. There is \$350,000 in the Downtown CRA budget, but they will have those discussions tomorrow. He would get the commission's direction and if the feedback was positive, he would get back with Ms. Smalley to iron everything out.

Theresa Conner, 910 George Avenue, Leesburg, stated she resides in the Carver Heights area. She had concerns about the city website. It says Berry Park is a family park with a quarter mile walking path, water fountain, and covered picnic areas. That is how it is posted. On June 26th, she completed an application with the parks and recreation department to reserve the pavilions for July 1st. When she arrived at the park at nine o'clock in the morning, she expected the pavilions to be clean. She previously mentioned to the young lady on the phone what needed to happen. However, that did not occur. There were no signs saying that they were reserved. When she arrived, the area was filled with neighborhood people and unhoused people. They were soliciting their drug use. She then called the recreation department to have a guy come out because she checked the bathrooms and they were not cleaned. She checked the trash cans and they were half emptied. When the guy came back, she asked him if he had cleaned up the park and he said yes. She told him that the bathrooms were not clean. He responded by saying he was there at six thirty in the morning and he could not get the homeless person to leave. That is unacceptable. She had guests from out of town coming in from Miami, Tallahassee, Fort Lauderdale, and Orlando. This was unacceptable. She had to go home and get her power washer to clean the park. She picked up the trash and cleaned out the trash receptacles. She had to print her own reserved parking space signs because the gentlemen that came out from the city told her that if she did not have reserved signs showing she paid for them, the people would not leave. She believes Berry Park needs to be treated just like Ski Beach or any other park. If someone rents them, they should not have to come early to clean up the park. That is just unacceptable. She submitted an invoice to the city at her rate of pay, which was seventy dollars per hour, and it took three hours to clean the park. She would like this to be taken care of. **CM Minner** said Berry Park is a full rental park. He asked that she provide her contact information so he could contact her to discuss this matter. He needed to speak with the Recreational Director about this situation and he believed she had been refunded her deposit. **Ms. Conner** said he gave her a refund of \$126, which was her deposit. She was not paid for her work of three hours to clean up. **CM Minner** stated he would get with the Recreational Director and he would be in touch.

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 Reisman moved to adopt the Consent Agenda as presented and Commissioner Berry seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Burry	Yes

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

A. CITY COMMISSION MEETING MINUTES:

- 1. Workshop held May 8, 2023 between the City Commission and the Center for the Arts**
- 2. Vision Goal Setting Workshop held May 20, 2023**
- 3. Regular meeting held June 26, 2023**

B. PURCHASING ITEMS:

- 1. None**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Leesburg Fire Department to apply for and accept, and purchase, if awarded, a grant from the Florida State Fire Marshal's Office for the purchase of two (2) 30 lb Washer-Extractor designed to clean personal protective equipment to meet NFPA 1851 requirements; and providing an effective date.**

ADOPTED RESOLUTION 11,356

- 2. Resolution of the City Commission of the City of Leesburg, Florida,**

executing and submitting the Certification of Taxable Value for Fiscal Year 2023-24 to the Lake County Property Appraiser; and providing an effective date.

ADOPTED RESOLUTION 11,357

3. **Resolution of the City Commission of the City of Leesburg, Florida, granting to Leesburg Landing II Community, LLC, an extension of two years, for a total of six years from the date the agreement was entered into by the developer for installation of infrastructure, to report connections to new electric meters in its development known as Leesburg Landing Phase II, for purposes of determining if the developer is entitled to a credit per meter against the developer share of the difference in cost between overhead and underground service, or to apply to reduction of the amount of any bond placed with the City by the developer to secure its share of such costs; and providing an effective date.**

ADOPTED RESOLUTION 11,358

4. **Resolution of the City Commission of the City of Leesburg, Florida, Adopting a Policy for Issuing Proclamations; and providing an effective date.**

ADOPTED RESOLUTION 11,359

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 amending the City Code of Ordinances by amending Chapter 22, Section 22-7, Natural Gas Line Installation procedures; providing for severability; providing for inclusion in the Code of Ordinances; providing for conflicts; and providing an effective date.**

ADOPTED ORDINANCE 23-43

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

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience. There were none.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	Yes
Mayor Burry	Yes

Five yeas, no nays, the Commission adopted the ordinance.

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida relating to the City of Leesburg Municipal Firemen' Retirement System; amending the Title of the Retirement System for the Members of the City of Leesburg Fire Department to be inclusive; amending the City of Leesburg Firefighters' defined benefit plan to implement the Heart and Lung Act and Firefighter Cancer presumption established by Sections 112.1816, 112.18, 112.181 and 175.231, Florida Statutes; Creating Section 2.4(B)(1) and (2) of the Retirement System relating to Line of Duty Disability benefits; providing for inclusion in the Code; providing for severability; and providing an effective date.**

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

Mayor Burry requested comments from the Commission and the audience. **CM Minner** mentioned that this was a house cleaning item. **Mayor Burry** stated the second reading for this item would be July 24th.

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. Financial Reports as of April 2023

Mayor Burry asked if there were any questions or comments concerning the report. There were none.

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address this evening.

9. CITY MANAGER ITEMS:

CM Minner remarked that they took it easy on the commission tonight, but he would see everyone at the budget workshop meetings on Tuesday and Thursday.

10. ROLL CALL:

Commissioner Pederson had nothing to discuss tonight.

Commissioner Berry expressed her condolences and sympathy to the families of John L. Johnson, who passed away on Sunday morning, and Mary Dunbar Wiggins Rowell, who passed away on Saturday. Both were instrumental community leaders in District One. They both served on the board of the West Leesburg CDC as original board members.

Commissioner Connell had no comment.

Commissioner Reisman had nothing to comment on.

Mayor Burry had nothing further to comment on.

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.

Commissioner Reisman made a motion to adjourn. Seconded by Commissioner Pederson. The meeting adjourned at 5:42 p.m.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: July 24, 2023

From: Sandra Wilson, (Housing Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida approving a Local Government Contribution through Fee Deferral for Affordable Housing Project, Montclair Meadows; and providing an effective date.

Staff Recommendation:

Consider request for support of affordable housing project through a fee deferral.

Analysis:

Staff received a request from Southport Financial, an affordable housing developer, who is participating in the Florida Housing Finance Corporation's upcoming Request For Application (RFA) cycle for State Apartment Incentive Loan (SAIL) financing which requires a local government contribution in support of the development. The local government contribution can be in the form of a loan, grant, fee waiver, or deferral. Southport Financial's proposal is to develop a 96-unit affordable housing development on a 5.85 acre parcel located on the north side of Montclair Road approx, 694 feet east of the intersection of N. Lone Oak Drive and Montclair Road. This request is to defer \$53,100 in fees, which represents a net present value of \$37,552.97.

Procurement Analysis:

N/A

Options:

1. Approve as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA APPROVING A LOCAL GOVERNMENT CONTRIBUTION
THROUGH FEE DEFERRAL FOR AFFORDABLE HOUSING PROJECT,
MONTCLAIR MEADOWS; AND PROVIDING AN EFFECTIVE DATE.**

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

THAT the City Commission of the City of Leesburg, Florida does hereby approve a Local Government Contribution through Fee Deferral for Affordable Housing Project, Montclair Meadows.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 24th day of July 2023.

Mayor

ATTEST:

City Clerk

**FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION - FEE DEFERRAL FORM**

Name of Development: Montclair Meadows

North side of Montclair Road approx. 694 feet East of the intersection of N Lone Oak Drive and

Development Location: Montclair Road, Leesburg, FL

(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Development Location Point is located.)

The City/County of Leesburg commits to defer \$ 53,100.00 at face value in fees for the proposed Development referenced above.

Please note: In some competitive processes, Florida Housing will use the face value of the commitment minus the net present value of the commitment for scoring purposes. The net present value of the above-referenced fee deferral, based on its payment stream, inclusive of a reduced interest rate and designated discount rate (as stated in the applicable RFA) is: \$ 37,552.97.

No consideration or promise of consideration has been given with respect to the fee deferral. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. The commitment for this fee deferral must be effective as of the Application Deadline for the applicable RFA, and is provided specifically with respect to the proposed Development.

CERTIFICATION

I certify that the foregoing information is true and correct and that this commitment is effective at least through the date required in the applicable RFA.

Signature

Print or Type Name

Print or Type Title

Date Signed

NOTE TO LOCAL GOVERNMENT OFFICIAL: Additional information is set forth in the applicable Request for Application under which the Applicant is applying for funding for the above referenced Development.

This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager /Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. The amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

If there are alterations made to this form that change the meaning of the form, the form will not be accepted.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: July 24, 2023

From: Brandy McDaniel, (Budget Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2022-23 Budget for the Gas, Wastewater, Police Impact Fees and Fleet Services Funds for the Third Quarter; and providing an effective date.

Staff Recommendation:

Staff recommends adoption of the attached resolution amending the Fiscal Year 2022-23 Budget.

Analysis:

As established in the Budget Policy, adopted September 28, 1998, total appropriations within a fund cannot increase or decrease without formal action by the City Commission.

Gas Fund	Amount	Funding Source
Lake Denham Cove Developer Contributed	\$ <u>36,154</u>	Developer Contributed
Total Gas Fund	\$ 36,154	
Wastewater Fund	Amount	Funding Source
Adjust Debt Proceeds amount	\$ <u>(100,500)</u>	Fund Balance- Debt Proceeds
Total Wastewater Fund	\$ (100,500)	
Police Impact Fees Fund	Amount	Funding Source
Vehicles & Equipment to Equip new positions	\$ <u>204,900</u>	Fund Balance
Total Police Impact Fees Fund	\$ 204,900	
Fleet Services Fund	Amount	Funding Source
Replace Police Cruisers (2) which were totaled	\$ <u>57,500</u>	Insurance Reimbursement & Fund
Balance		
Total Fleet Services Fund	\$ 57,500	

Procurement Analysis:

N/A

Options:

1. Adopt the attached resolution amending the Fiscal Year 2022-23 budget for the Gas, Wastewater, Police Impact Fees and Fleet Services Funds for the Third Quarter; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

See attached

<u>FUND</u>	FY 2023 <u>ADOPTED</u>	<u>CHANGE</u>	FY 2023 <u>AMENDED</u>
General	32,760,412	-	32,760,412
Stormwater	3,283,752	-	3,283,752
Housing Assistance	162,112	-	162,112
Greater Leesburg CRA	813,641	-	813,641
Carver Heights CRA	754,068	-	754,068
Hwy 441/27 CRA	1,979,110	-	1,979,110
Debt Service	1,745,218	-	1,745,218
Capital Projects	12,788,301	-	12,788,301
Electric	102,434,356	-	102,434,356
Gas	11,665,662	36,154	11,701,816
Water	17,692,463	-	17,692,463
Wastewater	64,033,187	(100,500)	63,932,687
Solid Waste	5,454,110	-	5,454,110
Airport	7,050,961	-	7,050,961
Police Pension	2,223,377	-	2,223,377
Fire Pension	1,720,614	-	1,720,614
General Employees Pension	3,240,408	-	3,240,408
Health Insurance	7,769,137	-	7,769,137
Workers' Compensation	1,160,309	-	1,160,309
Discretionary Sales Tax	2,680,893	-	2,680,893
Gas Tax	1,207,052	-	1,207,052
Building Permits	1,570,402	-	1,570,402
Police Forfeiture	61,571	-	61,571
Police Education Receipts	3,500	-	3,500
	-	204,900	204,900
Fire Impact Fees	47,949	-	47,949
Fleet Services	5,376,089	57,500	5,433,589
Total	289,678,654	198,054	289,876,708

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA,
AMENDING THE FISCAL YEAR 2022-23 BUDGET FOR THE GAS, WASTEWATER, POLICE
IMPACT FEES AND FLEET SERVICES FUNDS FOR THE THIRD QUARTER; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, the City of Commission of the City of Leesburg adopted a budget for the Fiscal Year 2022-23 on September 26, 2022, which they felt was in the best interest of the citizens of the City of Leesburg, and

WHEREAS, it is now necessary to amend the current budget for Fiscal Year 2022-23 to provide funds for various projects as adopted at City Commission meetings, and

WHEREAS, such action was not anticipated in the original 2022-23 annual budget;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:

SECTION I.

Pursuant to Section 200.065, Florida Statutes, and all other applicable laws, the following amounts for use by the various funds during Fiscal Year 2022-23 as reflected below, including all modifications or amendments made during this meetings, are hereby adopted as increases/decreases to the original budget for Fiscal Year 2022-23 for the City of Leesburg, Florida:

GAS FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Sources	36,154
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	36,154

PROPOSED APPROPRIATIONS

Physical Environment	36,154
TOTAL PROPOSED APPROPRIATIONS	36,154

WASTEWATER FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Fund Balance Appropriated- Debt Proceeds	(100,500)
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	(100,500)

PROPOSED APPROPRIATIONS

Physical Environment	(100,500)
TOTAL PROPOSED APPROPRIATIONS	(100,500)

POLICE IMPACT FEES FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Other Financing Sources:	
Fund Balance Appropriated	204,900
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	204,900

PROPOSED APPROPRIATIONS

Public Safety	204,900
TOTAL PROPOSED APPROPRIATIONS	204,900

FLEET SERVICES FUND

ESTIMATED REVENUES AND OTHER RECEIPTS

Miscellaneous Revenue	26,375
Other Financing Sources:	
Fund Balance Appropriated	31,125
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	57,500

PROPOSED APPROPRIATIONS

Transportation	57,500
TOTAL PROPOSED APPROPRIATIONS	57,500

ALL FUNDS

ESTIMATED REVENUES AND OTHER RECEIPTS

Miscellaneous Revenues	26,375
Other Sources	36,154
Total Estimated Revenues	62,529
Other Financing Sources:	
Fund Balance Appropriated	236,025
Fund Balance Appropriated- Debt Proceeds	(100,500)
TOTAL ESTIMATED REVENUES AND OTHER RECEIPTS	198,054

PROPOSED APPROPRIATIONS

Transportation	57,500
Public Safety	204,900
Physical Environment	(64,346)
TOTAL PROPOSED APPROPRIATIONS	198,054

SECTION II.

This resolution shall become effective upon its passage and adoption by the Leesburg City Commission in the manner provided by law.

PASSED AND ADOPTED at a regular meeting of the City Commission of the City of Leesburg, Florida held the 24th day of July 2023.

Mayor

ATTEST:

City Clerk

3rd Quarter Budget Adjustments Additional Information

<u>Fund:</u>	<u>Description</u>	<u>Amount</u>	<u>Reason</u>
Gas			
	Lake Denham Cove Developer Contributed Project	36,154	City Commission approved the project, an additional payment for shortfall on the original estimate
	Total Gas Fund	36,154	
Wastewater			
	Rollover from the Available Debt Proceeds was overstated	(100,500)	Reduced Budget for WWT Turnpike Plant Ex 2, Closing costs were taken from Proceeds, less available
	Total Wastewater Fund	(100,500)	
Police Impact Fees			
	Equipment & Vehicles for 4 new positions approved mid year	204,900	City Commission approved 3/13/23, these are the costs to outfit the 4 new positions
	Total Police Impact Fees Fund	204,900	
Fleet Services Fund			
	Replace Police Cruisers (2) which were totaled in accidents	57,500	Insurance funds, reserve and Fund balance funds were used to replace these Police Cruisers (2)
	Total Fleet Services Fund	57,500	
	Total 3rd Qtr Budget Adjustments	198,054	

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: July 24, 2023

From: Al Minner, (City Manager)

Subject: An Ordinance of the City of Leesburg, Florida relating to the City of Leesburg Municipal Firemen' Retirement System; amending the Title of the Retirement System for the Members of the City of Leesburg Fire Department to be inclusive; amending the City of Leesburg Firefighters' defined benefit plan to implement the Heart and Lung Act and Firefighter Cancer presumption established by Sections 112.1816, 112.18, 112.181 and 175.231, Florida Statutes; Creating Section 2.4(B)(1) and (2) of the Retirement System relating to Line of Duty Disability benefits; providing for inclusion in the Code; providing for severability; and providing an effective date.

Staff Recommendation:

Approve Ordinance on first reading and set for public hearing.

Analysis:

The attached modifications to the pension plan are housekeeping items that reflect changes in legislation and that have "no impact" on funding.

Procurement Analysis:

None

Options:

1. Approve Ordinance as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:



June 1, 2023

Via Email

City of Leesburg Municipal Firemen's Retirement Plan
c/o Sonja Vicchiollo
33937 Tarawood Dr.
Leesburg, FL 34788
sonja.vicchiollo <pensionstandard@outlook.com>

Dear Sonja:

Re: Statement of No Impact of Proposed Ordinance Amendment

This letter is being written to provide a statement of no impact with regard to the attached proposed ordinance amendment for the City of Leesburg Municipal Firemen's Retirement Plan (the Plan).

Summary of Changes

Plan Name. Name of Plan revised to City of Leesburg Municipal Firefighters' Retirement Plan.

Required Minimum Distributions: Creation of *Section 1.1 Definitions. (37) Required Minimum Distributions* to comply with Internal Revenue Code Section 401(a)(9).

Heart and Lung Act and Firefighter Cancer Presumption: Creation of *Section 2.4 Disability and Retirement Income (B)(1) and (B)(2)* to comply with the Heart and Lung Act as well as the Firefighter Cancer Presumptions of Chapter 112 and 175 Florida Statutes.

Actuarial Impact

There is no impact to change the name of the Plan.

There is no significant impact related to the addition of Required Minimum Distributions language.

There is no material impact related to addition of language to the Disability and Retirement Income section of the Plan as it is not expected to materially increase the number of line-of-duty disabilities awarded by the Plan.

Please let me know if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Little", is written over a light blue horizontal line.

Chad M. Little, ASA, EA
Partner, Consulting Actuary

ORDINANCE _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA RELATING TO THE CITY OF LEESBURG MUNICIPAL FIREMEN'S RETIREMENT SYSTEM; AMENDING THE TITLE OF THE RETIREMENT SYSTEM FOR THE MEMBERS OF THE CITY OF LEESBURG FIRE DEPARTMENT TO BE INCLUSIVE; AMENDING THE CITY OF LEESBURG FIREFIGHTERS' DEFINED BENEFIT PLAN TO IMPLEMENT THE HEART AND LUNG ACT AND FIREFIGHTER CANCER PRESUMPTION ESTABLISHED BY SECTIONS 112.1816, 112.18, 112.181 AND 175.231, FLORIDA STATUTES; CREATING SECTION 2.4(B)(1) AND (2) OF THE RETIREMENT SYSTEM RELATING TO LINE OF DUTY DISABILITY BENEFITS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Leesburg had established a defined benefit plan for the members of the City of Leesburg Fire Department on or about 1991 entitled the City of Leesburg Municipal Firemen's Retirement Plan; and

WHEREAS, in the over thirty years since the plan was established, there have been more women firefighters, and;

WHEREAS, the Board of Trustees for the Plan desires the Plan name to be more inclusive and to conform to the documents which reflect the name as City of Leesburg Municipal Firefighters' Retirement Plan; and

WHEREAS, the Florida Legislature, in recognition of the elevated health risks to firefighters for certain heart and lung and cancer diseases, has created a duty-related heart and lung disease presumption and cancer presumption; and

WHEREAS, Florida Laws Chapter 2019-21 has amended Chapter 112, Florida Statutes, by creating Section 112.1816, governing disability and death benefits for firefighters; and

WHEREAS, Chapters 112 and 175, Florida Statutes, establish rebuttable presumptions for firefighters in cases of heart disease, hypertension, tuberculosis, meningococcal meningitis, and hepatitis, and cancer; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

SECTION 1. The Defined Benefit Plan for the members of the City of Leesburg Fire Department will be entitled City of Leesburg Municipal Firefighters' Retirement Plan.

SECTION 2. Section 1.1 of the City of Leesburg Municipal Firemen's Retirement System is hereby created to read as follows:

(37) Required Minimum Distributions

Notwithstanding anything in the plan to the contrary, all distributions under the plan shall comply with section 401(a)(9) of the Code and the Regulations thereunder, as prescribed by the Commissioner in Revenue Rulings, Notices and other guidance published in the Internal Revenue Bulletin, to the extent that said provisions apply to governmental plans under section 414(d) of the Code.

SECTION 3. Section 2.4 of the City of Leesburg Municipal Firemen's Retirement System is hereby created to read as follows:

2.4 – DISABILITY RETIREMENT AND RETIREMENT INCOME

(A) Disability Retirement:

A Participant may retire from the Service of the City under the Plan if his Service is terminated by reason of his Total and Permanent Disability as defined in Section 2.4 (B) below and on or after October 1, 1991, but prior to his Normal Retirement Date. Such retirement from the Service of the City shall herein be referred to a disability retirement. In the event of disability retirement, uniformly and consistently applied rules shall be used with respect to all Participants in similar circumstances and payment of retirement income will be governed by the following provisions of this Section 2.4.

(B) Total and Permanent Disability:

A Participant may be considered disabled by the Retirement Committee if, in the opinion of a duly licensed physician selected by the Retirement Committee, such Participant is so disabled as to be permanently unable to execute the regular duties of his usual course of employment as a Firefighter with the City or the duties of such other position or job within the Fire Department which the City makes available to him and for which such Employee is qualified by reason of his training, education or experience without loss of pay or benefits.

(1) The provisions of Sections 112.18, 112.181, and 175.231, Fla. Stat., are hereby codified within the Plan and are intended to be incorporated by reference. The Board of Trustees may adopt uniform administrative rules for the conduct of hearings relating to these rebuttable presumptions and for the determination of any disqualifying events reflected in Chapters 112 and 175, Fla. Stat.

(2) The provisions of Section 112.1816, Fla. Stat., are hereby codified within the Plan and are intended to be incorporated by reference. The Board of Trustees may adopt

uniform administrative rules for the conduct of hearings relating to absolute causation for an in-service disability pension and for the determination of any disqualifying events as reflected in the statute.

SECTION 4. It is the intention of the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lakeland, that the sections of the Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word as the context so requires.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. If any word, sentence, clause, phrase, or provision of this Ordinance, for any reason, is held to be unconstitutional, void, or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

SECTION 7. This Ordinance shall take effect immediately upon its passage.

Passed on First Reading this ____ day of _____ 2023.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, on this ____ day of _____ 2023.

THE CITY OF LEESBURG, FLORIDA

James A. Burry, Jr., Mayor

Attest:

City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.1.

Meeting Date: July 24, 2023

From: Max Vanallen, (Senior Planner), Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 0.4 +/- acres from City of Leesburg General Commercial and Low Density Residential to City of Leesburg General Commercial, for a property generally located south of West Main Street and north of Butler Street, lying in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Main-Butler Properties SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 0.4 +/- acres from City of Leesburg General Commercial and Low Density Residential to City of Leesburg General Commercial.

Analysis:

The project site is approximately 0.4 acres. The property is generally located south of West Main Street and north of Butler Street. Currently, the property is undeveloped acreage. The proposed use is for light commercial development.

The surrounding Future Land Use Map designations City of Leesburg General Commercial, Low Density Residential, and Transitional are compatible with the proposed future land use designation of City General Commercial. The proposed zoning designation of City C-1 (Neighborhood Commercial) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

During the review process for a proposed lot split, staff found that the boundaries for the zoning and the future land use on this property were not consistent with the actual property boundaries, thus making the property more difficult to develop. This action will correct the future land use lines to be consistent with the property boundary lines, thereby making the parcel more economically feasible for appropriate development.

The Planning Commission held a public hearing on the application on June 22, 2023 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from City of Leesburg General Commercial and Low Density Residential to City of Leesburg General Commercial; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of the property will increase this anticipated impact from collection of impact fees, ad valorem taxes and utility charges.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 0.4 +/- ACRES FROM CITY OF LEESBURG GENERAL COMMERCIAL AND LOW DENSITY RESIDENTIAL TO CITY OF LEESBURG GENERAL COMMERCIAL, FOR A PROPERTY GENERALLY LOCATED SOUTH OF WEST MAIN STREET AND NORTH OF BUTLER STREET, LYING IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (MAIN-BUTLER PROPERTIES SSCP)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 0.4 acres of land generally located south of West Main Street and north of Butler Street from City of Leesburg General Commercial and Low Density Residential to City of Leesburg General Commercial, as shown on the revised map of said area, lying in Section 27, Township 19 South, Range 24 East, Lake County Florida;

Section 2.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the _____ day of _____, 2023.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Main-Butler Properties – South of W Main Street and north of Butler Street
SSCP-23-242, RZ-23-243
AK#: 1796342 (existing 1 parcel)
Legal Description taken from submitted surveys
Friday, June 23, 2023

Legal Description:

Existing one (1) Parcel:

LOT 11 LESS THE EAST 13.96 FEET AND LOTS 9 AND 12, BLOCK
C, SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 11, PAGE 94, OF THE PUBLIC
RECORDS OF LAKE COUNTY,

(Provided by Applicant on Survey)

Lot 1 (to be Rezoned and Amended on the Comprehensive Plan)

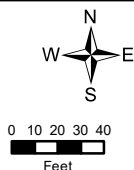
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RECORDS OF LAKE COUNTY, FL.

(Provided by Applicant on Survey)

Aerial



**Planning
& Zoning
Division**

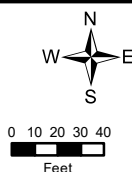


Main-Butler Properties
SSCP-23-242; RZ-23-243: MNSB-23-244
XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 15, 2023

Lot to Be Amended and Rezoned

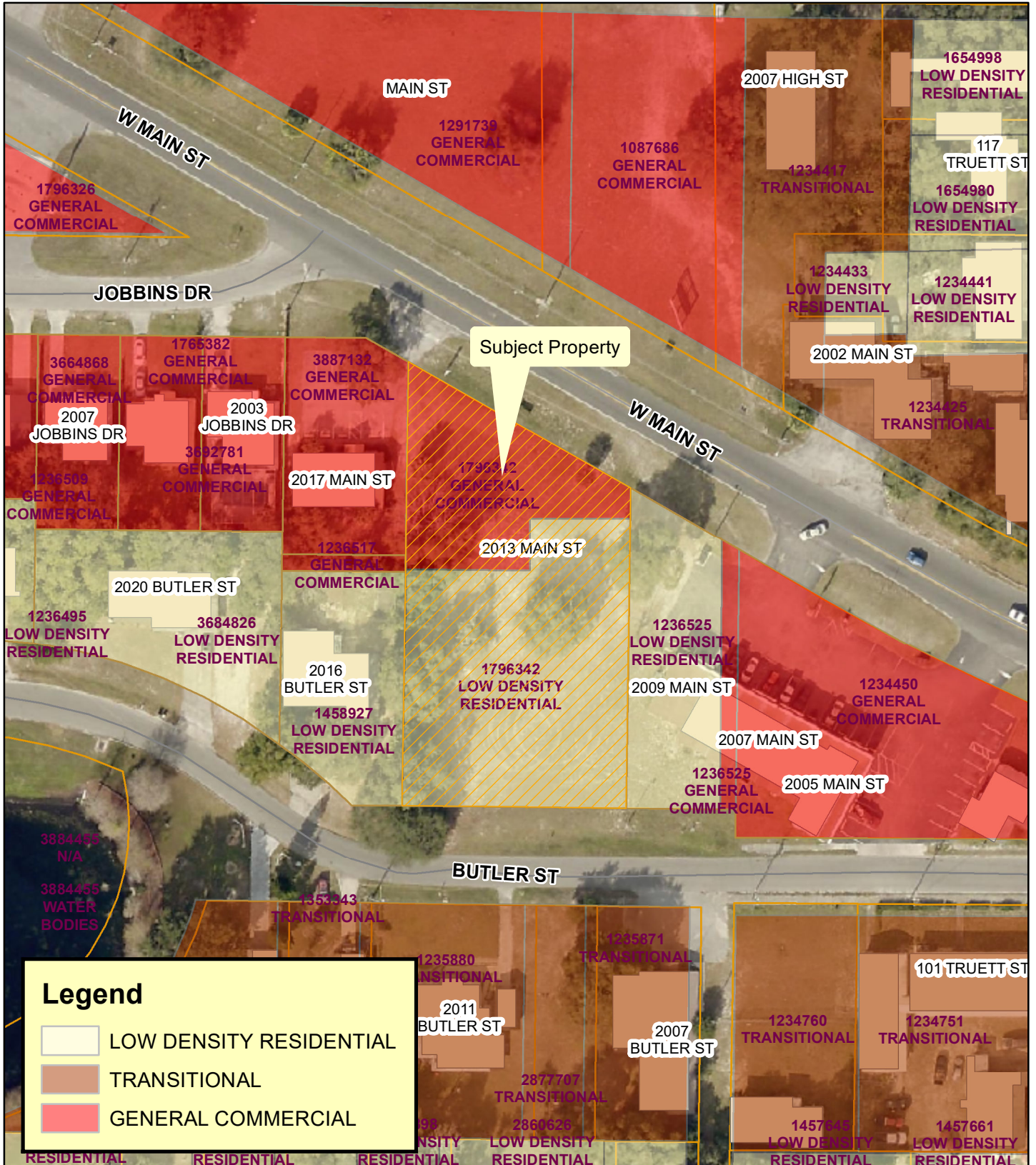


**Planning
& Zoning
Division**

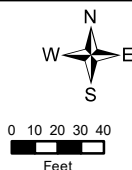


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June 5, 2023

Future Land Use



**Planning
& Zoning
Division**

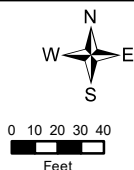


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May 15, 2023

Area to be Amended



**Planning
& Zoning
Division**

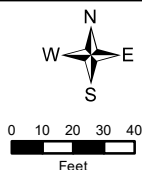


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June 5, 2023

Proposed Future Land Use



**Planning
& Zoning
Division**

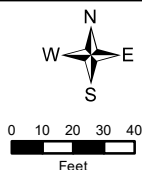


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XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 24, 2023

Proposed Zoning



**Planning
& Zoning
Division**

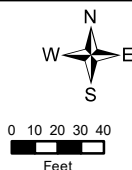


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XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 24, 2023

Area to be Rezoned

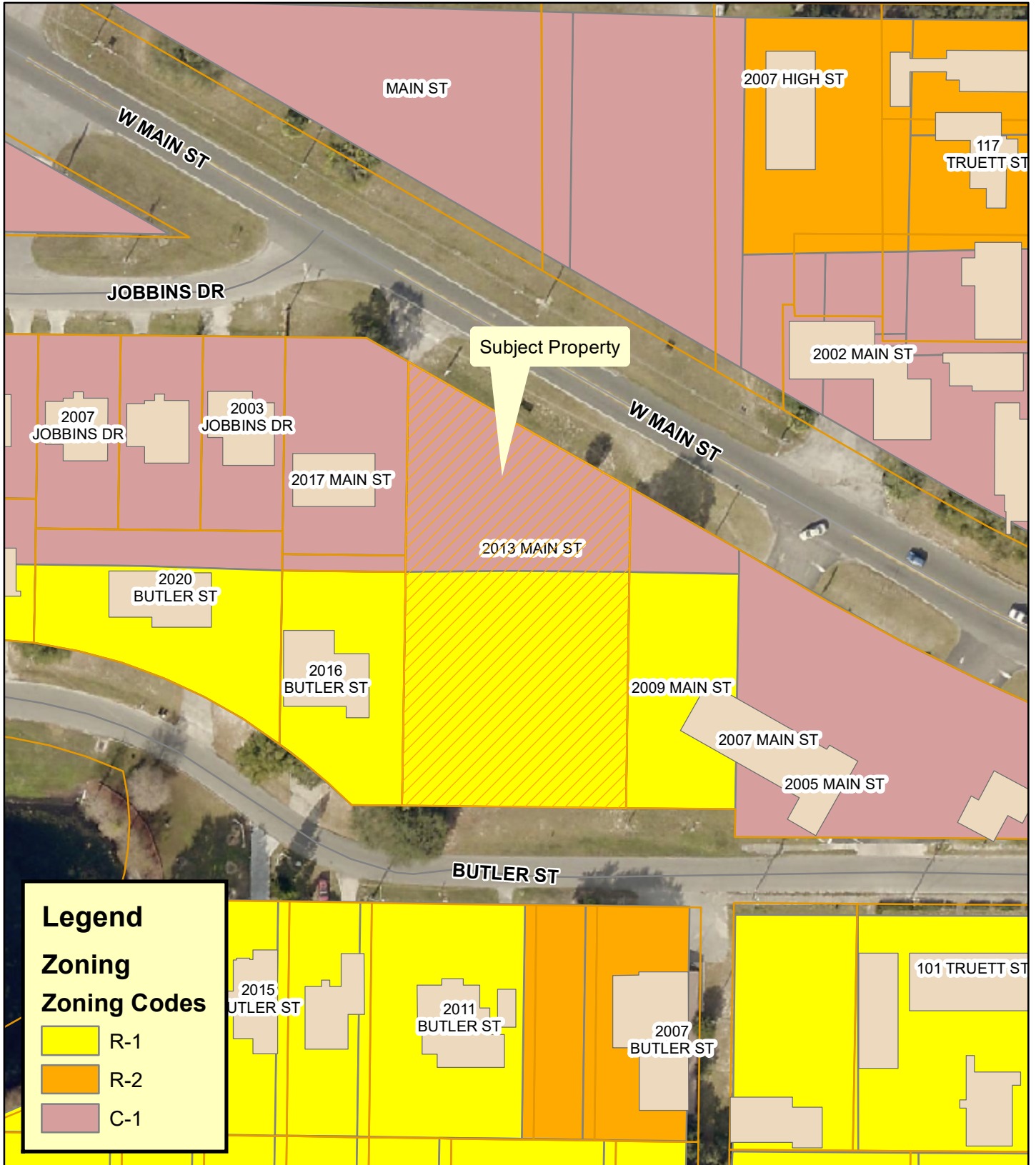


**Planning
& Zoning
Division**

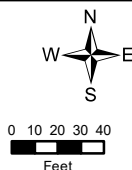


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Zoning

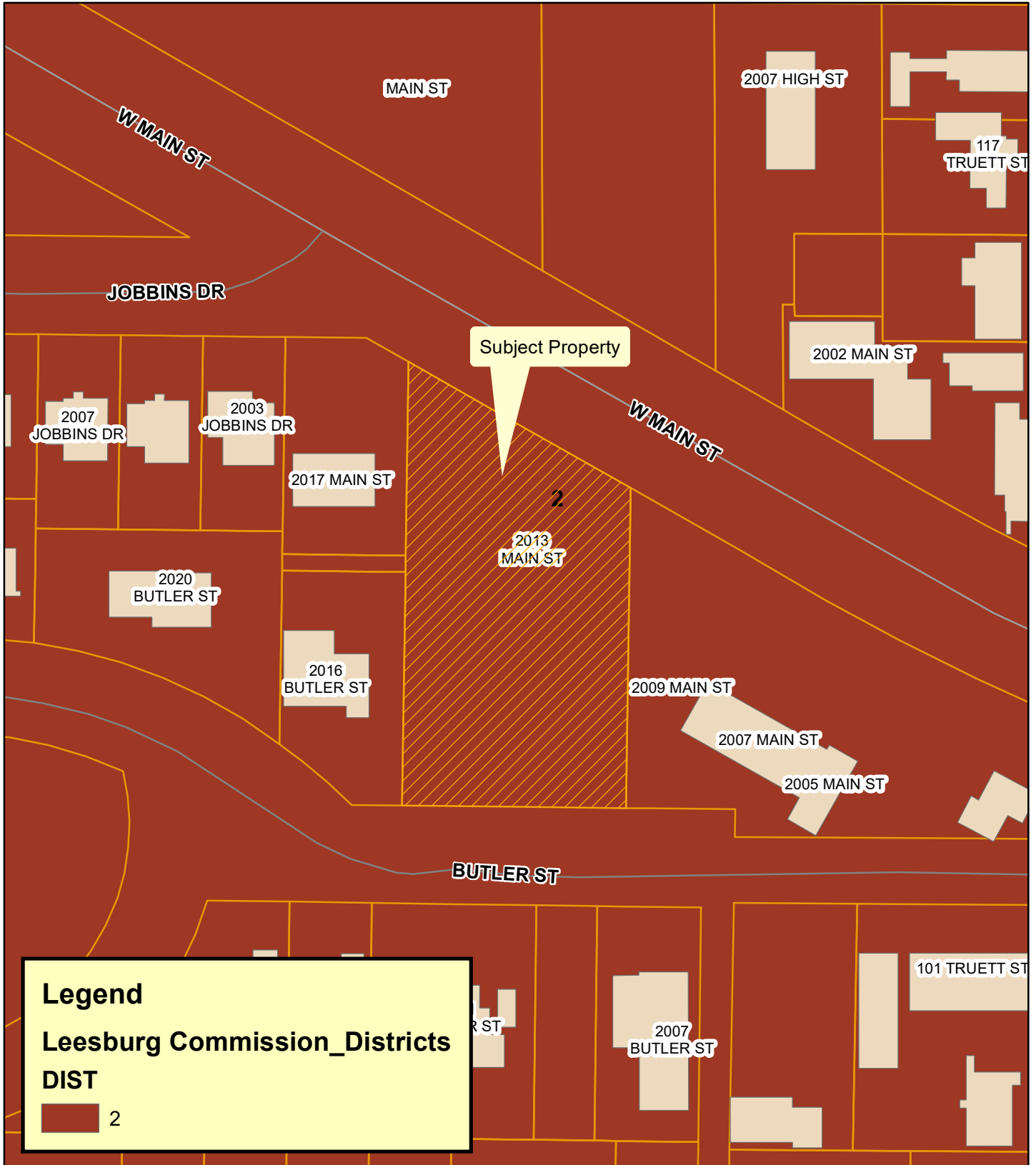


**Planning
& Zoning
Division**

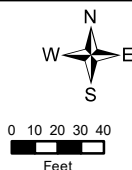


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Section 27, Township 19 South, Range 24 East
May 15, 2023

Commission District



**Planning
& Zoning
Division**



Main-Butler Properties
SSCP-23-242; RZ-23-243: MNSB-23-244
XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 15, 2023

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.2.

Meeting Date: July 24, 2023

From: Max Vanallen, (Senior Planner), Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.4 +/- acres from City of Leesburg C-1 (Neighborhood Commercial) and R-1 (Low Density Residential) to City of Leesburg C-1 (Neighborhood Commercial), for a property generally located south of West Main Street and north of Butler Street, lying in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Main-Butler Properties RZ)

Staff Recommendation:

Planning & Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from City of Leesburg C-1 (Neighborhood Commercial) and R-1 (Low Density Residential) to City of Leesburg C-1 (Neighborhood Commercial) to allow for light commercial development.

Analysis:

The project site is approximately 0.4 +/- acres, and generally located south of West Main Street and north of Butler Street, as shown on the attached maps. At this time, the property is vacant and undeveloped acreage. The proposal will allow for light commercial development. The existing land uses surrounding the property are vacant commercial, vacant residential, office, commercial, and residential. City of Leesburg utilities are available nearby.

During the review process for a proposed lot split, staff found that the boundaries for the zoning and the future land use on this property were not consistent with the actual property boundaries, thus making the property more difficult to develop. This action will correct the zoning lines to be consistent with the property boundary lines, thereby making the parcel more economically feasible for appropriate development.

The Planning Commission held a public hearing on the application on June 22, 2023 and recommended approval.

Procurement Analysis:

1. Approve the proposed rezoning from C-1 (Neighborhood Commercial) and R-1 (Low Density Residential) to C-1 (Neighborhood Commercial);or

2. Other such action as the Commission may deem appropriate.

Options:

N/A

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of the property will increase this anticipated impact from collection of impact fees, ad valorem taxes and utility charges.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 0.4 +/- ACRES FROM CITY OF LEESBURG C-1 (NEIGHBORHOOD COMMERCIAL) AND R-1 (LOW DENSITY RESIDENTIAL) TO CITY OF LEESBURG C-1 (NEIGHBORHOOD COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED SOUTH OF WEST MAIN STREET AND NORTH OF BUTLER STREET, LYING IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (MAIN-BUTLER PROPERTIES RZ)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Shawn Symphorien. (Owner, Petitioner) petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from City of Leesburg C-1 (Neighborhood Commercial)) and R-1 (Low Density Residential) to City of Leesburg C-1 (Neighborhood Commercial), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2023.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Main-Butler Properties – South of W Main Street and north of Butler Street
SSCP-23-242, RZ-23-243
AK#: 1796342 (existing 1 parcel)
Legal Description taken from submitted surveys
Friday, June 23, 2023

Legal Description:

Existing one (1) Parcel:

LOT 11 LESS THE EAST 13.96 FEET AND LOTS 9 AND 12, BLOCK
C, SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 11, PAGE 94, OF THE PUBLIC
RECORDS OF LAKE COUNTY,

(Provided by Applicant on Survey)

Lot 1 (to be Rezoned and Amended on the Comprehensive Plan)

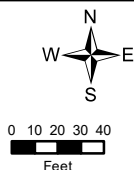
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(Provided by Applicant on Survey)

Aerial



**Planning
& Zoning
Division**

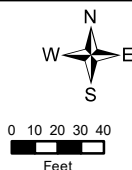


Main-Butler Properties
SSCP-23-242; RZ-23-243: MNSB-23-244
XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 15, 2023

Lot to Be Amended and Rezoned

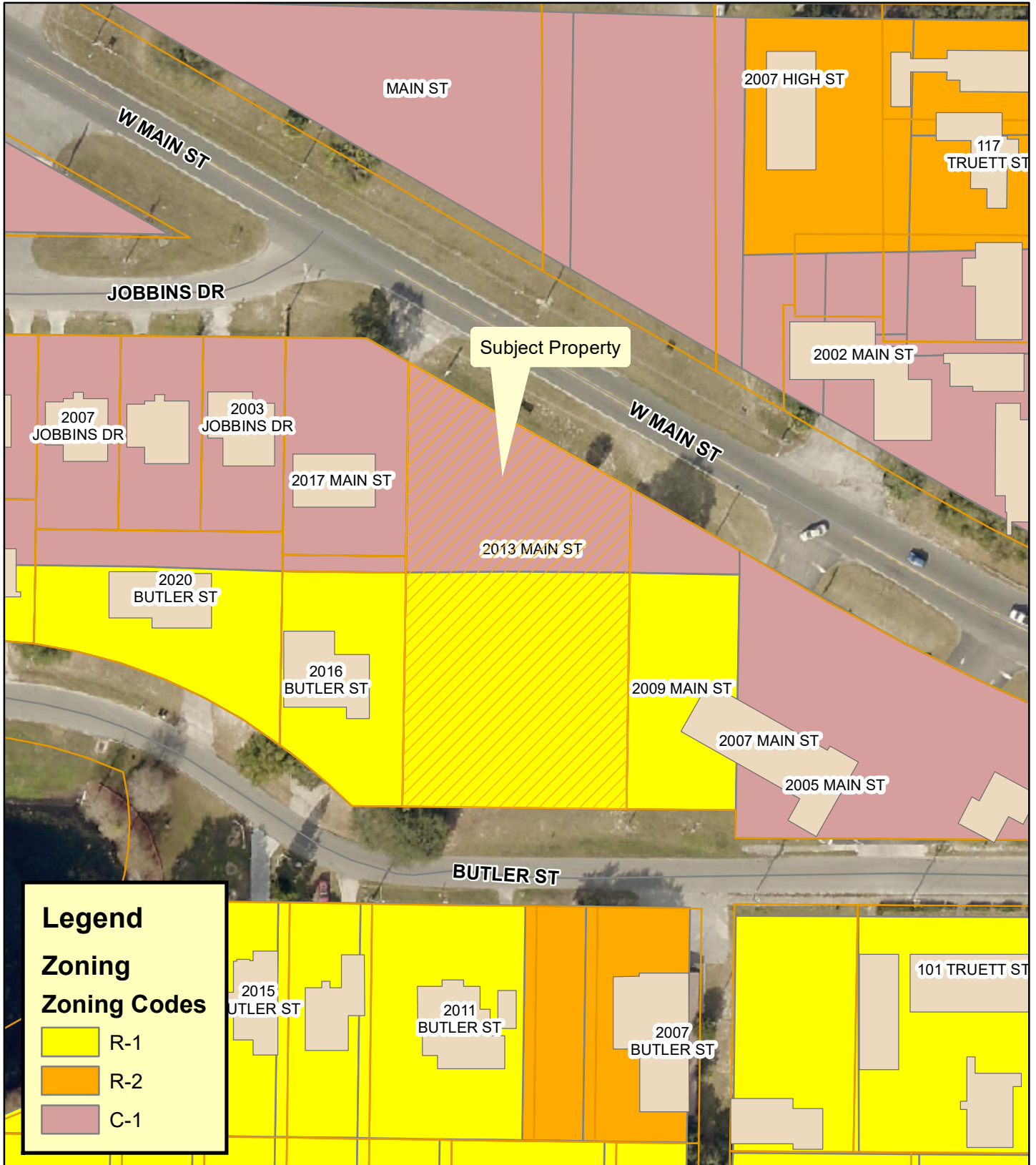


**Planning
& Zoning
Division**

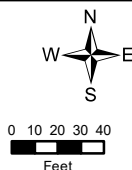


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Section 27, Township 19 South, Range 24 East
June 5, 2023

Zoning



**Planning
& Zoning
Division**

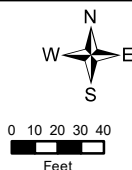


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May 15, 2023

Area to be Rezoned



**Planning
& Zoning
Division**

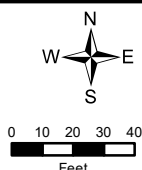


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June 5, 2023

Proposed Zoning

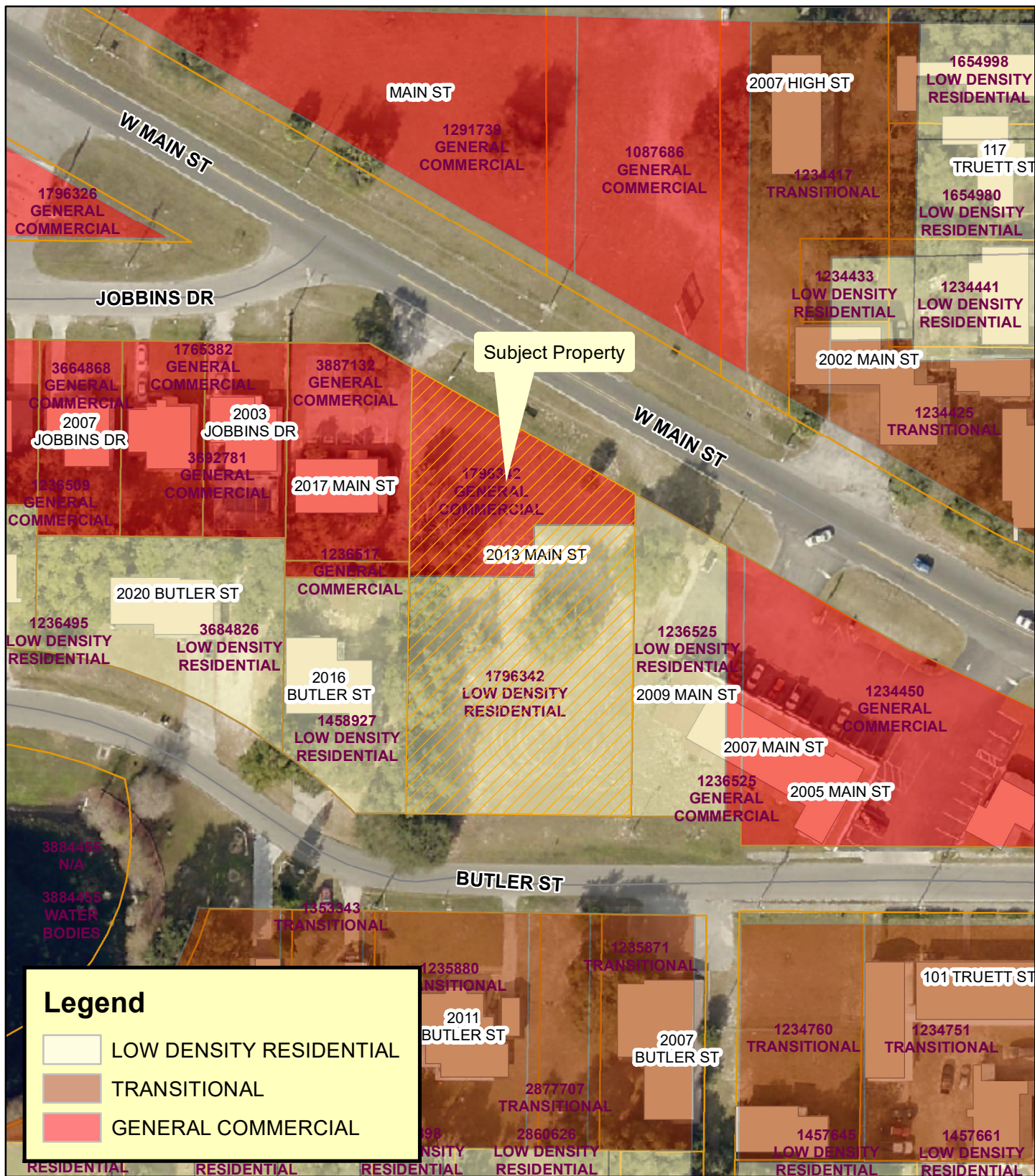


**Planning
& Zoning
Division**

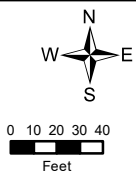


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Section 27, Township 19 South, Range 24 East
May 24, 2023

Future Land Use



Planning & Zoning Division

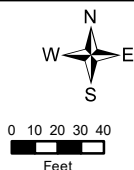


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XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 15, 2023

Area to be Amended



**Planning
& Zoning
Division**

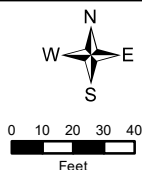


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AK #: 1796342
Section 27, Township 19 South, Range 24 East
June 5, 2023

Proposed Future Land Use



**Planning
& Zoning
Division**

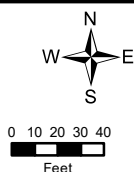


Main-Butler Properties
SSCP-23-242; RZ-23-243: MNSB-23-244
XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 24, 2023

Surrounding Uses



Planning & Zoning Division

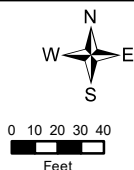


Main-Butler Properties
SSCP-23-242; RZ-23-243: MNSB-23-244
XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 15, 2023

Flood Zone and Wetlands



**Planning
& Zoning
Division**



Main-Butler Properties
SSCP-23-242; RZ-23-243: MNSB-23-244
XXX Butler Street, Leesburg, FL 34748
AK #: 1796342
Section 27, Township 19 South, Range 24 East
May 15, 2023

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.3.

Meeting Date: July 24, 2023

From: Dan Miller, (Planning and Zoning Director), Christine Rock, (Senior Planner)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.33 +/- acres; and being generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 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 3; and providing an effective date. (VOWL 0.33 Acre)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of 0.33 +/- acres.

Analysis:

The applicant has submitted a request for annexation of approximately 0.33 +/- acres, generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, as shown on the attached General Location Map. The subject property is included within the Villages of West Lake Development and is developed for residential uses. The current zoning is Lake County A (Agriculture); the proposed zoning is City of Leesburg ARD (Age Restricted Development).

The property is surrounded by City of Leesburg Age Restricted Development (ARD), SPUD (Small Planned Unit Development), and P (Public) zoning districts. No negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda, is a Small-Scale Comprehensive Plan Amendment, which along with the Rezoning Application, had recommendations for approval from the staff and Planning Commission at the public hearing held on June 22, 2023.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation and development of this property due to increased tax revenue added to the General Fund.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 0.33 +/- ACRES; AND BEING GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, LYING IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 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 3; AND PROVIDING AN EFFECTIVE DATE. (VOWL 0.33 ACRE)

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

Based upon the petition of Martin L. Dzuro, The Villages Land Company, LLC (Petitioner) on behalf of The Villages Land Company, LLC (Owner), for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

**Legal Description
(See Exhibit A);**

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed here by is assigned to City Commission District 3;

Section 3.

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed;

Section 4.

This ordinance shall become effective immediately upon approval at second reading.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the _____ day of _____, 2023.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

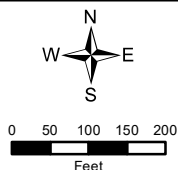
Exhibit A

THAT PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NE CORNER OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN THENCE SOUTH 0°18' WEST ALONG THE SECTION LINE FOR 535 FEET TO THE POINT OF BEGINNING, CONTINUE THENCE SOUTH 0°18' WEST ALONG SAID SECTION LINE FOR 274.12 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 470; RUN THENCE NORTHERLY AND WESTERLY ALONG RIGHT-OF-WAY OF STATE ROAD NO. 470 TO A POINT THAT IS NORTH 89°42' WEST OF THE POINT OF BEGINNING, THENCE SOUTH 89°42' EAST FOR 121.2 FEET TO THE POINT OF BEGINNING.

Aerial



**Planning
& Zoning
Division**

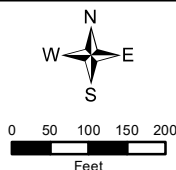


VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

Commission District



**Planning
& Zoning
Division**



VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.4.

Meeting Date: July 24, 2023

From: Dan Miller, (Planning and Zoning Director), Christine Rock, (Senior Planner)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing approximately 0.33 +/- acres from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development, for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 0.33 +/- acres from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development.

Analysis:

The project site is approximately 0.33 +/- acres. The property is generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470. The subject property is included within the Villages of West Lake Development and is developed for residential uses. The surrounding Future Land Use Map designations of City of Leesburg Industry and Technology Commerce Park and Age Restricted Development is consistent with the proposed future land use designation of City Age Restricted Development. The proposed zoning designation of City ARD (Age Restricted Development) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

This property lies within the ISBA (Interlocal Service Boundary Area) agreement. This agreement, which was approved by City Commission on November 24, 2014, allows property within the ISBA area but outside the current city limits to be annexed and obtain City of Leesburg utility services.

The Planning Commission held a public hearing on the application on June 22, 2023 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Development of the property will increase this anticipated impact from collection of impact fees, ad valorem taxes and utility charges.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 0.33 +/- ACRES FROM LAKE COUNTY PUBLIC SERVICE FACILITY AND INFRASTRUCTURE TO CITY OF LEESBURG AGE RESTRICTED DEVELOPMENT, FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, LYING IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (VOWL 0.33 ACRE)

WHEREAS, the City Commission has received written objections, recommendations, and comments from the City of Leesburg Planning Commission, acting as the Local Planning Agenda, regarding amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for amendment of the Plan; and

WHEREAS, the City Commission of the City of Leesburg has held public hearings on the proposed amendment to the plan, in light of written comments, proposals and objections from the general public;

NOW, THEREFORE,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is amended by changing the designation of approximately 0.33 +/- acres of land generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470 from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development, as shown on the revised map of said area, lying in Section 17, Township 20 South, Range 24 East, Lake County Florida;

Section 2.

All ordinances or parts of ordinances in conflict the any of the provisions of this ordinance are hereby repealed;

Section 3.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the _____ day of _____, 2023.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

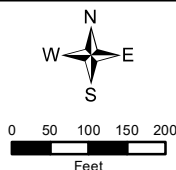
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Commission District



**Planning
& Zoning
Division**



VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

Future Land Use

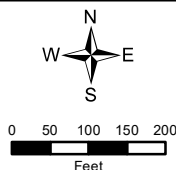


Legend:

- IND_TECH COMMERCIAL PARK
- INSTITUTIONAL
- AGE RESTRICTED DEVELOPMENT



**Planning
& Zoning
Division**

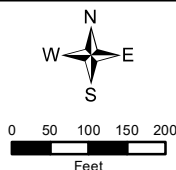


VOWL 0.33 Acre
 ANNEX-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

Lake County Future Land Use

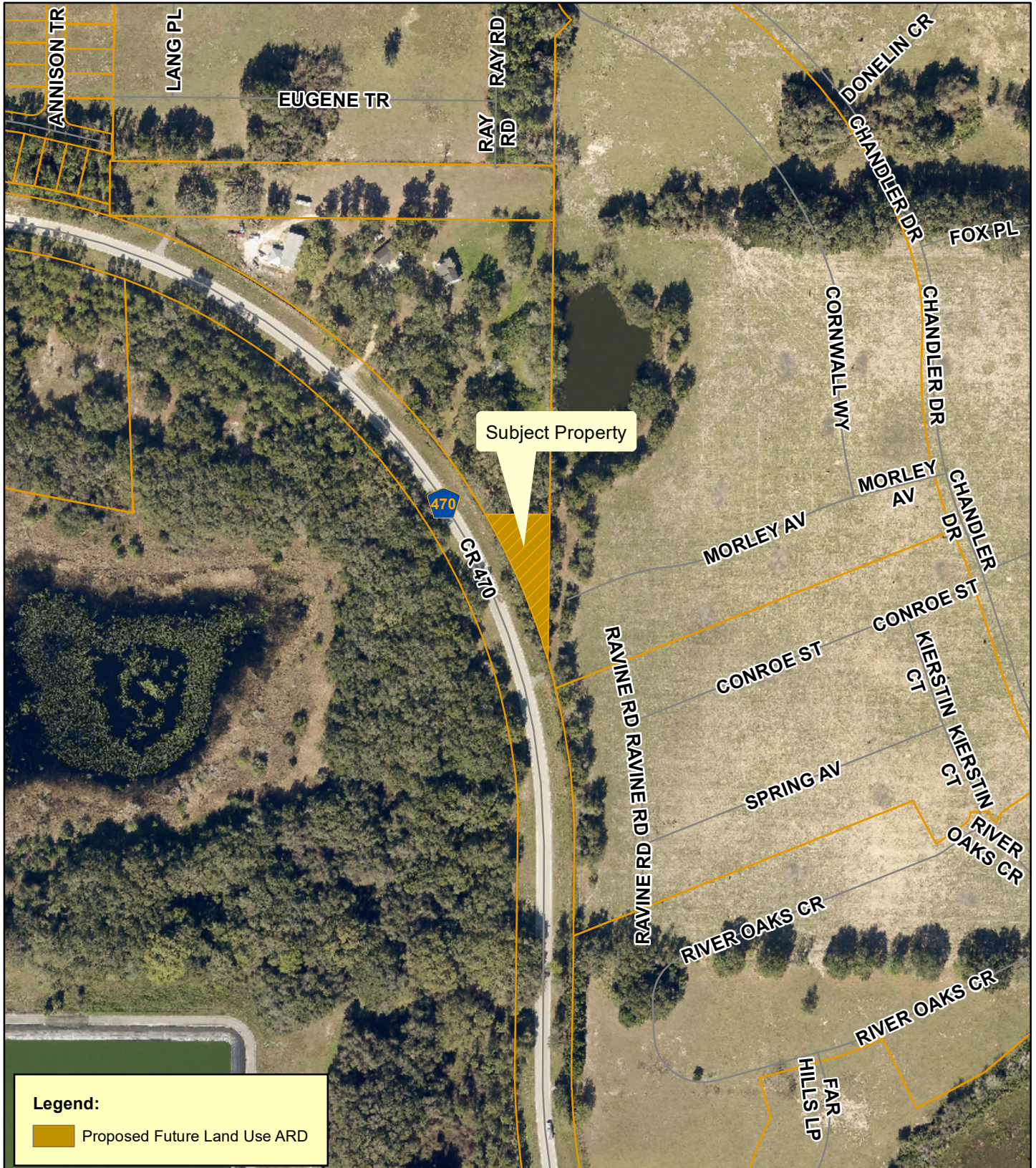


**Planning
& Zoning
Division**

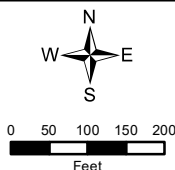


VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

Proposed Future Land Use



**Planning
& Zoning
Division**

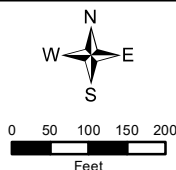


VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
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 May 25, 2023

Surrounding Land Uses



**Planning
& Zoning
Division**



VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, JUNE 22ND, 2023 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, June 22nd, 2023, at City Hall.

Chairman Tim Sennett called the meeting to order at 4:30 p.m.

The following Commission members were present:

Tim Sennett - Chairman
Ted Bowersox – Vice-Chairman
John O’Kelley
Nathaniel Sanders
Frazier Marshall
Stewart Kaplan
Ken Simeone
Rosalind Peeples-Johnson

The following Commission members were absent:

Ze’ Shieca Carter

City staff in attendance included Sabrina Mitchell, Administrative Assistant II, Kandi Harper, Senior Planner, Christine Rock, Senior Planner, Max Van Allen, Planner, Melissa Medders, Planner and City Attorney Grant Watson was also present.

The meeting opened with an invocation given by Vice-Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Kandi Harper informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, MAY 18TH, 2023.**

Vice-Chairman Bowersox moved to APPROVE the draft minutes from the MAY 18TH, 2023 meeting. Commissioner Sanders SECONDED the motion, which PASSED by a vote of 7-0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Sennett called for the first case under new business be brought forward.

NEW BUSINESS

**1) PUBLIC HEARING CASE # SSCP-23-230 – CITY OF LEESBURG
ELECTRIC SUBSTATION SR 44 DAVIS – SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY CONTAINING 1.45 +/- ACRES FROM LAKE COUNTY RURAL TRANSITION TO CITY OF LEESBURG INSTITUTIONAL FOR A PROPERTY GENERALLY LOCATED WEST OF WHITNEY ROAD AND NORTH OF STATE ROAD 44, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 12TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JULY 24TH, 2023)** (City of Leesburg Electric Substation SR 44 Davis)

Grant Watson, City Attorney requested to discuss the next two cases together and vote on each case separately.

Kandi Harper introduced case number #SSCP-23-230 – City of Leesburg Electric Substation SR 44 Davis – Small Scale Comprehensive Plan Amendment and case number #RZ-23-231 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Max Van Allen utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments from the City Departments. Public responses – no comments from the City of Leesburg notice requirements, Staff did receive one written response for disapproval which recommended a different site to the north to the posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

Greg David, Electric Superintendent stated they looked at 11 different properties in the area, couple properties; purchased, property; best location, transmission line; right across the street; requirement from Duke Energy; feed substation, back of property; northside, old railroad ROW; City of Leesburg easements; put 2 brand new feeders; help with feed; Pennbrooke and Saint Catherine's, 1000 homes; got from Villages, vital to put substation in this location, allows flexibility new sub; flexibility to refeed Center sub to North sub; catastrophic failure, most economical; for the City, attractive substation, wall around it, landscaped, not intrusive, do due diligence; appealing, new style; low profile, look pleasing; not inclusive as some of the older ones; hope Commission approves case.

Chairman Sennett stated if the Commission have any questions of the applicant.

Commissioners' discussed comment submitted by Mr. McCabe regarding another site to the northeast; right across the ROW; Greg David reviewed aerial map with the Commission, location; problem, no access to the transmission line, no path for us to get to the transmission line, property owner; Greg David stated they tried to purchase property; from citizen; turned down asking price, moved on to another location, important applicant mentioned; make attractive, Greg David stated to the Commission he has pictures, and packets if Commission wants to review; not chain link fence; Center Street; mural; Greg David replied it's actually a blast wall; Duke Energy put up, nice screen looking wall, decorative fence panels; like the Villages puts around their property; substation control house; built on the front side, look like; building, fancy nice wall around it, landscape after that, on west side of the property; DOT ditch; runs through their; good barrier separation to the property to the west.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner Sanders made a MOTION for APPROVAL of case # SSCP-23-230 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – SMALL

SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Kaplan
SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the second case under new business be brought forward.

2) PUBLIC HEARING CASE # RZ-23-231 – CITY OF LEESBURG
ELECTRIC SUBSTATION SR 44 DAVIS – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 1.45 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG P (PUBLIC), FOR A PROPERTY GENERALLY LOCATED WEST OF WHITNEY ROAD AND NORTH OF STATE ROAD 44, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 12TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JULY 24TH, 2023)** (City of Leesburg Electric Substation SR 44 Davis)

Chairman Sennett entertained a motion, and then the voting took place.

Commissioner Sanders made a MOTION for APPROVAL of case # RZ-23-231 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – REZONING Commissioner Kaplan SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the third case under new business be brought forward.

3) PUBLIC HEARING CASE # SSCP-23-242 – MAIN-BUTLER
PROPERTIES – SMALL SCALE COMPREHENSIVE PLAN
AMENDMENT

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING 0.4 +/- ACRES GENERAL COMMERCIAL AND LOW DENSITY RESIDENTIAL TO GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED SOUTH OF W MAIN STREET AND NORTH OF BUTLER STREET, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 14TH, 2023)** (Main-Butler Properties)

SSCP)

Grant Watson, City Attorney stated for the record to discuss the next two cases together and vote on each case separately.

Kandi Harper introduced case number #SSCP-23-242 – Main-Butler Properties – Small Scale Comprehensive Plan Amendment and case number #RZ-23-243 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Max VanAllen utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments were received from the City Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for both cases; Staff recommended approval.

Chairman Sennett stated if the Commission have any questions of Staff.

Shawn Symphorien at 5 Paerdegat 3rs Street Brooklyn, NY, 11236 stated as a city, community look at something that will benefit the City, changes asking for; bring growth, property more useful, bring happiness to the neighborhood, as we expand in the community, help the City grow; working with Staff; to ensure better use out of the property.

Chairman Sennett stated if the Commission have any questions of the applicant.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Ken Simeone at 1425 Mosswood Drive Leesburg, FL stated just as an understanding .4 acres for both commercial/low density residential; how much residential can you put on two tenth of an acre.

Kandi Harper stated during the review of this request Dan Miller and Max Van Allen looked at Code to make sure the properties met the requirements of the Code with along the street, lot sizes; Max Van Allen replied when we were writing the agenda caption the Commission is only looking at the northern parcel created through the minor subdivision; administratively, so we wrote agenda caption to reflect only that northern portion so the .4 acre; only referring to commercial section, southern portion excluded the total lot acreage for existing parcels; greater

than that at this time; only looking at the north.

Mario Archila representing the applicant stated to the Commission he has a map of with sketch of lot split; Max Van Allen stated we did not include this particular image, pertains administrative lot split, but the measurements shown on the maps and figures reflects where the split is and if the Commission wants to see for reference, they certainly may; Mario Archila thanks all the committee for the opportunity.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner Kaplan made a MOTION for APPROVAL of case # SSCP-23-242 – MAIN-BUTLER PROPERTIES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner O’Kelley SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the fourth case under new business be brought forward.

4) PUBLIC HEARING CASE # RZ-23-243 – MAIN-BUTLER PROPERTIES – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.4 +/- ACRES FROM C-1 (NEIGHBORHOOD COMMERCIAL) AND R-1 (LOW DENSITY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED SOUTH OF W MAIN STREET AND NORTH OF BUTLER STREET, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 14TH, 2023) (Main-Butler Properties RZ)

Chairman Sennett entertained a motion, and then the voting took place.

Commissioner Kaplan made a MOTION for APPROVAL of case # RZ-23-243 – MAIN-BUTLER PROPERTIES – REZONING Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

Chairman Sennett called for the fifth case under new business be brought forward.

5) PUBLIC HEARING CASE # CUP-22-439 – LOVE THY NEIGHBOR – CONDITIONAL USE PERMIT

REQUEST FOR A CONDITIONAL USE PERMIT IN THE M-1 (INDUSTRIAL) ZONING DISTRICT TO ALLOW A TEMPORARY OVERNIGHT FOSTER CARE USE, FOR A PROPERTY GENERALLY LOCATED EAST OF THOMAS AVENUE AND NORTH OF CARVER DRIVE, AS LEGALLY DESCRIBED IN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)** (Love Thy Neighbor)

Kandi Harper introduced case number #CUP-22-439 – Love Thy Neighbor – Conditional Use Permit into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Melissa Medders utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comment from City the Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for the case; Staff recommended approval.

Chairman Sennett stated if the Commission have any questions of Staff or applicant.

Belinda Fashaw stated for the record she is the owner of the property and also works for Love Thy Neighbor, thank you for the consideration, business; operated several group homes for the last 23 years; in City of Leesburg, partnered with local foster care agencies; disabilities, and trauma, asking for a change of use; property, assist, police called, perfect location; need for temporary use, asking Commission; consideration for approval; most valuable children; needs, foster care replacement, transportation; school or vocational provided, spot; in case foster care contact them in the middle of the night, location; keeps family members; to protect the children with disabilities, leasing property out; to Love Thy Neighbor; thanks Commission; hopes for vote of approval.

Commissioners' thanks applicant for what you are doing for the children; wonderful thing that the applicant is doing that.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # CUP-22-439 – LOVE THY NEIGHBOR – CONDITIONAL USE PERMIT
Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

Chairman Sennett called for the sixth case under new business be brought forward.

6) PUBLIC HEARING CASE # SSCP-23-262 – VOWL 0.33 ACRE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY CONTAINING 0.33 +/- ACRES FROM LAKE COUNTY PUBLIC SERVICE FACILITY AND INFRASTRUCTURE TO CITY OF LEESBURG AGE RESTRICTED DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 28TH, 2023)** (VOWL 0.33 ACRE SSCP)

Kandi Harper introduced case number #SSCP-23-262 – VOWL 0.33 acre – Small Scale Comprehensive Plan Amendment and case number #RZ-23-263 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Christine Rock utilized a power point presentation to demonstrate the area of the proposed site for both cases, and stated for clarification purposes the Rezoning case number; and read into the record.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments from the City Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

Chairman Sennett stated if the Commission have any questions of Staff.

Marty Dzuro stated for the record representing the Villages Land Company 3601 Kiessel Road The Villages, FL 32163 and thanks Planning Staff and City Manager's Office for helping assist with this project, got to platting stage; Villages West Lake Unit 74, after six years ago, land use change, zoning, bringing this all into the (ARD) development, missed 0.33 acres, Staff did a good job seeing this and bringing this up, housing cleaning; action, and here to answer any questions.

Chairman Sennett stated if the Commission have any questions of the applicant.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Vice-Chairman Bowersox made a MOTION for APPROVAL of case # SSCP-23-262 – VOWL 0.33 ACRE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the seventh case under new business be brought forward.

7) C. PUBLIC HEARING CASE # RZ-23-263 – VOWL 0.33 ACRE – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.33 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG ARD (AGE RESTRICTED DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 28TH, 2023)** (VOWL 0.33 ACRE RZ)

Chairman Sennett entertained a motion, and then the voting took place.

Vice-Chairman Bowersox made a MOTION for APPROVAL of case # RZ-23-263 – VOWL 0.33 ACRE – REZONING Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.

DISCUSSION

None

ANNOUNCEMENTS

Kandi Harper announced to the Commission that Dan Miller is doing well and will be back real soon.

Chairman Sennett entertained a motion to adjourn.

Motion to adjourn made by Commissioner Kaplan and seconded by Commissioner O'Kelley.

ADJOURNMENT

Meeting was adjourned at 5:28 p.m.

Tim Sennett, Chairman

Sabrina Mitchell, Administrative Assistant II

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.5.

Meeting Date: July 24, 2023

From: Dan Miller, (Planning and Zoning Director), Christine Rock, (Senior Planner)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.33 +/- acres from Lake County A (Agriculture) to City of Leesburg ARD (Age Restricted Development) to allow for residential uses for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County A (Agriculture) to City of Leesburg ARD (Age Restricted Development) to allow for residential uses.

Analysis:

The project site is approximately 0.33 +/- acres, and is generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470 as shown on the attached maps. At this time, the property is developed acreage. The proposal will allow for residential uses. The existing land uses surrounding the property are residential and government. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on June 22, 2023 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning to ARD (Age Restricted Development); or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this site will create a positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 0.33 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG ARD (AGE RESTRICTED DEVELOPMENT) TO ALLOW FOR RESIDENTIAL USES FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, LYING IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (VOWL 0.33 ACRE)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Based upon the petition of Martin L. Dzuro, The Villages Land Company, LLC (Petitioner) on behalf of The Villages Land Company, LLC (Owner) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County A (Agriculture) to City of Leesburg ARD (Age Restricted Development), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____, 2023.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

THAT PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS: BEGIN AT THE NE CORNER OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN THENCE SOUTH 0°18' WEST ALONG THE SECTION LINE FOR 535 FEET TO THE POINT OF BEGINNING, CONTINUE THENCE SOUTH 0°18' WEST ALONG SAID SECTION LINE FOR 274.12 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 470; RUN THENCE NORTHERLY AND WESTERLY ALONG RIGHT-OF-WAY OF STATE ROAD NO. 470 TO A POINT THAT IS NORTH 89°42' WEST OF THE POINT OF BEGINNING, THENCE SOUTH 89°42' EAST FOR 121.2 FEET TO THE POINT OF BEGINNING.



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: June 22, 2023
OWNER: The Villages Land Company, LLC
PETITIONER: Martin L. Dzuro, The Villages Land Company, LLC
PROJECT: VOWL 0.3 Acre
REQUEST: Rezone from Lake County A (Agriculture) to City of Leesburg ARD (Age Restricted Development) for residential uses.
CASE NO.: RZ-23-263

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of this request for the following reason(s):

1. The proposed request is compatible with the current surrounding zoning districts of City of Leesburg ARD (Age Restricted Development), SPUD (Small Planned Unit Development), and P (Public).
2. The proposed request is compatible with the proposed Future Land Use designation of Age Restricted Development, and the current surrounding Future Land Use designations of Age Restricted Development, Institutional, and Industry and Technology Commerce Park.
3. The proposed request will make the zoning and FLU of the subject property consistent with the Villages of West Lake development.
4. The proposed request does not appear to create a detriment to surrounding properties, based on the location and proximity to compatible development.

Action Requested:

1. Vote to **approve** staff's recommendation to rezone the subject property from Lake County A (Agriculture) to of City of Leesburg ARD (Age Restricted Development) and forward to the City Commission for consideration.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY**

DATE: June 16, 2023
OWNER: The Villages Land Company, LLC
PETITIONER: Martin L. Dzuro, The Villages Land Company, LLC
PROJECT: VOWL 0.3 Acre
REQUEST: Small Scale Comprehensive Plan Amendment to Age Restricted Development and a Rezoning to ARD (Age Restricted Development) to allow residential uses.
CASE NO.: SSCP-23-262; RZ-23-263

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 6/16/2023.

FIRE

No comments received as of 6/16/2023.

ELECTRIC

Leesburg Electric has no issues. Steve Davis 6/5/2023

GAS

Natural gas is available and directed per City Ordinance. Brandon Smith 6/6/2023

GIS

GIS has no comments. Tammy Magamoll 6/6/2023

BUILDING

No comments received as of 6/16/2023.

PUBLIC WORKS

Public Works has no issue with this request. Cliff Kelsey 6/2/2023

ADDRESSING

No comments received as of 6/16/2023.

HOUSING & REDEVELOPMENT

No comments received as of 6/16/2023.

LAKE COUNTY PUBLIC WORKS

I see no major concern with this rezoning as long as access is internal to the existing Villages of West Lake.
Seth Lynch 6/6/2023

LAKE COUNTY SCHOOLS

The school district does not have any comments for the Village of West Lake – to allow residential uses.
Helen LaValley 6/5/2023

PUBLIC RESPONSES

Approval

No comments received as of 6/16/2023.

Disapproval

No comments received as of 6/16/2023.

No comment

No comments received as of 6/16/2023.

Notice of Appearance filed: None

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

No comments received as of 6/16/2023.

PUBLIC COMMENTS (DISAPPROVAL)

No comments received as of 6/16/2023.

**CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY**

DATE: May 30, 2023
OWNER: The Villages Land Company, LLC
PETITIONER: Martin L. Dzuro, The Villages Land Company, LLC
PROJECT: VOWL 0.33 Acre
REQUEST: Small Scale Comprehensive Plan Amendment; Rezoning
CASE NO.: SSCP-23-262; RZ-23-263

GENERAL LOCATION: Approximately one mile east of the Florida Turnpike and adjacent to County Road 470

FUTURE LAND USE DESIGNATION: Lake County Public Service Facility and Infrastructure

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg Industry and Technology Commerce Park
South – City of Leesburg Age Restricted Development
East – City of Leesburg Age Restricted Development
West – City of Leesburg Institutional

PROPOSED FUTURE LAND USE DESIGNATION: Age Restricted Development

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg SPUD (Small Planned Unit Development)
South – City of Leesburg ARD (Age Restricted Development)
East – City of Leesburg ARD (Age Restricted Development)
West – City of Leesburg P (Public)

PROPOSED ZONING DESIGNATION: ARD (Age Restricted Development)

EXISTING LAND USE: Vacant residential

SURROUNDING EXISTING LAND USE:

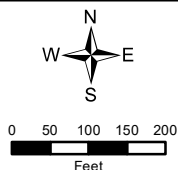
North – Residential and Commercial
South – Residential
East – Residential
West – Government

PROPOSED LAND USE: Residential

Aerial



**Planning
& Zoning
Division**

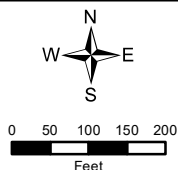


VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

Zoning

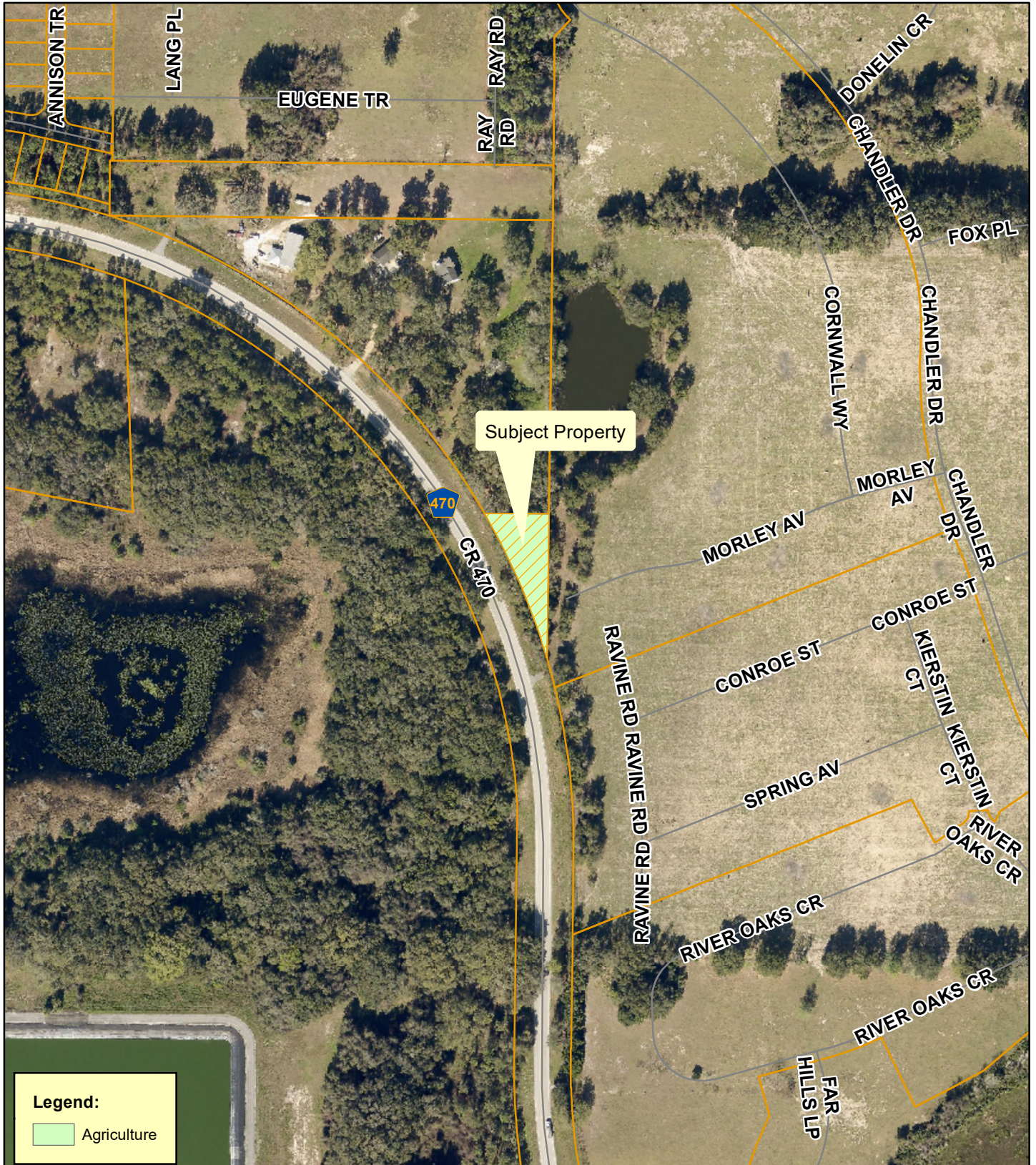


**Planning
& Zoning
Division**

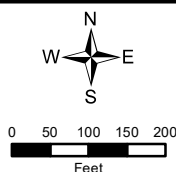


VOWL 0.33 Acre
 ANNEX-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023

Lake County Zoning



**Planning
& Zoning
Division**



VOWL 0.33 Acre
 ANN-23-261; SSCP-23-262; RZ-23-263
 Section 17, Township 20 South, Range 24 East
 Alternate Key #1383412
 May 25, 2023



Looking into the property from County Road 470.



Looking south along County Road 470.



Looking north along County Road 470.



Looking across County Road 470.



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, JUNE 22ND, 2023 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, June 22nd, 2023, at City Hall.

Chairman Tim Sennett called the meeting to order at 4:30 p.m.

The following Commission members were present:

Tim Sennett - Chairman
Ted Bowersox – Vice-Chairman
John O’Kelley
Nathaniel Sanders
Frazier Marshall
Stewart Kaplan
Ken Simeone
Rosalind Peeples-Johnson

The following Commission members were absent:

Ze’ Shieca Carter

City staff in attendance included Sabrina Mitchell, Administrative Assistant II, Kandi Harper, Senior Planner, Christine Rock, Senior Planner, Max Van Allen, Planner, Melissa Medders, Planner and City Attorney Grant Watson was also present.

The meeting opened with an invocation given by Vice-Chairman Bowersox, followed by the Pledge of Allegiance to the Flag.

Kandi Harper informed the audience of the rules of participation and the need to sign the speaker’s registry. He also informed Commissioners and the audience that the City Commission meeting dates are tentatively scheduled.

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, MAY 18TH, 2023.**

Vice-Chairman Bowersox moved to APPROVE the draft minutes from the MAY 18TH, 2023 meeting. Commissioner Sanders SECONDED the motion, which PASSED by a vote of 7-0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Sennett called for the first case under new business be brought forward.

NEW BUSINESS

**1) PUBLIC HEARING CASE # SSCP-23-230 – CITY OF LEESBURG
ELECTRIC SUBSTATION SR 44 DAVIS – SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY CONTAINING 1.45 +/- ACRES FROM LAKE COUNTY RURAL TRANSITION TO CITY OF LEESBURG INSTITUTIONAL FOR A PROPERTY GENERALLY LOCATED WEST OF WHITNEY ROAD AND NORTH OF STATE ROAD 44, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 12TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JULY 24TH, 2023)** (City of Leesburg Electric Substation SR 44 Davis)

Grant Watson, City Attorney requested to discuss the next two cases together and vote on each case separately.

Kandi Harper introduced case number #SSCP-23-230 – City of Leesburg Electric Substation SR 44 Davis – Small Scale Comprehensive Plan Amendment and case number #RZ-23-231 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Max Van Allen utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments from the City Departments. Public responses – no comments from the City of Leesburg notice requirements, Staff did receive one written response for disapproval which recommended a different site to the north to the posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

Greg David, Electric Superintendent stated they looked at 11 different properties in the area, couple properties; purchased, property; best location, transmission line; right across the street; requirement from Duke Energy; feed substation, back of property; northside, old railroad ROW; City of Leesburg easements; put 2 brand new feeders; help with feed; Pennbrooke and Saint Catherine's, 1000 homes; got from Villages, vital to put substation in this location, allows flexibility new sub; flexibility to refeed Center sub to North sub; catastrophic failure, most economical; for the City, attractive substation, wall around it, landscaped, not intrusive, do due diligence; appealing, new style; low profile, look pleasing; not inclusive as some of the older ones; hope Commission approves case.

Chairman Sennett stated if the Commission have any questions of the applicant.

Commissioners' discussed comment submitted by Mr. McCabe regarding another site to the northeast; right across the ROW; Greg David reviewed aerial map with the Commission, location; problem, no access to the transmission line, no path for us to get to the transmission line, property owner; Greg David stated they tried to purchase property; from citizen; turned down asking price, moved on to another location, important applicant mentioned; make attractive, Greg David stated to the Commission he has pictures, and packets if Commission wants to review; not chain link fence; Center Street; mural; Greg David replied it's actually a blast wall; Duke Energy put up, nice screen looking wall, decorative fence panels; like the Villages puts around their property; substation control house; built on the front side, look like; building, fancy nice wall around it, landscape after that, on west side of the property; DOT ditch; runs through their; good barrier separation to the property to the west.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner Sanders made a MOTION for APPROVAL of case # SSCP-23-230 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – SMALL

SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Kaplan SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the second case under new business be brought forward.

2) PUBLIC HEARING CASE # RZ-23-231 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 1.45 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG P (PUBLIC), FOR A PROPERTY GENERALLY LOCATED WEST OF WHITNEY ROAD AND NORTH OF STATE ROAD 44, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 12TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JULY 24TH, 2023)** (City of Leesburg Electric Substation SR 44 Davis)

Chairman Sennett entertained a motion, and then the voting took place.

Commissioner Sanders made a MOTION for APPROVAL of case # RZ-23-231 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – REZONING Commissioner Kaplan SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the third case under new business be brought forward.

3) PUBLIC HEARING CASE # SSCP-23-242 – MAIN-BUTLER PROPERTIES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING 0.4 +/- ACRES GENERAL COMMERCIAL AND LOW DENSITY RESIDENTIAL TO GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED SOUTH OF W MAIN STREET AND NORTH OF BUTLER STREET, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 14TH, 2023)** (Main-Butler Properties)

SSCP)

Grant Watson, City Attorney stated for the record to discuss the next two cases together and vote on each case separately.

Kandi Harper introduced case number #SSCP-23-242 – Main-Butler Properties – Small Scale Comprehensive Plan Amendment and case number #RZ-23-243 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Max VanAllen utilized a power point presentation to demonstrate the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments were received from the City Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for both cases; Staff recommended approval.

Chairman Sennett stated if the Commission have any questions of Staff.

Shawn Symphorien at 5 Paerdegat 3rs Street Brooklyn, NY, 11236 stated as a city, community look at something that will benefit the City, changes asking for; bring growth, property more useful, bring happiness to the neighborhood, as we expand in the community, help the City grow; working with Staff; to ensure better use out of the property.

Chairman Sennett stated if the Commission have any questions of the applicant.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Ken Simeone at 1425 Mosswood Drive Leesburg, FL stated just as an understanding .4 acres for both commercial/low density residential; how much residential can you put on two tenth of an acre.

Kandi Harper stated during the review of this request Dan Miller and Max Van Allen looked at Code to make sure the properties met the requirements of the Code with along the street, lot sizes; Max Van Allen replied when we were writing the agenda caption the Commission is only looking at the northern parcel created through the minor subdivision; administratively, so we wrote agenda caption to reflect only that northern portion so the .4 acre; only referring to commercial section, southern portion excluded the total lot acreage for existing parcels; greater

than that at this time; only looking at the north.

Mario Archila representing the applicant stated to the Commission he has a map of with sketch of lot split; Max Van Allen stated we did not include this particular image, pertains administrative lot split, but the measurements shown on the maps and figures reflects where the split is and if the Commission wants to see for reference, they certainly may; Mario Archila thanks all the committee for the opportunity.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner Kaplan made a MOTION for APPROVAL of case # SSCP-23-242 – MAIN-BUTLER PROPERTIES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner O’Kelley SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the fourth case under new business be brought forward.

4) PUBLIC HEARING CASE # RZ-23-243 – MAIN-BUTLER PROPERTIES – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.4 +/- ACRES FROM C-1 (NEIGHBORHOOD COMMERCIAL) AND R-1 (LOW DENSITY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED SOUTH OF W MAIN STREET AND NORTH OF BUTLER STREET, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 14TH, 2023) (Main-Butler Properties RZ)

Chairman Sennett entertained a motion, and then the voting took place.

Commissioner Kaplan made a MOTION for APPROVAL of case # RZ-23-243 – MAIN-BUTLER PROPERTIES – REZONING Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

Chairman Sennett called for the fifth case under new business be brought forward.

5) PUBLIC HEARING CASE # CUP-22-439 – LOVE THY NEIGHBOR – CONDITIONAL USE PERMIT

REQUEST FOR A CONDITIONAL USE PERMIT IN THE M-1 (INDUSTRIAL) ZONING DISTRICT TO ALLOW A TEMPORARY OVERNIGHT FOSTER CARE USE, FOR A PROPERTY GENERALLY LOCATED EAST OF THOMAS AVENUE AND NORTH OF CARVER DRIVE, AS LEGALLY DESCRIBED IN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)** (Love Thy Neighbor)

Kandi Harper introduced case number #CUP-22-439 – Love Thy Neighbor – Conditional Use Permit into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Melissa Medders utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comment from City the Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for the case; Staff recommended approval.

Chairman Sennett stated if the Commission have any questions of Staff or applicant.

Belinda Fashaw stated for the record she is the owner of the property and also works for Love Thy Neighbor, thank you for the consideration, business; operated several group homes for the last 23 years; in City of Leesburg, partnered with local foster care agencies; disabilities, and trauma, asking for a change of use; property, assist, police called, perfect location; need for temporary use, asking Commission; consideration for approval; most valuable children; needs, foster care replacement, transportation; school or vocational provided, spot; in case foster care contact them in the middle of the night, location; keeps family members; to protect the children with disabilities, leasing property out; to Love Thy Neighbor; thanks Commission; hopes for vote of approval.

Commissioners' thanks applicant for what you are doing for the children; wonderful thing that the applicant is doing that.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # CUP-22-439 – LOVE THY NEIGHBOR – CONDITIONAL USE PERMIT
Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

Chairman Sennett called for the sixth case under new business be brought forward.

6) PUBLIC HEARING CASE # SSCP-23-262 – VOWL 0.33 ACRE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY CONTAINING 0.33 +/- ACRES FROM LAKE COUNTY PUBLIC SERVICE FACILITY AND INFRASTRUCTURE TO CITY OF LEESBURG AGE RESTRICTED DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 28TH, 2023)** (VOWL 0.33 ACRE SSCP)

Kandi Harper introduced case number #SSCP-23-262 – VOWL 0.33 acre – Small Scale Comprehensive Plan Amendment and case number #RZ-23-263 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Kandi Harper gave a background and explanation of the subject property, location, zoning, and requests.

Christine Rock utilized a power point presentation to demonstrate the area of the proposed site for both cases, and stated for clarification purposes the Rezoning case number; and read into the record.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments from the City Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Kandi Harper read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

Chairman Sennett stated if the Commission have any questions of Staff.

Marty Dzuro stated for the record representing the Villages Land Company 3601 Kiessel Road The Villages, FL 32163 and thanks Planning Staff and City Manager's Office for helping assist with this project, got to platting stage; Villages West Lake Unit 74, after six years ago, land use change, zoning, bringing this all into the (ARD) development, missed 0.33 acres, Staff did a good job seeing this and bringing this up, housing cleaning; action, and here to answer any questions.

Chairman Sennett stated if the Commission have any questions of the applicant.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Vice-Chairman Bowersox made a MOTION for APPROVAL of case # SSCP-23-262 – VOWL 0.33 ACRE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the seventh case under new business be brought forward.

7) C. PUBLIC HEARING CASE # RZ-23-263 – VOWL 0.33 ACRE – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.33 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG ARD (AGE RESTRICTED DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 28TH, 2023)** (VOWL 0.33 ACRE RZ)

Chairman Sennett entertained a motion, and then the voting took place.

Vice-Chairman Bowersox made a MOTION for APPROVAL of case # RZ-23-263 – VOWL 0.33 ACRE – REZONING Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.

DISCUSSION

None

ANNOUNCEMENTS

Kandi Harper announced to the Commission that Dan Miller is doing well and will be back real soon.

Chairman Sennett entertained a motion to adjourn.

Motion to adjourn made by Commissioner Kaplan and seconded by Commissioner O'Kelley.

ADJOURNMENT

Meeting was adjourned at 5:28 p.m.

Tim Sennett, Chairman

Sabrina Mitchell, Administrative Assistant II