

**AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 26, 2024 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 February 12, 2024

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Eagletail Landing – Phase 2, a subdivision of the City of Leesburg, Florida, being a portion of Sections 18 and 19, Township 20 South, Range 25 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Eagletail Landing – Phase 2)**
- 2. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Villages VEC, LLC, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**
- 3. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from HHPIZZA Management, Inc., for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**
- 4. Resolution of the City Commission of the City of Leesburg, Florida approving a Downtown Building Redevelopment Grant to CEATEC SURGICAL, LLC, for renovations at 400 W Main Street; and providing an effective date.**

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay), with a waiver from Section 25-282 (a) (1) PDO five-acre minimum, to the existing PSC (Pine Street Commercial) zoning, on approximately 0.16 +/- acres to allow for an office use for a property generally located north of Pine Street and east of Childs Street, lying in Section 25, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (PDO CDC Offices on Pine Street)**
- 2. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 15.34 +/- acres; and being generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 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 2; and providing an effective date. (River Fox Commons ANNEX)

3. **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 15.34 +/- acres from Lake County Urban High Density to City of Leesburg Low Density Residential, for a property generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (River Fox Commons SSCP)**
4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 15.34 +/- acres from Lake County R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for residential uses for a property generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (River Fox Commons PUD)**

B. FIRST READING OF ORDINANCES

1. **None**

C. NON-ROUTINE ITEMS

1. **None**

7. INFORMATIONAL REPORTS:

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

- A. **Financial Reports as of October 2023**
- B. **Financial Reports as of November 2023**
- C. **Financial Reports as of December 2023**

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, FEBRUARY 12, 2024 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, February 12, 2024, 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 (5:32 p.m.)
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.

INVOCATION

Mayor Burry gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America. He informed the audience that item 6.C.2 had been pulled from the agenda. It would not be heard or discussed at this meeting.

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

2. PROCLAMATIONS:

A. Purple Heart City

Mayor Burry read a proclamation recognizing the Purple Heart and the Purple Heart City. It is fitting for the City of Leesburg to become part of the Purple Heart Trail System as a Purple Heart City. He encouraged all citizens to remember and honor the brave men and women who defended this great nation.

The Commander of the local Chapter of the Military Purple Heart gave appreciation and thanks to the Commission. He was honored to accept the proclamation reflecting the City becoming a Purple Heart City. They were humbled by the support for their organization and the work that they do throughout the community. He was grateful for the wording in the proclamation that acknowledged the sacrifices made by the wounded combat veterans here in the City of Leesburg. He was personally honored to be a part of the ceremony. They will take the steps necessary to place the City on the national register as a Purple

Heart City. He provided each commissioner with a Purple Heart Supporter pin and the Mayor with a flag.

3. PRESENTATIONS:

A. Lee School Update

CM Minner asked Barry Mansfield to provide an update on the Lee School project. There have been discussions about Lee School for some time. This project has gone through a couple of iterations and a number of things have occurred that made this project challenging. First, the old historic buildings are in disrepair and the Historic Board gave a conditional demolition order for those buildings tied to development. As you know, for various reasons, development has not occurred. It started with covid, then there were some inflationary issues and as we got into the iterations of redesign, the commission did not approve the PUD due to parking concerns. Since then, Mr. Mansfield had gone back to the drawing board. He is here to provide a potential modification to the PUD that includes some different concepts. He thought it was a good idea for Mr. Mansfield to appear before the commission and give a quick presentation. This is non-binding, it is just an informational item. They felt it was important to come back and talk about this concept. Now there has been a shift in the proposal, so instead of town homes, we are talking about apartments. From a staff level, we see the trade-off. Even though there may be more density, we would not have a parking issue. He turned it over to Mr. Mansfield to provide a quick presentation.

Mr. Barry Mansfield of 1320 SE First Street, Ocala thanked the commission for allowing him to come before them. He currently sits on the City Council for Ocala. He understands the standards and there have been some struggles with the development of the Lee School property. They have been trying to figure out how to develop this property. When they submitted their first design, it included town homes and that was turned back because the numbers did not work. In the meantime, they started working on a project in downtown Ocala. He asked the city manager to come and look at it the project to see if it would possibly work here in Leesburg. Eventhough this is not the original concept they came up with it, would fit this area nicely. They literally just finished building it and it fits in downtown Ocala. Right now, Ocala is struggling for housing and the only way to do housing is to go up. They came up with this project for downtown Ocala and it is located on Third Street. He went over some slides showing what the development would look like and how it sits on the property in Ocala. The first building has received certificate of occupancy and the second building is ready to recieve certificate of occupancy. There is just a few other things that need to be done. He showed an aerial of the property located in Ocala along with samples of what the apartments would look like. He asked if there was a way to view the video he sent in. **CM Minner** answered that he did not include the video for this meeting. **Mr. Mansfield** stated he could send the video to the city manager so the commission could view it, it was done with a drone. However, the most important thing to mention is the square that this project sits on in Ocala is the exact same square footage of the Lee School property. The project in Ocala is about two blocks off downtown Ocala. The more they thought about it they decided it would be a good project to fit in Leesburg. Residents can actually walk to downtown Ocala so that means residents here could walk to downtown Leesburg. This would be an upscale apartment complex that includes a few three bedrooms, but it would be mainly one and two bedroom apartments. The project in Ocala was targeted for professionals. There could be some kids but it is right downtown near the hospital and stores. It was geared more towards professionals, younger people and singles. This development would mimic what they did in Ocala. The target market will be professionals; nurses and doctors. It would be for professionals who want to live downtown. They are all struggling with that in the City of Ocala. A lot of people want to come back and live downtown. They need to have a place to live that is not necessarily a bunch of houses. That is why they came up with this concept and it has worked in Ocala. The market will be geared to young professionals and people

who want to live in downtown Leesburg. People who want to get out and walk a few blocks to either shop or eat. They still talk about the condos but they thought this may be a better product for Leesburg. If anyone wanted to tour the development in Ocala he would be more than happy to do that. They would be able to touch and feel it. It fits well in the neighborhood and it looks nice. There are neighborhoods beyond the development and you cannot tell it is there until you are right on top of it.

Mayor Burry inquired about the number of units. **Mr. Mansfield** replied there would be one hundred and four units. **Mayor Burry** asked about the parking spots. **Mr. Mansfield** answered it would be one point five parking spaces per unit. **Commissioner Pederson** said he appreciated their patience with the city. He knows it has been pushed back a couple times due to parking issues. If staff told him they were okay with the parking ratio he would approve it. He really likes this project. To get the parking that is needed he has no problem going up. We are looking to approve a project tonight on CR 44 which includes apartments up to four stories with a maximum of fifty-two feet. He would not care if this development went a few feet higher. He liked the project lot and we need something to happen on that site. He would support an amendment if it was needed to approve it. However, we still need to go back to the Historic Board to have these buildings demolished. It is time to move on with this because this site is a blight. **Commissioner Reisman** mentioned that he was in Ocala about a week ago. He drove by that property, it was done nicely and it fit well. He did not notice it until he was right up on it. **Mr. Mansfield** thanked him for his comment.

A lady from the audience asked if the Leesburg location would have the same amount of units that are in Ocala. **Mr. Mansfield** remarked that he would be copying the exact development that is in Ocala. They would be copying everything from the parking, the pool, the clubhouse, and the units because it is the same square footage. There is no difference in the size of the land. **Commissioner Berry** asked if they were taking consideration for stormwater issues as well as the monument that was requested. **Mr. Mansfield** answered if they were to drive by the location in Ocala they have a monument on it. With the slides he showed they could not see where the monument was. If they view the video of this development that would show the monument. They would be more than happy to put a Lee School monument at this location too.

A man from the audience said with there being only one point five parking spots per unit who will be parking there? The husband or the wife, most couples need two parking spots. That has always been an issue for him. **Mr. Mansfield** responded when the engineers did the calculations that was what they came up with. They assume that some will not need two vehicles. The verdict was that one point five parking spaces would be enough for this development. However, if it needed more parking space they would take another look at it. Remember there are one-bedrooms that may not have two people in the household. **Commissioner Pederson** asked if he had a ratio for the one, two, and three bedrooms. He was not trying to hold him to a number he just wondered if there was a rough number for the breakdown. **Mr. Mansfield** answered there would be four three bedroom units and they are located in the corners. The rest of them would be one and two bedroom apartments. **Commissioner Pederson** remarked that he was curious. He wanted to piggy back off the comment made about parking. **Another guy from the audience** said with this being a four story building has the Fire Chief been involved to make sure there was proper ladder trucks to handle this development should something occur. Are there fire hydrants in and around the buildings. **CM Minner** pointed out that they were just vetting this concept. There are a ton of things that still need to be done on this. There is a planned unit development approval already in place for this development and Mr. Mansfield is seeking to modify that. All the questions about parking, green space and fire hydrants will be included with Mr. Mansfield's submittal of a modification to the existing PUD. He thought it would be important to vet this concept and all the questions being asked by the public will be dealt with through the review process. First it needs to go back to the Historic Board, it will then go to the Planning and Zoning Board before it comes back

before the city commission. They just wanted to provide an update and get an initial feedback from the commission. He would talk with Mr. Mansfield about whether he wants to move forward or not on the revised concept. If so, an application will be submitted to the Planning and Zoning Department. For the public there will be more than one bite at the apple for comments, critiques, criticism, and compliments. **Mr. Mansfield** clarified that the development in Ocala is already built and they met with the Fire Marshall before starting construction. He looked over everything and the building was fully sprinkled. The Fire Marshall in Ocala was fine with everything. **Mayor Burry** said for the record he was in favor of having more people live in the vicinity of downtown. It would ultimately be what makes or breaks the downtown. Pedestrian traffic is important and this is an excellent opportunity for the city. **Mr. Mansfield** thanked him for his comment. **Mayor Burry** asked if there were any further comments. There were 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.

Cressida Foster and Shelia Snow were there together representing the Corinne Williams Park community. There is a bathroom located in that park which the homeless people have taken over. Shelia Stone had pictures of the bathroom. As community members, they wanted to know if the city could lock the doors at a certain time, just as they do at Berry Park and the other city parks. They would like to preserve that park and bathroom. They found drugs, syringes, and other harmful items in the park. Children play there all the time, and they do not need to find stuff like that. **CM Minner** stated he would have the public works department come out.

Elizabeth Crouch Payne of 308 Westwood Drive, Leesburg, said under item 6.A.2, 6.A.3, and 6.A.4 she would like to make a public statement. **Mayor Burry** pointed out that she would be given an opportunity to speak about that item later in the meeting.

Mario Nappa of 27548 Stony Brooke Drive, said on April 12, 2022, Commissioner Pederson, then mayor, asserted on Lakefront TV that in Florida we prioritize building communities before roads. While that may be true for the City of Leesburg, it does not accurately reflect the situation in South Lake County. In Leesburg, the city commission appears to use that as rationality to justify unrestricted growth in the City of Leesburg. A notable opposing philosophy of that is occurring with the burgeoning growth in South Lake County rivaling or surpassing that of Leesburg. In a YouTube video from November 2023, Lake County Commissioner Sean Parks expressed concerns about traffic and road construction. He emphasized the importance of establishing a comprehensive road network before experiencing growth. Commissioner Parks can be quoted as saying "what we want to make sure of is that we have the road network in place and have all of that contemplated and brought out before growth occurs". What a novel idea. The video is titled "Exciting Road Updates in Clermont and Minneola". It is available on YouTube. This discrepancy highlights a divergence in approaches between Leesburg and the rest of Lake County. Leesburg is on the verge of approving a new development tonight on SR 44 while only just sending the plans to the state. That is not productive dialogue, it is passing the buck. South Lake County, in contrast, is witnessing significant road projects in the creation of new east/west connectors. He could go on listing five or six of them. However, Leesburg relies on SR 44 and SR 48 as east/west connectors. Both of which are insufficient for the current population and approved developments. The city commission appears to be neglecting its duty to collaborate with the MPO and other county and state agencies to ensure timely improvement of roads, safeguarding existing residents from adverse impacts on the quality

of life. The City of Leesburg does not have a representative for the MPO Community Advisory Committee, which is a shock. That shows the lack of commitment the city has to improving its roads. While acknowledging the inevitability of growth, it is imperative that it be managed rather than unrestrained. That has been the trend in recent years in Leesburg. Current commissioners may need to be reconsidered in favor of individuals who prioritize the concerns of existing residents over merely approving every new project presented to them. Commissioner Pederson already said that they were going to approve another project tonight. That is not saying they would vote on it, that was a predetermined situation. It is crucial for the city commissioners to fulfill their responsibilities and truly represent the well-being of Leesburg's existing residents. How many homes have already been approved? Somewhere around thirty thousand. The Planning and Zoning Director said at a planning board meeting last year that with the homes already approved, there were not enough jobs in the city and people would have to commute to Orlando or Ocala for work. Enough is enough, and the craziness has to stop. **Mayor Burry** pointed out that his time had passed. He wanted to know if he attends the MPO meetings. **Mr. Nappa** said yes. **Mayor Burry** pointed out that he attends those meetings and for him to say that nobody from the city attends them is insulting. **Mr. Nappa** continued to say there was no representative for the city. **Mayor Burry** stated for clarification that he was the representative for the city. **Mr. Nappa** stated he asked Michael Woods who the representative was for the city, and he was told there was none. **Mayor Burry** informed him that the information he is providing is inaccurate. **Mr. Nappa** asked why SR 48 was not being improved from US 27 to CR 33? **Commissioner Pederson** encouraged him to go to the county since they said they would widen the roads ahead of time. He encouraged all residents to contact the county and ask for them to do that, since it is their responsibility. **Mr. Nappa** said they have to have dialogue with the county, things just do not happen like that. **Mayor Burry** thanked him for his comment.

Lay Brother Steven Gerard of Ohio stated he was on vacation in Florida. He would eventually head west. He has participated in the Christmas parades here in Leesburg. He wanted to continue discussions about Leesburg becoming a personhood city. If anyone wants more information on that, they could email him at brotherstephensgerard@gmail.com. He brought up a safety concern across the street from Publix where there was a bolt sticking out of the sidewalk. It should be taken care of before someone barefoot steps on it. He would be happy to meet with your city manager to show him where it is, so it can be taken care of.

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

Items pulled for discussion:

5.C.7 - Gas Agreement between the City of Leesburg and Cedar Landings, LP, regarding the provision of natural gas to the development known as Blue Cedar Phase 1.

Commissioner Reisman moved to adopt the Consent Agenda except for 5.C.7, and Commissioner Pederson 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. Regular meeting held January 22, 2024

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

1. Resolutions amending the FY 23-24 Budget

- a. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2023-24 Budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Airport, Building Permits, Police Forfeiture, Fire Impact Fees, Discretionary Sales Tax and Fleet Services Funds for the carryovers from fiscal year 2022-23; and providing an effective date.**

ADOPTED RESOLUTION 11,781

- b. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2023-24 Budget for the General, Carver Heights CRA, Gas and Airport Funds for the First Quarter; and providing an effective date.**

ADOPTED RESOLUTION 11,782

- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a satisfaction of mortgage for property donated to Gloria Jean Hill at 108 North East Street through the Infill Housing Program; and providing an effective date.**

ADOPTED RESOLUTION 11,783

3. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc., for professional services at the Leesburg International Airport, related to Taxiway Reconstruction of A1, A3, Delta, and A2 Relocation; and providing an effective date.**

ADOPTED RESOLUTION 11,784

4. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc., for professional services at the Leesburg International Airport, related to Fuel Farm Facility Design; and providing an effective date.**

ADOPTED RESOLUTION 11,785

5. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute Public Transportation Grant Agreement FM No. 454122-1-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for Construction of Veterans Road Infrastructure Project, at the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 11,786

6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Utilities Improvement and Impact Fee Credit Agreement for Water and Wastewater Utility Line Construction associated with Hodges Reserve, Anthony Property, and LakeCo Dewey Planned Unit Developments; and providing an effective date.**

ADOPTED RESOLUTION 11,787

7. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Cedar Landings, LP, regarding the provision of natural gas service to the development known as Blue Cedar Phase 1; and providing an effective date.**

ADOPTED RESOLUTION 11,788

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

Commissioner Reisman made a motion to adopt the resolution and Commissioner Berry seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

CM Minner said he asked Commissioner Reisman to pull this item because there was a blank in the agreement which they received late. He wanted to clarify the blank that is in paragraph four, and the dollar value. This is our boilerplate developers agreement for natural gas service. However, they received the agreement late, but they are trying to help the process along. That blank in paragraph four is the dollar value that the developer has to spend in order to build the infrastructure required pursuant to the PUD. That number is five hundred and twenty-nine thousand eight hundred and seventy-three dollars and sixty-one cents. That value will be inserted in the agreement. **CA Watson** pointed out that he had received the signed original agreement with that amount filled in. They are good to go. **Mayor Burry** asked if there were any other comments. 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 resolution.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay), with a waiver from Section 25-282(a)(1) PDO five-acre minimum, to the existing C-1 (Neighborhood Commercial) zoning, on approximately 0.34 +/- acres, to allow for a triplex use on a property generally located north of West Main Street and west of Harold Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (2512 W Main Triplex PDO)**

ADOPTED ORDINANCE 24-07

Mayor Burry asked the city attorney to do the swearing in. **CA Watson** asked anyone wishing to provide testimony on any agenda items under 6A or 6B to stand and raise their right hand. He swore them in.

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.

PZD Miller stated this request was for a planned development overlay to allow construction of a triplex on West Main Street. As a reminder, a planned development overlay is similar to a PUD. It leaves the underlying zoning, but adds the uses. This is generally located on the north side of West Main and west of Harold Street. The property is approximately fourteen thousand six hundred square feet, which is about a third of an acre. The current zoning is C-1 neighborhood commercial and the future land use is general commercial. Under the city's land development code, in order to have residential areas in a commercial zoning you must request some type of planned zoning district. That is done by either a planned unit development which changes the entire zoning or a planned development overlay which lays over the existing zoning. In this case, there could be triplexes, duplexes, single-family or commercial in the area. The city staff feels this is an appropriate use. Currently, the property contains one single family residence and commercial is nearby. There are no flood zones or wetlands on this property. The current single family home would be torn down, and a duplex would be constructed. There is enough room to support the duplex, create the parking and any retention if needed. The property owner is Tony Wong. **Mayor Burry** asked if there were any questions from the commission. **Commissioner Pederson** wanted to clarify that this would be a triplex because he mentioned a duplex. **PZD Miller** said yes, he meant to say triplex. He thanked him for that clarification. **Mayor Burry** asked for public comments. There were none.

The roll call vote was:

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

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

2. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 316 +/- acres; and being generally located south of State Road 44 and west of Whitney Road, lying in Sections 19 and 30, Township 19 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 2; and providing an effective date. (Village Palms ANNX)**

ADOPTED ORDINANCE 24-04

Commissioner Reisman introduced ordinances 6.A.2, 6.A.3, and 6.A.4 to be read by title only. CC Purvis read the ordinances by title only.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated this request is for a project known as Village Palms. They are requesting annexation, a large scale comprehensive plan and a rezoning. The property consists of approximately three hundred and sixteen acres. It is generally located on the south side of County Road 44, west of Whitney Road and east of the Sumter County line. Over three hundred and sixteen acres are undeveloped. The large scale comprehensive plan amendment would go from Lake County Rural and Regional Office to City of Leesburg Neighborhood Mixed Use. It would allow a density of up to four units an acre, plus commercial uses. The zoning would go from Lake County Agricultural and Planned Industrial to City of Leesburg Planned Unit Development. The request is for five hundred and sixty-two detached single family lots, two hundred and sixty-four town homes, one hundred and thirty-four duplexes, three hundred multifamily homes, one hundred and thirty square feet of commercial uses, forty-two thousand square feet of medical professional office and a one hundred and twenty room hotel. There is some room provided for a possible charter school. There would be a total of one thousand two hundred and sixty residential units. Under the conditions of the PUD zoning, the residential area will allow for single family residential and attached single family, which are town homes and duplexes. It also allows for multifamily units, which are apartments. In the commercial area, the permitted uses would include medical offices, pharmacies, general retail, personal services, haircut and nail type uses, those types of things. The hotel, house of worship and professional offices are permitted. This is the standard that we use in all PUD's. In this case, there would be no industrial uses, which include; auto sales, tattoo parlors, check cashing, adult uses, internet cafés, or pawn shops. The development will have fifty, sixty, and seventy-foot wide lots. It will be a mix with a maximum of three hundred and fifty fifty-foot lots, a maximum of one hundred and sixty-one sixty-foot lots and a maximum of eighty-six seventy-foot lots. There will be a variety of lot sizes, and a mix of price points within the development. All lots require a twenty-foot front setback and a twenty-five-foot setback to the garage. It includes gutter requirements on all lots that have less than a seven point five foot setback on the side. They will have the dark sky lighting, two trees in each yard, architectural standards and a two-car garage for the single-family homes. Under the attached I.E, the town homes are at two hundred and sixty-four and those will have twenty-two feet wide lots. The town homes will take up the entire lot width with the same setbacks. There is a fifteen hundred square foot minimum for the living area, to include two car garages. For the duplexes there would be one hundred and thirty-four units with forty-two hundred square foot lots, which makes each duplex a seventy-foot lot. It will be thirty-five and thirty-five put together for the duplexes. It would be twelve hundred square feet per unit, which is twenty-four hundred square feet for the building. For multifamily, it is three hundred and six, which is the number they wanted. There are minimums on the size; a studio unit would be seven hundred square feet, a one-bedroom would be eight hundred, two-bedrooms would be nine hundred and three-bedrooms would be one thousand square feet. On the commercial side, there will be one hundred and thirty thousand square feet and forty-two thousand of that are intended for medical and professional office. They have a one hundred and twenty room hotel and the potential for a charter school. There are a number of different uses and all the development in this PUD have architectural standards required in either the PUD or the city's land development codes. A unique feature here is the site access. There will be three primary access points along State Road 44, which will be boulevard-type roadways with a landscaped island in the center. It will flow south through the residential portion and meet an east/west roadway. Where it meets the east/west roadway there will be a roundabout. The roundabouts help traffic flow because they do not have to come to a complete stop. It helps to keep traffic moving smoothly. There are at least six acres of recreational development with three primary recreational areas. The recreational areas include swimming pools, fenced playgrounds for children, separate dog park areas, and a trail system, which is shown on the conceptual site plan. Generally speaking, all the other requirements in the PUD are standard PUD language. He pointed out that this development has additional guest parking in the residential areas. It has thirty-five percent open space and a twenty-five-foot buffer surrounding the property. There are fencing options on the south and east boundaries. Mr. Michael Rankin from Land Planning Group is here to answer any questions. **Mayor Burry** asked if there were any further questions for the planning and zoning director. **Commissioner Pederson** asked about the

parking ratio for the apartments. He wanted to draw a connection to the one that was just talked about downtown, which was one point five. Do we know what this one is? **PZD Miller** said not off the top of his head. Generally, with parking, the ratio is, if it is a one-bedroom, you are required to have one parking spot. If it is a two bedroom, it is usually one point five spaces and a three bedroom is two spaces. He could check that against the code. **Mayor Burry** asked about the three exits on State Road 44. Does that include what was already approved for The Crossings? Will that make four different exits? **PZD Miller** replied that was his understanding. However, that is subject to change because Lake County and FDOT control the roads. If they believe it is better to have fewer access points, that is what they will do. If FDOT and Lake County do not have a problem, they will have four.

Michael Rankin, managing member and owner of Land Planning Group, stated he was there on behalf of the applicant, Village Palms Holding, LLC. Paul Stefan was in attendance along with seven other folks. Village Palms agrees and supports staff recommendations about land use, residential development standards, commercial development standards, parking spots, open space, landscape and buffer requirements. They also support side access, signage, transportation improvements, utility, storm drain management, wetlands and flood zones, wildlife, irrigation and water use, recreational requirements, maintenance development phasing and implementation along with any miscellaneous conditions. As mentioned, this is three hundred and sixteen acres. Of that, there will be five hundred and sixty-two detached single family homes. They will not exceed that and two hundred and fifty-eight town homes. He met with city staff last week, because they had a couple of items they would like to tweak. The items were discussed between the first reading and tonight. They would like to decrease the town homes to two hundred and sixty-four and increase the multifamily. It would be balanced between the two. There would be one hundred and thirty-four duplex units. There would be one hundred and thirty thousand square feet of commercial. Forty-two thousand square feet of medical, professional office and educational uses. This development includes a one hundred and twenty room hotel. With the permitted uses, they wholeheartedly agree. Most importantly, he wanted to look at the prohibited uses to make sure the city clearly knows that they do not intend to bring any of them to this development. As the planning and zoning director mentioned, industrial, recycling, junk and scrap collection, recycling facilities, auto sales, dealerships, tattoo parlors, check cashing stores, adult use, internet café, secondhand thrift consignments, pawn shops, smoke shops, and all others are not permitted use. They do have a couple of things they would like to change; the multifamily would change from three hundred to three hundred and six, and the town homes would change from two hundred and sixty-four to two hundred and fifty-eight. That is the balance between the two. They are seeking a school or educational use and commercial acreage not to exceed fifty acres on the total site. With the sixty-foot lots, they would like to go from seven point five to five on the side setbacks. The town homes are required to have a one-car garage and one onsite parking space. There would be a maximum of ten percent of fifty and/or sixty-foot lots, which may be interchanged providing the minimum and maximum requirements are met within the PUD. This will all be market rate, and not subsidized. It would be full of taxpaying folks that live here. Knowing there would be folks expressing concerns about traffic, he brought reports if the commission needed them. They are also concerned about the traffic and traffic patterns in the area. They strongly feel that in order for Pembroke to get signalization, a development such as this has to occur. They will work with MPO on that. They would be happy to sit down with anyone from Pennbrooke to navigate through what will probably be a signalized intersection. They want to build a development that people want to live in by choice. This development is heavily amenity driven. It is a massive piece of property at three hundred and sixteen acres. Just looking at the raw numbers, you may think holy moly, that is a lot of units, but remember this is three hundred and sixteen acres. The open space is one hundred and twenty-three acres, which is thirty-nine point two percent. The minimum city requirement is thirty-five percent. The total car parking in the area would be four thousand and eighteen. They spent a year working on this project. They know the challenges of bringing development to any community, not just Leesburg. When developing this, they kept in mind the quality of life and the safety of the people who live nearby and the future

residents. **Mayor Burry** asked if there were any questions or comments from the commission. There were none. He opened public comments.

Elizabeth Crouch Payne of 308 Westwood Drive, said she lives in Pennbrooke. She was a little different from most people because she was born on Main Street in Leesburg. She has seen all the developments, and she was not against progress. She was a mail carrier for thirty years. She delivered mail to the entire City of Leesburg, which was rural. This development is big money for the seller, the developers, and the city through taxes, which is good. When considering developments, they need to consider safety. She lives in Pennbrooke and her grandson has to make a U-turn every day to go to work in South Leesburg. She prays every day that he does not get T-boned coming out of Pennbrooke to make that U-turn. Even though the speed limit is fifty-five, she has clocked people doing seventy. She did that by keeping up with them. The city has a lot of responsibilities to consider, and they need to consider the people that live there along with the people that will live there. Development is going to happen, she does not have a problem with that. She was concerned about safety.

Julia Fronkie who lives in Pennbrooke said she was concerned about the traffic. If there was any influence to put a traffic light there it would be appreciated. She was also concerned about fire and ambulance services because they use a lot of ambulance service. They have their own little station at the corner. She was sure there would be a lot of calls across the street and even though it is county they are cooperative, it is whoever gets the call goes first. If they take their ambulances away, it may be a problem. She asked that they consider that.

Mike Tyson of 406 Grand Vista Trail said they were all from Pennbrooke. They are all worried about safety. From what he understands, there is a good possibility that there will be a light at the main entrance coming out of Pennbrooke. However, nothing is installed at this time. There will be two other exits coming out of the development on the side where Pennbrooke goes out to Whitney Road. When they come out of the complex to go towards Wildwood, they will have to make a right turn. They are not going to go to the light and jog around to make a U-turn. **PZD Miller** remarked that they were getting way ahead. He understood the question, but in the plan there are three places it could go. They were anticipating, hoping, and pushing for a light to be installed there. However, without development of this nature, there would not be a light. Nothing will happen there and it will continue as is. It will be a continued danger for the residents of Pennbrooke. The city will work with FDOT and Lake County. We do not have the authority to make them put up the light, but we will put pressure on them. We do not know yet, but there will most likely be a light. This is a fifty-five mile an hour highway and, as the lady said, people fly down there. We saw it when we went out to post the signs. These folks have a good reason to be here, and city staff will support putting in a light.

A man who resides in Pennbrooke commented about safety and having a light in Pennbrooke. He understood that down the road just past Whitney Road there will be a sports complex that includes a bowling alley. It may not be right away, but it will happen within the next few years. That will add more traffic on Whitney Road and that concerns him.

Dotte Moore, a resident of Pennbrooke, said she heard that the city cannot do anything about the traffic. However, you keep approving more and more developments, and it is the county or the state's problem. State Road 44 is a nightmare. There are accidents every single day. There is one traffic light at County Road 468 and the next one is not until Morse Boulevard. That is how people are flying through there. She was concerned about the impact on schools and the police. Is the city focusing on the impact this development will have on everything? State Road 44 will be bumper to bumper cars from now until who knows when. Especially with the explosion of The Villages. Every day she reads Leesburg is annexing more property. When will it stop, when there is no more land to annex?

A lady named Beverly who lives in Pennbrooke said she was concerned about traffic. However, in the proposal it did not mention the names of the stores they would be putting in. She hoped they would not put in anymore tiny stores that no one goes to. She would like to see an Apple Store and stuff like that because she likes to shop.

Rosalie Slevin, a resident of Pennbrooke, said Florida is in the number two position in the nation for road rage shootings and traffic related to that. Being a retired nurse, she saw the people that came in due to traffic accidents. It was terrible and that concerns her. They do not need any road rage shootings in front of their community. She knows it is something that the county needs to think about, but we are number two in the nation and that is not good. We do not have a good reputation for drivers being patient.

Mayor Burry asked if there were any further comments or discussion on this item. There were none.

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

The roll call vote was:

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

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

3. 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 316 +/- acres from Lake County Rural and Regional Office to City of Leesburg Neighborhood Mixed Use, for a property generally located south of State Road 44 and west of Whitney Road, lying in Sections 19 and 30, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Village Palms LSCP)

ADOPTED ORDINANCE 24-05

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

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

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 316 +/- acres from Lake County A (Agriculture) and MP (Planned Industrial) to City of Leesburg PUD (Planned Unit Development) to allow mixed-use development, including single-family, duplex, multi-family, and townhouse residential units, commercial, medical/professional office, and a hotel, for a property generally located south of State Road 44 and west of Whitney Road, lying in Sections 19 and 30, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Village Palms PUD)**

ADOPTED ORDINANCE 24-06

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, rescinding the development order approved by Resolution 8758 on December 14, 2009, for a Development of Regional Impact (DRI) on property known as Secret Promise; and providing an effective date. (Sec Prom DRI Recission)**

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.

PZD Miller stated this was a request to rescind the development order for the Development of Regional Impact on the property known as Secret Promise. The Villages Land Company, LLC., is in partnership, and they purchased the Secret Promise property. The property consists of about four thousand acres. On December 9, 2009, the city commission approved the development order under Resolution 8578 for this property. That would have allowed them the possibility that when they were ready to go, they would bring in plans to build the Secret Promise property. However, unfortunately, things happened and that never occurred and, since then, The Villages has purchased the land. In Chapter 380.115 (2) of the Florida statues, it allows a developer to request that a development be rescinded if certain conditions are met. Since nothing has ever happened on this property over the last twenty plus years, there would be no

problem rescinding the development order. In addition, keeping the Secret Promise development order open would not be consistent with The Villages of West Lake plans or the work they have already done in the city. Basically, it is getting rid of that old order. Following this case, there would be an annexation, a large scale comprehensive plan, and a rezoning of The Villages for the same property. The large scale comprehensive plan will be forwarded as a part of the requirements of Chapter 163 to the Florida Department of Commerce. This is the first reading and Mr. Marty Zuro and Mr. Darren Taylor along with some others from The Villages are in attendance. **Mayor Burry** asked if there were any other questions or comments. There were none. He stated this item would lay over until May 13, 2024.

2. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 79.2 +/- acres; and being generally located west of the Florida Turnpike and south of County Road 470, lying in Section 18, 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 6th SP ANNX)**

Commissioner Reisman introduced ordinances 6.B.2, 6.B.3, and 6.B.4 to be read by title only. CC Purvis read the ordinances by title only.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated this needs to be transmitted to the state since it is a large-scale comprehensive plan. It will be submitted to the Department of Community Affairs (DCA) for review. They will need to hold a public hearing to receive public input on this tonight. They will then vote to transmit it to the state. As we have seen, The Villages has been successful with their development in the City of Leesburg. They have already completed two thousand four hundred and ninety-seven homes over the last year and a half. They have done a great job with the property north of County Road 470. In order to develop the Secret Promise property, once the rescission goes through they will need to annex eighty acres. Referring to a slide, he showed the parcel that needed to be annexed at the very top left. It will need to be rezoned to put a new future land use on it. The current future land use is mixed. There are a number of different land uses and several different zonings within the PUD. Through an agreement with The Villages, the city adopted The Villages codes into our future land uses. That was done a few years back. It allows for consistent development throughout The Villages, whether it be Leesburg, Lake County, or wherever. First they need to annex the eighty acres, then the future land use and the following is the rezoning. The cases encompass somewhere around four thousand acres, which encompass the eighty acres. Referring to the slide, **Mayor Burry** asked about the eighty acres and if that was the rectangle at the top left? **PZD Miller** replied yes. **Mayor Burry** asked about the two pieces beside it and if they were already in the city. **PZD Miller** answered yes and the one rectangle at the top left is the annexation case. **Mayor Burry** thanked him for the clarification. They would like to move ahead with these items with the knowledge that the comprehensive plan will be voted on to transmit it to the state which covers the legal bases. This property is near the Turnpike and County Road 48 on the south side and the Sumter County line is on the west.

3. **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 4,192.5 +/- acres of property from Leesburg Conservation, SP Mixed Use, Institutional, Industry and Technology Commerce Park, and Lake County Regional Office to Age Restricted Development for a property generally located east and west of the Florida Turnpike and north of County Road 48, lying in Sections 16, 17, 18, 20, 21, 28, 29, 30, 31, & 32, Township 20 South, Range 24 East, Lake County, Florida; and delete the Secret Promise DRI policies found in Future Land Use Element Objective 1.14.1 and Policies 1.14.1.1 through 1.14.1.6; and to amend Future Land Use Policy 1.1.6 to address wetland and habitat protection, land use planning and other issues; and to amend Future Land Use Policy 1.1.1 to add Commercial Centers to the list of non-residential centers permitted a 3.0 FAR; and providing an effective date. (VOWL 6th SP LSCP)**

Mayor Burry asked if there were any public comments regarding this item.

Mario Nappa of 27548 Stony Brooke Drive inquired if this was for the Secret Promise land of four thousand acres. If so, that would add another ten thousand new homes and twenty thousand new cars. They need to improve State Road 48. That road, right now, sits in the thirteenth position on the MPO list. If anyone attended the MPO meeting last Wednesday they would know this. Everyone knows that the first ten projects are being funded. State Road 48 and County Road 470 are inadequate for the current traffic. We need to get something in place before the homes are built and before the rest of The Villages of West Lake are built. There is a section of State Road 48 south of the Sumter County line in the third position. He inquired with the MPO about why it was in the number three spot because it was not nearly as bad, and he was told it was because Sumter County asked for it. **Mayor Burry** informed him that the City of Leesburg has asked for things from the MPO, and we are not getting them. Without arguing, you are acting like the City of Leesburg is not paying attention to the roads and that is just not factual. **Mr. Nappa** continued to say that he saw what was happening in South Lake County. Minneola and Clermont are getting all kinds of new roads and increased capacity. We are looking at a potential population of eighty thousand in Leesburg with all the new homes being built. There are no projects on the books to cover the increased capacity on the roads. That is not good. **Mayor Burry** pointed out that it would be a great question for the MPO because he has been asking that question. **Mr. Nappa** said more people from the commission need to attend the MPO meetings. **Mayor Burry** stated more citizens need to attend those meetings to state their concerns. **Mr. Nappa** remarked that he had been attending those meeting for the last five years. **Mayor Burry** replied that he did not recognize him from those meetings. **Mr. Nappa** pointed out that since covid he only attends those meetings virtually, but three years ago he did attend in person.

Commissioner Reisman made a motion to transmit the letter to the state and Commissioner Pederson seconded the motion.

The roll call vote was:

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

Five yeas, no nays, the Commission approved the transmission to the state.

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 4,192.5 +/- acres from City C-3 (Highway Commercial), M-1 (Industrial), R-1-A (Single Family Residential), PUD (Planned Unit Development), and Lake County HM (Highway Industrial) to City ARD (Age Restricted Development) for a property generally located east and west of the Florida Turnpike and north of County Road 48, lying in Sections 16, 17, 18, 20, 21, 28, 29, 30, 31, & 32, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 6th SP RZ)**
5. **An Ordinance of the City of Leesburg, Florida, establishing the Dewey Robbins Community Development District pursuant to Chapter 190, Florida Statutes; providing for authority and power of the district; establishing the district; providing for the Board of Supervisors of the district; providing for the district budget; providing for functions of the district; providing for miscellaneous provisions; and providing an effective date. (Dewey Robbins CDD)**

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.

PZD Miller stated this request is to establish a Community Development District for the Dewey Robbins Community Development District. It would serve Hodges Reserve and the subdivisions in the area around Dewey Robbins Road. It is generally located east of US 27. Community Development Districts are allowed under Chapter 190 of the Florida Statutes. The districts allow for services to include, but not limited to construction, operation of water, wastewater, roads, bridges, environmental conservation areas, parks and schools, those types of things. It also includes security and infrastructure services. They are limited to a specific geographic area. Some of the ones the city has approved in the past include County Road 33, Tara Oaks, Arlington Ridge, and The Villages of West Lake has a number of them. They cannot incur debt to local government, and they have no zoning or police powers. Michelle Ragoni of Kutak Law firm out of Tallahassee is in attendance to answer any questions. **Mayor Burry** wanted to know how many Community Development Districts are currently in the city. **PZD Miller** believed there were seven. He has the list in his office. **Mayor Burry** remarked that these are becoming a common thing. **PZD Miller** added in the city we have seven districts, which do not include The Villages. **Mayor Burry** pointed out that this covers two Hodges Developments for Dewey LLC. **PZD Miller** agreed it will serve two developments including Lakewood Reserve. **Commissioner Pederson** asked if this would mirror the other CDD's in the city. **PZD Miller** answered it is pretty much standard language. They can vary a little in terms of what they cover, but it is general standard language. **CA Watson** mentioned there are some variations in the statutes. There is a general power section and a special power section. However, most of them ask for the same special powers, like parks and security services. That was consistent in this application. **Mayor Burry** asked if there were any further questions or comments. There were none. He stated this item would lay over until the March 11th meeting.

6. **An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay), with a waiver from Section 25-282 (a) (1) PDO five-acre minimum, to the existing PSC (Pine Street Commercial) zoning, on approximately 0.16 +/- acres to allow for an office use for a property generally located north of Pine Street and east of Childs Street, lying in Section 25, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (PDO CDC Offices on Pine Street)**

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.

PZD Miller stated this was a Planned Development Overlay (PDO). It will allow for an office use in the R-3 zoning district, and it gives a waiver from the five acre minimum requirement, which is something they would like to change when they update the land development code. The building was constructed in 1971 as a hotel. It is generally located on the north side of Pine Street, east of Childs Street. It is a very small piece of property, just under two tenths of an acre. The property is owned by the Community Development Corporation and the city's land development codes are the reason we require the Planned Development Overlay in the R-3 District. City staff believe this proposal will allow for appropriate uses in the area, as it will support the efforts the commission has made throughout the Pine Street area. It may even create a few new jobs. It is a good adaptive reuse of an old structure. **Mayor Burry** questioned if the structure itself was located at Mike and Pine Street on the corner next to the barbecue place. **PZD Miller** said yes. **Mayor Burry** asked if there were any further questions or comments. There were none. He stated this item would lay over until the February 26th meeting.

C. NON-ROUTINE ITEMS

1. **Resolution of the City Commission of the City of Leesburg, Florida establishing the special events venue area for the Annual Leesburg Bikefest event, taking place April 26-28, 2024; and providing an effective date.**

ADOPTED RESOLUTION 11,789

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

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

Mayor Burry requested comments from the Commission and the audience.

CM Minner stated this item would typically be under the consent agenda. He pulled it off there to provide

the commission with some clarification. With this being the first year the city is handling Bikefest, there are some considerations to be made. In the past, we just hosted Bikefest. We did not produce it. In the past, we had to do two ordinances; the first ordinance recognized it being a major event for above thirty thousand people. The commission would have to give their approval. This would section out the area where the event would be held. The second ordinance created the agreement between the City and The Partnership to allow businesses to sell alcohol outside their premises. Businesses like bars and restaurants typically sell alcohol in that zone during Bikefest. This resolution would approve that. Typically, businesses do not sell alcohol outside their establishments, but during Bikefest we see businesses selling outside their establishment on the sidewalk or on an empty lot they own which is bigger. In the past, we created a charge for that and to ensure that we capsulated the alcohol sale revenues. It would then go to the event. We had an existing charge that was established by the city that said whatever collected was paid to The Partnership. This year we are not doing that resolution. From his read of the commission through comments made about the concept to host the event, we wanted to help local businesses profit from Bikefest. Therefore, he did not see the need for that resolution. By code, this resolution has to be done for major events. The second resolution is no longer required. The topic of alcohol sales, in the zone, out of the zone, in the business, out of the business, was touchy. We discussed that issue, and it was part of the concept. However, Bikefest is seen as a successful event and now that The Partnership is longer, it has fallen into the city's lap. If we do not enforce or make that rule, we cannot collect the money and that money will stay with the businesses. This year he recommended doing the event without the outside sales agreement. **Mayor Burry** clarified that we would not be charging the downtown businesses if they want to sell outside their business. **CM Minner** answered they could set up a beer or wine booth in front of their business on the sidewalk. Under normal conditions, businesses are not able to do that. However, for this event, this resolution would allow them to do so. The other resolution would be for the businesses who would operate outside their business. They would be taking up one hundred square feet of sidewalk, so the city would charge two hundred and fifty dollars per square foot. That money would be paid to the City for the businesses' right to operate outside their business. We used to do that, but sometimes we never collected. The history of collecting is limited for obvious reasons. This year we do not believe the city should do that, unless the commission wants to. There may be a handful of businesses that set up beer carts in front of their business. If the commission wants to move forward with that resolution, now would be the time to let him know. He would bring that resolution to the next meeting. However, based on comments and feedback, the only thing we need to do to produce Bikefest, pursuant to the code, is to approve this resolution establishing the zone. **Mayor Burry** added the zone itself is from about Ninth Street down to the Magnolia Trail, it then wiggle wags up towards RoMac and Cutrale at that corner. It then follows the basic old railroad track back up to Canal Street. That zone is not as big as it used to be. It used to encompass the area all the way down to Perkins Street. It has been shortened and that will help traffic flow for local people. **Commissioner Reisman** asked if it would be beneficial for local restaurants to communicate with city staff if they plan to put alcohol booths out. That way they will not impede on anything we may put in the general area. **CM Minner** answered that city staff would have that contact. This is pretty much standard operating procedure. However, they will have contact and the Recreation Director and Special Events Manager will be on that. **Commissioner Berry** asked if a business could set up shop selling other things other than alcohol outside their establishment. **CM Minner** responded that the business would have to sell what they normally sell. The funeral home cannot sell beer, but a restaurant could. It will allow a business to sell their product in the public right of way. **Commissioner Pederson** stated he did not want to put words in her mouth, but he thought she was referring to a clothing store. Could we have all the retailers in town on our sidewalks? If so, that could be detrimental to them and the event. **CM Minner** answered without speaking definitively. He was not concerned about that. It is typically the restaurants that sell beer on the sidewalks. There have not been any issues in the past with retailers selling their goods and blocking the sidewalks. **Commissioner Reisman** mentioned the establishments could communicate with city staff to ensure there will not be a safety issue. **CM Minner** stated the city has worked hand in hand with The Partnership in the past. This

was not an unusual issue. He wanted to bring this issue up because the second resolution was a money resolution, and we would not collect it.

The roll call vote was:

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

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

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:

CA Watson had nothing to report on.

Commissioner Connell asked about agenda item 6.C.2. **Mayor Burry** informed him that item was pulled at the beginning of the meeting because something needed to be ironed out.

9. CITY MANAGER ITEMS:

CM Minner stated with agenda item 6.C.2, at the eleventh-hour Commissioner Reisman contacted him and the bottom line was the proposal for the 400 West Main Street project is not in compliance with the grant requirements. The grant requirements are for multi-use/multi-story. Multi-use is further defined in the program to require a residential component. We defined this project as multi-use because it had different variations of commercial. However, on second thought, at the eleventh hour, we realized the residential component was not there. Therefore, it did not meet the litmus test of multi-use/multistory. He would go back and speak with the petitioner, Dr. Khan, to see if there is an ability to change concepts. If he cannot change it, this may be an item the commission may want to consider an exception for because we all want to see 400 West Main redeveloped. He will follow up with Dr. Khan tomorrow.

Next, about a month ago, he sent out information to the commission regarding the city manager's evaluation, which included concepts as discussed in the fall. They were to come up with a new program for handling the city manager evaluations. He sent out forms and suggestions and asked for feedback. He would like to collect that feedback. Once he receives it all, he will disseminate it back to the commission. The next step would be for the commission to collectively agree on how to handle the evaluation process. Right now, he has received feedback from two commissioners. He would like to get the rest of the commissioners' feedback. After that, the commission will need to discuss and formalize the evaluation process moving forward. He would like to wrap this up at the next meeting or in March. That way, if the

process needs to be changed or modified, they have time to work that out. The evaluation is currently scheduled for August.

Lastly, about events, the Recreation Director has been busy, and he asked him to provide an update. He wanted to remind everyone that this Thursday, The Spring Games start. He encouraged everyone to go to Sleepy Hollow and watch the girls' NCCAA softball tournament. Those girls can really throw a ball. They are awesome and fun to watch. The Division One teams include the University of Kansas, University of California, Riverside, Coastal Carolina, Ohio State, Penn State, Iowa, Illinois, and Liberty to name a few. Those are some powerhouses. He gave a shout-out to the Public Works crew for doing an awesome job getting the fields already. They look awesome and everything is in tiptop shape. With the Blues' n Q, that event is scheduled for this Saturday in the town square. It will be from twelve to four. He encouraged everyone to come out and have some fun.

Commissioner Pederson inquired about the grant. He met with Dr. Khan through his day job as a commercial realtor. He had discussions with him, and he made a comment that they could not economically develop the top floor as residential due to different building code requirements. He was not an expert in that area, but he presented this property to a couple of potential buyers since Dr. Khan expressed interest in selling it for the right price, and he heard the same concerns from them. This grant was for residential, and he fully supports that, but this building is a signature building downtown, and he would support amending the grant program for this building. They could say that is unfair for other people, but this is a unique building. Upstairs there are big rooms that could make spacious offices. He does not know how anyone could take that floor plan and turn it into residential. He would support amending the grant program for this building. This is an important building that needs to be renovated. This building is referred to as the old First Federal Building. It was a very stately former bank in the heart of downtown. **CM Minner** duly noted his comments. He would talk with Dr. Khan tomorrow.

Commissioner Pederson said he would love to see it become residential, but he would rather see it become offices. It would be better than the building just sitting there. **CM Minner** said he was correct in that analysis and that was why he did not go there in the beginning. If he decides to go that route, he would be back with some type of proposal. **Commissioner Pederson** said Commissioner Connell could probably help with the building codes. However, he did not want to get bogged down on the difference between office and residential. People have complained to him about it, and there is a big difference to make it residential.

10. ROLL CALL:

Commissioner Pederson had nothing to comment on.

Commissioner Berry had no further comments.

Commissioner Connell had no comment.

Commissioner Reisman had nothing to comment on.

Mayor Burry had no further comments.

11. SUSPEND REGULAR MEETING

Commissioner Reisman made a motion to suspend the regular meeting at 7:09 p.m. and take a five-minute break. Commissioner Pederson seconded the motion.

12. OPEN the CLOSED ATTORNEY-CLIENT SESSION

Mayor Burry opened the attorney client session at 7:15 p.m.

13. EXIT all BUT THE FOLLOWING INDIVIDUALS:

A. Jimmy Burry - Allyson Berry - Jay Connell - Mike Pederson - Alan Reisman - Mark Brionez - Stephanie Brionez - John Metcalf - Al Minner - Court Reporter

14. END CLOSED SESSION and REOPEN COMMISSION MEETING

Mayor Burry closed the attorney client session and reopened the regular meeting at 7:44 p.m.

15. 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 the meeting at 7:45 p.m., seconded by Commissioner Pederson.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: February 26, 2024

From: Dan Miller, (Planning and Zoning Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Eagletail Landing – Phase 2, a subdivision of the City of Leesburg, Florida, being a portion of Sections 18 and 19, Township 20 South, Range 25 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Eagletail Landing – Phase 2)

Staff Recommendation:

Staff recommends approval of the plat for Eagletail Landing – Phase 2 Subdivision.

Analysis:

The property is generally located west of Number 2 Road and south of County Road 48. The proposal is for approval of a plat consisting of 123 single-family residential lots. The review process for zoning, site plan, and construction plans has been completed. Approval of this plat will complete the project review process and allow for the applicant(s) to apply for building permits, construct, and sell homes within this new subdivision.

Procurement Analysis:

N/A

Options:

1. Approve the request for a plat of the new Eagletail Landing – Phase 2 subdivision; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future development of this property will create a positive fiscal impact based on building, impact and utility fees, plus revenue from ad valorem taxes.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA, ACCEPTING AND APPROVING A PLAT FOR EAGLETAIL
LANDING – PHASE 2, A SUBDIVISION OF THE CITY OF LEESBURG,
FLORIDA, BEING A PORTION OF SECTIONS 18 AND 19, TOWNSHIP 20
SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AND ACCEPTING
AND DEDICATING TO THE USE OF THE PUBLIC ANY EASEMENTS OR
PUBLIC PLACES SHOWN THEREON AS BEING DEDICATED TO THE
PUBLIC; AND PROVIDING AN EFFECTIVE DATE. (EAGLETAIL LANDING
– PHASE 2)**

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

THAT the plat of the following described lands, which is named Eagletail Landing – Phase 2 is hereby approved and accepted by the City of Leesburg, Florida; being

A portion of Tracts FD-2, FD-3 and FD-4, the plat of Eagletail Landing Phase 1, as recorded in Plat Book 79, Pages 79 through 98, of the Records of Lake County, Florida. Said lands lying in the Southeast quarter of Section 18, and the Northeast quarter of Section 19, in township South, Range 25 East, Lake County, Florida, and being more particularly described as follows:

Start at the Northwest corner of aforesaid Tract FD-2 for a Point of Beginning; thence along the boundary of Tract FD-2 the following course thence South 89° 11' 17" East, 863.24 feet; thence South 45° 49' 11" West, 140.01 feet; thence South 00° 49' 40" West, 565.30 feet; thence . 43° 27' 05" West, 40.48 feet; thence South 00° 35' 09" West, 170.00 feet; thence North 89° 24' 51" West, 109.00 feet to the beginning of a t curve concave Southeasterly, having a radius of 11.00 feet, a chord bearing of South 45° 35' 09" West, and a chord distance of 15.56 feet; th Southwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the end of the curve; thence le said curve run along a non-tangent line North 89° 24' 51" West, 50.00 feet to the beginning of a non-tangent curve concave Southwesterly, h radius of 11.00 feet, a chord bearing of North 44° 24' 51" West, and a chord distance of 15.56 feet; thence Northwesterly along the arc of sa through a central angle of 90° 00' 00", a distance of 17.28 feet to the point of tangency; thence North 89° 24' 51" West, 220.00 feet to the curvature of a curve to the left, having a radius of 11.00 feet; a chord bearing of South 45° 35' 09" West and a chord distance of 15.56 feet Southwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the end of the curve; thence le said curve along a non-tangent line run North 89° 24' 51" West, 50.00 feet to the beginning of a non-tangent curve concave Southwesterly, h radius of 11.00 feet, a chord bearing of North 44° 24' 51" West, and a chord distance of 15.56 feet; thence Northwesterly along the arc of sa through a central angle of 90° 00' 00", a distance of 17.28 feet to the point of tangency; thence North 89° 24' 51" West, 110.00 feet; thence 00° 35' 09" West, 480.00 feet; thence North 89° 24' 51" West, 57.00 feet; thence South 00° 35' 09" West, 170.00 feet; thence South 60° 08' 3; 48.74 feet; thence South 21° 24' 43" West, 150.00 feet; thence South 21° 24' 43" West, 300.00 feet; thence North 68° 35' 17" West, 120.00 ; thence South 21° 24' 43" West, 14.96 feet; thence North 68° 35' 17" West, 50.00 feet to the beginning of a non-tangent curve concave South having a radius of 11.00 feet, a chord bearing of North 23° 35' 17" West, and a chord distance of 15.56 feet; thence Northwesterly along the said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the point of tangency; thence North 68° 35' 17" West, 48.14 fe point of curvature of a curve to the left, having a radius of 75.00 feet, a chord bearing of North 79° 00' 04" West, and a chord distance of . feet; thence Westerly along the arc of said curve through a central angle of 20° 49' 34", a distance of 27.26 feet to the point of tangency; t North 89° 24' 51" West, 6.03 feet; thence North 00° 36' 59" East, 80.45 feet; thence North 21° 24' 42" East, 95.81 feet; thence North 89° 24 West, 573.08 feet; thence North 00° 35' 09" East, 722.63 feet; thence South 89° 24' 51" East, 650.00 feet; thence North 00° 35' 09" East, 1. feet; thence South 89° 24' 51" East, 104.25 feet; thence North 00° 35' 09" East, 658.44 feet; thence South 89° 24' 51" East, 110.00 feet; th North 00° 35' 09" East, 50.00 feet; thence South 89° 24' 51" East, 31.10 feet; thence North 00° 35' 09" East, 158.53 feet to the Point of Be

Said parcel contains 36.461 acres, more or less.

(See Exhibit A, Eagletail Landing – Phase 2 Plat attached)

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 26th day of February 2024.

Mayor

ATTEST:

City Clerk

EAGLETAIL LANDING - PHASE 2

A PORTION OF TRACTS FD-2, FD-3 AND FD-4, EAGLETAIL LANDING PHASE 1, AS RECORDED IN PLAT BOOK 79, PAGES 79 THROUGH 98, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING WITHIN SECTIONS 18 AND 19 TOWNSHIP 20 SOUTH, RANGE 25 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A portion of Tracts FD-2, FD-3 and FD-4, the plat of Eagletail Landing Phase 1, as recorded in Plat Book 79, Pages 79 through 98, of the Public Records of Lake County, Florida. Said lands lying in the Southeast quarter of Section 18, and the Northeast quarter of Section 19, in township 20 South, Range 25 East, Lake County, Florida, and being more particularly described as follows:

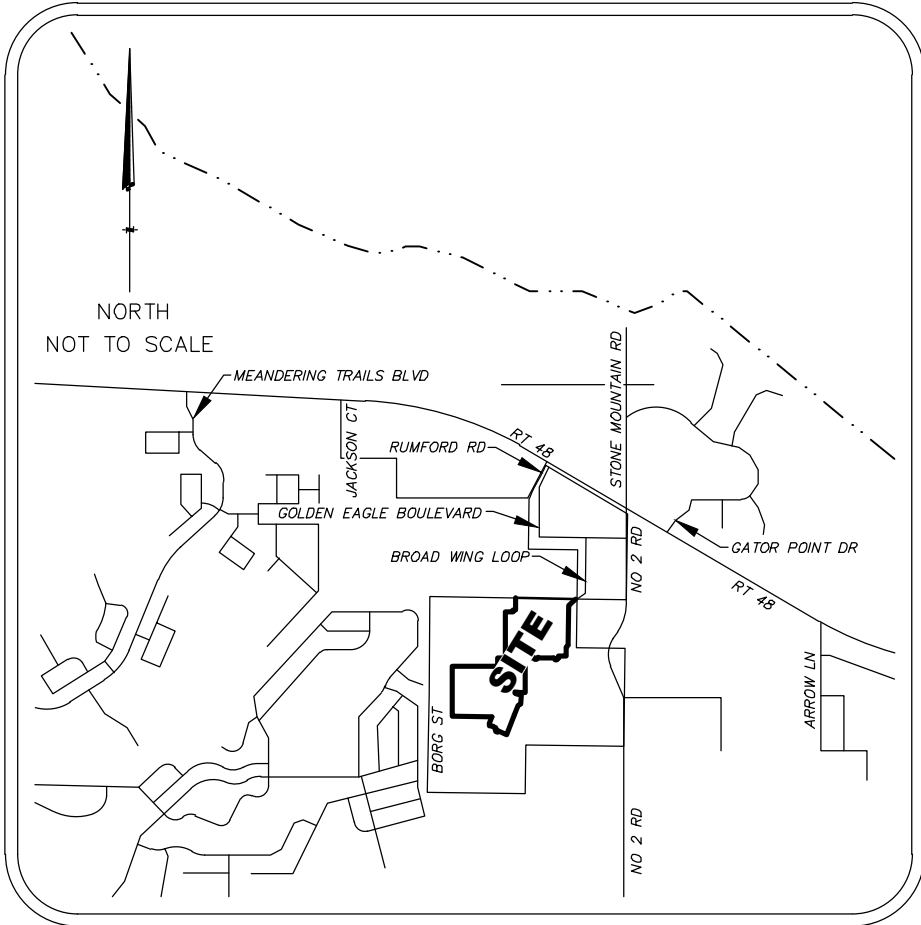
Start at the Northwest corner of aforesaid Tract FD-2 for a Point of Beginning; thence along the boundary of Tract FD-2 the following courses: thence South 89° 11' 17" East, 863.24 feet; thence South 45° 49' 11" West, 140.01 feet; thence South 00° 49' 40" West, 565.30 feet; thence South 43° 27' 05" West, 40.48 feet; thence South 00° 35' 09" West, 170.00 feet; thence North 89° 24' 51" West, 109.00 fee to the beginning of a tangent curve concave Southeasterly, having a radius of 11.00 feet; a chord bearing of South 45° 35' 09" West, and a chord distance of 15.56 feet; thence Southwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the end of the curve; thence leaving said curve run along a non-tangent line North 89° 24' 51" West, 50.00 feet to the beginning of a non-tangent curve concave Southwesterly, having a radius of 11.00 feet, a chord bearing of North 44° 24' 51" West, and a chord distance of 15.56 feet; thence Northwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the point of tangency; thence North 89° 24' 51" West, 220.00 feet to the point of curvature of a curve to the left, having a radius of 11.00 feet; a chord bearing of South 45° 35' 09" West and a chord distance of 15.56 feet; thence Southwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the end of the curve; thence leaving said curve along a non-tangent line run North 89° 24' 51" West, 50.00 feet to the beginning of a non-tangent curve concave Southwesterly, having a radius of 11.00 feet, a chord bearing of North 44° 24' 51" West, and a chord distance of 15.56 feet; thence Northwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the point of tangency; thence North 89° 24' 51" West, 110.00 feet; thence South 00° 35' 09" West, 480.00 feet; thence North 89° 24' 51" West, 57.00 feet; thence South 00° 35' 09" West, 170.00 feet; thence South 60° 08' 32" West, 48.74 feet; thence South 21° 24' 43" West, 150.00 feet; thence South 21° 24' 43" West, 300.00 feet; thence North 68° 35' 17" West, 120.00 feet; thence South 21° 24' 43" West, 14.96 feet; thence North 68° 35' 17" West, 50.00 feet to the beginning of a non-tangent curve concave Southwesterly, having a radius of 11.00 feet, a chord bearing of North 23° 35' 17" West, and a chord distance of 15.56 feet; thence Northwesterly along the arc of said curve through a central angle of 90° 00' 00", a distance of 17.28 feet to the point of tangency; thence North 68° 35' 17" West, 48.14 feet to the point of curvature of a curve to the left, having a radius of 75.00 feet, a chord bearing of North 79° 00' 04" West, and a chord distance of 27.11 feet; thence Westery along the arc of said curve through a central angle of 20° 49' 34", a distance of 27.26 feet to the point of tangency; thence North 89° 24' 51" West, 6.03 feet; thence North 00° 36' 59" East, 80.45 feet; thence North 21° 24' 42" East, 95.81 feet; thence North 89° 24' 51" West, 573.08 feet; thence North 00° 35' 09" East, 722.63 feet; thence South 89° 24' 51" East, 650.00 feet; thence North 00° 35' 09" East, 120.00 feet; thence South 89° 24' 51" East, 104.25 feet; thence North 00° 35' 09" East, 658.44 feet; thence South 89° 24' 51" East, 110.00 feet; thence North 00° 35' 09" East, 50.00 feet; thence South 89° 24' 51" East, 31.10 feet; thence North 00° 35' 09" East, 158.53 feet to the Point of Beginning.

Said parcel contains 36.461 acres, more or less.

NOTES:

- Bearings shown hereon are based on the North line of the South Half of Southeast Quarter of Section 18, Township 20 South, Range 25 East being South 89° 11' 17" East.
- All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. in the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages.
- The property depicted hereon is subject to that certain Declaration of Covenants, Conditions and Restrictions for Eagletail Landings and any amendments and/or supplements thereto, as recorded in the Public Records of Lake County, Florida (the "Declaration"). Common areas, as defined in the Declaration, are to be owned and maintained by the Eagletail Landings Homeowners Association, Inc., a Florida not-for-profit corporation (the "Association") as prescribed in the Declaration.
- All lines intersecting curves are radial unless otherwise noted.
- All Private Drainage Easements are hereby dedicated to the Association and it successors and assigns and the Lake Harris Community Development District ("CDD") its successors and assigns on a non-exclusive, perpetual basis to access, install, construct, acquire, operate, maintain, repair and replace stormwater improvements (including but not limited to all curbs, gutters, drains and catch basins). No construction, grading, or alteration within the private drainage easements is permitted without the prior approval of Lake County, Florida. Said easement lands shall be unobstructed by the lot or tract owner, which easement lands shall be operated and maintained by the CDD.
- Tract S-5 is a Storm Water Tract and shall be owned and maintained by Lake Harris Community Development District.
- Tracts P-3, P-4 and P-5 are Park Tracts and shall be owned and maintained by the Association.
- Tract L-3 is a Lift Station Tract and is to be owned and maintained by the City of Leesburg and will be conveyed by separate instrument.
- Tract LS-4 is a Landscape and Open Space Tract and shall be owned and maintained by the Association and its successors and assigns.

VICINITY MAP



LEGEND AND ABBREVIATIONS

- = SET 4"x 4" CM PRM LB 7388
- = PRM-SET NAIL/DISK PCP LB 7388
- ⦿ = PCP-SET NAIL/DISK PCP LB 7388
- PRM = PERMANENT REFERENCE MONUMENT
- (NR) = NON-RADIAL LINE
- (RAD) = RADIAL LINE
- M.B. = MAP BOOK
- O.R. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- ☉ = CENTERLINE
- N.T. = NON-TANGENT
- P.T. = POINT OF TANGENCY
- P.C. = POINT OF CURVATURE
- P.I. = POINT OF INTERSECTION
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.R.C. = POINT OF REVERSE CURVATURE
- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- R.P. = RADIUS POINT
- CM = CONCRETE MONUMENT
- LB = LICENSED BUSINESS
- R = RADIUS
- A = ARC LENGTH
- Δ = CENTRAL ANGLE
- CHB = CHORD BEARING
- CHD = CHORD DISTANCE
- LB = LICENSED BUSINESS
- PG = PAGE
- R/W = RIGHT OF WAY
- U.E. = UTILITY EASEMENT
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- (OA) = OVERALL DISTANCE

PLAT BOOK _____ PAGE _____

SHEET 1 OF 6

DEDICATION
EAGLETAIL LANDING - PHASE 2

KNOW BY ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING THE OWNERS IN FEE SIMPLE OF THE LANDS DESCRIBED IN THE FOREGOING CAPTION TO THIS PLAT, DOES HEREBY DEDICATE THE FOLLOWING FOR THE PURPOSES THEREON EXPRESSED, SUBJECT TO THE GENERAL NOTES CONTAINED HEREIN.

- TO THE EAGLETAIL LANDING PROPERTY OWNERS ASSOCIATION, INC. A FLORIDA CORPORATION NOT-FOR-PROFIT: COMMON AREAS WHICH INCLUDE TRACTS LS-4, P-3, P-4 AND P-5.
- TO THE CDD: LAKE HARRIS COMMUNITY DEVELOPMENT DISTRICT TRACT S-5, STORM WATER.
- TO THE CITY OF LEESBURG, FLORIDA: TRACT L-3 AND ALL ROADWAYS.
- TO THE PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES AND THE CITY OF LEESBURG: ALL UTILITY EASEMENTS ARE HEREBY GRANTED OVER, ACROSS AND UPON THE ROADWAYS AND THOSE AREAS DESIGNATED AS UTILITY EASEMENTS SHOWN HEREIN.

EXCEPT AS NOTED ABOVE, NO PART OF THE LANDS DESCRIBED HEREIN IS DEDICATED TO THE CITY OF LEESBURG OR THE GENERAL PUBLIC.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNER HAS EXECUTED THIS DEDICATION IN THE MANNER PROVIDED BY LAW ON

SIGNED, SEALED AND DELIVERED IN OUR PRESENCE AS WITNESSES:

WITNESSES: OWNER:

STATE OF _____ COUNTY OF _____

THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2023, BY _____ AND

_____ AS _____ AND _____

RESPECTIVELY, OF THE ABOVE CORPORATION WHO ARE

PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____

_____ AS IDENTIFICATION AND DID (DID NOT) TAKE AN OATH.

SIGNATURE OF ACKNOWLEDGER _____

PRINTED NAME OF ACKNOWLEDGER _____

TITLE

MY COMMISSION EXPIRES:

REVIEWER STATEMENT

PURSUANT TO SECTION 177.081, FLORIDA STATUTES, I HAVE REVIEWED THIS PLAT FOR CONFORMITY TO CHAPTER 177, FLORIDA STATUTES, AND FIND THAT SAID PLAT COMPLIES WITH THE TECHNICAL REQUIREMENTS OF THAT CHAPTER; PROVIDED, HOWEVER, THAT MY REVIEW DOES NOT INCLUDE FIELD VERIFICATION OF ANY OF THE COORDINATES, POINTS OR MEASUREMENTS SHOWN ON THIS PLAT.

PRINT NAME _____

SIGN NAME _____

REGISTRATION # _____ DATE _____

ENGINEERING DEPARTMENT, CITY OF LEESBURG, LEESBURG, FLORIDA

CERTIFICATE SURVEYOR

KNOWN ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A REGISTERED SURVEYOR AND MAPPER, FULLY LICENSED TO PRACTICE IN THE STATE OF FLORIDA, DOES HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER HIS DIRECTION AND SUPERVISION, AND THAT THIS PLAT COMPILES WITH ALL THE REQUIREMENTS OF SECTION 177, FLORIDA STATUTES.

COLLIERS ENGINEERING & DESIGN D.B.A. MASER CONSULTING - 1101 NORTH LAKE DESTINY ROAD, SUITE 415, MAITLAND, FL 32751
LICENSED BUSINESS NO. 7388

_____ DATED _____

BRIAN K HEFNER, P.S.M. REGISTRATION NO. _____

CERTIFICATE OF APPROVAL OF MUNICIPALITY

THIS IS TO CERTIFY, THAT THIS PLAT WAS PRESENTED TO THE CITY COMMISSION OF LEESBURG, LAKE COUNTY, FLORIDA AND APPROVED BY SAID CITY COMMISSION OF LEESBURG FOR RECORD, AND DEDICATION OF THE ROADWAYS AND THE UTILITY AND INGRESS/EGRESS EASEMENTS STATED ABOVE ARE ACCEPTED FOR MUNICIPAL PURPOSES OF SAID CITY ON ____ DAY OF ____ 2023 PROVIDED THAT THIS PLAT IS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LAKE COUNTY, FLORIDA WITHIN 90 DAYS FROM THE DATE OF APPROVAL BY SAID CITY COMMISSION CITY OF LEESBURG, FLORIDA.

ATTEST

CITY CLERK

MAYOR/COMMISSIONER



Engineering
& Design

www.colliersengineering.com

Doing Business as MASER

ORLANDO

1101 North Lake Destiny Road,

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TABLE OF CONTENTS

SHEET 1 COVER
SHEET 2 OVERALL BOUNDARY
SHEETS 3-6 DETAIL SHEETS

"NOTICE": THIS PLAT AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL, IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CURVE DATA

SEGMENT	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C1	100.00'	78.27'	44° 50' 39"	N 68° 09' 49" E	76.29'
C3	75.00'	58.70'	44° 50' 39"	S 68° 09' 49" W	57.21'
C4	125.00'	69.59'	31° 53' 53"	N 61° 41' 26" E	68.70'
C5	25.00'	33.62'	77° 03' 14"	N 39° 06' 46" E	31.14'
C6	11.00'	17.28'	90° 00' 00"	N 44° 24' 51" W	15.56'

EAGLETAIL LANDING - PHASE 2

A PORTION OF TRACTS FD-2, FD-3 AND FD-4, EAGLETAIL LANDING PHASE 1, AS RECORDED IN PLAT BOOK 79, PAGES 79 THROUGH 98, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING WITHIN SECTIONS 18 AND 19 TOWNSHIP 20 SOUTH, RANGE 25 EAST, CITY OF LEESBURG, LAKE COUNTY, FLORIDA

CURVE DATA

SEGMENT	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C7	11.00'	17.28'	90° 00' 00"	S 45° 35' 09" W	15.56'
C8	11.00'	17.28'	90° 00' 00"	N 44° 24' 51" W	15.56'
C9	11.00'	17.28'	90° 00' 00"	S 45° 35' 09" W	15.56'
C10	11.00'	17.28'	90° 00' 00"	S 44° 24' 51" E	15.56'

NOT PLATTED



MATCHLINE-SEE SHEET 4

Engineering
& Designwww.colliersengineering.com
Doing Business as MASERORLANDO
1101 North Lake Destiny Road,
Suite 415
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Phone: 321.441.9405

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SHEET 4 OF 6

PLAT BOOK

PAGE

MATCHLINE-SEE SHEET 3



CURVE DATA

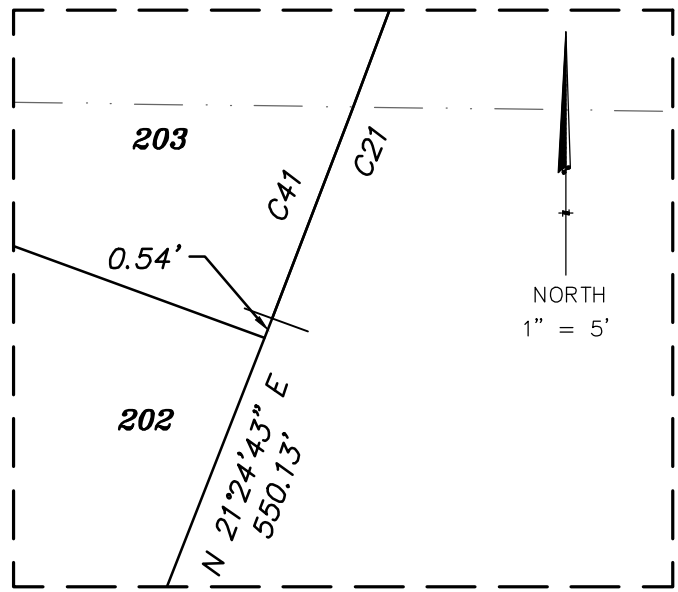
SEGMENT	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C2	500.00'	181.74'	20° 49' 34"	N 10° 59' 56" E	180.74'
C11	11.00'	17.28'	90° 00' 00"	S 45° 35' 09" W	15.56'
C12	11.00'	17.28'	90° 00' 00"	S 44° 24' 51" E	15.56'
C13	11.00'	17.28'	90° 00' 00"	N 45° 35' 09" E	15.56'
C14	11.00'	17.28'	90° 00' 00"	S 44° 24' 51" E	15.56'
C15	11.00'	17.28'	90° 00' 00"	N 45° 35' 09" E	15.56'
C16	11.00'	17.28'	90° 00' 00"	S 44° 24' 51" E	15.56'
C17	11.00'	17.28'	90° 00' 00"	N 44° 24' 51" W	15.56'
C18	11.00'	17.28'	90° 00' 00"	S 45° 35' 09" W	15.56'
C19	50.00'	78.54'	90° 00' 00"	S 44° 24' 51" E	70.71'
C20	525.00'	143.04'	15° 36' 37"	S 8° 23' 27" W	142.59'
C21	475.00'	172.65'	20° 49' 34"	N 10° 59' 56" E	171.71'
C22	25.00'	36.99'	84° 47' 03"	S 26° 11' 46" E	33.71'
C23	25.00'	39.27'	90° 00' 00"	S 66° 24' 43" W	35.36'
C26	355.00'	129.04'	20° 49' 34"	N 10° 59' 56" E	128.33'
C29	525.00'	1.52'	0° 09' 58"	S 0° 40' 08" W	1.52'
C30	525.00'	40.04'	4° 22' 12"	S 2° 56' 13" W	40.03'
C31	525.00'	40.29'	4° 23' 48"	S 7° 19' 14" W	40.28'
C32	525.00'	40.78'	4° 27' 02"	S 11° 44' 39" W	40.77'
C33	525.00'	20.40'	2° 13' 35"	S 15° 04' 58" W	20.40'

CURVE DATA

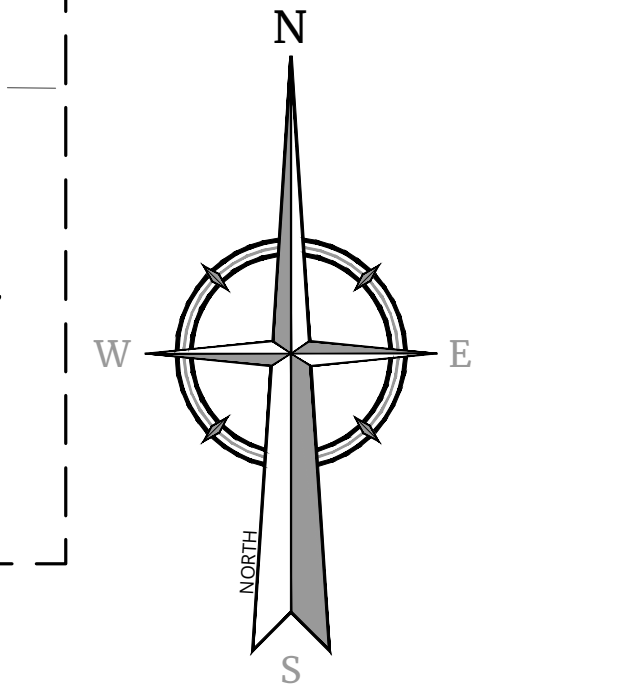
SEGMENT	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C34	75.00'	27.26'	20° 49' 34"	S 79° 00' 04" E	27.11'
C36	100.00'	36.35'	20° 49' 34"	S 79° 00' 04" E	36.15'
C37	125.00'	45.44'	20° 49' 34"	N 79° 00' 04" W	45.19'
C38	475.00'	23.48'	2° 49' 56"	N 2° 00' 07" E	23.48'
C39	475.00'	50.98'	6° 09' 00"	N 6° 29' 35" E	50.96'
C40	475.00'	50.99'	6° 09' 00"	N 12° 38' 35" E	50.96'
C41	475.00'	47.20'	5° 41' 38"	N 18° 33' 54" E	47.18'
C42	355.00'	17.55'	2° 49' 56"	N 2° 00' 07" E	17.55'
C43	355.00'	38.10'	6° 09' 00"	N 6° 29' 35" E	38.09'
C44	355.00'	38.11'	6° 09' 00"	N 12° 38' 35" E	38.09'
C45	355.00'	35.28'	5° 41' 38"	N 18° 33' 54" E	35.26'

SOUTH LINE, SE 1/4
SECTION 18-20-25

TRACT FD-4
FUTURE DEVELOPMENT
PB 79, PG 79-98



DETAIL "B"



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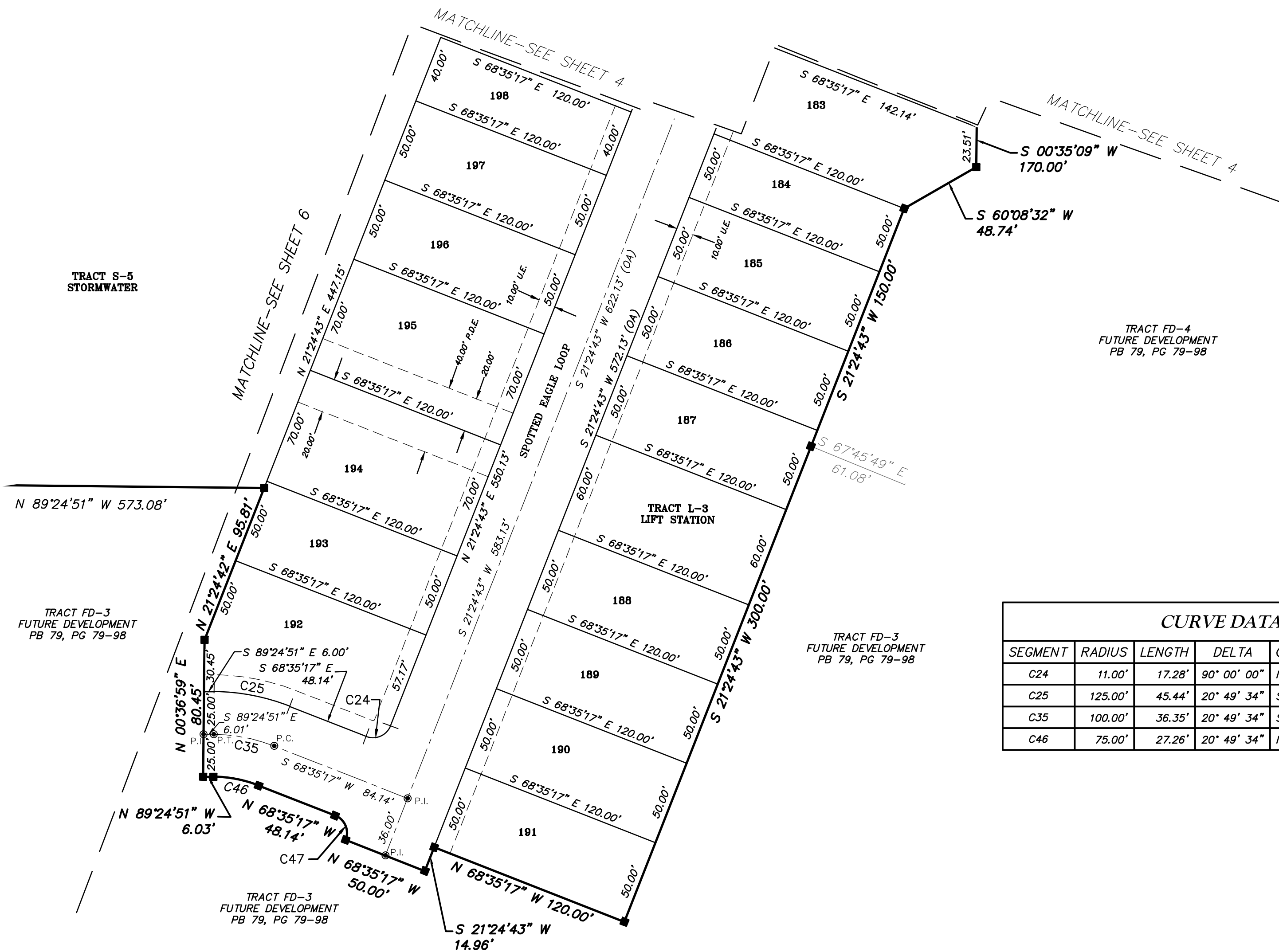
EAGLETAIL LANDING - PHASE 2

SHEET 5 OF 6

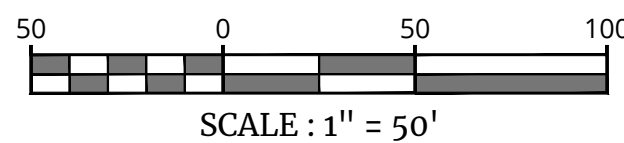
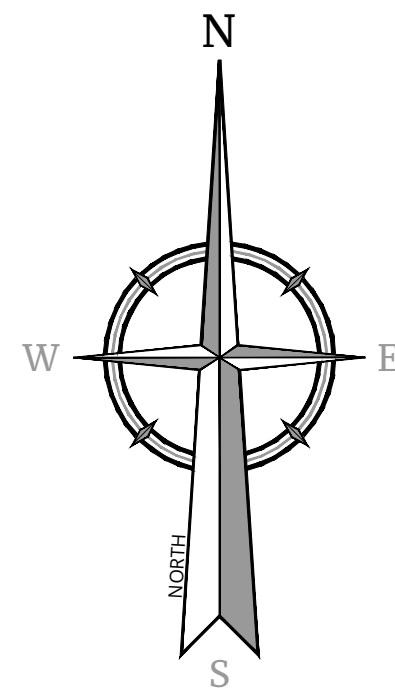
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PLAT BOOK

PAGE



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SEGMENT	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C24	11.00'	17.28'	90° 00' 00"	N 66° 24' 43" E	15.56'
C25	125.00'	45.44'	20° 49' 34"	S 79° 00' 04" E	45.19'
C35	100.00'	36.35'	20° 49' 34"	S 79° 00' 04" E	36.15'
C46	75.00'	27.26'	20° 49' 34"	N 79° 00' 04" W	27.11'



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EAGLETAIL LANDING - PHASE 2

SHEET 6 OF 6

PLAT BOOK

PAGE

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TRACT FD-3
FUTURE DEVELOPMENT
PB 79, PG 79-98

N 00°35'09" E 120.00'

TRACT P-4
AMENITY CENTER

S 89°24'51" E 650.00'

CURVE DATA					
SEGMENT	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
C19	50.00'	78.54'	90° 00' 00"	S 44° 24' 51" E	70.71'
C26	355.00'	129.04'	20° 49' 34"	N 10° 59' 56" E	128.33'

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TRACT FD-3
FUTURE DEVELOPMENT
PB 79, PG 79-98

N 00°35'09" E 722.63'

SOUTH LINE, SE 1/4
SECTION 18-20-25

TRACT S-5
STORMWATER

N 21°24'43" E 447.15'

MATCHLINE-SEE SHEET 4

N 21°24'43" E 447.15'

MATCHLINE-SEE SHEET 5

N 21°24'43" E 447.15'

MATCHLINE-SEE SHEET 5

N 21°24'42" E 95.81'

N 89°24'51" W 573.08'

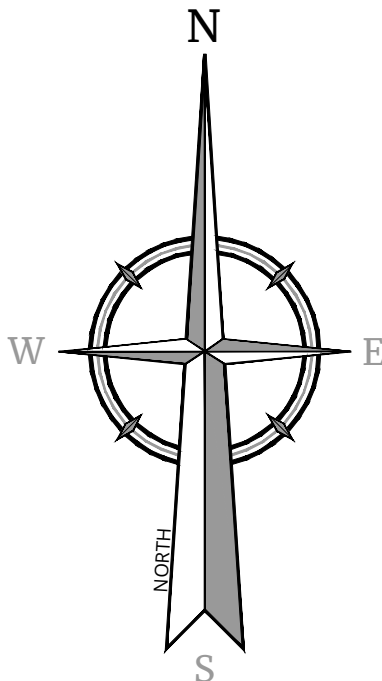
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50 0 50 100
SCALE : 1" = 50'

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: February 26, 2024

From: Andi Purvis, (City Clerk)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Villages VEC, LLC, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Utility Easement from Villages VEC, LLC, for the property described therein.

Analysis:

Villages VEC, LLC is granting a Utility Easement to the City of Leesburg, Florida for the purpose of construction, installation, repair, maintenance, replacement, and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, and electricity.

Procurement Analysis:

N/A

Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA, ACCEPTING A UTILITY EASEMENT TO THE CITY OF
LEESBURG FROM VILLAGES VEC, LLC, FOR THE PURPOSE OF
GRANTING THE CITY AN EASEMENT OVER THE PROPERTY DESCRIBED
THEREIN; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT the Utility Easement granted to the City of Leesburg by Villages VEC, LLC for the purpose of granting the City a Utility Easement over, under, upon, across, through, and within the real property described in the document, is hereby accepted.

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 26th day of February 2024.

Mayor

ATTEST:

City Clerk

Prepared by/return to:
Jennifer M. Cotch, Esq.
Stone & Gerken, P.A.
4850 N. Highway 19A
Mount Dora, Florida 32757

UTILITY EASEMENT

THIS PERMANENT UTILITY EASEMENT ("**Easement**") is hereby granted by **VILLAGES VEC, LLC**, a Florida limited liability company, whose mailing address is 33040 Professional Drive, Leesburg, Florida 34788 ("**GRANTOR**,"), to **THE CITY OF LEESBURG, FLORIDA**, whose mailing address is P.O. Box 490630, Leesburg, Florida 34749-0630, and its successors and assigns ("**GRANTEE**");

WITNESSETH:

THAT **GRANTOR**, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto **GRANTEE**, its successors and assigns forever, a perpetual non-exclusive easement for the construction, installation, alteration, operation, repair, maintenance, and replacement of utility improvements, including but not limited to water, wastewater, reclaimed water lines, natural gas and electricity and related facilities (the "**Facilities**"), under, upon, across, through and within the following described lands in Lake County, Florida, and referred to hereinafter as the "**Easement Area**" to wit:

SEE THE SKETCH OF DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

The easement rights specifically include: (a) the right of perpetual ingress and egress to patrol, inspect, alter, improve, construct, repair, maintain, rebuild, relocate, remove and provide access and service to the Facilities; (b) the right to decrease or increase, or to change the quantity and type of, the Facilities; (c) the right to clear the Easement Area of trees, limbs, undergrowth, and other physical objects (regardless of the location of such trees, limbs, undergrowth and other objects) which, in the opinion of Grantee, endanger or interfere with the safe and efficient installation, operation, or maintenance of the Facilities; and (e) all other rights and privileges reasonably necessary or convenient for the safe and efficient installation, operation, and maintenance of the facilities and for the enjoyment and use of such Easement for the purposes described above. Such easement rights shall include any temporary construction easement over and across such property as is necessary to the proper use and enjoyment of any right granted herein.

GRANTOR shall not erect, construct, or create any buildings, structures, or obstacles within the Easement Area that interfere with **GRANTEE'S** rights as described herein or install any landscaping with root systems that may damage the Facilities; however, **GRANTOR** may use the surface of the Easement Area in any manner that does not interfere with the rights granted to **GRANTEE** herein, which shall specifically include usage as and for roadways, parking areas, sidewalks, curbs, and sodding. **GRANTEE** will repair and/or replace any roadways, parking areas, sidewalks, curbs, and sodding in the Easement Area that is damaged in connection with any maintenance or repairs made by **GRANTEE** to the Facilities. **GRANTOR** reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to **GRANTEE** herein. Failure to exercise the rights herein granted to **GRANTEE** shall not constitute a waiver or abandonment.

GRANTOR warrants and covenants that **GRANTOR** is lawfully seized and in possession of the real property underlying the Easement Area, as specifically described and depicted in Exhibit "A" attached hereto, and has the right to convey this Easement, and that **GRANTEE**, its successors, successors-in-title and assignees shall have quiet and peaceful possession, use, and enjoyment of this Easement. The rights,

privileges, and burden of the Easement granted herein shall be a covenant running with the land and the rights and duties shall descend to the parties' successors and assigns. **GRANTEE** shall include **GRANTEE'S** agents, contractors, subcontractors, licensees, franchisees, employees, and other parties associated with Grantee in furtherance of the purposes herein set forth.

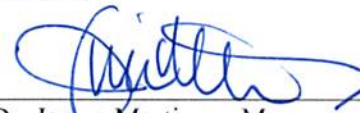
IN WITNESS WHEREOF, this Easement has been executed by **GRANTOR** on the day and year first above written.

WITNESSES:

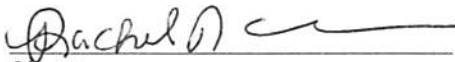
GRANTOR:

VILLAGES VEC, LLC, a Florida limited liability company


Signature

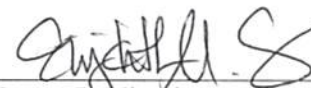

Dr. James Martin, as Manager

Printed Name
D. Paul Williams
Address
855 Pine Hill Blvd, Geneva, AL 37032


Signature
Rachel Crowe
Printed Name
33040 Professional Drive
Address Leesbury FL 34788

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 7 day of February, 2024, by James Martin, as Manager of Villages VEC, LLC, a Florida limited liability company, who is ☒ personally known to me or ☐ who produced the following identification:


Notary Public Signature
Elizabeth N. Swope
Notary Public Name

My Commission Number: HH091565
My Expiration Date: 2/10/25

(seal)



Elizabeth N. Swope
Notary Public
State of Florida
Comm# HH091565
Expires 2/10/2025

{Additional Signature Pages to Follow}

WITNESSES:

GRANTOR:

VILLAGES VEC, LLC, a Florida limited liability company

[Signature]
Signature
James Martin
Printed Name
16369 W Colonial Dr
Address
Oakland FL 34787

[Signature]
Dr. D. Paul Williams, as Manager

[Signature]
Signature
Rachel Crowe
Printed Name
33240 Professional Drive
Address
Leesburg FL 34788

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 30 day of January, 2024, by D. Paul Williams, as Manager of Villages VEC, LLC, a Florida limited liability company, who is ☒ personally known to me or ☐ who produced the following identification:

[Signature]
Notary Public Signature
Elizabeth N. Swope
Notary Public Name

My Commission Number: HH091565
My Expiration Date: 2/10/25

(seal)



Elizabeth N. Swope
Notary Public
State of Florida
Comm# HH091565
Expires 2/10/2025

{Additional Signature Pages to Follow}

WITNESSES:

GRANTOR:

VILLAGES VEC, LLC, a Florida limited liability company

[Signature]
Signature
D. Paul Williams
Printed Name
355 Pine Hill Dr. Oviedo, FL 32
Address

[Signature]
Dr. Richard Marrinson, as Manager

[Signature]
Signature
Robert B. Sindler
Printed Name
6644 Swain Road Sorrento FL 32776
Address

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 7 day of February, 2024, by Richard Marrinson, as Manager of Villages VEC, LLC, a Florida limited liability company, who is ☒ personally known to me or ☐ who produced the following identification:

[Signature]
Notary Public Signature
Elizabeth N. Swope
Notary Public Name

My Commission Number: HH091565
My Expiration Date: 2/10/25

(seal)



Elizabeth N. Swope
Notary Public
State of Florida
Comm# HH091565
Expires 2/10/2025

{Additional Signature Pages to Follow}

WITNESSES:

GRANTOR:

VILLAGES VEC, LLC, a Florida limited liability company



Signature

Natalie Whitley

Printed Name

1909 Maguire Rd. Windermere, FL 34786

Address



Dr. Douglas Pearce, as Manager



Signature

Mary Pearce

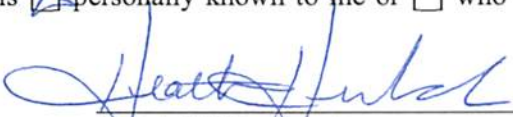
Printed Name

445 Westover Roberts Rd

Address

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 1st day of February, 2024, by Douglas Pearce, as Manager of Villages VEC, LLC, a Florida limited liability company, who is ☒ personally known to me or ☐ who produced the following identification:



Notary Public Signature

Heather Hurlock

Notary Public Name

My Commission Number: 336004

My Expiration Date: March 28, 2027

(seal)



{Additional Signature Page to Follow}

WITNESSES:

GRANTOR:

VILLAGES VEC, LLC, a Florida limited liability company

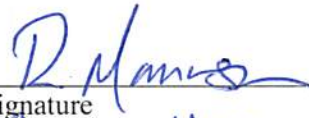

Signature

B. P. Williams

Printed Name

888 Pine Hill Blvd, Gaines, FL

Address


Signature

RICHARD HARRISON

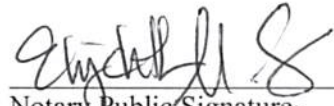
Printed Name

115 SLATE DR, LONGWOOD, FL 3275

Address

STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 7 day of February, 2024, by Robert Sindler, as Manager of Villages VEC, LLC, a Florida limited liability company, who is ☒ personally known to me or ☐ who produced the following identification:


Notary Public Signature
Elizabeth N. Swope
Notary Public Name

My Commission Number: HH091565
My Expiration Date: 2/10/25

(seal)



Elizabeth N. Swope
Notary Public
State of Florida
Comm# HH091565
Expires 2/10/2025

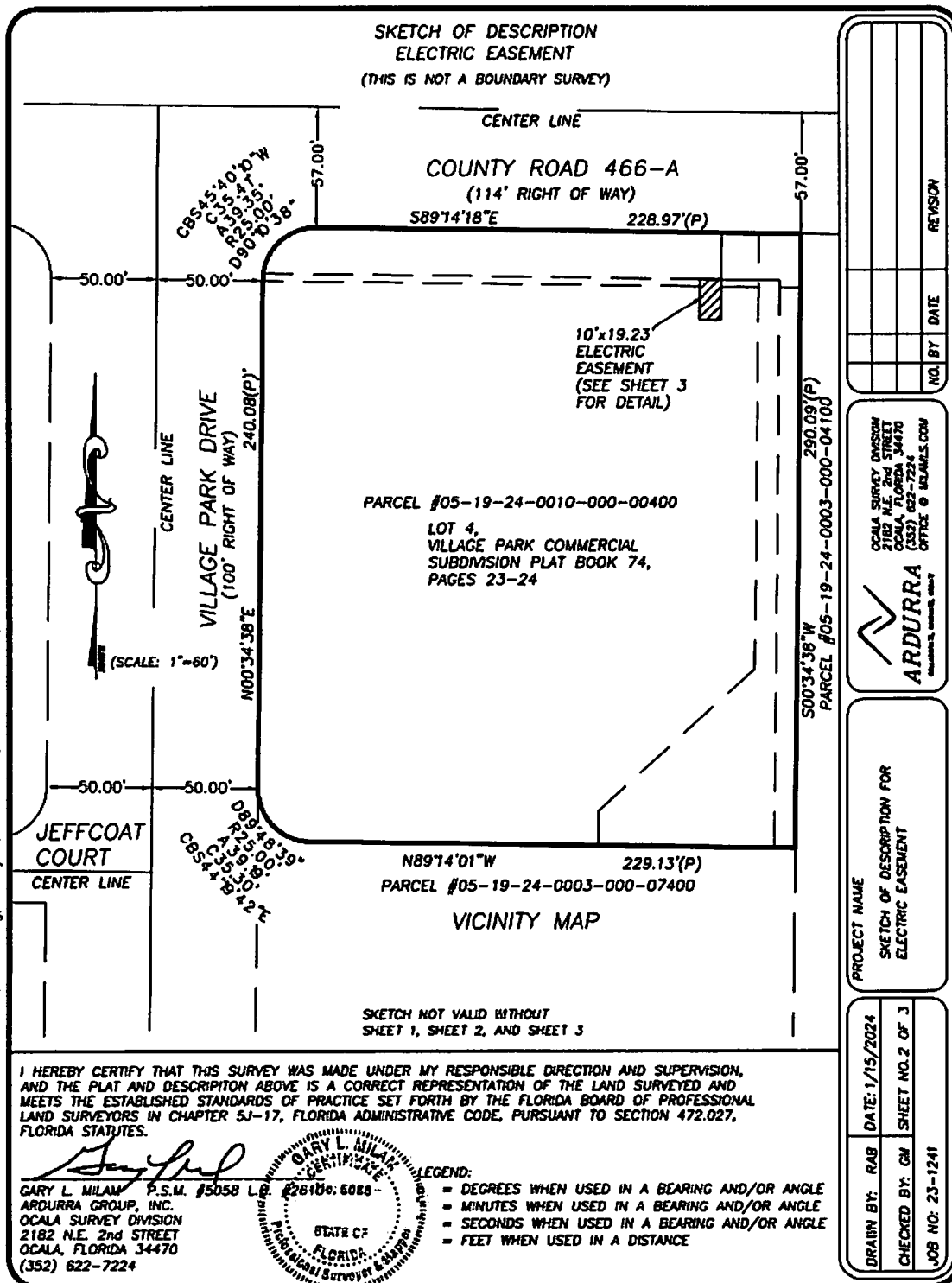
EXHIBIT "A"

DESCRIPTION FOR ELECTRIC EASEMENT:

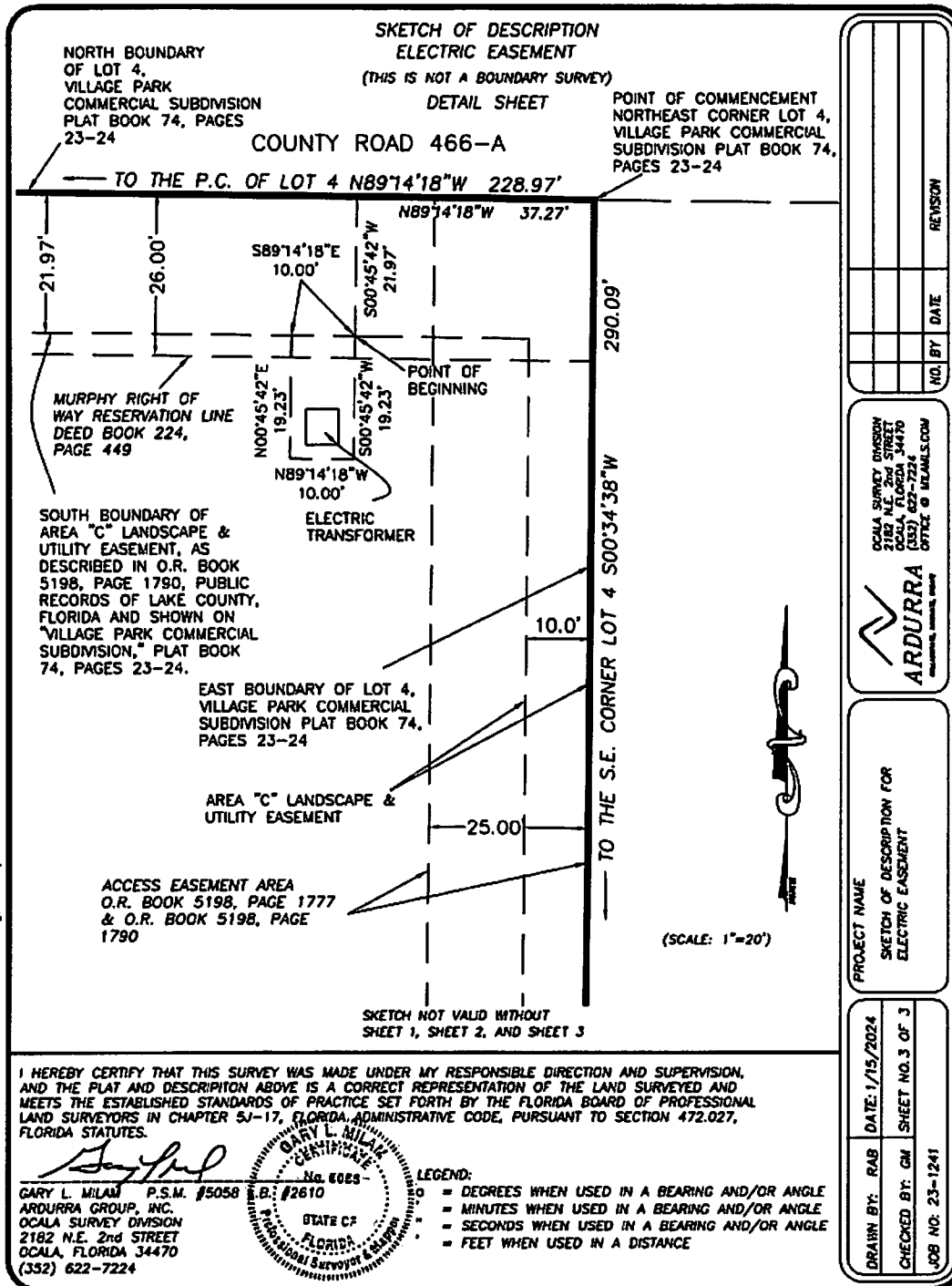
A PORTION OF LOT 4, VILLAGE PARK COMMERCIAL SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "74", PAGES 23 & 24, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE RUN N.89°14'18"W. ALONG THE NORTH BOUNDARY OF SAID LOT 4, 37.27 FEET; THENCE RUN S.00°45'42"W., 21.97 FEET TO A POINT OF THE SOUTH BOUNDARY LINE OF AREA "C" LANDSCAPE AND UTILITY EASEMENT AS DESCRIBED IN O.R. BOOK 5198, PAGE 1790, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE S.00°45'42"W., 19.23 FEET; THENCE RUN N.89°14'18"W., 10.00 FEET; THENCE RUN N.00°45'42"E., 19.23 FEET TO THE SOUTH BOUNDARY LINE OF SAID "AREA C LANDSCAPE AND UTILITY EASEMENT"; THENCE RUN S.89°14'18"E., ALONG SAID SOUTH BOUNDARY LINE, 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 192.00 SQUARE FEET MORE OR LESS.

Z:\Jobs Folders\2023\23-1241 VEC-VILLAGES\DWG\23-1241.dwg, January 18, 2024 4:14 PM, ARDURRA GROUP, Inc.



Z:\Job Folder\2023\23-1241 VEC-VILLAGES\DWG\23-1241.dwg, January 18, 2024 4:14 PM, ARDURRA GROUP, Inc.



City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: February 26, 2024

From: Andi Purvis, (City Clerk)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from HHPIZZA Management, Inc., for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Utility Easement from HHPIZZA Management, Inc., for the property described therein.

Analysis:

HHPIZZA Management, Inc. is granting a Utility Easement to the City of Leesburg, Florida for the purpose of construction, installation, repair, maintenance, replacement, and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, and electricity.

Procurement Analysis:

N/A

Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA, ACCEPTING A UTILITY EASEMENT TO THE CITY OF
LEESBURG FROM HHPIZZA MANAGEMENT, INC., FOR THE PURPOSE OF
GRANTING THE CITY AN EASEMENT OVER THE PROPERTY DESCRIBED
THEREIN; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT the Utility Easement granted to the City of Leesburg by HHPIZZA Management, Inc. for the purpose of granting the City a Utility Easement over, under, upon, across, through, and within the real property described in the document, is hereby accepted.

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 26th day of February 2024.

Mayor

ATTEST:

City Clerk

Prepared by/return to:
Jennifer M. Cotch, Esq.
Stone & Gerken, P.A.
4850 N. Highway 19A
Mount Dora, Florida 32757

UTILITY EASEMENT

THIS PERMANENT UTILITY EASEMENT ("Easement") is hereby granted by **HHPIZZA MANAGEMENT, INC.**, a Florida corporation whose mailing address is 2209 Citrus Boulevard, Leesburg, Florida 34748, ("GRANTOR,"), to **THE CITY OF LEESBURG, FLORIDA**, whose mailing address is P.O. Box 490630, Leesburg, Florida 34749-0630, and its successors and assigns ("GRANTEE");

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto GRANTEE, its successors and assigns forever, a perpetual non-exclusive easement for the construction, installation, alteration, operation, repair, maintenance, and replacement of utility improvements, including but not limited to water, wastewater, reclaimed water lines, natural gas and electricity and related facilities (the "Facilities"), over, under, upon, across, through and within the following described lands in Lake County, Florida, and referred to hereinafter as the "Easement Area" to wit:

As depicted in the sketch of description attached hereto as Exhibit "A" and incorporated herein by this reference.

The easement rights specifically include: (a) the right of perpetual ingress and egress to patrol, inspect, alter, improve, construct, repair, maintain, rebuild, relocate, remove and provide access and service to the Facilities; (b) the right to decrease or increase, or to change the quantity and type of, the Facilities; (c) the right to clear the Easement Area of trees, limbs, undergrowth, and other physical objects (regardless of the location of such trees, limbs, undergrowth and other objects) which, in the opinion of Grantee, endanger or interfere with the safe and efficient installation, operation, or maintenance of the Facilities; and (e) all other rights and privileges reasonably necessary or convenient for the safe and efficient installation, operation, and maintenance of the facilities and for the enjoyment and use of such Easement for the purposes described above. Such easement rights shall include any temporary construction easement over and across such property as is necessary to the proper use and enjoyment of any right granted herein.

GRANTOR shall not erect, construct, or create any buildings, structures, or obstacles within the Easement Area that interfere with GRANTEE'S rights as described herein or install any landscaping with root systems that may damage the Facilities; however, GRANTOR may use the surface of the Easement Area in any manner that does not interfere with the rights granted to GRANTEE herein, which shall specifically include usage as and for roadways, parking areas, sidewalks, curbs, and sodding. GRANTEE will repair and/or replace any roadways, parking areas, sidewalks, curbs, and sodding in the Easement Area that is damaged in connection with any maintenance or repairs made by GRANTEE to the Facilities. GRANTOR reserves the right to grant rights to others affecting said Easement Area provided that such rights do not create an unsafe condition or conflict with the rights granted to GRANTEE herein. Failure to exercise the rights herein granted to GRANTEE shall not constitute a waiver or abandonment.

GRANTOR warrants and covenants that GRANTOR is lawfully seized and in possession of the real property underlying the Easement Area, as specifically described and depicted in Exhibit "A" attached hereto, and has the right to convey this Easement, and that GRANTEE, its successors, successors-in-title and assignees shall have quiet and peaceful possession, use, and enjoyment of this Easement. The rights, privileges, and burden of the Easement granted herein shall be a covenant running with the land and the rights and duties shall descend to the parties' successors and assigns. GRANTEE shall include GRANTEE'S agents, contractors, subcontractors, licensees, franchisees, employees, and other parties associated with Grantee in furtherance of the purposes herein set forth.

IN WITNESS WHEREOF, this Easement has been executed by GRANTOR on the day and year listed below.

WITNESSES:

Julian Lanier
Signature
Julian Lanier
Printed Name

Stephanie Woodling
Signature
Stephanie Woodling
Printed Name

GRANTOR:

HHPizza Management, Inc.,
a Florida corporation

By: Pat Casalaspro
Pat Casalaspro, President

Date: 1/3/2024

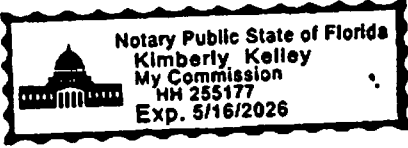
STATE OF FLORIDA
COUNTY OF Lake

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this 3rd day of January, 2023, by Pat Casalaspro, as President of HHPizza Management, Inc. . who is ☒ personally known to me or ☐ who produced the following identification:

Kimberly Kelley
Notary Public Signature
Kimberly Kelley
Notary Public Name

My Commission Number:
My Expiration Date:

(seal)



VICINITY MAP

PRINTING ELECTRONICALLY SIGNED DOCUMENT IN ORDER FOR THIS DOCUMENT TO BE VIEWED CORRECTLY IT MUST BE PRINTED ON AN 8.5"x14" (LEGAL) SIZE PAPER AND WITH NO SCALING, FITTING TO PAGE, OR CLIPBOARD SIZE OPTIONS. PRINTING THIS SHEET NOT TO SCALE IS ONLY FOR VISUAL AND PURPOSES. THE SIGNING SURVEYOR TAKES NO LIABILITY IN INFORMATION OBTAINED FROM ITS USE IN SUCH A MANNER. THE SEAL AND SIGNATURE APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY EUGENE HART, FL152222.

NOTE: Users noted, this search of description files has been prepared without the benefit of a title search or file commitment, and therefore is subject to any dedications, restrictions, assessments and/or other such items of record that a commitment or search may reveal. This is not a warranty and no other disclaimer. This is not a survey unless otherwise noted. To determine setback, requirements, inquiries need to be made by the certified holders to the county or city zoning department. All distances shown, other than lot or boundary distances, are approximate only and should be assumed as such by the certificate holder(s). Structures, topography items and easements shown are in approximate locations; their configurations are also approximate and could vary. Other utilities/items may be present on this parcel, but might not be shown on this map.

[illegible]

LEGEND AND ABBREVIATIONS
 A/C = AIR CONDITIONER
 AN.C. = ANCHOR WIRE
 B/P = BRICK PAYER
 C/L = CENTERLINE
 COL. = COLUMN
 CONC. = CONCRETE
 (D) = DEED DISTANCE OR BEARING
 D.E. = DRAINAGE EASEMENT
 D.U.E. = DRAINAGE & UTILITY EASEMENT
 E.M. = ELECTRIC METER

E.O.P. = EDGE OF PAVEMENT
 ND = FOUND
 FT = FEET
 ID = IDENTIFICATION
 ILLEG. = ILLEGIBLE
 L.B. = LICENSED BUSINESS
 L.S. = LICENSED SURVEYOR
 (M) = MEASURED DISTANCE OR BEARING
 N=NORTH, E=EAST, S=SOUTH, W=WEST

(OR ANY COMBINATION)
O.R.B. = OFFICIAL RECORD
(P) = PLAT DISTANCE
P.B. = PLAT BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF CORRECTION
PROP. = PROPOSED
R/W = RIGHT-OF-WAY

 = MAIL BOX
 = ELECTRIC BOX
 = ASPHALT
 = CONCRETE
 = OVERHEAD
 = EASEMENT
 = CENTERLINE

- 1) BEARINGS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 WITH 10' ADJUSTMENT, AS A REFERENCE FOR THIS SURVEY THE SOUTH LINE OF SUBJECT PARCEL HAS A BEARING OF N89°27'27".
- 2) SURVEY DESCRIPTION FOR SUBJECT PARCEL HAS A BEARING OF N89°27'27".
- 3) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SKETCH OF DESCRIPTION. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDUITS OR FACILITIES THAT MAY AFFECT THE USE OF THE LAND DURING THE PROGRESS OF THIS SKETCH OF DESCRIPTION TO THE SURVEYED AREA.
- 4) NO ELECTRIC LINES WERE MADE DURING THE PROGRESS OF THIS SKETCH OF DESCRIPTION TO LOCATE BURIED UTILITIES/SUBSTRUCTURES, INCLUDING BUT NOT LIMITED TO SEPTIC TANKS, SEWER FORCE MAINS, POTABLE WATER FORCE MAINS, TELEPHONE AND/OR FIBEROPTIC CABLES, ETC. BEFORE EXCAVATIONS ARE BEGUN, THE APPROPRIATE AGENCY SHOULD BE CONTACTED FOR REIFICATION OF UTILITY TYPE AND FIELD LOCATION.
- 5) RECOVERED HISTORICAL MONUMENTATION WAS USED BY THIS SURVEYOR TO ESTABLISH DEED OR PLAT LINES AND CORNERS.
- 6) UNLESS OTHERWISE SHOWN HEREON, NO JURISDICTIONAL WETLAND AREAS OR OTHER PHYSICAL TOPOGRAPHIC FEATURES HAVE NOT BEEN RECTOR INTERFERE OWNERSHIP.
- 7) THIS SKETCH OF DESCRIPTION DOES NOT REFLECT NOR DETERMINE OWNERSHIP.
- 8) FENCES SHOWN HEREON MAY OR MAY NOT MEANDER ALONG PROPERTY LINES SPECIFIC TO THIS SURVEY. AS SHOWN, ALL FENCES ARE SPECIFIC LOCATIONS. THIS SURVEY MAKES NO CLAIMS AS TO THE LOCATION OF ANY OTHER FENCES.
- 9) THIS SKETCH OF DESCRIPTION HAS BEEN PREPARED FOR THE EXCLUSIVE BENEFIT OF THE PARTIES NAMED HEREON, AND SHALL NOT BE DUPLICATED OR RELIED UPON BY ANY OTHER INDIVIDUAL, OR ENTITY WITHOUT AUTHORIZATION FROM SURVEYOR. IF PART 5 IS 222.
- 10) THIS SKETCH OF DESCRIPTION DOES NOT REPRESENT A DETERMINATION OF WHETHER THE LAND WILL OR WILL NOT FLOOD OR BE SUBJECT TO FLOODING.

LEGAL DESCRIPTION:

THE NORTH 50 FT OF THE SOUTH 960 FT OF THE WEST 235 FT OF SW 1/4 OF NW 1/4, S4D SW 1/4 OF THE NW 1/4 BEING ALSO KNOWN AS THE SOUTH 1/2 OF GOVERNMENT LOT 3, IN SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG, FLORIDA, LESS AND EXCEPT THE RIGHT-OF-WAY OF U.S. HIGHWAY 27-441, ALSO KNOWN AS FOURTEENTH STREET.

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS:

CORNERED AT THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 14, T8N, R97W, E10TH STREET, ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HWY 27 (14TH STREET) THENCE SOUTH 6°30'23"W, 40.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HWY 27 (14TH STREET) THENCE SOUTH 8°39'47"E, 40.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HWY 27 (14TH STREET) THENCE SOUTH 0°30'23"W, ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HWY 27 (14TH STREET) A DISTANCE OF 251.60 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING RUN S89°42'E, 150.00 FEET THENCE S0°23'03"W, 40.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SHELFER STREET; THENCE N89°42'E, 50.74 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SHELFER STREET; THENCE N89°42'E, 150.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SHELFER STREET, 195.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE FOREMENTIONED U.S. HWY 27 (14TH STREET) THENCE S0°23'03"W, ALONG SAID EAST RIGHT-OF-WAY LINE 40.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN ELECTRIC EASEMENT 5 FEET ON THE SIDES AND REAR AND 10 FEET ON THE FRONT OF SUBJECT PROPERTY.

SURVEY DATA SOLUTIONS, LLC.

P.O. BOX 1148 ALTOONA, FL., 32702
PHONE (852) 816-4084 LB 8546
CONTACT@SDS.US@GMAIL.COM

SUPERVISOR'S CERTIFICATE

with that the survey represented herein meets the requirements of 47 C.F.R. 1.7, Florida Administrative Code pursuant to Chapter 472.027 of the Florida Statutes. Unless it bears the signature and the original raised seal of a land surveyor and mapmaker the drawing, sketch, plot or map is for information purposes only and is not valid.

3

DATE: 10-11-23
Florida Registration No. 2212

100

Lucy, Mary

442834

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100

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City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: February 26, 2024

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida approving a Downtown Building Redevelopment Grant to CEATEC SURGICAL, LLC, for renovations at 400 W Main Street; and providing an effective date.

Staff Recommendation:

Award grant in the amount of \$250,000.

Analysis:

Dr. Kahn has consulted with his design professionals and modified his downtown building rehabilitation grant application for 400 West Main Street. He now proposes commercial sales downstairs and residential apartment(s) upstairs. This modification makes his application compliant with the grant requirements.

Procurement Analysis:

N/A

Options:

1. Approve Resolution 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 DOWNTOWN BUILDING REDEVELOPMENT
GRANT TO CEATEC SURGICAL, LLC, FOR RENOVATIONS AT 400 W
MAIN STREET; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT the Mayor and City Clerk are hereby authorized to execute a Downtown Leesburg Building Redevelopment Grant with Ceatec Surgical, LLC, whose address is 724 Thornhill Drive, Collegeville, PA 19426, for the amount of \$250,000.00.

THAT the grant is payable upon proper execution of the Grant Agreement and review from the City Manager.

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 26th day of February 2024.

Mayor

ATTEST:

City Clerk

REDEVELOPMENT GRANT AGREEMENT

THIS AGREEMENT is made between the City of Leesburg, Florida (hereinafter referred to as the "City"), and **CEATEC SURGICAL, LLC** of 724 Thornhill Drive, Collegeville, PA 19426 (hereinafter referred to as "Owner").

WITNESSETH:

THAT the City has made available grants to owners of real property within a specifically designated portion of its downtown area, for certain renovations to qualifying structures. Owner has been found to qualify for such a grant and has been awarded funding. The parties have entered into this Agreement to state the terms under which the funding will be disbursed, the purposes for which it may be used, and the conditions Owner must meet in order to receive the funding.

NOW THEREFORE, for and in consideration of the funding to be granted to Owner by the City, and the public benefits the appropriate use of that funding will generate, as well as other good and valuable considerations, the parties hereby agree as set forth below:

1. Owner has been awarded the sum of \$250,000.00 out of the City's Downtown Redevelopment Grant funding pool. Owner accepts the grant subject to the terms of this Agreement, and agrees to observe and abide by all requirements of this Agreement and to fulfill all obligations imposed on Owner by this Agreement.

2. Owner will utilize the grant funding received from the City for the purposes outlined and detailed in Exhibit "1", attached hereto and shall not spend the money for any other purpose without prior, written approval from the City Manager. The City reserve the right reasonably decline reimburse, if the Owner does not complete a project that is multi-use and multi-story as defined by the City.

3. Owner is required to "start work" within thirty-six months (36) from the date of this agreement. Should the Owner fail to commence work within the aforementioned time frame, the City will have the sole discretion to extend or not extend the grant commencement deadline. Should the City not extend the commencement deadline, the Owner will not receive and shall no longer be eligible for the grant funding awarded herein. The definition of "start work" shall mean that the proper Leesburg Building permits have been issued within the timeframe provided in this paragraph.

4. Owner acknowledges that public funds may only be expended for public purposes, and that as a result Owner's use of the grant must necessarily be limited to the purposes listed above, which will generate public benefits by retrofitting buildings within the downtown area to enhance life safety, preserve and improve historic structures, and promote code compliance, usability, and general appearance, thereby improving the ability of Owner and any tenants renting from Owner to draw shoppers and other foot traffic to downtown, which will assist in improving the overall condition and viability of downtown Leesburg. Owner agrees that if it is found to have expended any grant funds on purposes not listed above (without prior written approval as

aforesaid) or for any impermissible purposes, Owner will reimburse the City for all improper expenditures, with interest at the statutory rate beginning on the date of each improper expenditure. Owner will also be disqualified from receiving any funding assistance from the City for a period of five (5) years after the improper expenditures were made, whether from the downtown grant funding pool or any other source whatsoever.

5. Owner certifies that it is vested with fee simple title to the real property described below, and that there are no outstanding code enforcement citations against the property other than any which Owner will rectify utilizing the grant funds:

LEGAL DESCRIPTION

400 West Main Street
Leesburg, Florida 34748

LEESBURG, NORTH OF MAIN ST SUB BEG 9.16 FT E OF SW COR OF LOT 8, RUN E TO SE COR OF LOT 8, N TO NE COR OF LOT, W TO A POINT 10.01 FT E OF NW COR OF LOT 8, S 84.06 FT W 0.85 FT, S TO POB PB 2 PG 19 ORB 4468 PG 925

Owner also certifies that all real property taxes and special assessments against this property, which became payable prior to the date of this Agreement, have been paid in full. All funding received by Owner under this Agreement will be used to improve the real property herein described, and must not be spent on any other real property, wherever situated.

6. In order to receive disbursement of funds under this Agreement, Owner must complete all work detailed in Paragraph 2 above, or as otherwise approved in writing by the City Manager prior to commencement of any other work, and must submit paid invoices to the City for all work done, together with a final inspection of all work done, and proof satisfactory to the City that Owner has expended at least as much in Owner's own money as the amount of the grant awarded to Owner under this Agreement. Once this documentation has been submitted and deemed acceptable by the City, the City will issue payment to Owner in the amount specified above.

7. Owner will utilize only licensed architects, engineers, and contractors in making the improvements to be paid for with this grant, and will obtain all required permits and approvals prior to commencement of work. Owner will not suffer the imposition of any construction liens against the property as a result of work being done pursuant to this Agreement.

8. This Agreement sets forth the entire understanding of the parties with regard to its subject matter. It supersedes and takes precedence over any and all prior negotiations, representations and agreements, oral or written, all of which are deemed to have merged into this Agreement and to have been extinguished except to the extent specifically set forth herein. This Agreement may not be amended orally, by implication, by course of conduct, or in any other manner whatsoever than by way of a written instrument signed by both parties hereto or their lawful successors. This Agreement shall be construed in accordance with the laws of Florida and venue for any action or proceeding arising out of this Agreement shall be in Lake County, Florida. This Agreement shall be binding on the parties hereto, as well as on their lawful successors and

assigns. Each party represents for the benefit of the other that it has not entered into this Agreement in reliance on, or on the basis of, any promise, negotiation, representation, undertaking or agreement of the other party, oral or written, which is not specifically set forth within this Agreement.

9. Nothing expressed or referred to in this Agreement is intended or will be construed to give any person or entity other than the actual, named parties hereto and their respective successors and assigns, any legal or equitable right, remedy or claim under or with respect to this Agreement, or any provision hereof, it being the intention of the parties hereto that this Agreement and all of its provisions and conditions are for the sole and exclusive benefit of the parties to this Agreement and their respective successors and assigns, and that no third party beneficiaries are to be created either expressly or by implication. Without limiting the generality of the foregoing, the City shall have no obligation whatsoever to any contractor, subcontractor, laborer, materialman or others who may provide labor, services or materials to Owner pertaining to work to be done under this Agreement, and Owner may not assign any funding to be received by Owner under this Agreement. Owner is the sole person or entity entitled to receive disbursement of funds under this Agreement.

10. In any litigation arising under this Agreement, the prevailing party shall be entitled to recover its reasonable court costs and attorneys' fees, whether at trial, on appeal, in any proceedings in bankruptcy or insolvency, and in any efforts to collect or enforce a judgment obtained.

11. Owner understands and acknowledges that the City is the governmental body with land use and permitting authority over the work to be done under this Agreement, and that despite any provision of this Agreement to the contrary, Florida law does not permit the City to contract away its police powers. Thus, all aspects of the work to be done under this Agreement will need to meet all applicable codes and regulations, and are subject to all required public hearing processes which may lead to rejection of one or more parts of the work as envisioned in this Agreement. All elected and appointed boards of the City shall retain the right, after public hearing and input, to approve or reject any application for a permit or authorization for the work, even after approval and execution of this Agreement, and no such rejection shall be considered a breach of this Agreement, nor shall it afford Owner any legal rights or remedies.

12. This Agreement shall not be effective until it has been approved by the City Commission, at a public meeting at which a quorum is present, and this Agreement has been placed on the agenda for consideration and action.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the 26th day of February, 2024.

THE CITY OF LEESBURG, FLORIDA

BY: _____
MAYOR

ATTEST: _____
ANDI PURVIS, City Clerk

APPROVED AS TO FORM AND CONTENT:

CITY ATTORNEY

OWNER:

Atique Khan
Owner

City of Leesburg, Florida



Downtown Leesburg Building Redevelopment Grant

Information & Application

DOWNTOWN LEESBURG BUILDING REDEVELOPMENT GRANT

PURPOSE

The City of Leesburg's Downtown Building Redevelopment Grant is designed to encourage private investment which renovates selected multi-story and multi-use historic buildings located in Leesburg's historic downtown. The program may provide as much as \$250,000 per renovation project. Funds may be appropriated annually by the City Commission (and respective CRA Board) and funding shall be available on a first come first serve basis. However, the program is subject to the availability of funds, as determined by the City Commission (or CRA Board).

Grants must support the goals of the City Commission and be in compliance with corresponding building signage, architectural standards, the Downtown Master Plan (Adopted March 2020) and other City regulations.

Applicants are reminded that grant awards are discretionary in nature and should not be considered an entitlement by the applicant. All grant criteria contained herein are guidelines for awards and successful applicants may receive any amount up to the maximum award. Should an application meet all grant criteria, a grant may or may not be awarded at the City Commission's discretion due to a number of circumstances such as funding limitations, competing applications, and/or competing priorities.

SECTION 1: ELIGIBILITY REQUIREMENTS

Downtown Redevelopment Grants are available to businesses and/or building owners that are located within the target district, as specified in Exhibit "A".

Applications will not be accepted from property owners (and tenants of the property owners) who are delinquent on their property taxes. Applicants must not have any outstanding code liens or code violations that cannot be remedied with grant this assistance.

Priority will be made to private investors and multi-use concepts which are hindered because of building regulations imposed by the City or public infrastructure service irregularities. Multi-Use concepts must include any permitted commercial or professional use with a residential component. For example, the redevelopment project will have a commercial component on the ground floor with residential uses on upper floors. Or a professional use on the ground floor with residential use on the upper floors. Or any combination thereof that has a residential component.

SECTION 2: ELIGIBLE IMPROVEMENTS

Downtown Redevelopment grants shall provide matching funds for fire suppression systems (including sprinklering, walls, windows, doors and fire escapes), upgrading electrical service (both customer and service provider sides of the meter) and water/waste water improvements on the customer's side of the meter. Illustrative improvements include but are not limited to:

- Upgrading the electric service panel
- Upgrading the provider's or customers electric service
- Interior electric modifications
- Installation of fire suppression systems

- Sprinkler Systems
- Fire Walls
- Windows/Doors
- Panic Hardware
- Fire Escapes
- Sewer service line relocation or modification
- Sewer main lining
- Service relocations

SECTION 3: AVAILABLE FUNDING AND REIMBURSEMENT REQUIREMENT

The City shall fund this program from various sources to include, the Downtown Leesburg CRA; Water Fund; Wastewater Fund; and, the Electric Fund. Any grant amounts awarded will be paid on a reimbursement basis after a Certificate of Occupancy has been issued by the Leesburg Building Department or after improvements have passed inspection by the Building Department.

SECTION 4: GRANT APPLICATION PROCESS, DEADLINE AND APPROVAL

Applications will be accepted on a first come, first served basis.

As long as the funding is available, grant applications shall be accepted by the Office of the City Manager. No specific deadline will be imposed and the grant program will be administered on a rolling basis.

All applications and funding awards must be reviewed and approved by the City Commission.

SECTION 5: FSL GRANT ELLIGIBILITY

Application to the Leesburg Sign, Façade and Landscape Grant Program is still available to those applicants who seek, receive or who may have been denied funding to the Downtown Redevelopment Grant. All rules and regulations still apply to both grants.

SECTION 6: RANKING CRITERIA

The following selection criteria may be used to review and rate applications for the Downtown Building Redevelopment Grant Program. Criteria are derived from the goals and objectives of the City's adopted Downtown Master Plan Redevelopment Plan and current Comprehensive Plan. Criteria are weighted with a maximum score of 100 points.

- A. **Private Investment** (Up to 40 Points) – While this grant program is not a matching grant, the City will award grant applications where private funds are the primary source of the renovation project. To receive maximum points in this category, private investment must significantly exceed the awarded grant amount. For example, if the private investor spends \$1,000,000 and requests \$250,000 in grant funding, this project would receive maximum ranking points. Inversely, if the private investment is below the grant request, the project will be ranked very low.
- B. **Removal of Slum and Blight and Positive Impact to Neighborhood** (Up to 20 Points) – Degree to which the proposed project upgrades or eliminates substandard structures, code violations and/or eliminates non-conforming uses, as well as achieving the redevelopment goals of the City of Leesburg.

- C. **Multi-Use Concepts** (Up to 15 Points) – Degree to which the proposed project enhances the multiple uses in historic buildings such as commercial, professional and residential uses.
- D. **Historic Preservation and Materials** (Up to 15 Points) – Degree to which the proposed project promotes the historic character of Leesburg, through historic preservation, adaptive re-use of historic structures, site design, architecture, materials, landscaping and other visual and physical amenities.

SECTION 7: GRANT PROCESS

- A. Applicant submits application form to the Office of the City Manager
- B. City Manager and applicant consultation of project concepts
- C. City Manager recommendation to the city Commission
- D. City Commission review, comment and grant award
- E. Formal grant agreement approved by Applicant and City Commission
- F. Applicant makes improvements
- G. Improvements are inspected and approved by City
- H. Awarded grant amount is issued to applicant

DISCLAIMER:

No warranties or guarantees are expressed or implied by the description of, application for, or participation in the Downtown Building Redevelopment Grant Program. The applicant is advised to consult with licensed architects, engineers, or building contractors before proceeding with final plans or construction. Once a building received the maximum funding amount, it shall no longer be eligible for further grant funding.

DOWNTOWN LEESBURG BUILDING REDEVELOPMENT GRANT

Exhibit "A"



Any Multi-Story Building
with the Red Highlighted
Box is Eligible to Apply for
Downtown Redevelopment
Grant

DOWNTOWN LEESBURG BUILDING REDEVELOPMENT GRANT

Exhibit "B" Application

1. Project Location

Address of Property to be Improved:

400 West Main Street Leesburg, FL 34748

Assessor Parcel Number(s):

1343861

Name of Business(es) in Project:

Ceatec Surgical

2. Applicant Information

Name: ATIQUE KHAN

Mailing Address: 724 thornhill DRIVE

City: COLLEGEVILLE,

State: PA

Zip: 19426

Phone: 610-564-6488

Email: atiquehkhan@yahoo.com

Do you own, rent or lease the subject property? Own

*If you are not the owner, the owner will need to co-sign the application.

3. Description of Proposed Improvements

complete remodeling of the entire building

4. Estimated Costs of Project

\$1,099,926.25



Please acknowledge that a detailed cost estimated for the total project and estimates of improvement which are eligible to be funded with this grant has been attached with this submission.

Form Name: Downtown Leesburg Building Grant

Date Created: Saturday, November 25, 2023

Cost EstimateSHUMAKE
ARCHITECTURE, PAtimeless architecture
timeless service2907 W. Bay to Bay Blvd
Suite 210, Tampa, FL 33629
T 813 425 3350
rccs@shumakearchitecture.net

Project Name: 400 Main Street Bank, Leesburg FL

Approx renovation area 7,500 sf

Item	Units	Unit cost		
01000 - General Conditions				
General Liability insurance	1.00	\$4,000.00		\$4,000.00
Superintendent	7.00	\$7,000.00		\$49,000.00
Project Manager	4.00	\$3,000.00		\$12,000.00
Administrative Assistant	4.00	\$1,000.00		\$4,000.00
Subtotal			\$69,000.00	
01500 - Temporary Facilities				
Fuel and travel cost	7.00	\$500.00		\$3,500.00
Printing and reproductions	1.00	\$300.00		\$300.00
Postage and delivery	1.00	\$400.00		\$400.00
Small tools	7.00	\$500.00		\$3,500.00
Misc tool rentals	7.00	\$500.00		\$3,500.00
Safety and Protection aids	7.00	\$500.00		\$3,500.00
Temporary Barricades	3.00	\$1,000.00		\$3,000.00
As-Built Drawings	1.00	\$1,000.00		\$1,000.00
Subtotal			\$18,700.00	
01510 - Temporary Utilities				
Electricity	7.00	\$300.00		\$2,100.00
Temp lighting	3.00	\$250.00		\$750.00
Heating and cooling	4.00	\$500.00		\$2,000.00
Temporary Water	3.00	\$100.00		\$300.00
Construction Trailer	0.00	\$0.00		\$0.00
Trailer sanitary holding tank	0.00	\$0.00		\$0.00
Portable toilets	3.00	\$300.00		\$900.00
Subtotal			\$6,050.00	
01540 - Construction Aids				
Scaffolding/lifts	3.00	\$500.00		\$1,500.00
Temporary parking	7.00	\$300.00		\$2,100.00
Temporary signs	3.00	\$200.00		\$600.00
Job Site Sign	1.00	\$500.00		\$500.00
Tree Barricades	0.00	\$0.00		\$0.00
Construction fencing	1.00	\$800.00		\$800.00
Progress cleaning	3.00	\$500.00		\$1,500.00
Final cleaning	1.00	\$2,000.00		\$2,000.00
Dumpster	4.00	\$800.00		\$3,200.00
Subtotal			\$12,200.00	
Div 2 - Selective Demolition				
Estimate	1.00	\$10,000.00		\$10,000.00
Subtotal			\$10,000.00	
Div 3 - Concrete				
Site paving			\$10,000.00	

Subtotals			\$0.00	
Div 4 - Masonry				
Brick pointing	1.00	\$10,000.00		\$10,000.00
Subtotal			\$10,000.00	
Div 5 - Metals				
Roof ladder	1.00	\$1,500.00		\$1,500.00
	0.00	\$0.00		\$0.00
Subtotals			\$1,500.00	
Div 6 - Carpentry				
Rough blocking	1.00	\$1,200.00		\$1,200.00
Partition framing	500.00	\$50.00		\$25,000.00
Millwork	1.00	\$5,000.00		\$5,000.00
Subtotal			\$31,200.00	
Div 7 - Thermal and Moisture				
Exterior caulking	1.00	\$7,000.00		\$7,000.00
	0.00	\$0.00		\$0.00
	0.00	\$0.00		\$0.00
Subtotals			\$7,000.00	
Div 8 - Doors, Windows and hardware				
HM Doors in HM Frames	50.00	\$600.00		\$30,000.00
Door Hardware	50.00	\$300.00		\$15,000.00
Replace exterior windows	1.00	\$40,000.00		\$40,000.00
Subtotal			\$85,000.00	
Div 9 - Finishes				
Gypsum walls - (LF)	500.00	\$45.00		\$22,500.00
Gypsum board cut and patch	100.00	\$30.00		\$3,000.00
Wall Tile	500.00	\$20.00		\$10,000.00
Wall finishes; 80% paint, 10% LIC	7,500.00	\$2.50		\$18,750.00
Flooring - LVT	5,000.00	\$12.00		\$60,000.00
Resilient base (L.F.)	750.00	\$1.50		\$1,125.00
Finish Ceilings	5,000.00	\$6.00		\$30,000.00
Paint door frames (each)	50.00	\$50.00		\$2,500.00
Paint touch-up	5,000.00	\$1.00		\$5,000.00
Exterior painting	1.00	\$20,000.00		\$20,000.00
Subtotal			\$172,875.00	
Div 10- Specialties				
Wall guards				
Corner guards				
Fire Ext	5.00	\$300.00		\$1,500.00
Subtotal			\$1,500.00	
Div 11- Furnishings (Not Used)				
Chairs	0.00	\$0.00		\$0.00
Table	0.00	\$0.00		
			\$0.00	
Div 12 - Equipment				
Refurbish safe doors	2.00	\$5,000.00		\$10,000.00
	0.00	\$0.00		\$0.00
	0.00	\$0.00		\$0.00

				\$0.00
Subtotal			\$10,000.00	
Div 13- Special Construction (Not Used)				
				\$0.00
				\$0.00
			\$0.00	
Div 14- Conveying Systems				
Elevator	1.00	\$120,000.00		\$120,000.00
			\$120,000.00	
Div 21- Fire Sprinkler system				
Fire Sprinkler system	7,500.00	\$3.50		\$26,250.00
Fire Pump	0.00	\$0.00		\$0.00
Subtotal			\$26,250.00	
Div 22-Plumbing				
Plumbing fixtures	8.00	\$800.00		\$6,400.00
Plumbing distribution	2,000.00	\$15.00		\$30,000.00
Subtotal			\$38,400.00	
Div 23-HVAC				
HVAC System	7,500.00	\$25.00		\$187,500.00
				\$0.00
Sub-Totals			\$187,500.00	
Div 24-Controls (Not Used)				
				\$0.00
				\$0.00
Subtotal			\$0.00	
Div 25-Electrical				
Electrical Service/Distribution	5,000.00	\$8.00		\$40,000.00
Electrical lighting	5,000.00	\$8.00		\$40,000.00
Emergency lighting	7,500.00	\$1.00		\$7,500.00
Wireless Access Control	5,000.00	\$1.00		\$5,000.00
Subtotals			\$92,500.00	
Div 32 - Sitework				
Handrails	2.00	\$2,000.00		\$4,000.00
Subtotal			\$0.00	
Construction Sub-Totals				\$901,675.00
General Conditions				
General Conditions	1.05	\$45,083.75		\$946,758.75
Overhead and Profit	1.18	\$135,251.25		\$1,036,926.25
A/E Fees	1.00	\$58,000.00		\$1,094,926.25
Permit Fees	1.00	\$5,000.00		\$1,099,926.25
Estimate Contingency	1.05	\$45,083.75		\$1,145,010.00
Location Factor	0.95	-\$45,083.75		\$1,099,926.25
Subtotal			\$243,335.00	
Project Total				\$1,099,926.25

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: February 26, 2024

From: Dan Miller, (Planning and Zoning Director), Melissa Medders, (Senior Planner)

Subject: An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay), with a waiver from Section 25-282 (a) (1) PDO five-acre minimum, to the existing PSC (Pine Street Commercial) zoning, on approximately 0.16 +/- acres to allow for an office use for a property generally located north of Pine Street and east of Childs Street, lying in Section 25, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (PDO CDC Offices on Pine Street)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to add a PDO (Planned Development Overlay), with a waiver from Section 25-282 (a) (1) PDO five-acre minimum, to the existing PSC (Pine Street Commercial) zoning, to allow for an office use.

Analysis:

A Planned Development Overlay (PDO) allows an additional use or uses but keeps the underlying zoning district. PDOs are a tool for adding appropriate uses, where applicable, with the appropriate conditions.

The project site is approximately 0.16 +/- acres, and is generally located north of Pine Street and east of Childs Street as shown on the attached maps. At this time, the property is developed with an existing vacant residential/hotel. The proposal will allow for an office use. Uses in this area include commercial, medical, multifamily and single family residential, medical, hospital, and the City of Leesburg.

The Planning Commission held a public hearing on the application on December 14, 2023 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the request for a Planned Development Overlay on the subject property; or
2. Other action as the Commission may choose.

Fiscal Impact:

A small positive fiscal impact will result from the creation of new jobs and businesses at this location.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ADDING A PDO (PLANNED DEVELOPMENT OVERLAY), WITH A WAIVER FROM SECTION 25-282 (A) (1) PDO FIVE-ACRE MINIMUM, TO THE EXISTING PSC (PINE STREET COMMERCIAL) ZONING, ON APPROXIMATELY 0.16 +/- ACRES TO ALLOW FOR AN OFFICE USE FOR A PROPERTY GENERALLY LOCATED NORTH OF PINE STREET AND EAST OF CHILDS STREET, LYING IN SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (PDO CDC OFFICES ON PINE STREET)

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

Section 1.

Based upon the petition of the Community Development Corporation of Leesburg, 314 South Canal Street, Leesburg Florida, 34748, (John Christian (Agent) 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 PDO (Planned Development Overlay), with a waiver from Section 25-282 (a) (1), PDO five-acre requirement, to allow an office use on said property located in Lake County Florida, is hereby added to the existing City of Leesburg PSC (Pine Street Commercial) zoning, 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 by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 26th day of February 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

The East 165 feet of Lot 9, in J.W. Lee's Subdivision of Lots 9 and 10 of Block 57, according to the Official Plat of the City of Leesburg, Florida as recorded in Plat Book 2, Page 19, of the Public Records of Lake County, Florida.

410 Pine Street (Offices)
PLANNED DEVELOPMENT OVERLAY CONDITIONS
In an R-3 (High Density Residential) Zoning District
December 14, 2023

These Planned Development Conditions for a PDO (Planned Development Overlay) District, with a waiver from City of Leesburg Code of Ordinances Section 25-282 (a) (1) (PDO five acre minimum), are granted by the City of Leesburg, Florida to **Community Development Corporation**, whose address is **314 South Canal Street, Leesburg, Florida 34748, "Permittee" (John H. Christian, Community Development Corporation, 314 South Canal Street, Leesburg, Florida 34748, Petitioner/Agent)** for the purposes, terms and conditions set forth herein pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 *Planned Development Process* of the City of Leesburg Code of Ordinances, as amended.

PURPOSE

The purpose of this document is to provide appropriate zoning standards to maintain a high-quality built environment through the application of flexible and diversified land use and development requirements.

BACKGROUND

The "Permittee" has submitted an application to request a PDO (Planned Development Overlay) zoning district, with waiver from Section 25-282 (a) (1), on an approximately 0.16-acre site within the City of Leesburg in accordance with their Planned Development Overlay application and supplemental information. The property is currently zoned R-3 (High Density Residential), with a Future Land Use designation of General Commercial. The property has one office/commercial building. The purpose is to utilize the property for offices.

REQUEST

1. Add a Planned Development Overlay (PDO) to an R-3 (High Density Residential) zoning to permit an office use in a General Commercial Future Land Use district.
2. A waiver from Section 25-282(a)(1), PDO 5-acre minimum requirement.

1. PERMISSION

Permission is hereby granted to the **Community Development Corporation**, whose address is **314 South Canal Street, Leesburg, Florida 34748, "Permittee" (John H. Christian, Community Development Corporation, 314 South Canal Street, Leesburg, Florida 34748, Petitioner/Agent)** to operate and maintain a PDO (Planned Development Overlay) in and on real property in the City of Leesburg, subject the conditions described in this document. The property is generally located north of Pine Street, east of Childs Street, and is more particularly described as shown in the attached legal description below.

2. LEGAL DESCRIPTION

See attached legal Exhibit "B"

3. **LAND USES**

The above-described property shall be used for R-3 (High Density Residential) uses with a PDO (Planned Development Overlay) as limited herein, and pursuant to City of Leesburg development codes and standards.

A. **Uses**

- 1) Uses shall be those listed as permitted uses in this document and shall occupy the approximate area as shown on the Aerial Map, Exhibit C.
- 2) Permitted uses:
 - a. Uses which are permitted within the R-3 (High Density Residential).
 - b. Office uses, including general, professional and medical.
- 3) Uses prohibited shall be as follows:
 - a. All other uses not specifically approved herein or under the R-3 (High Density Residential) zoning district.

4. **SITE ACCESS**

- A. Existing access shall be maintained and shall be subject to permitting through the City of Leesburg, Lake County or the Florida Department of Transportation as required by law.

5. **DEVELOPMENT STANDARDS AND OPERATIONS**

- A. The minimum development standards, including, but not limited to, setbacks, maximum building height, impervious surface, open space, and parking requirements shall be those required for the R-3 (High Density Residential) zoning district except as amended by these conditions, which may limit the permitted uses based on site plan and parking requirements.
- B. All signs placed or constructed on the property shall comply with *Article VI- Sign Regulations, Section 25-421 through Section 25-426*, City of Leesburg Code of Ordinances, as amended.

6. **MISCELLANEOUS CONDITIONS**

- A. The uses of the proposed project shall only be those uses identified in these approved Planned Development Overlay Conditions, or as set forth in the underlying zoning district. Any other proposed use must be specifically authorized through rezoning the property, or in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Code of Ordinances.
- C. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.

- D. The transfer of ownership or lease of any or all of the property described in this agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this agreement as established herein and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These Planned Development Overlay Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
- F. The granting of this Planned Development Overlay does not exempt the applicant from any other applicable regulations of the City of Leesburg and other governmental agencies and assessment of impact fees as required by ordinance.
- G. On December 14, 2023, the Planning Commission has granted a waiver from City of Leesburg Code of Ordinances Section 25-282 (a) (1), which requires a subject property with minimum of five (5) acres of continuous land for a Planned Development Overlay.

LEGAL DESCRIPTION
PUD-23-511

EXHIBIT B
(from Warranty Deed)

The East 165 feet of Lot 9, in J.W. Lee's Subdivision of Lots 9 and 10 of Block 57, according to the Official Plat of the City of Leesburg, Florida as recorded in Plat Book 2, Page 19, of the Public Records of Lake County, Florida.





CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: December 14, 2023
OWNER: Community Development Corporation of Leesburg, Inc.
PETITIONER: John Christian, Community Development Corporation of Leesburg, Inc.
PROJECT: CDC Offices on Pine Street (410 Pine Street)
CASE NO.: PUD-23-511

REQUEST

1. Add a Planned Development Overlay (PDO) to an R-3 (High Density Residential) zoning to permit an office use in a General Commercial Future Land Use district.
2. A waiver from Section 25-282(a)(1), PDO 5-acre minimum requirement.

BACKGROUND

As provided in Chapter 25-280, the R-3 (High Density Residential) zoning district does not permit office uses. However, in this particular location and circumstance, an office use is compatible with the surrounding uses and does not pose or create a detriment to the surrounding properties. In addition, as the structure appears to be originally built as a transitory use, i.e., a hotel, the activity created through the transition of the building into office uses would allow an economic benefit to the neighborhood by creating new employment opportunities.

As currently zoned, rezoning the underlying R-3 (High Density Residential) zoning district, or changing the General Commercial Future Land Use category would constitute a “spot zoning” or an inconsistent land use amendment, creating a potential incompatibility with the City’s Future Land Use Element.

Thus, in determining a solution to the use of the building in a manner consistent with the neighborhood, the creation of job opportunities, and adaptively reusing an existing structure, staff determined that the use of a Planned Development Overlay (PDO) with a waiver of the minimum five (5) acre requirement for a PDO would solve the issue and allow an appropriate adaptive reuse of the structures, and maintain compatibility with the City’s Comprehensive Plan.

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request on the subject property for the addition of a Planned Development Overlay, with request for waiver from Section 25-282(A)(1), is compatible with the existing zoning district of R-3 (High Density Residential), and the surrounding zoning districts including PSC (Pine Street Commercial) and P (Public).

2. There is no change proposed to the Future Land Use designation of General Commercial. The proposed request for the addition of a Planned Development Overlay, with request for waiver from Section 25-282(A)(1), is compatible with the current surrounding Future Land Use designations, including General Commercial, Transitional, and Institutional.
3. The addition of the proposed Planned Development Overlay, with the waiver from Section 25-282(A)(1), will allow for an office consistent with the surrounding land uses of the surrounding properties, while maintaining the existing Zoning and Future Land Use designation.
4. The proposed request does not appear to create a detriment to surrounding properties, based on the location and proximity to compatible development, and is therefore consistent with the residential use compatibility requirement in the City of Leesburg Comprehensive Plan, Future Land Use Element, B. 1. (i) *General Commercial*.

Action Requested:

1. Vote to **approve** the addition of a Planned Development Overlay on a R-3 (High Density Residential) zoning, with the request for a waiver from Section 25-282(A)(1), and forward this recommendation to the City Commission for consideration

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

DATE: November 20, 20203
OWNER: Community Development Corporation of Leesburg, Inc.
PETITIONER: Community Development Corporation of Leesburg, Inc.
PROJECT: CDC Offices on Pine Street
REQUEST: Planned Development Overlay to allow for Offices
CASE NO.: PUD-23-511

GENERAL LOCATION: North of Pine Street and East of Childs Street.

FUTURE LAND USE DESIGNATION: General Commercial

SURROUNDING FUTURE LAND USE DESIGNATION:

North	–	Transitional
South	–	Institutional; General Commercial
East	–	Transitional
West	–	General Commercial; Low Density Residential

PROPOSED FUTURE LAND USE DESIGNATION: Low Density Residential

EXISTING ZONING DESIGNATION: Lake County RP (Residential Professional)

SURROUNDING ZONING DESIGNATIONS:

North	–	PSC (Pine Street Commercial); P (Public); R-3 (High Density Residential)
South	–	PSC (Pine Street Commercial); P (Public)
East	–	R-3 (High Density Residential)
West	–	PSC (Pine Street Commercial); P (Public)

PROPOSED ZONING DESIGNATION: PDO (Planned Development Overlay)

EXISTING LAND USE: Vacant Institutional

SURROUNDING LAND USE:

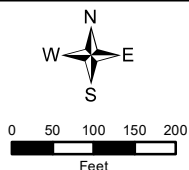
North	–	City of Leesburg; Multifamily Residential; Commercial; Vacant Commercial
South	–	Medical; Hospital
East	–	Single Family Residential; Vacant Residential; Museum
West	–	City of Leesburg; Medical

PROPOSED LAND USE: Offices

Aerial

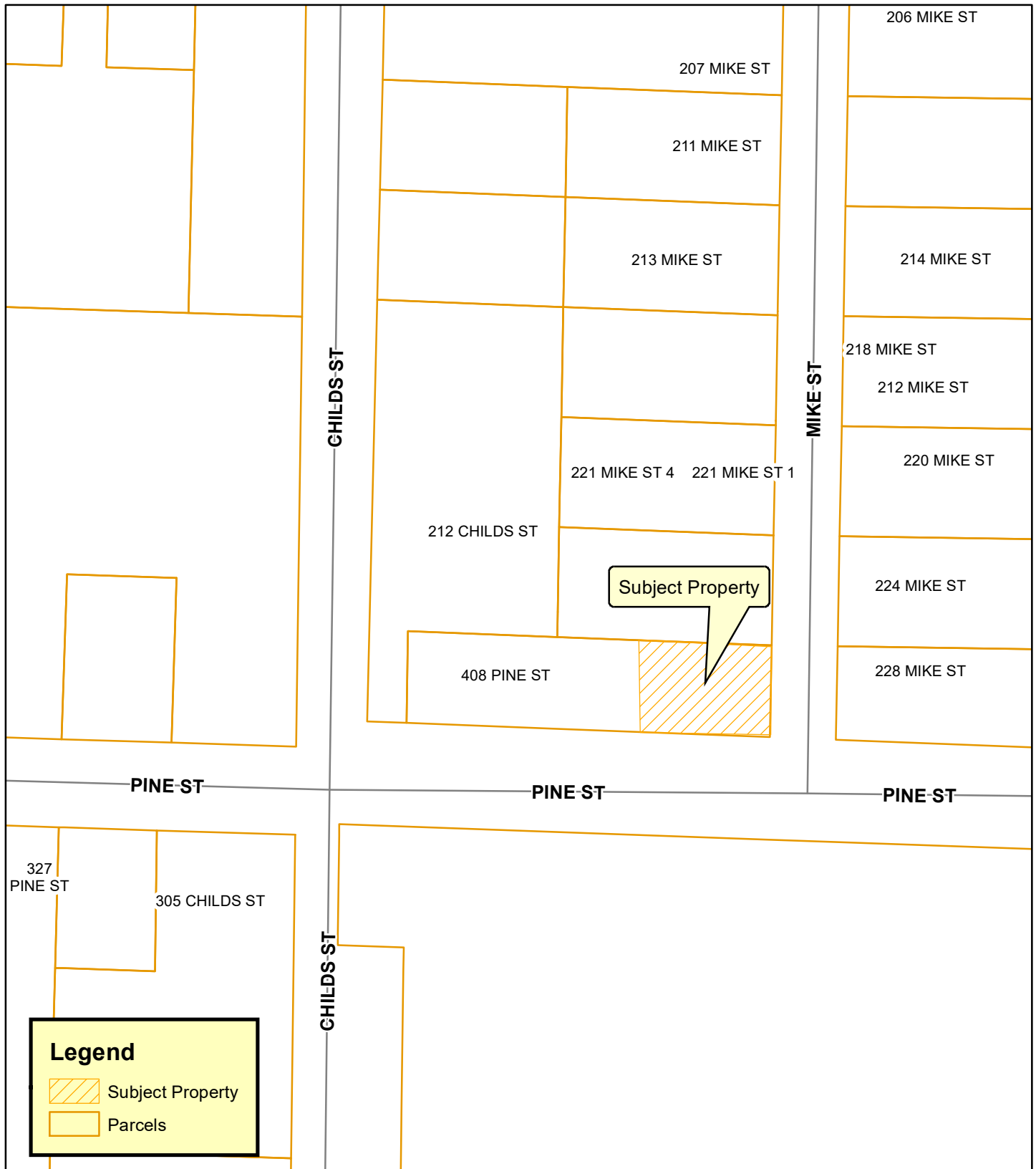


**Planning
& Zoning
Division**

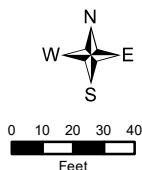


PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # 1530385
February 26, 2024

Locator



**Planning
& Zoning
Division**



PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # : 1530385
November 13, 2023

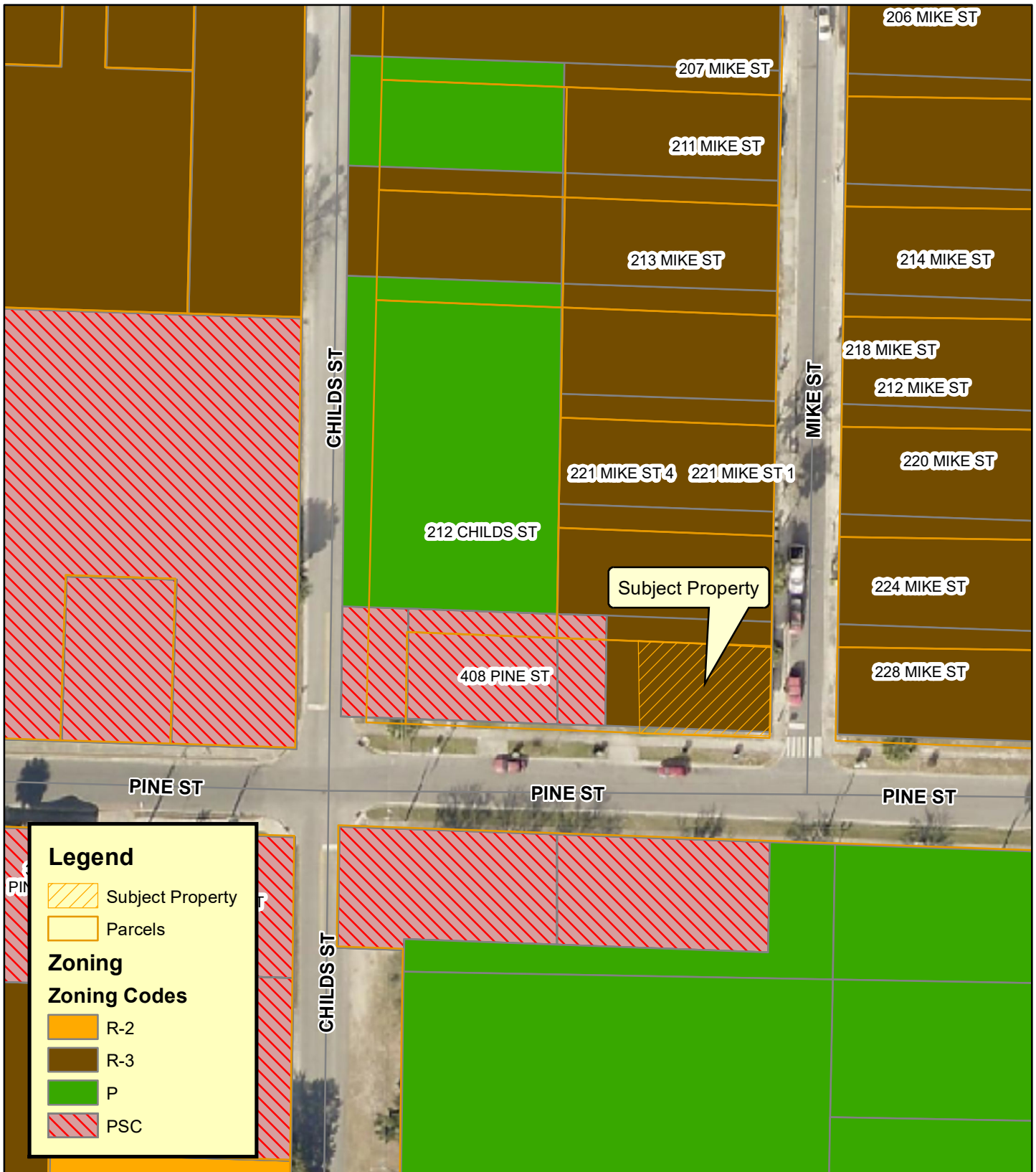
Aerial



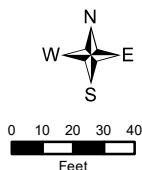
**Planning
& Zoning
Division**

PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # : 1530385
November 13, 2023

Zoning

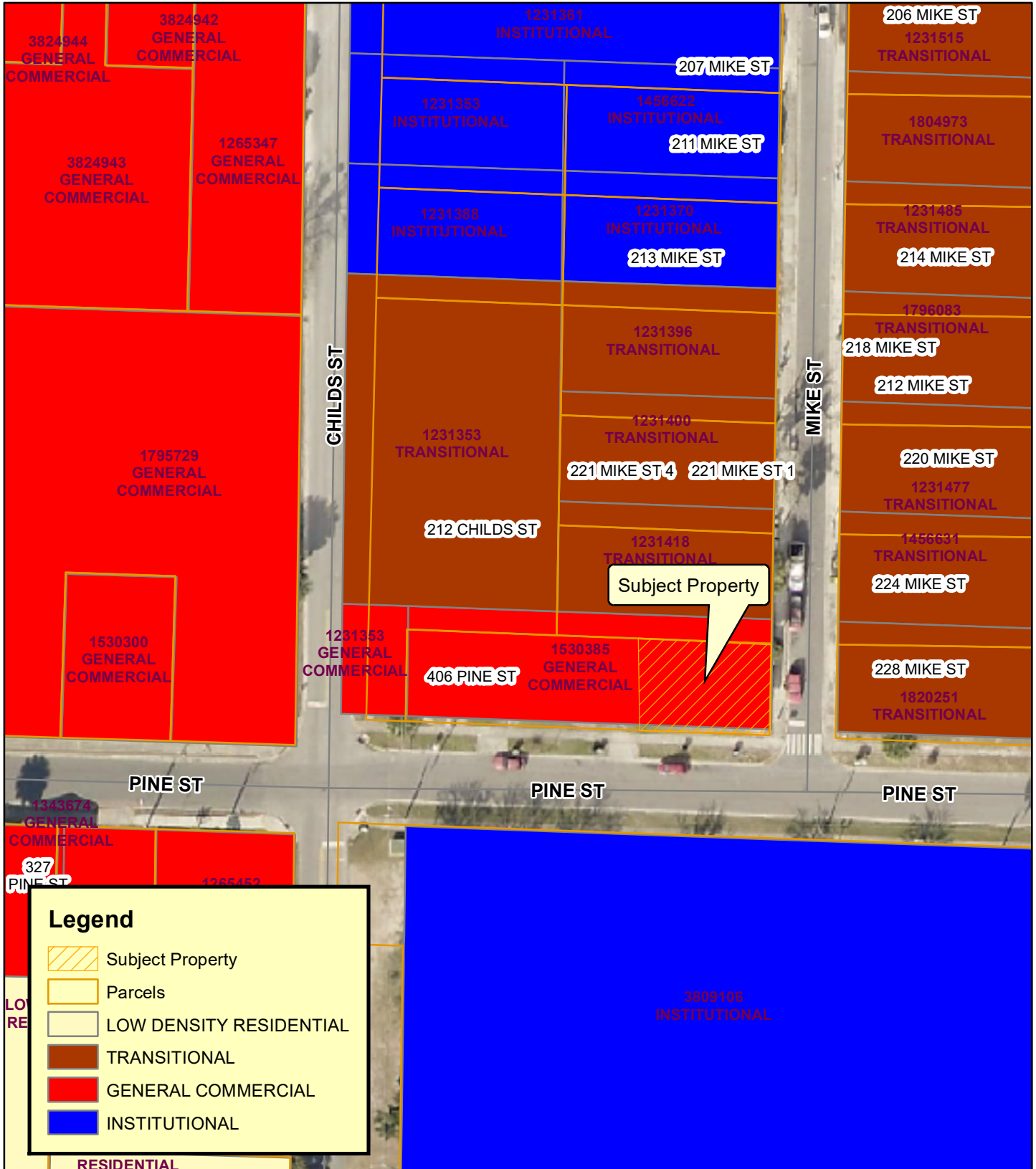


**Planning
& Zoning
Division**

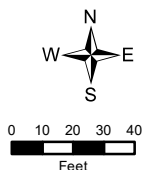


PUD-23-511 PDO (Planned Development Overlay)
 Pine Street Commercial
 404 Pine Street, Leesburg, FL 34748
 Alternate Key # : 1530385
 November 13, 2023

Future Land Use



**Planning
& Zoning
Division**

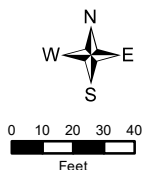


PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # : 1530385
November 13, 2023

Surrounding Land Uses

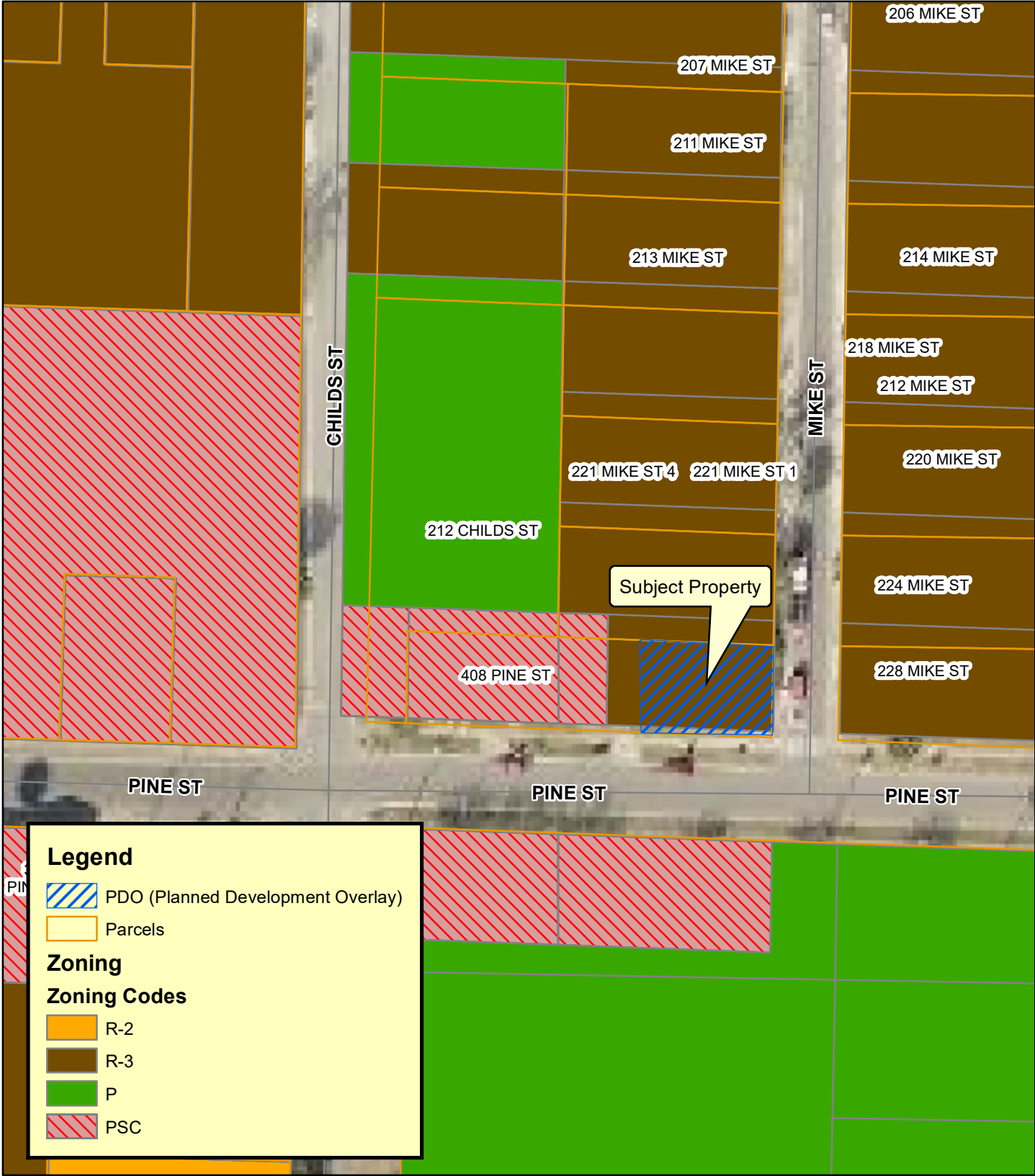


**Planning
& Zoning
Division**

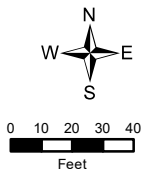


PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # : 1530385
November 13, 2023

Proposed Zoning



**Planning
& Zoning
Division**

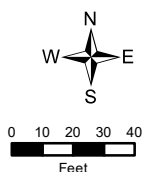


PUD-23-511 PDO (Planned Development Overlay)
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November 13, 2023

Flood Zone

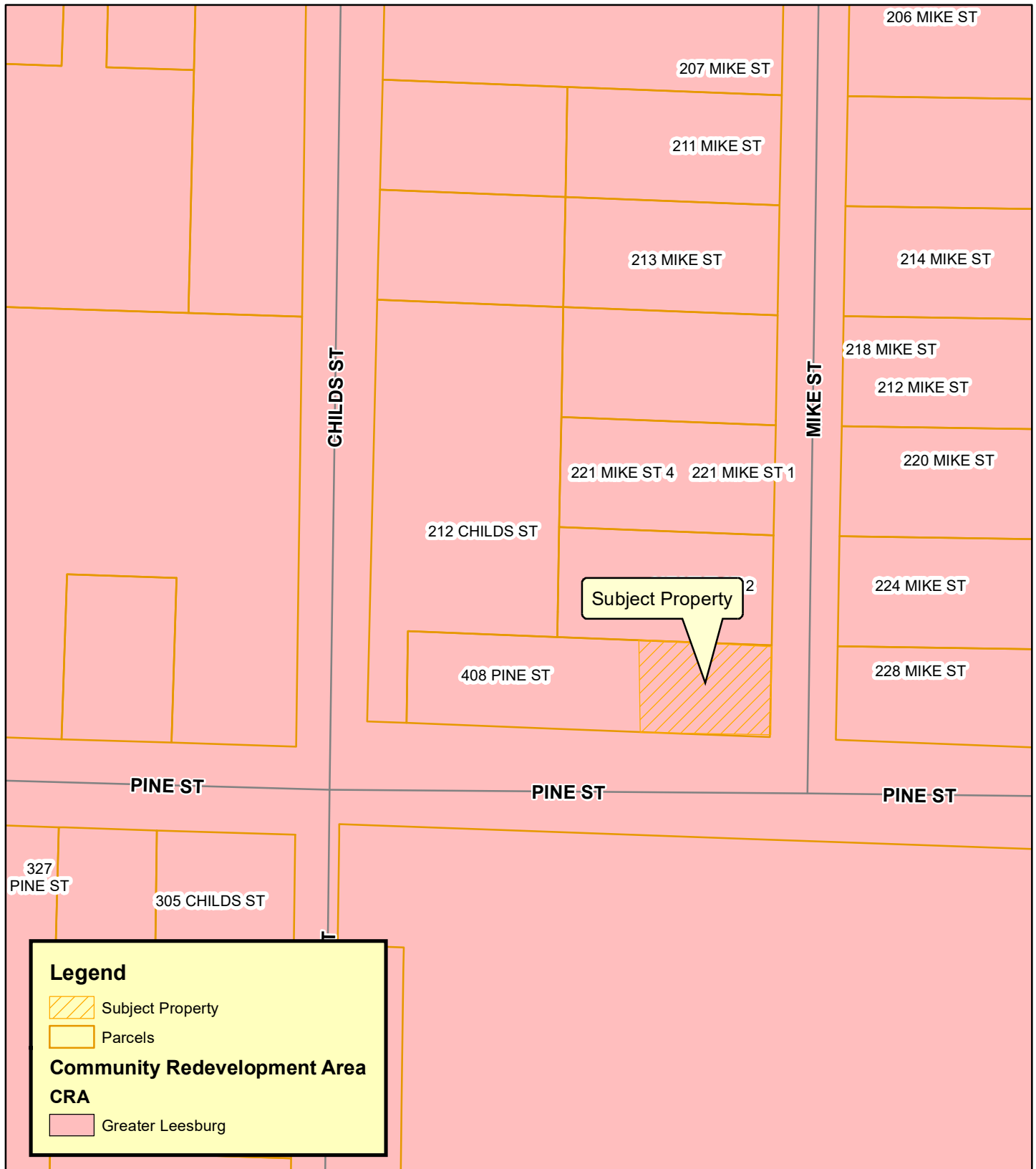


**Planning
& Zoning
Division**

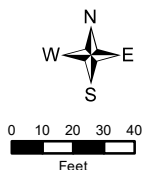


PUD-23-511 PDO (Planned Development Overlay)
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Community Redevelopment Area

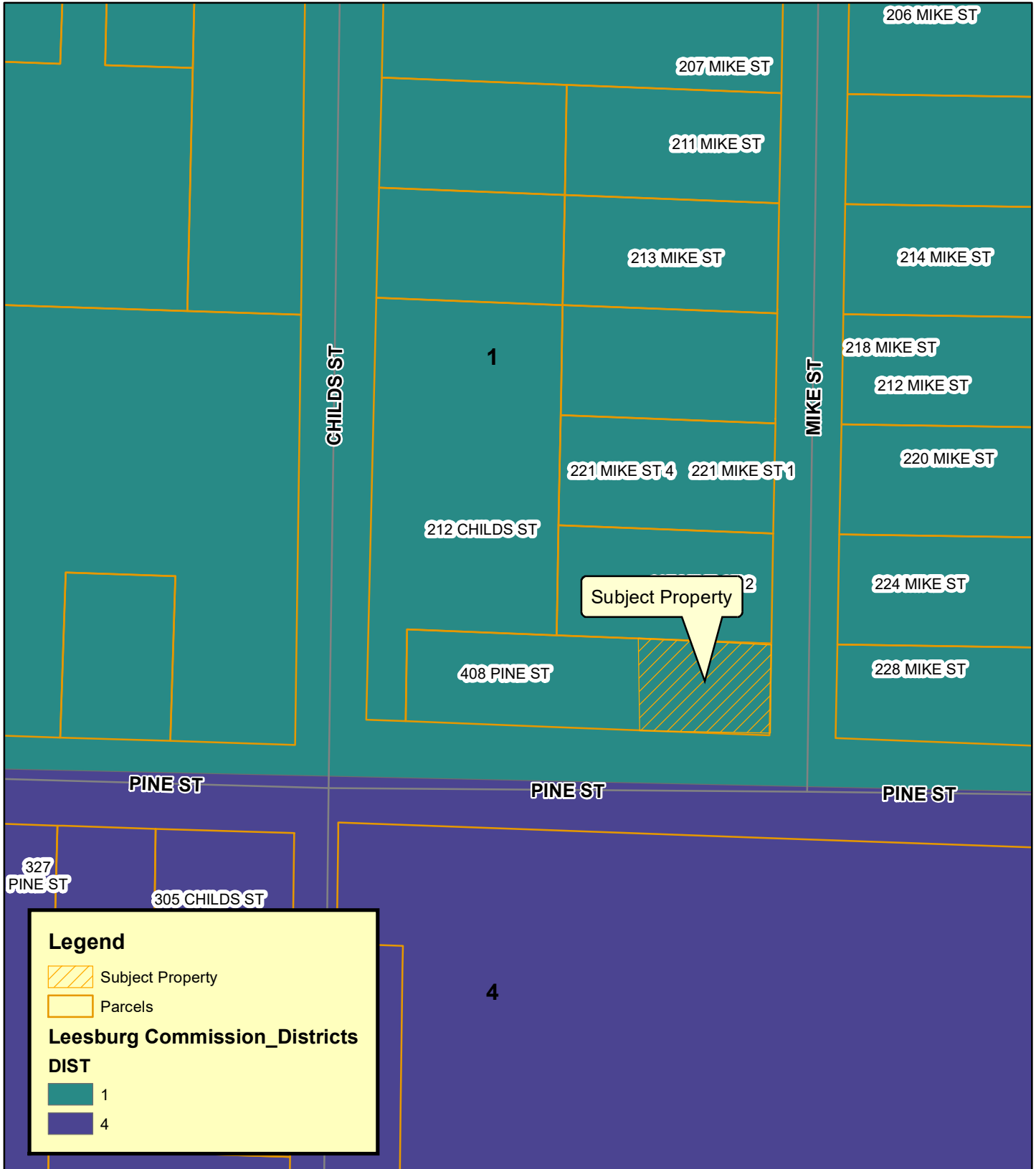


**Planning
& Zoning
Division**

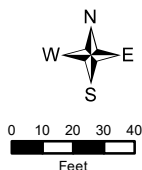


PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # : 1530385
November 13, 2023

Commission Districts



**Planning
& Zoning
Division**



PUD-23-511 PDO (Planned Development Overlay)
Pine Street Commercial
404 Pine Street, Leesburg, FL 34748
Alternate Key # : 1530385
November 13, 2023

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.2.

Meeting Date: February 26, 2024

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

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 15.34 +/- acres; and being generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 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 2; and providing an effective date. (River Fox Commons ANNX)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of 15.34 +/- acres.

Analysis:

The applicant has submitted a request for annexation of approximately 15.34 +/- acres, generally located east of Montclair Road and south of Colonial Street, as shown on the attached General Location Map. At this time, the property is undeveloped. The current zoning is Lake County R-6 (Urban Residential District) and the proposed zoning is City PUD (Planned Unit Development). The proposal is to build a multi-family, senior living development containing 92 units.

The property is surrounded by City R-1 (Low Density Residential) and Lake County R-1 (Rural Residential) and C-1 (Light Commercial). Under the conditions of the PUD (Planned Unit Development) zoning case which is also on this agenda, 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 Planned Unit Development Application, had recommendations for approval from the staff and Planning Commission at the public hearing held on November 16, 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 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 15.34 +/- ACRES; AND BEING GENERALLY LOCATED EAST OF MONTCLAIR ROAD AND SOUTH OF COLONIAL STREET, LYING IN SECTION 21, TOWNSHIP 19 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 2; AND PROVIDING AN EFFECTIVE DATE. (RIVER FOX COMMONS ANNEX)

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

Section 1

Based upon the petition of Stephen Campbell, P.E., (Clymer Farner Barley, Inc. 4450 NE 83rd Boulevard, Wildwood, Florida, 34785) "Applicant" 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 hereby is assigned to City Commission District 2.;

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 26th day of February 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A - Legal Description

A PORTION OF PARCEL ID NO. 21-19-24-000400014101

THE EAST 40 FEET OF THE NORTH 300 FEET OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

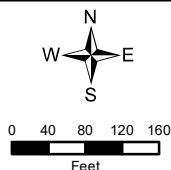
PARCEL ID NO. 21-19-24-000400014100

THE SOUTH 1020 FEET OF THE E 1/2 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP
19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

Aerial



**Planning
& Zoning
Division**

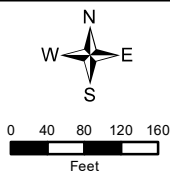


River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Surrounding Land Use

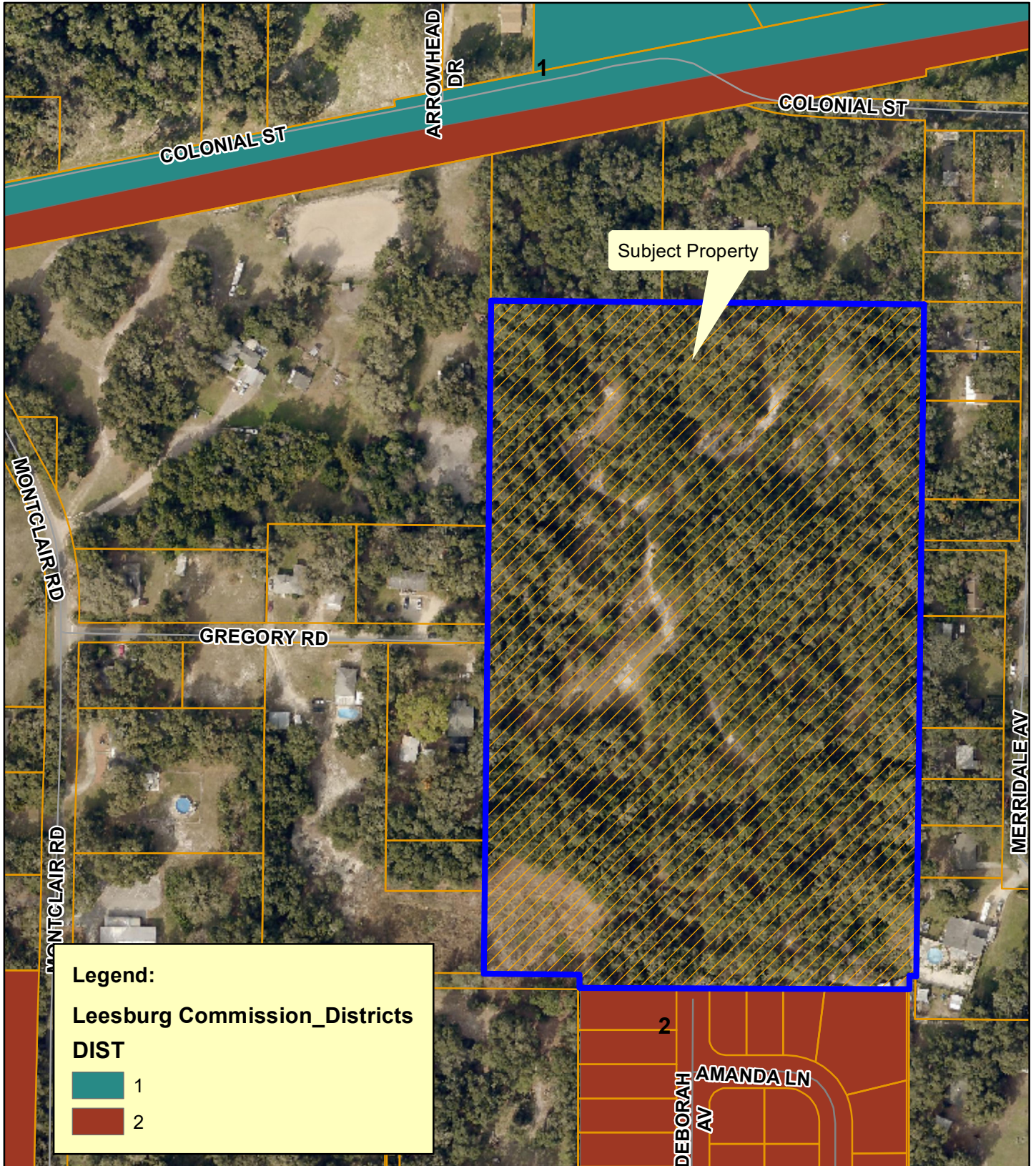


Planning & Zoning Division



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Commission Districts



**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.3.

Meeting Date: February 26, 2024

From: Dan Miller, (Planning and Zoning Director), Melissa Medders, (Senior Planner), 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 15.34 +/- acres from Lake County Urban High Density to City of Leesburg Low Density Residential, for a property generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (River Fox Commons SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment to the City's Future Land Use Map on 15.34 +/- acres from Lake County Urban High Density to City of Leesburg Low Density Residential.

Analysis:

The project site is approximately 15.34 acres, and is generally located east of Montclair Road and south of Colonial Street. Currently, the property is undeveloped acreage. The proposed use is for a 92 unit residential senior living complex. The surrounding Future Land Use Map designations of Lake County Urban High Density and City of Leesburg Low Density Residential are compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Low Density Residential. The proposed zoning designation of City PUD (Planned Unit 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.

The Planning Commission held a public hearing on the application on November 16, 2023 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Urban High

Density to City of Leesburg Low Density Residential; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City in regard to 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 15.34 +/- ACRES FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY OF LEESBURG LOW DENSITY RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF MONTCLAIR ROAD AND SOUTH OF COLONIAL STREET, LYING IN SECTION 21, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (RIVER FOX COMMONS 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 15.34 acres of land generally located east of Montclair Road and south of Colonial Street from Lake County Urban High Density and City of Leesburg Low Density Residential, as shown on the revised map of said area, lying in Section 21, 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 26th day of February 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A - Legal Description

A PORTION OF PARCEL ID NO. 21-19-24-000400014101

THE EAST 40 FEET OF THE NORTH 300 FEET OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL ID NO. 21-19-24-000400014100

THE SOUTH 1020 FEET OF THE E 1/2 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP
19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: November 16, 2023
OWNER: The Paces Foundation Inc.
PETITIONER: Stephen Campbell, Clymer Farner Barley, Inc., on behalf of The Paces Foundation Inc.
PROJECT: River Fox Commons
REQUEST: Small Scale Comprehensive Plan Amendment from Lake County Urban High Density to the City of Leesburg Low Density Residential
CASE NO.: SSCP-23-461

THE PLANNING & ZONING DIVISION RECOMMENDS:

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

1. This project meets the requirements of Chapter 163.3187 Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed request for a Small-Scale Comprehensive Plan amendment is compatible with the adjacent future land use designations of Lake County Urban High Density and City of Leesburg Low Density Residential.
3. The proposed request under Case Number PUD-23-462, is compatible with the current surrounding zoning districts of Lake County R-6 (Urban Residential District) and C-1 (Neighborhood Commercial and City of Leesburg R-1 (Low Density Residential).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to **approve** staff's recommendation to change the future land use of the subject property from Lake County Urban High Density to the City of Leesburg Low Density Residential and forward this recommendation to the City Commission for consideration.

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

DATE: November 16, 2023
OWNER: The Paces Foundation Inc.
PETITIONER: Stephen Campbell, Clymer Farner Barley, Inc., on behalf of The Paces Foundation Inc.
PROJECT: River Fox Commons
REQUEST: Small Scale Comprehensive Plan Amendment to Low Density Residential; Zoning to PUD (Small Planned Unit Development)
CASE NO.: ANNEX-23-460; SSCP-23-461; PUD-23-462

GENERAL LOCATION: East of Montclair Road and South of Colonial Street.

FUTURE LAND USE DESIGNATION: Vacant Residential

SURROUNDING FUTURE LAND USE DESIGNATION:

North	–	Lake County Urban High Density
South	–	Lake County Urban High Density; City of Leesburg Low Density Residential
East	–	Lake County Urban High Density
West	–	Lake County Urban High Density

PROPOSED FUTURE LAND USE DESIGNATION: Low Density Residential

EXISTING ZONING DESIGNATION: Lake County RP (Residential Professional)

SURROUNDING ZONING DESIGNATIONS:

North	–	Lake County R-6 (Urban Residential District)
South	–	Lake County R-6 (Urban Residential District); City of Leesburg R-1 (Low Density Residential)
East	–	Lake County R-6 (Urban Residential District)
West	–	Lake County R-6 (Urban Residential District); Lake County C-1 (Neighborhood Commercial)

PROPOSED ZONING DESIGNATION: PUD (Small Planned Unit Development)

EXISTING LAND USE: Vacant Institutional

SURROUNDING LAND USE:

North	–	Vacant Commercial; Vacant Residential; Single Family Residential
South	–	Vacant Residential; Residential (Single Family)
East	–	Residential (Single Family)
West	–	Vacant Residential; Single Family Residential; Residential (Manufactured Home)

PROPOSED LAND USE: Residential (Senior Living)

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

DATE: November 16, 2023
OWNER: The Paces Foundation Inc.
PETITIONER: Stephen Campbell, Clymer Farner Barley, Inc., on behalf of The Paces Foundation Inc.
PROJECT: River Fox Commons
REQUEST: Rezoning from Lake County R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development)
CASE NO.: SSPC-23-461; PUD-23-462

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 11/10/2023.

FIRE

In reference to Case Number SSPC-23-461, PUD-23-462

NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number SSPC-23-461, PUD-23-462 is outside the recommended four-minute response time for initial responding fire apparatus.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with **4.1.2.3**
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time.

– Amanda Stevenson 11/8/2023

ELECTRIC

Electric has no objections. A line extension will be required to feed the complex. Easements will be required. – Steve Davis 10/26/2023

GAS

Natural gas is available and directed per City Ordinance. – Brandon Smith 10/30/2023

GIS

No comments received as of 11/10/2023.

BUILDING

No comments received as of 11/10/2023.

PUBLIC WORKS

Public Works has no issues with this item. – Cliff Kelsey 10/30/2023

ADDRESSING

No comments received as of 11/10/2023.

ECONOMIC DEVELOPMENT

No comments received as of 11/10/2023.

LAKE COUNTY PUBLIC WORKS

Lake County Public Works has the following comments.

The property based on the concept plan will be accessing from Colonial Street which is a county maintained paved road. Permitting for the access from Lake County Public Works will be required.
– Seth Lynch 11/14/2023

LAKE COUNTY SCHOOLS

The 92-unit 55+ apartment project may be subject to school concurrency review. I will need more information on the project to make a determination.
If the applicant/property owner is marketing to 55+ it will be subject to review.
If it is a true age restricted multi-family development and a deed restriction is recorded then school concurrency will not be required.
– Helen LaValley 11/07/2023

PUBLIC RESPONSES

Approval

No comments received as of 11/10/2023.

Disapproval

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

No comments received as of 11/10/2023.

PUBLIC COMMENTS (DISAPPROVAL)

Janine Horne, 312 Deborah Avenue:

I recently moved to this address 7-2-2023. The reason I moved here was that I loved the location and that it was a very quiet street, not a lot of traffic and the neighbors have lived here for a very long time.

This was going to be my forever home and was so blessed to be able to purchase it.

So please don't build that multifamily development off of Deborah Ave. the traffic will be awful.

Thank you,
Janine Horne.

Ramona Curry, 2721 Gregory Road

I have a concern about road access to the development as it related to Gregory Road, as Gregory Road is as small county road designed to accommodate a small number of homes and increased traffic flow will certainly create a safety issue, as well as put an undue burden and hardship on the residents currently residing there.

Madeline and James Lipsky, 715 Merridale Avenue

My well is ten feet from my property line which butts up to this property – septic and drain fields must be 100' from my well.
10 ft sound barrier would be nice.

Wildlife habitat ? trees, ect. There are gopher turtles, nesting owls (3 or more) hawks, rabbits, racoon, oposoms, what is being done to ensure these animals homes are not destroyed?

J.R. Spencer, 714 Montclair Road

I do not approve of having the property rezoned to multifamily as I believe it would have a detrimental impact on our community. The increase in population would lead to increased traffic, congestion, & noise pollution, as well as, destroying natural habitats. Additionally, this development would bring a large number of low-income residents which could lead to increased crime. Finally, I am concerned about the impact on property values in the surround areas.

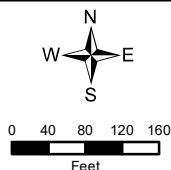
PUBLIC COMMENTS (UNDECIDED)

No comments received as of 11/10/2023.

Aerial

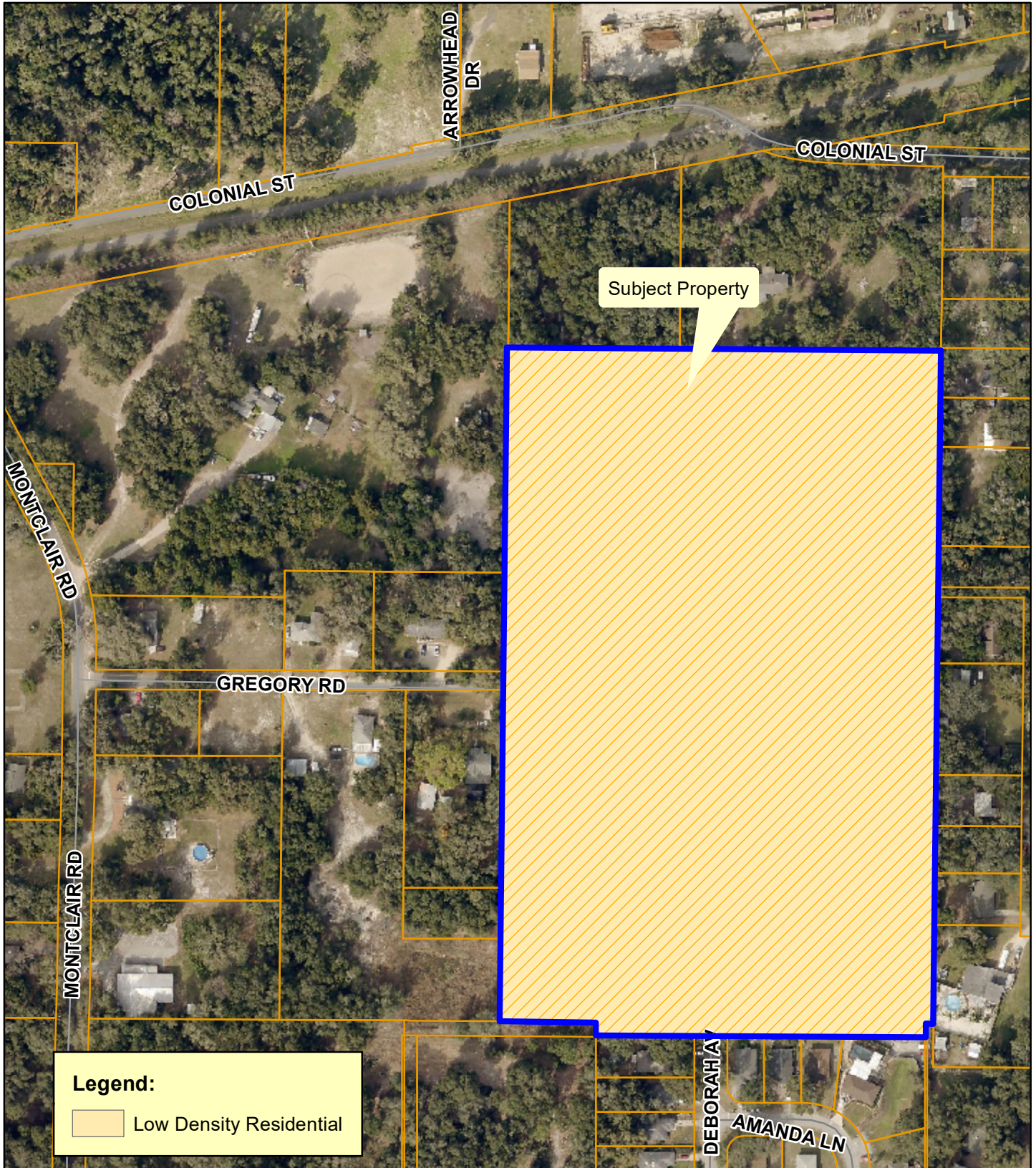


**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

ADOPTED Future Land Use



**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Surrounding Land Use

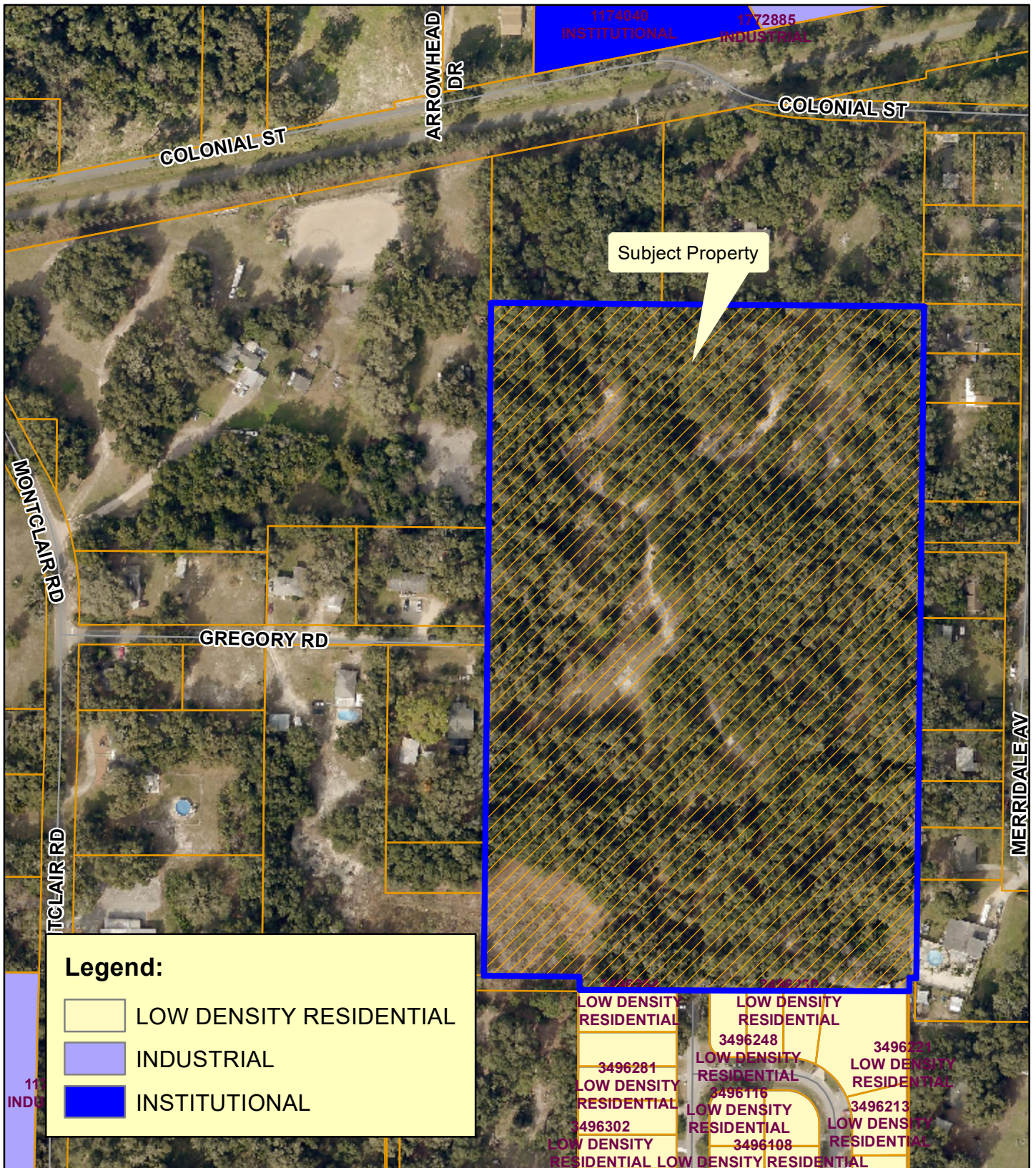


**Planning
& Zoning
Division**



River Fox Commons
 ANN-23-460; SSCP-23-461; PUD-23-462
 Deborah Avenue, Leesburg, FL 34784
 Alternate Key #: 1173051
 October 3, 2023

City of Leesburg Future Land Use

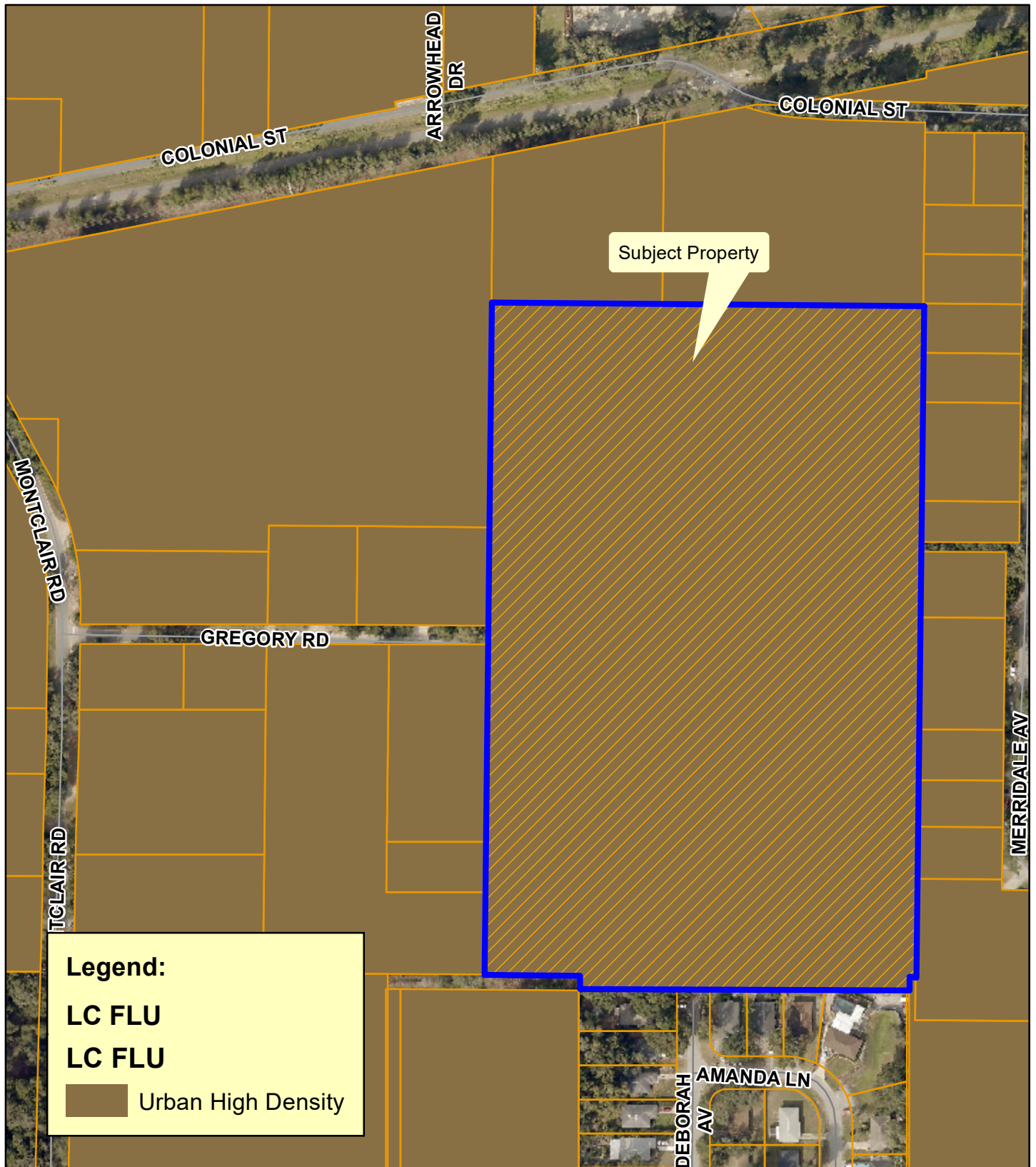


**Planning
& Zoning
Division**



River Fox Commons
 ANN-23-460; SSCP-23-461; PUD-23-462
 Deborah Avenue, Leesburg, FL 34784
 Alternate Key #: 1173051
 October 3, 2023

Lake County Future Land Use

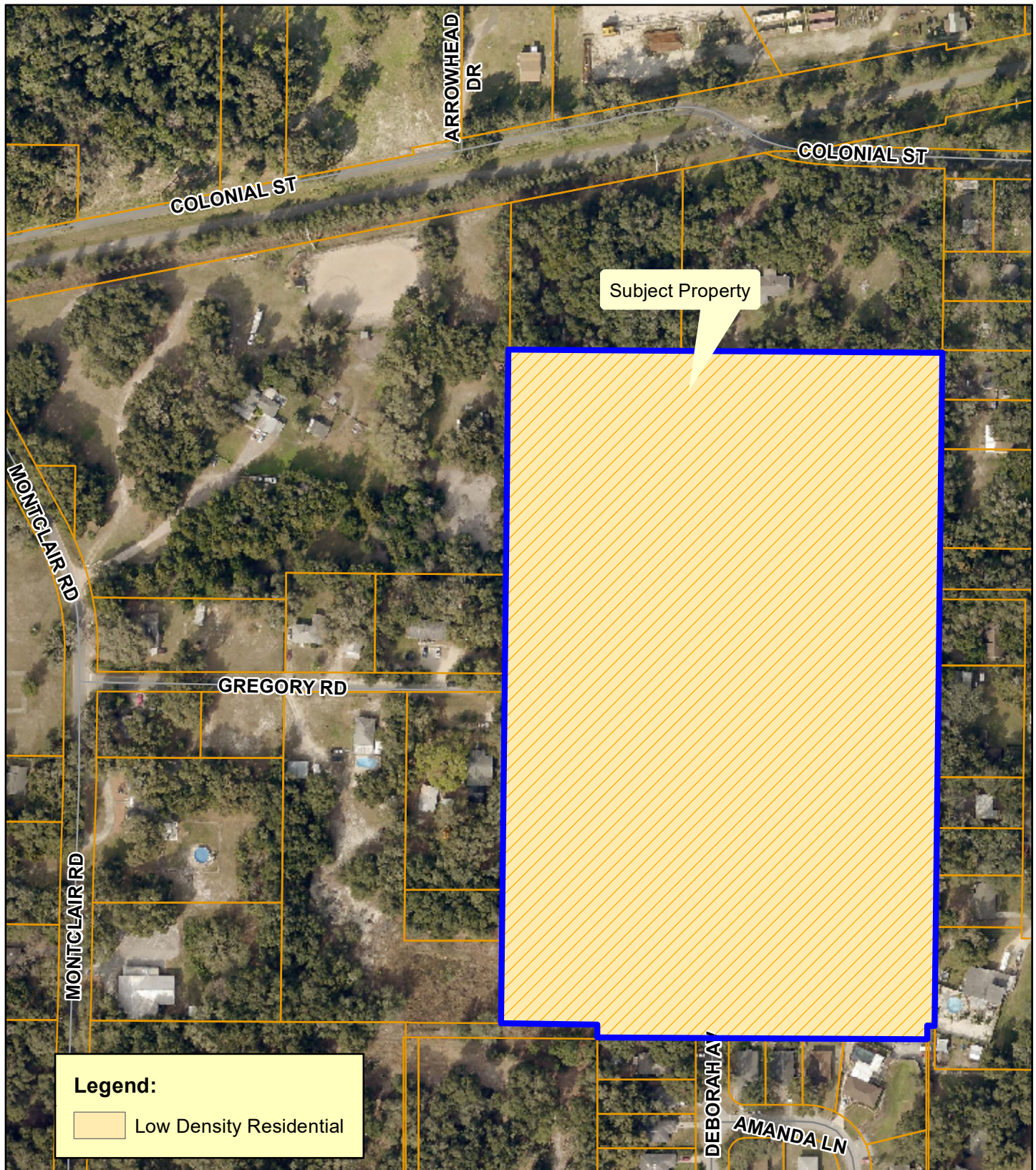


**Planning
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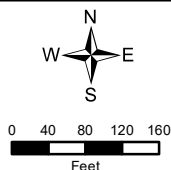


River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

PROPOSED Future Land Use

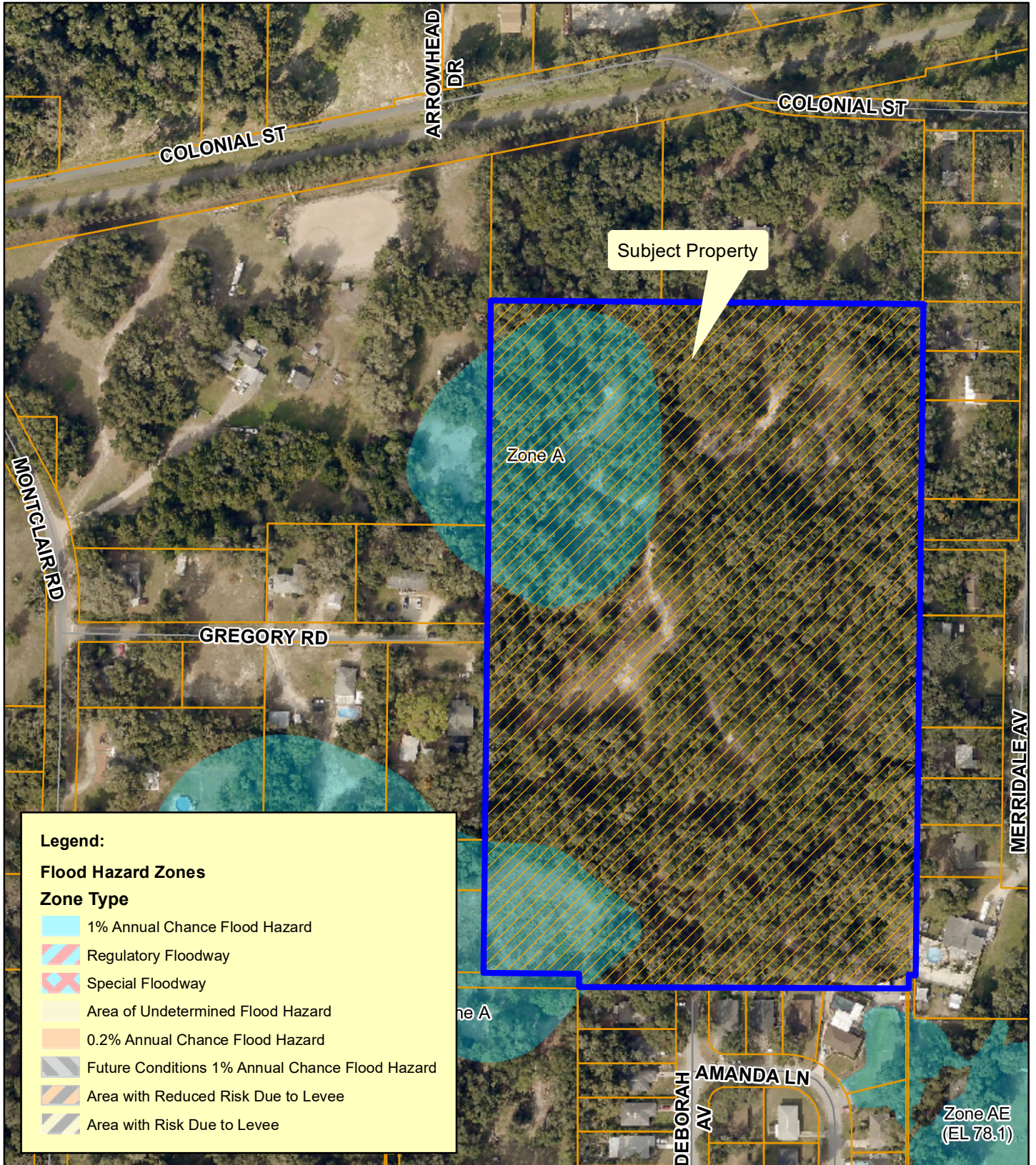


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River Fox Commons
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Flood Zone

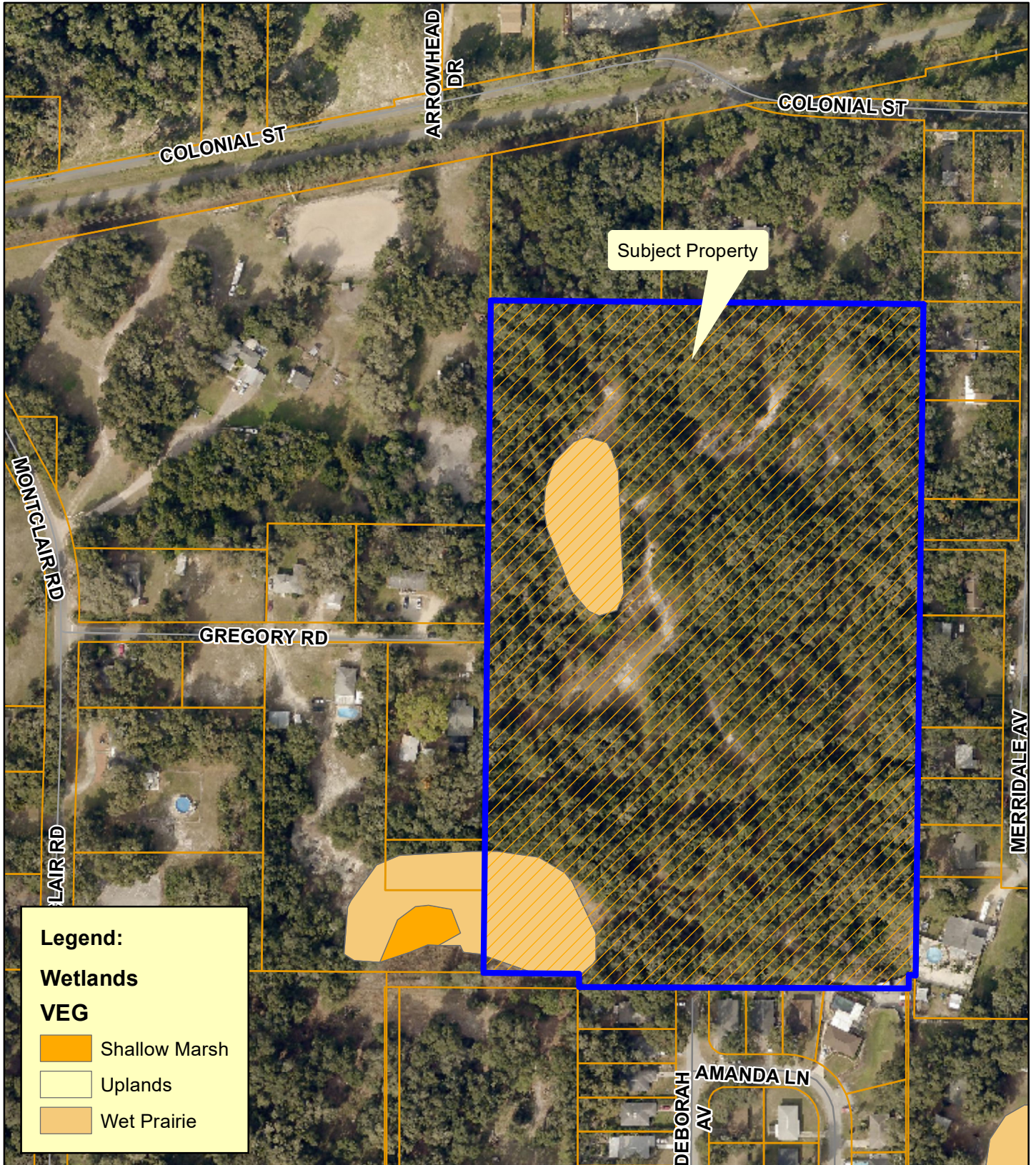


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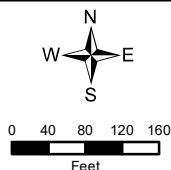


River Fox Commons
 ANN-23-460; SSCP-23-461; PUD-23-462
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 October 3, 2023

Wetlands

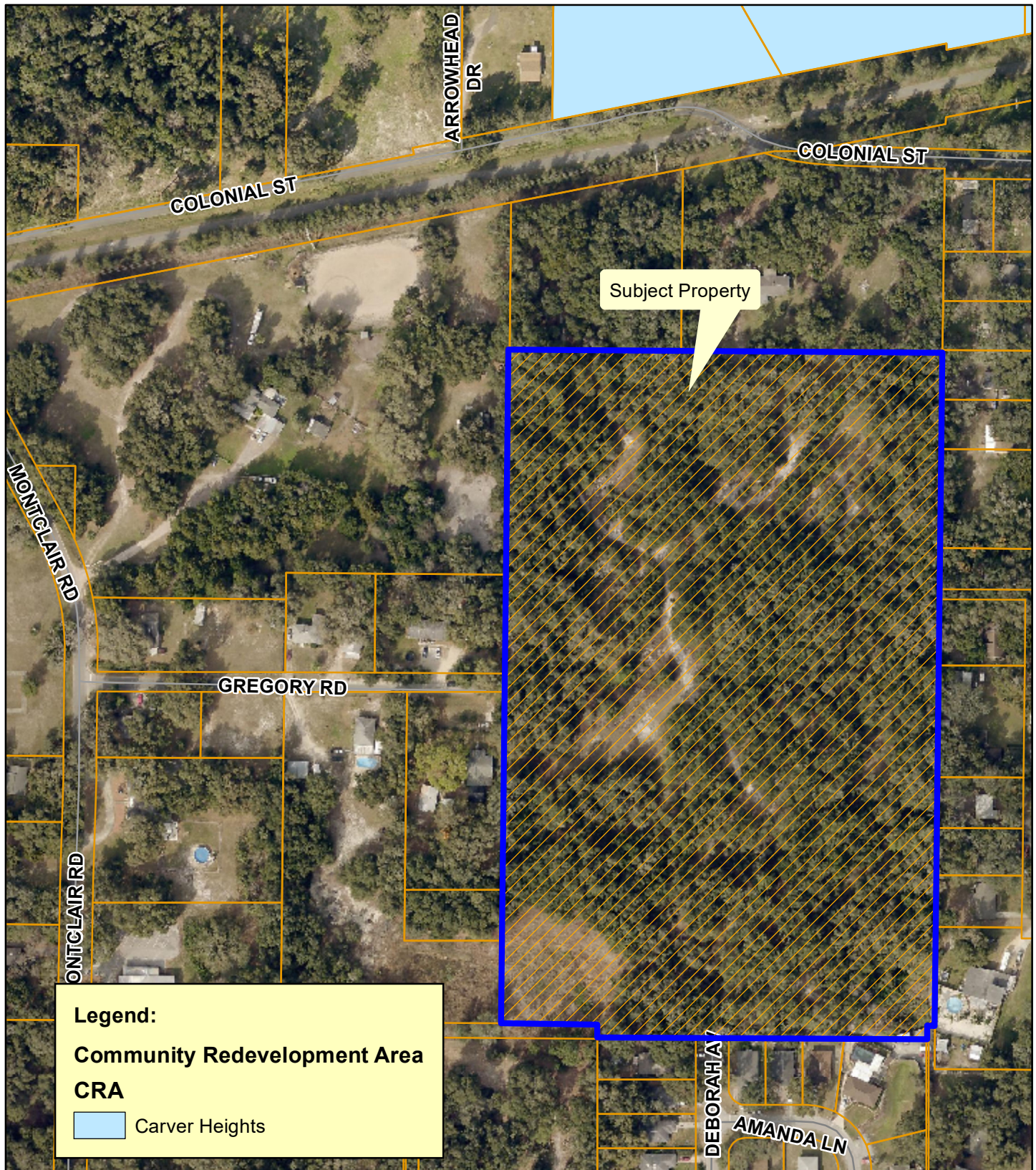


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River Fox Commons
 ANN-23-460; SSCP-23-461; PUD-23-462
 Deborah Avenue, Leesburg, FL 34784
 Alternate Key #: 1173051
 October 3, 2023

Community Redevelopment Area



**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.4.

Meeting Date: February 26, 2024

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 15.34 +/- acres from Lake County R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for residential uses for a property generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (River Fox Commons PUD)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for residential uses.

Analysis:

The project site is approximately 15.34 +/- acres, and is generally located east of Montclair Road and south of Colonial Street as shown on the attached maps. At this time, the property is undeveloped acreage. The proposal will allow for a residential use. The existing land uses surrounding the property are residential and vacant residential. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on November 16, 2023 and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed rezoning to PUD (Planned Unit Development); or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Existing development on 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 15.34 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR RESIDENTIAL USES FOR A PROPERTY GENERALLY LOCATED EAST OF MONTCLAIR ROAD AND SOUTH OF COLONIAL STREET, LYING IN SECTION 21, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (RIVER FOX COMMONS PUD)

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

Section 1.

Based upon the petition of Stephen Campbell (Clymer Farner Barley, Inc., Petitioner) for River Fox Commons 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 R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit 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 26th day of February 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

**RIVER FOX COMMONS
PUD (PLANNED UNIT DEVELOPMENT)
Conditions of Development Agreement
November 16, 2023**

This Conditions of Planned Unit Development Agreement for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **The Paces Foundation, Inc., 2730 Cumberland Blvd. SE, Smyrna, Georgia 30080, "Permittee" (Clymer Farner Barley, Inc., Stephen Campbell, P.E. - Petitioner)** for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Unit Development" of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is requesting a Planned Unit Development (PUD) zoning district to allow future construction of a proposed multifamily residential development consisting of approximately 15.5 acres containing a maximum of 92 residential units at a density of 6 units per acre, and being generally located east of Montclair Road and south of Colonial Street, on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

The purpose of this document is to provide appropriate zoning standards for a high-quality built environment through the application of flexible and diversified land development requirements, which shall be implemented in conjunction with a master site development plan and the City of Leesburg Code of Ordinances, therefore allowing for more efficient and optimal use of the subject property, and to increase the overall economic opportunity and employment base of Leesburg, Florida.

CONDITIONS

The following conditions shall apply to the development proposed herein. If any instance where the conditions of this document may conflict with the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **The Paces Foundation, Inc., 2730 Cumberland Blvd. SE, Smyrna, Georgia 30080, "Permittee" (Clymer Farner Barley, Inc., Stephen Campbell, P.E. - Petitioner)** to construct, operate, and maintain a Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.

3. **LAND USE**

The above-described property, containing approximately 15.5 acres shall be used for multi-family residential development, pursuant to City of Leesburg development codes and standards.

A. Permitted Uses

1. Uses shall be those listed as permitted uses in the PUD district as amended in this document and shall occupy the approximate area as shown on **Exhibit C, Conceptual Development Plan**.
2. Permitted uses shall be as follows:
 - a. Multi-family development
 - b. Any other similar uses which are considered accessory to permitted uses which does not adversely impact the adjoining properties due to traffic, noise, dust, etc.

B. Prohibited Uses

1. Townhouses (single family attached units) and single family detached
2. Duplex/Triplex/Quadraplex Uses
3. Commercial Uses
4. Industrial Uses
5. All other uses not specifically permitted by A.2 above.

C. The project shall contain a maximum of 92 residential units, on approximately 15.5 acres at a gross density of 6 units per acre, as shown on **Exhibit C, Conceptual Development Plan**.

D. The minimum development standards shall be those required for the R-1 (Low Density Residential) district except as amended by this agreement.

E. The external architecture of the buildings at a minimum shall incorporate the same design elements of the elevation submitted as **Exhibit D, Façade Examples**. Variations with similar characteristics may be approved by the Planning and Zoning Director

F. The following minimum yard setbacks shall be maintained:
Front setback – 100 feet;
Rear setback – 50 feet; and
Side setbacks - Minimum 100 feet on each side.

G. Minimum distance between structures shall be 30 feet; measured from building wall to building wall.

H. Accessory structures shall have a minimum rear and side setback of 30 feet.

I. Impervious surface coverage shall not exceed 65 percent.

- J. Maximum building height shall not exceed four (4) stories except for additional height approved by staff for roof, elevators, a/c units etc.
- K. A minimum of thirty-five (35) percent of the site shall be developed as open space, including retention areas, buffer and landscaped areas. Parking areas and vehicle access areas shall not be considered in calculating open space.
- L. Recreational Development
 - 1. Recreational development shall meet the requirements of the City of Leesburg Land Development Code (as amended) and as required in Section 13 of this PUD Agreement.
- O. Limited commercial uses shall be allowed within buildings designated for recreational use and shall be intended for the primary use of project residents except for Permitted Uses in 3.A.2. The location and intensity of such uses shall be approved by the City staff as part of the site plan review process. Examples of such uses are sales office, ATM or coffee shop etc.

4. **DESIGN/ARCHITECTURAL STANDARDS**

- A. Development shall be subject to *Section 25-360 – Architectural standard*, City of Leesburg Code of Ordinances.
- B. The development may be a combination of one, two-, or three-bedroom units. No unit shall contain more than three bedrooms. Each dwelling unit shall meet the following size requirements:
 - 1. One-bedroom units shall not be less than 700 square feet.
 - 2. Two-bedroom units shall not be less than 800 square feet
 - 3. Three-bedroom units shall not be less than 950 square feet
- C. All buildings shall have a common architectural theme for each phase and the side of buildings which face residential areas or streets (public or private) shall be finished in the same materials as used in the front of buildings.
- D. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well designed and integrated into a comprehensive design style for the project including sides and rear of buildings which shall be integrated with the front elevation materials and design.
- E. Mechanical units and roof equipment should be screened from view with parapet or other screening method so that mechanical equipment is not seen from public right-of-way and the adjacent residential property.
- F. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
 - 1. At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap

siding and/or stucco.

2. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option).
3. All textured stucco, provided there are unique design features such as recessed areas, tile roofs, arched windows etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.
4. Residential multi-family units shall be designed with elevations that are the same or similar to the attached elevations (See **Exhibit D**).
5. The architectural styles and facades shown in **Exhibit D** herein are considered conceptual.
6. Other similar design variations meeting the intent of this section may be approved at the discretion of the Community Development Director.
7. The Permittee shall utilize “Dark Sky” lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties. Appropriate designs are shown on **Exhibit E, Dark Sky Lighting (Acceptable Designs)**, attached hereto.

5. **OPEN SPACE, LANDSCAPING & BUFFER REQUIREMENTS**

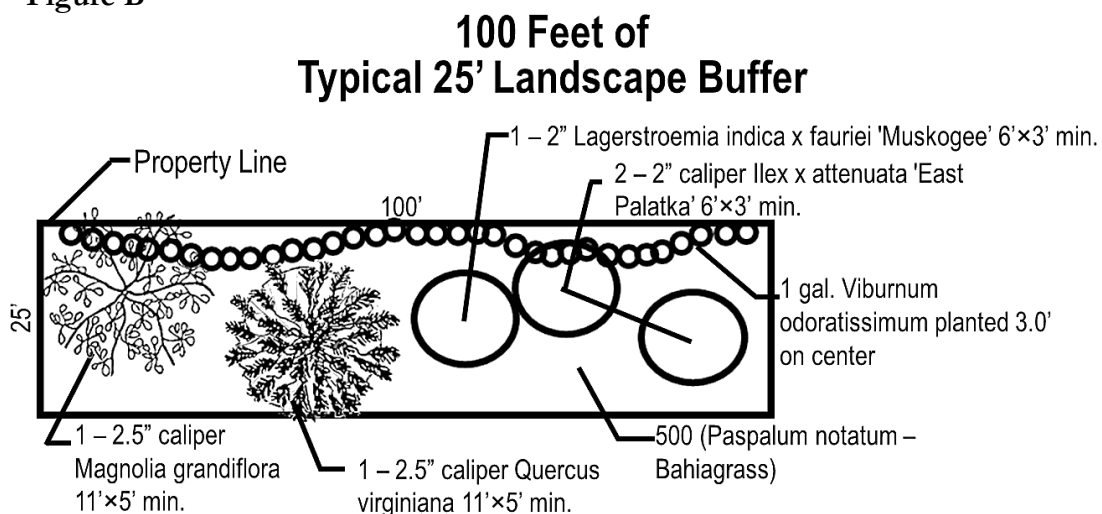
- A. A minimum of 35% open space shall be provided throughout the development. Open space may consist of buffers, wetlands retention and recreation areas.
- B. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances including;
 1. For each one hundred (100) linear feet, or fraction thereof, of boundary, the following plants shall be provided in accordance with the planting standards and requirements of the City of Leesburg Code of Ordinances, as amended.
 - a. Two (2) canopy trees
 - b. Two (2) ornamental trees
 - c. Thirty (30) shrubs
 - d. The remainder of the buffer area shall be landscaped with grass, groundcover, and/or other landscape treatment.
 - e. Existing vegetation in the required buffer shall be protected during construction.
- C. A vegetative landscape buffer area of a minimum of twenty-five (25) feet shall also be constructed and/or maintained in all areas adjacent to residential zoning classifications. Said vegetative buffer shall consist of existing trees and the required fence. A plan for the buffer shall be submitted to, and approved by, the Planning & Zoning Division

- during the site plan review process prior to issuance of a building permit.
- D. A buffer along adjacent parcels to the north, east and south consisting of a six (6) foot solid PVC fence shall be used as a visual and security buffer for adjacent residential areas. The fence shall include a continuous decorative cap and end column features where applicable. (See **Exhibit F**)
- E. Variations to the landscape requirements of the code may be approved by the Planning and Zoning Director, as long as the intent of the PUD and the Landscaping Code are maintained including consideration of existing natural vegetative buffers.
- F. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below.

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



*Buffer detail is to illustrate plant material quality and specification only.
Actual plant material placement may vary.
Landscape buffer irrigated with automatic system.*

- G. The surveying of trees on the property shall be conducted as follows:
1. All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
 2. Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements.
 3. The tree survey shall be completed by a licensed surveyor.

6. SITE ACCESS AND SIGNAGE

- A. The main vehicular access to the project site shall consist of one access point on Colonial Street, as legally prescribed by Lake County Public Works, and/or FDOT as applicable, and shown on the **Conceptual Development Plan, Exhibit C**, as amended. All access points are conceptual and subject to Lake County review. Actual location and design of all roads shall be determined during the site plan review process and shall include consideration of, and connection to, sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and requirements through Lake County and the City of Leesburg development and permitting processes. Any additional access points shall be subject to site plan application review process.
- B. All access points on Colonial Street shall be designed to allow emergency access vehicles room to maneuver. This entrance shall be reviewed and adjusted by staff as needed at the Site Plan and Construction Plan review.
1. Offsite road improvements on existing roads adjacent to the property may be required based on finalized access locations. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be reviewed by Lake County Public Works.
 2. Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 3. The Master Development Plan, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- C. One emergency access point shall be required to connect to Gregory Road on the west side of the subject property prior to the first Certificate of Occupancy.
- D. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for

on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.

- E. The applicant/developer may choose to provide a decorative entry feature to include a concrete, brick or stucco wall at least five (5) feet in height, on each side of the entryway on Gregory Road. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
- F. Alternative designs for the ground enclosure support and bases of a monument sign may be approved by the Planning and Zoning Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.
- G. Roadway interconnectivity shall be provided as shown on the **Conceptual Development Plan, Exhibit C**, as needed, to allow for connection points between this development and future development of adjacent properties.

7. **PARKING**

Parking shall consist of a minimum of 111 spaces as shown on **Exhibit C, Conceptual Development Plan**. Spaces shall be designed and constructed to be consistent with the requirements of Sec. 25-357. - *Parking - Purpose*, City of Leesburg Code of Ordinances, to include handicap spaces and landscape islands.

8. **TRANSPORTATION IMPROVEMENTS**

All transportation improvements shall be contingent upon site plan approval by City of Leesburg staff during development review/permit application. Said approval shall also be contingent upon review and approval by the MPO, Lake County and the Florida Department of Transportation where required.

A. Traffic/Transportation Study

A traffic/transportation study shall be submitted for review and determination of any necessary access improvements, and including any off-site improvements legally required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.

B. Roadway Improvements

Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of required sidewalks, recreation paths etc.

C. Internal Circulation

Drives and accesses shall be constructed within the interior of the development such that continuous vehicular access is available among and between all structures within the development.

- D. The Permittee shall provide necessary traffic and/or roadway improvements within and adjacent to the development which are legally required by Lake County, the Lake-Sumter MPO and City of Leesburg.
- E. The Permittee shall be responsible for obtaining all necessary legally required Lake County permits and a copy of all permits shall be provided to the City of Leesburg.
- F. The City of Leesburg shall not be responsible for the construction of any roads or transportation improvements.
- G. All roads within the development shall be constructed to meet the City of Leesburg's standards, ARTICLE VII – TECHNICAL STANDARDS, as amended.
 - 1. Should the Permittee (or designee) desire to dedicate the proposed project's internal road system to the City of Leesburg; the Permittee shall demonstrate to the satisfaction of the City of Leesburg that the road system is in suitable condition and meets all City road design requirements.
 - 2. Should the Permittee (or designee) choose to retain the roadways, the Permittee shall establish an appropriate legal entity that shall accept responsibility to pay the cost and perform all services required to maintain the roads and transportation improvements to City of Leesburg codes and standards, as amended. A Homeowners or Property Owners Association, or other such legal entity will be considered acceptable.

9. UTILITIES

Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, consistent with the typical pioneering agreement approved on new home projects in the city, including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
- C. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service

deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

10. STORMWATER/DRAINAGE MANAGEMENT

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowner's or property owners association is an acceptable maintenance entity.
- D. The existing 100-year flood plain on the property shall be shown on all plans.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and /or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.
- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system.
 - 1. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements.
 - 2. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

11. WETLANDS, FLOOD ZONES & WILDLIFE

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a homeowner's association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowner's association for ownership and maintenance.
- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
- G. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- H. A map indicating the location of the 100-year flood plain.
- I. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and/or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.

- J. Through the Site Plan Review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. IRRIGATION & WATER USAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-327, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.

13. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall be provided at a rate of 200 square feet per residential unit, and shall consist of not less than 18,400 square feet.
- B. Recreational requirements shall include at least one primary active recreation area. Recreation areas may include such uses as picnic tables, a dog park area or gazebo, or other amenities as reviewed and approved by staff. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of 50% of the approved maximum number of residential units.
 - 1. The primary required recreational amenities shall consist of the following as shown on **Exhibit C, Conceptual Development Plan**:
 - a. Swimming pool
 - b. Community pool house
 - c. Five (5) foot walking trail
 - d. Picnic pavilion
 - e. Gazebo
- C. Credit for recreational space shall be given for areas dedicated to recreational space, to include items such as a clubhouse with recreation room, swimming pool, outdoor cooking facilities such as grills, play courts, dog parks or other similar uses which will meet the intent of this document. Other similar uses which will meet the intent of this document may be supplied by the developer.
- D. Active recreational activity space shall be calculated at a rate of 1.25 times for activities such as, but not limited to:
 - 1. Trails, basketball, tennis, handball courts, etc.
 - 2. Community swimming pool, including the deck area surrounding such pools.
 - 3. Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.

4. Other active recreational activities may be used for credit, subject to approval by the City of Leesburg.

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A property owner association or similar agency shall serve as an appropriate entity for all common properties within the development.

15. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in these PUD Conditions of Approval, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. Implementation of the project shall substantially commence one-hundred twenty (120) months after approval of this Planned Development. In the event, the conditions of the PUD have not been substantially implemented during the required time period, the City of Leesburg shall have the option of scheduling the PUD, with due notice to the owner and surrounding property owners, for reconsideration by the Planning Commission at their next available regular meeting. The Planning Commission will consider whether to extend the PUD approval or rezone the property to another appropriate zoning classification.
- C. As part of the overall development process, if the project is constructed in phases, each phase shall contain only portions of the development approved under the Site Plan Review Process, i.e., each phase platted shall match each phase submitted for site plan review.

16. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Agreement. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development Agreement set forth herein, and with all City and other governmental agencies rules and regulations.

- D. The transfer of ownership or lease of any or all of the property described in Planned Unit Development Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. This Planned Unit Development Agreement shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. LEVELS OF SERVICE

As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid water. No final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

A. Utilities

1. Projected Capacities

- a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.

- B. If the development requires construction of new distribution or collection lines, or other infrastructure needed to develop the subdivision, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

C. Commitment of Capacity

- 1. There are no previous commitments of any existing or planned excess capacity for this property.

D. Ability to Provide Services

- 1. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
- 2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

LEGAL DESCRIPTION
(provided by Applicant)

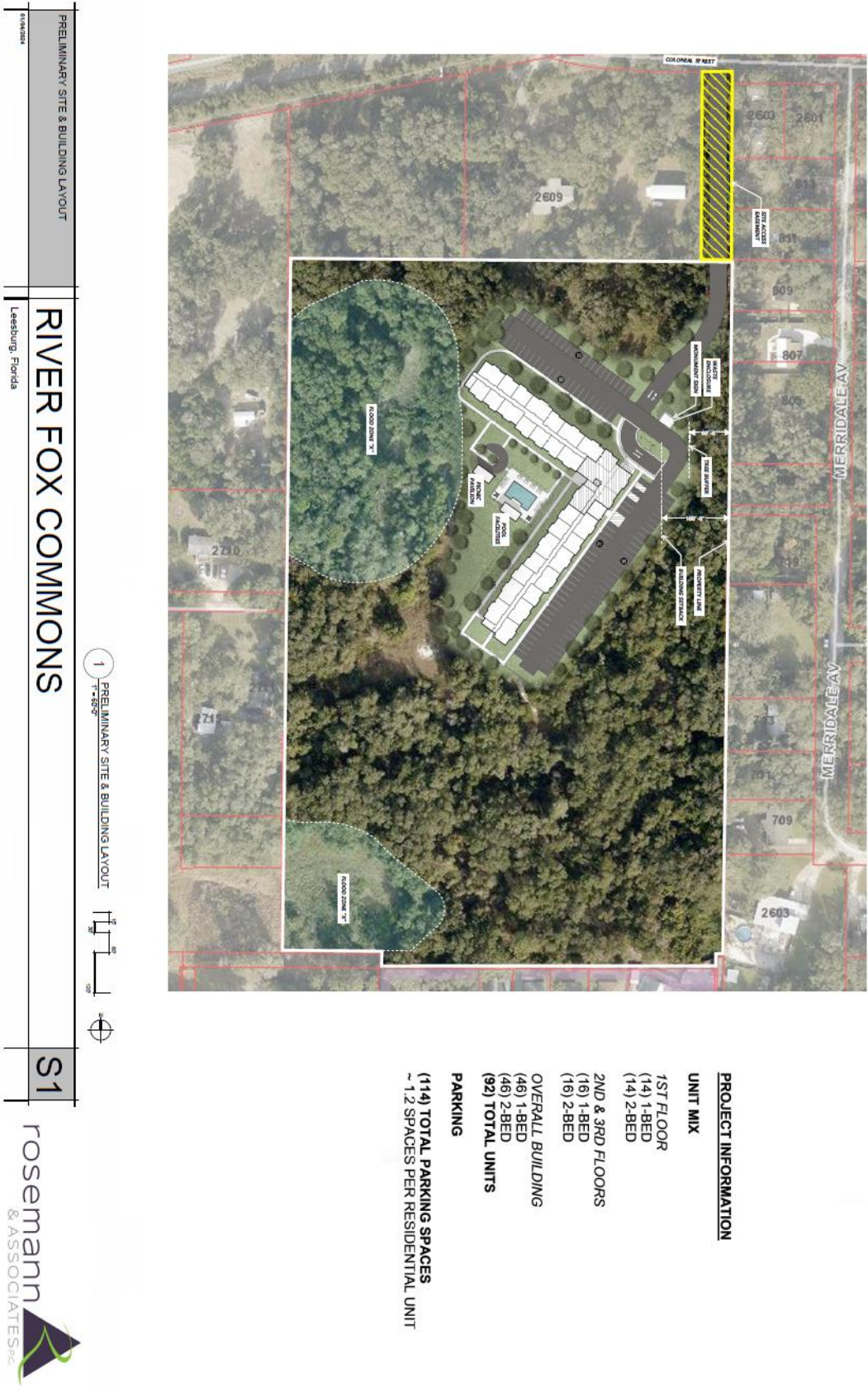
EXHIBIT B

A PORTION OF PARCEL ID NO. 21-19-24-000400014101

**THE EAST 40 FEET OF THE NORTH 300 FEET OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.**

PARCEL ID NO. 21-19-24-000400014100

**THE SOUTH 1020 FEET OF THE E 1/2 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 21, TOWNSHIP
19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.**





Building Main Entry Perspective View - Character Study

CHARACTER ELEVATION STUDY

River Fox Commons
Leesburg, Florida

A1



Building Rear Perspective View - Character Study

CHARACTER ELEVATION STUDY

River Fox Commons
Leesburg, Florida

A2





2 FRONT ELEVATION
332' x 1-0"



1 REAR ELEVATION
332' x 1-0"

CHARACTER ELEVATION STUDY	River Fox Commons Leesburg, Florida	A3	rosemann & ASSOCIATES PC
2/11/2024			



2 LEFT ELEVATION
332' x 1-0"



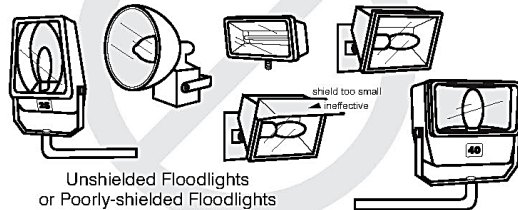
3 RIGHT ELEVATION
332' x 1-0"

CHARACTER ELEVATION STUDY	River Fox Commons Leesburg, Florida	A4	rosemann & ASSOCIATES PC
2/11/2024			

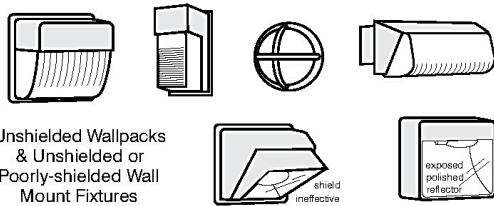
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

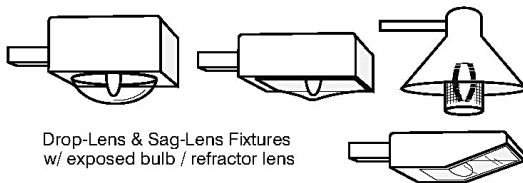
Fixtures that produce glare and light trespass



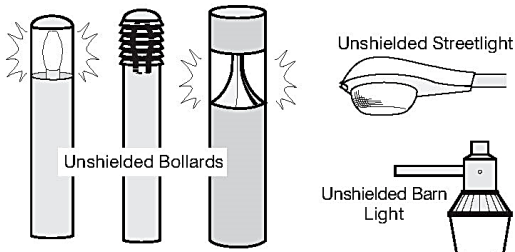
Unshielded Floodlights
or Poorly-shielded Floodlights



Unshielded Wallpacks
& Unshielded or
Poorly-shielded Wall
Mount Fixtures



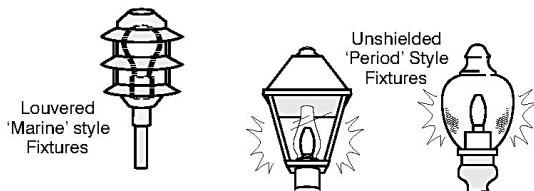
Drop-Lens & Sag-Lens Fixtures
w/ exposed bulb / refractor lens



Unshielded Bollards

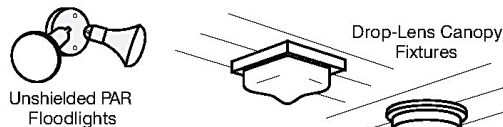
Unshielded Streetlight

Unshielded Barn
Light



Louvered
'Marine' style
Fixtures

Unshielded
'Period' Style
Fixtures

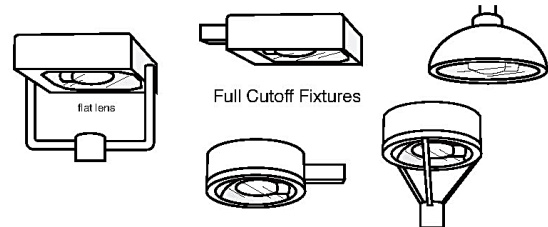


Drop-Lens Canopy
Fixtures

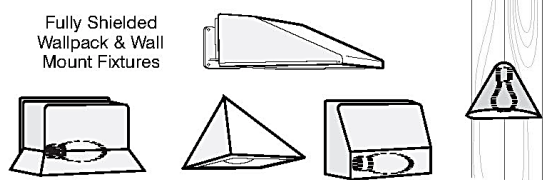
Unshielded PAR
Floodlights

Acceptable

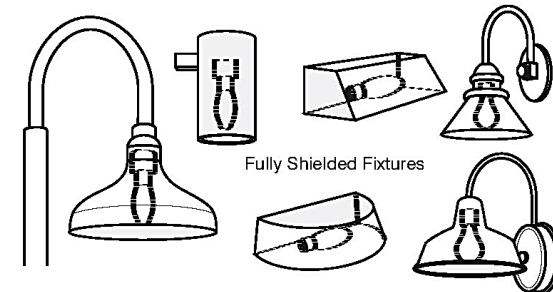
Fixtures that shield the light source to minimize glare and light trespass
and to facilitate better vision at night



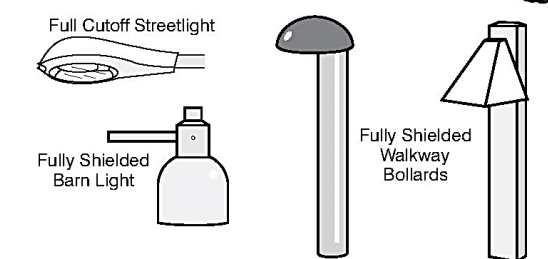
Full Cutoff Fixtures



Fully Shielded
Wallpack & Wall
Mount Fixtures



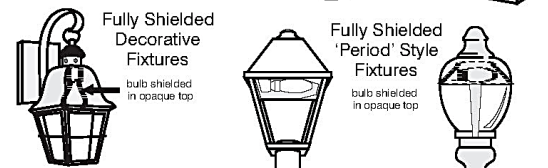
Fully Shielded Fixtures



Full Cutoff Streetlight

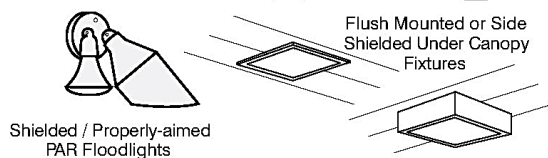
Fully Shielded
Barn Light

Fully Shielded
Walkway
Bollards



Fully Shielded
Decorative
Fixtures

Fully Shielded
'Period' Style
Fixtures



Shielded / Properly-aimed
PAR Floodlights

Flush Mounted or Side
Shielded Under Canopy
Fixtures

Illustrations by Bob Crelin © 2005. Rendered for the Town of Southampton, NY. Used with permission

FENCING EXAMPLES

EXHIBIT F

Vinyl Fence Types







CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: November 16, 2023
OWNER: The Paces Foundation Inc.
PETITIONER: Stephen Campbell, Clymer Farner Barley, Inc., on behalf of The Paces Foundation Inc.
PROJECT: River Fox Commons
REQUEST: Small Scale Comprehensive Plan Amendment from Lake County Urban High Density to the City of Leesburg Low Density Residential
CASE NO.: SSCP-23-461

THE PLANNING & ZONING DIVISION RECOMMENDS:

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

1. This project meets the requirements of Chapter 163.3187 Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed request for a Small-Scale Comprehensive Plan amendment is compatible with the adjacent future land use designations of Lake County Urban High Density and City of Leesburg Low Density Residential.
3. The proposed request under Case Number PUD-23-462, is compatible with the current surrounding zoning districts of Lake County R-6 (Urban Residential District) and C-1 (Neighborhood Commercial and City of Leesburg R-1 (Low Density Residential).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to **approve** staff's recommendation to change the future land use of the subject property from Lake County Urban High Density to the City of Leesburg Low Density Residential and forward this recommendation to the City Commission for consideration.

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

DATE: November 16, 2023
OWNER: The Paces Foundation Inc.
PETITIONER: Stephen Campbell, Clymer Farner Barley, Inc., on behalf of The Paces Foundation Inc.
PROJECT: River Fox Commons
REQUEST: Small Scale Comprehensive Plan Amendment to Low Density Residential; Zoning to PUD (Small Planned Unit Development)
CASE NO.: ANNEX-23-460; SSCP-23-461; PUD-23-462

GENERAL LOCATION: East of Montclair Road and South of Colonial Street.

FUTURE LAND USE DESIGNATION: Vacant Residential

SURROUNDING FUTURE LAND USE DESIGNATION:

North	–	Lake County Urban High Density
South	–	Lake County Urban High Density; City of Leesburg Low Density Residential
East	–	Lake County Urban High Density
West	–	Lake County Urban High Density

PROPOSED FUTURE LAND USE DESIGNATION: Low Density Residential

EXISTING ZONING DESIGNATION: Lake County RP (Residential Professional)

SURROUNDING ZONING DESIGNATIONS:

North	–	Lake County R-6 (Urban Residential District)
South	–	Lake County R-6 (Urban Residential District); City of Leesburg R-1 (Low Density Residential)
East	–	Lake County R-6 (Urban Residential District)
West	–	Lake County R-6 (Urban Residential District); Lake County C-1 (Neighborhood Commercial)

PROPOSED ZONING DESIGNATION: PUD (Small Planned Unit Development)

EXISTING LAND USE: Vacant Institutional

SURROUNDING LAND USE:

North	–	Vacant Commercial; Vacant Residential; Single Family Residential
South	–	Vacant Residential; Residential (Single Family)
East	–	Residential (Single Family)
West	–	Vacant Residential; Single Family Residential; Residential (Manufactured Home)

PROPOSED LAND USE: Residential (Senior Living)

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

DATE: November 16, 2023
OWNER: The Paces Foundation Inc.
PETITIONER: Stephen Campbell, Clymer Farner Barley, Inc., on behalf of The Paces Foundation Inc.
PROJECT: River Fox Commons
REQUEST: Rezoning from Lake County R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development)
CASE NO.: SSPC-23-461; PUD-23-462

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 11/10/2023.

FIRE

In reference to Case Number SSPC-23-461, PUD-23-462

NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, 2020 Edition. The subject property referenced in Case Number SSPC-23-461, PUD-23-462 is outside the recommended four-minute response time for initial responding fire apparatus.

4.1 Fire Department Organizational Statement.

4.1.2.1

The fire department shall establish the following objectives for the first-due response zones that are identified by the AHJ:

- (1) Alarm handling time completion in accordance with **4.1.2.3**
- (2) 80 seconds turnout time for fire and special operations response and 60 seconds turnout time for EMS response
- (3)* 240 seconds or less travel time for the arrival of the first engine company at a fire suppression incident
- (4) 360 seconds or less travel time for the arrival of the second company with a minimum staffing of 4 personnel at a fire suppression incident
- (5) For other than high-rise, 480 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (6) For high-rise, 610 seconds or less travel time for the deployment of an initial full alarm assignment at a fire suppression incident
- (7) 240 seconds or less travel time for the arrival of a unit with first responder with automatic external defibrillator (AED) or higher-level capability at an emergency medical incident
- (8) 480 seconds or less travel time for the arrival of an advanced life support (ALS) unit at an emergency medical incident, where this service is provided by the fire department provided a first responder with an AED or basic life support (BLS) unit arrived in 240 seconds or less travel time.

– Amanda Stevenson 11/8/2023

ELECTRIC

Electric has no objections. A line extension will be required to feed the complex. Easements will be required. – Steve Davis 10/26/2023

GAS

Natural gas is available and directed per City Ordinance. – Brandon Smith 10/30/2023

GIS

No comments received as of 11/10/2023.

BUILDING

No comments received as of 11/10/2023.

PUBLIC WORKS

Public Works has no issues with this item. – Cliff Kelsey 10/30/2023

ADDRESSING

No comments received as of 11/10/2023.

ECONOMIC DEVELOPMENT

No comments received as of 11/10/2023.

LAKE COUNTY PUBLIC WORKS

Lake County Public Works has the following comments.

The property based on the concept plan will be accessing from Colonial Street which is a county maintained paved road. Permitting for the access from Lake County Public Works will be required.
– Seth Lynch 11/14/2023

LAKE COUNTY SCHOOLS

The 92-unit 55+ apartment project may be subject to school concurrency review. I will need more information on the project to make a determination.
If the applicant/property owner is marketing to 55+ it will be subject to review.
If it is a true age restricted multi-family development and a deed restriction is recorded then school concurrency will not be required.
– Helen LaValley 11/07/2023

PUBLIC RESPONSES

Approval

No comments received as of 11/10/2023.

Disapproval

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

No comments received as of 11/10/2023.

PUBLIC COMMENTS (DISAPPROVAL)

Janine Horne, 312 Deborah Avenue:

I recently moved to this address 7-2-2023. The reason I moved here was that I loved the location and that it was a very quiet street, not a lot of traffic and the neighbors have lived here for a very long time.

This was going to be my forever home and was so blessed to be able to purchase it.

So please don't build that multifamily development off of Deborah Ave. the traffic will be awful.

Thank you,
Janine Horne.

Ramona Curry, 2721 Gregory Road

I have a concern about road access to the development as it related to Gregory Road, as Gregory Road is as small county road designed to accommodate a small number of homes and increased traffic flow will certainly create a safety issue, as well as put an undue burden and hardship on the residents currently residing there.

Madeline and James Lipsky, 715 Merridale Avenue

My well is ten feet from my property line which butts up to this property – septic and drain fields must be 100' from my well.
10 ft sound barrier would be nice.

Wildlife habitat ? trees, ect. There are gopher turtles, nesting owls (3 or more) hawks, rabbits, racoon, oposoms, what is being done to ensure these animals homes are not destroyed?

J.R. Spencer, 714 Montclair Road

I do not approve of having the property rezoned to multifamily as I believe it would have a detrimental impact on our community. The increase in population would lead to increased traffic, congestion, & noise pollution, as well as, destroying natural habitats. Additionally, this development would bring a large number of low-income residents which could lead to increased crime. Finally, I am concerned about the impact on property values in the surround areas.

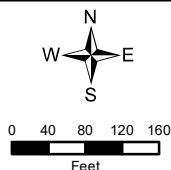
PUBLIC COMMENTS (UNDECIDED)

No comments received as of 11/10/2023.

Aerial



**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Surrounding Land Use

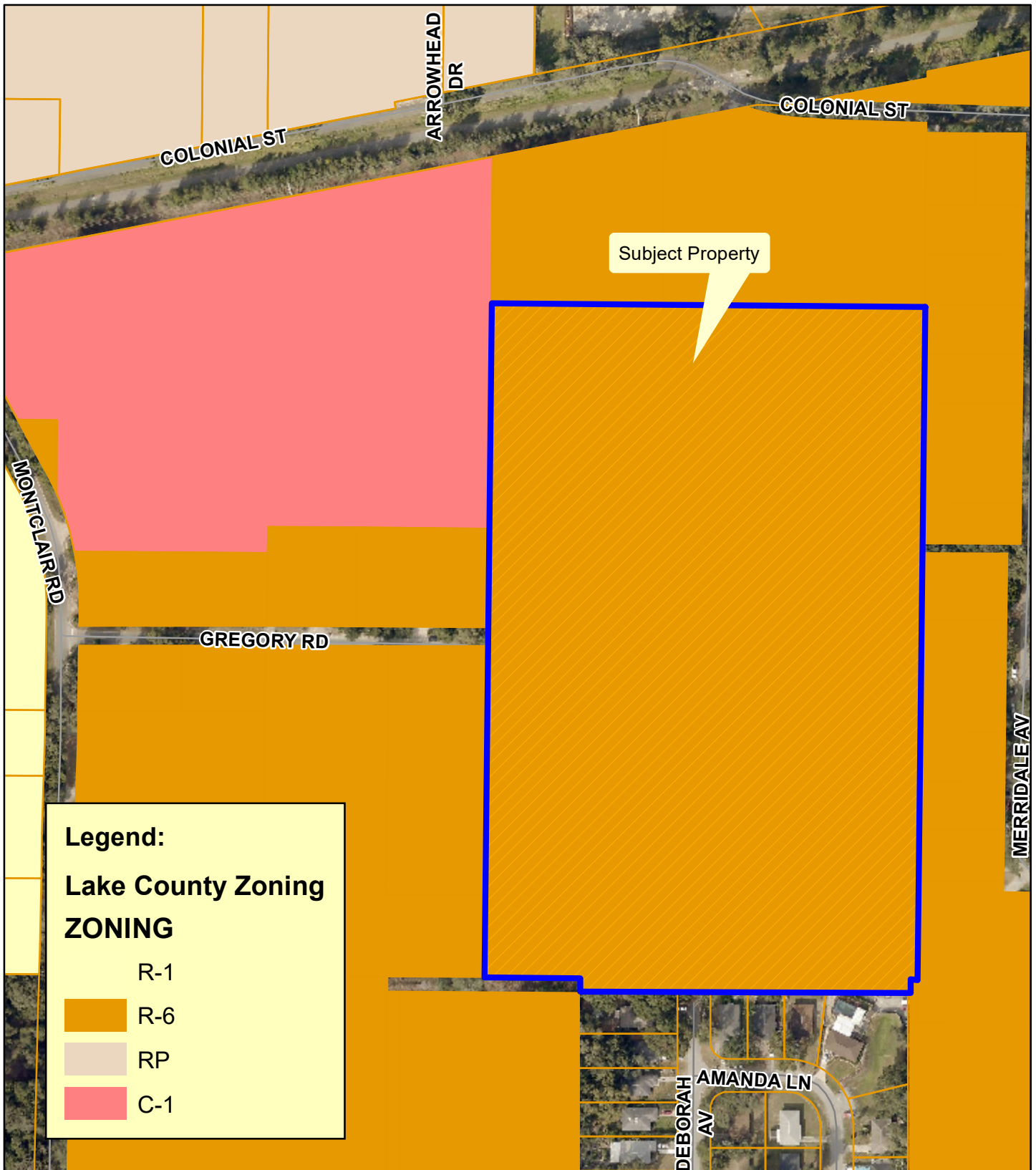


**Planning
& Zoning
Division**

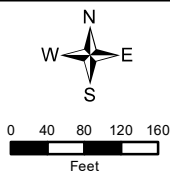


River Fox Commons
 ANN-23-460; SSC-23-461; PUD-23-462
 Deborah Avenue, Leesburg, FL 34784
 Alternate Key #: 1173051
 October 3, 2023

Lake County Zoning

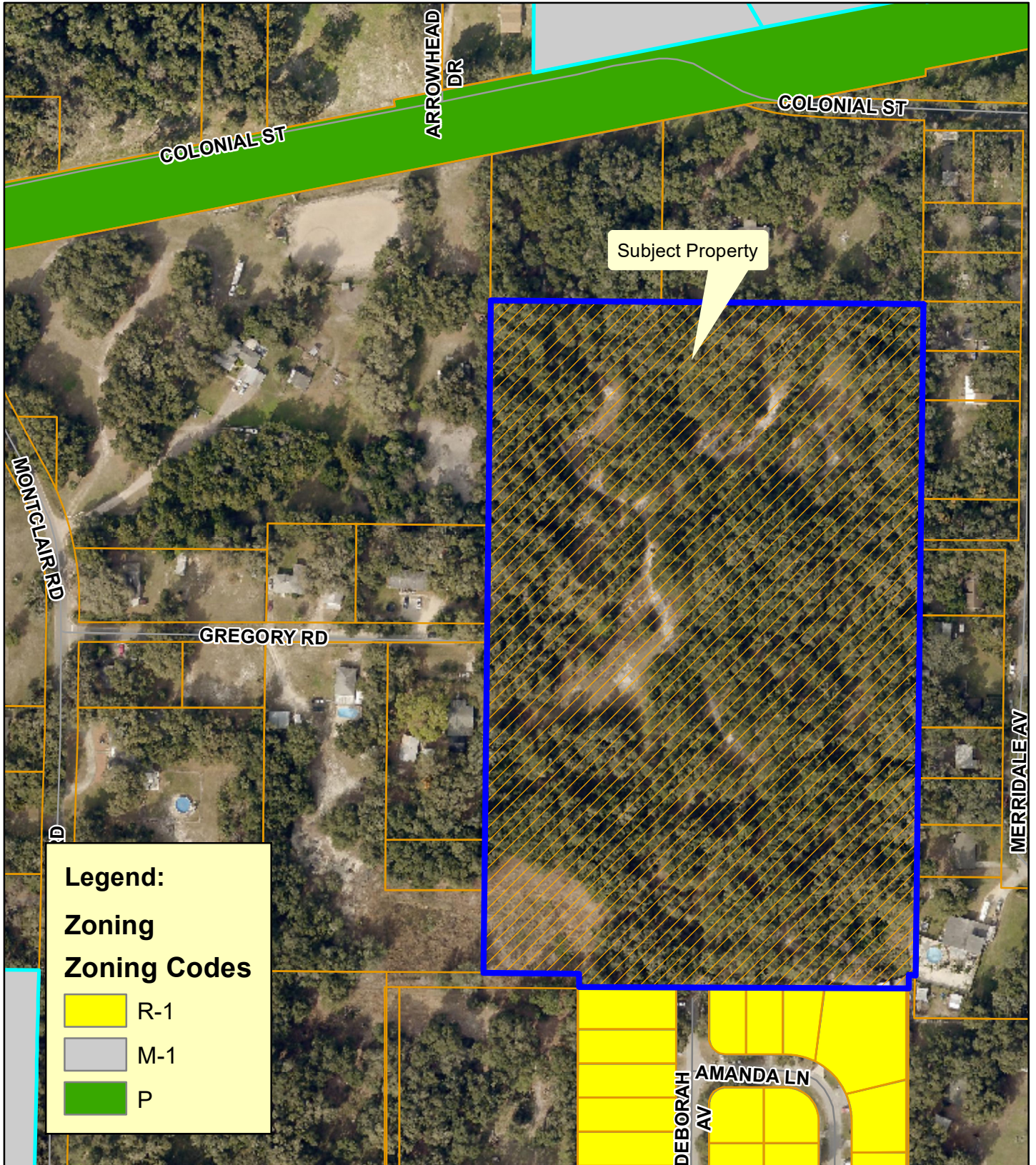


Planning & Zoning Division



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

City of Leesburg Zoning

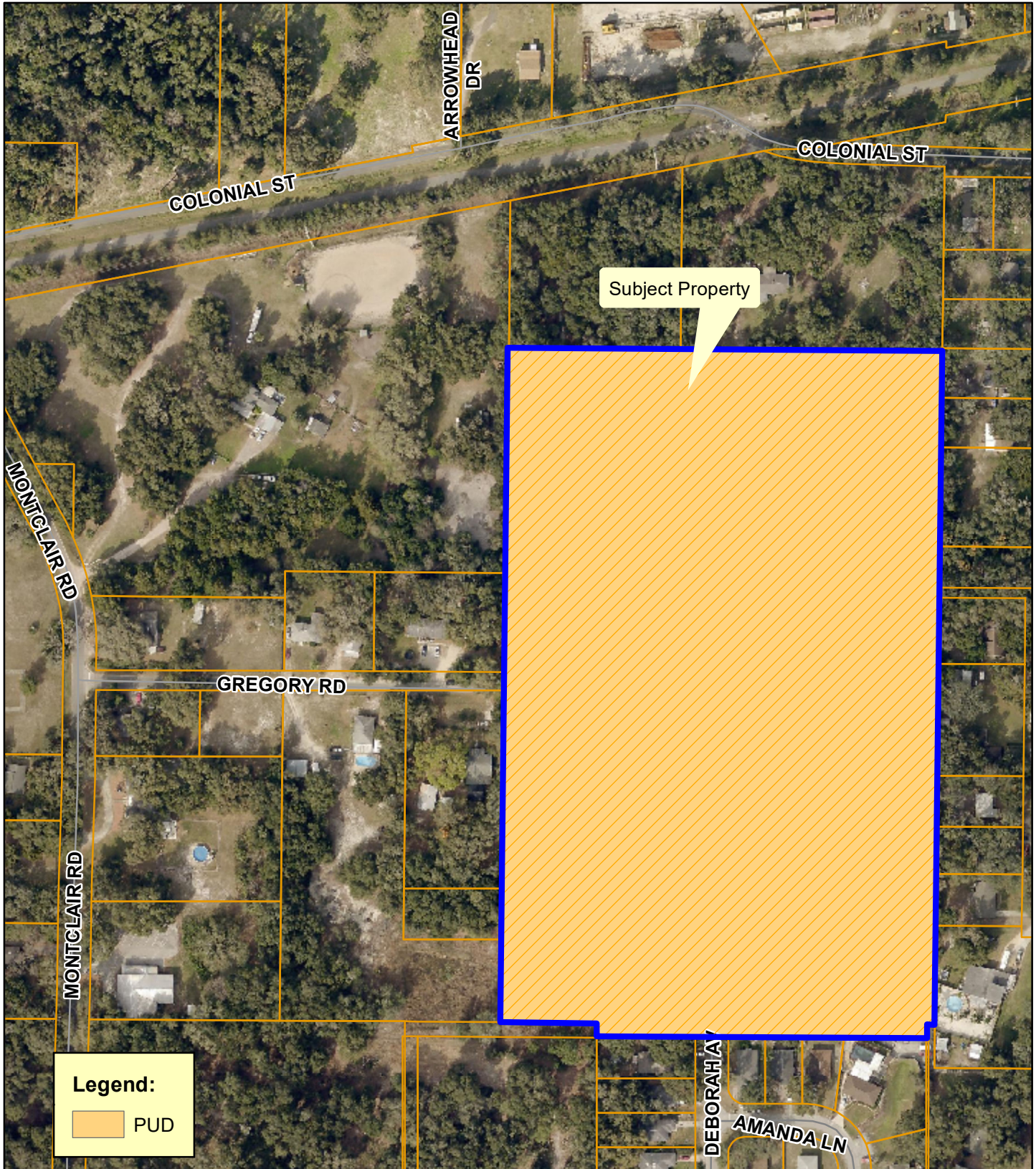


**Planning
& Zoning
Division**



River Fox Commons
 ANN-23-460; SSCP-23-461; PUD-23-462
 Deborah Avenue, Leesburg, FL 34784
 Alternate Key #: 1173051
 October 3, 2023

PROPOSED Zoning

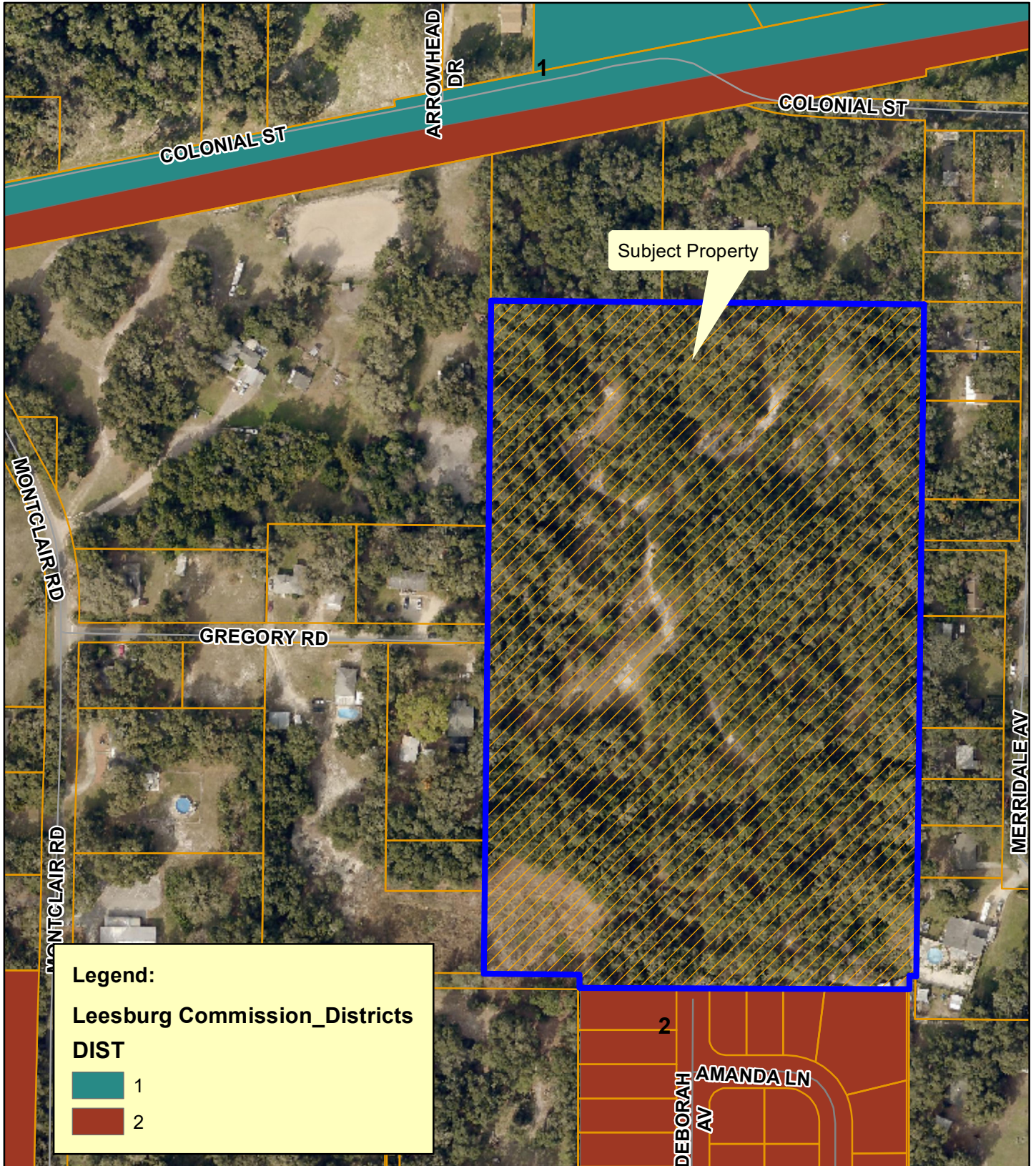


**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Commission Districts

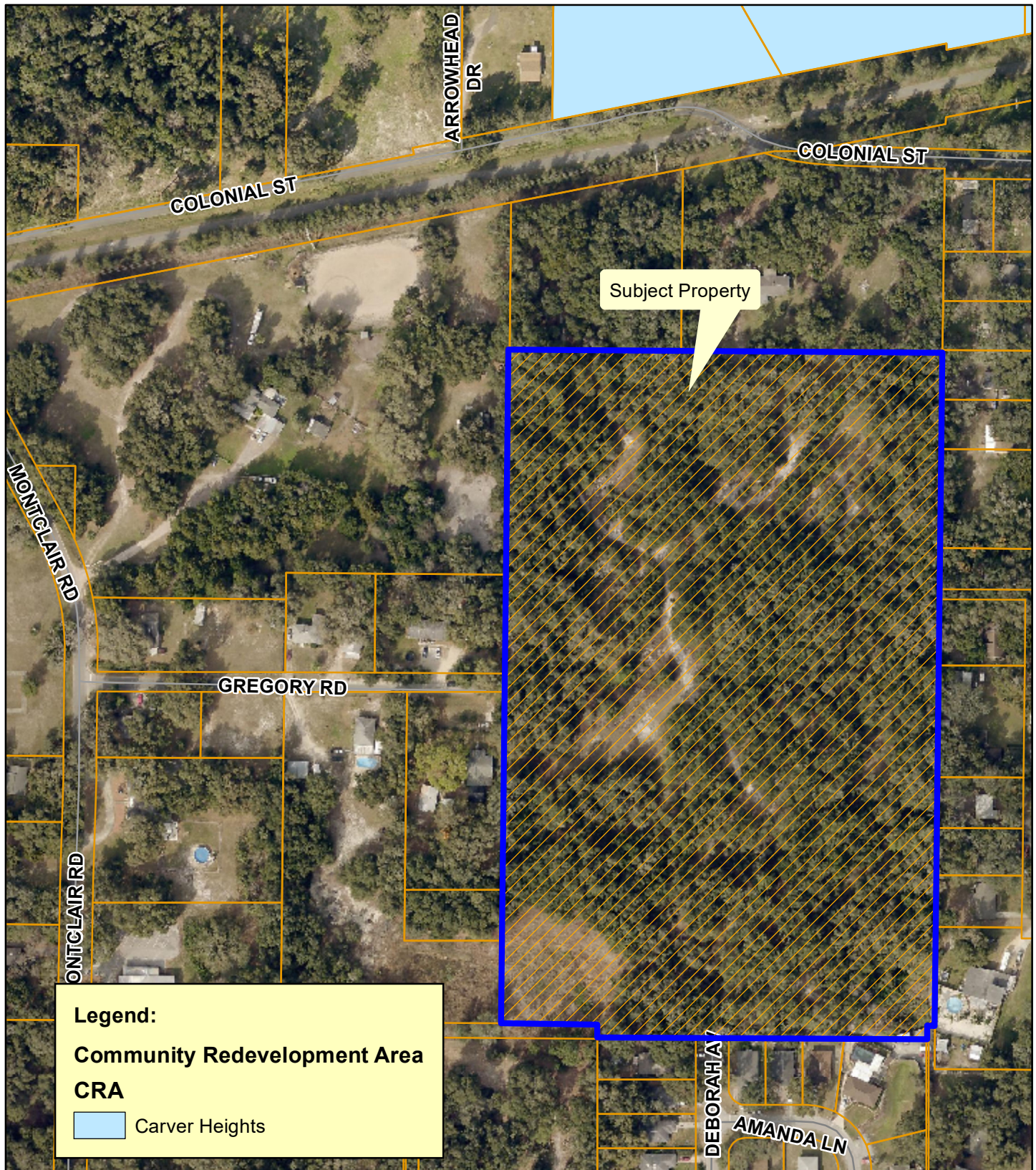


**Planning
& Zoning
Division**

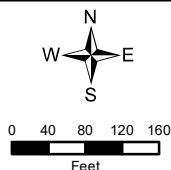


River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Community Redevelopment Area



**Planning
& Zoning
Division**



River Fox Commons
ANNX-23-460; SSCP-23-461; PUD-23-462
Deborah Avenue, Leesburg, FL 34784
Alternate Key #: 1173051
October 3, 2023

Miscellaneous Accounts Receivable Customers With Unpaid Balances

Prepared by Finance

October 31, 2023

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Jennings, Matthew	Boat not here/ Sent to Attorney	Marina Rent	711.99
Porter-Shaw, Breanna	Working with Police Dept	Security for Jan 28,2023	40.00
			<u>751.99</u>

013 Fund

Calhoun, Contessa	Working with Housing Dept	Housing Rent	2,641.00
Piard, Marie	Working with Housing Dept	Housing Rent	1,927.00
			<u>4,568.00</u>

041 Fund

Nix, Corey	Working with Electric/ making payments	Apprentice Reimbursement	1,450.59
			<u>1,450.59</u>

042 Fund

Centurylink of Florida	Working with Gas Dept	USIC Locating Services	4,596.00
			<u>4,596.00</u>

046 Fund

Johnson & Laux Construction	Working with Public Works	Solid Waste Rolloff	616.50
			<u>616.50</u>

Total 11,983.08

001 FUND TOTAL	\$	751.99
013 FUND TOTAL	\$	4,568.00
041 FUND TOTAL	\$	1,450.59
042 FUND TOTAL	\$	4,596.00
046 FUND TOTAL	\$	616.50
	\$	<u><u>11,983.08</u></u>

Expected write offs as of October 31, 2023

Every September, the Finance Director informs the Commission the dollar amount of customer accounts to be written off. Listed below are the amounts for the prior fiscal years and how the City is trending for fiscal years 2022 and 2023

Fiscal Write Off Year	Projected Written Off	Actual Written Off	Add'l Amount Collected
2022-2023	\$ -		
2021-2022	281,753	350,141	68,388
2020-2021	307,042	22,615	(284,427)
2019-2020	284,281	635,544	351,263
2018-2019	342,912	284,276	(58,636)
2017-2018	394,427	268,001	(126,426)
2016-2017	345,913	314,552	(31,361)
2015-2016	491,091	440,511	(50,580)
2014-2015	431,543	364,023	(67,519)
2013-2014	292,507	258,246	(34,261)
2012-2013	280,544 *	216,319	(64,225)
2011-2012	380,227 *	341,414	(38,813)

Projected
Fiscal year 2023 - Month by Month
10/01/22- 09/30/23

Month	Amount Written Off	Number of Accounts	
		Commercial	Residential
October	\$ 23,873	5	77
November	34,977	1	90
December	52,217	6	119
January	48,307	4	76
February	53,540	3	88
March	58,912	4	99
April	34,336	1	56
May	29,663	4	64
June	37,858	2	72
July	31,499	2	79
August	23,172	1	62
September	29,405	6	74
Accounts to be written off*	\$ 457,759	39	956
Prior Yr to Date	\$ 281,754	38	748
difference - () negative	\$ (176,005)	(1)	(208)

Projected
Fiscal year 2024- Month by Month
10/01/23- 09/30/24

Month	Amount Written Off	Number of Accounts		Average Account Balance	
		Commercial	Residential	Commercial	Residential
October	\$ 37,620	4	70	199.24	297.10
November				290.80	385.40
December				936.08	391.60
January				3,201.68	467.10
February				373.72	595.67
March				977.69	555.57
April				474.74	604.66
May				229.54	449.15
June				116.87	511.92
July				398.72	380.95
August				57.98	372.81
September				551.32	352.67
Accounts to be written off*	\$ 37,620	4	70		
Prior Yr to Date	\$ 23,873	5	77		
difference - () negative	\$ (13,747)	1	7		

City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of October 1, 2023- October 31, 2023 or 8%

Fund Name	REVENUES				
	CURRENT YEAR			LAST YEAR	
	FY 24 Adjusted Budget	FY 24 Revenue	FY 24 Percentage	FY 23 Revenue	FY 23 Percentage
<u>General Fund</u>	33,422,580	1,504,643	5%	1,413,895	5%
<u>Special Revenue Fund</u>					
Housing Assistance	119,200	9,772	8%	12,184	11%
Debt Service Fund	1,720,523	1,720,523	100%	1,608,036	92%
Capital Projects Fund	1,050,000	383,121	36%	689,831	101%
Discretionary Sales Tax	3,105,000	4,367	0%	488	0%
Police Forfeiture Fund	-	420	0%	82	0%
Police Education Fund	-	-	0%	1	0%
Gas Tax	907,000	19,801	2%	19,494	2%
Police Impact Fees	-	62,928	0%	47,459	0%
Fire Impact Fees	-	7,614	0%	4,581	0%
Recreation Impact Fees	-	12,827	0%	7,180	0%
Building Fund	1,055,500	75,248	7%	102,939	10%
<u>Community Redevelopment Agencies</u>					
Greater Leesburg CRA fund	921,935	835	0%	85	0%
Carver Heights CRA fund	756,731	1,878	0%	670	0%
Highway 27/441 CRA fund	2,324,964	9,277	0%	2,346	0%
<u>Enterprise Funds</u>					
Stormwater Utility Fund	2,277,464	156,973	7%	148,824	8%
Electric Utility Fund	89,495,843	5,351,795	6%	7,169,408	7%
Gas Utility Fund	11,687,508	811,647	7%	859,801	9%
Water Utility Fund	11,424,054	1,005,356	9%	832,285	7%
Wastewater Utility Fund	16,488,038	1,140,719	7%	976,457	4%
Solid Waste Utility Fund	5,210,507	423,823	8%	400,900	8%
Airport Fund	5,533,947	200,354	4%	205,025	7%
<u>Internal Services Fund</u>					
Health Insurance Fund	7,975,656	559,126	7%	465,044	6%
Workers Comp Insurance Fund	1,256,311	102,233	8%	99,838	9%
Fleet Maintenance Fund	4,022,175	256,065	6%	224,269	6%
<u>Pension Trust Funds</u>					
Police Retirement Trust Fund	2,635,885	(553,658)	-21%	1,101,206	50%
Fire Retirement Trust Fund	1,856,924	(336,101)	-18%	861,868	50%
General Employees Trust Fund	3,190,000	(626,356)	-20%	1,782,848	55%
Use of Fund Balance (Various funds)	10,114,145				
Total All Funds	218,551,890	12,305,229	6%	19,037,041	10%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of **October 1, 2023- October 31, 2023** or **8%**

Fund Name	EXPENSES				LAST YEAR	
	CURRENT YEAR					
	FY 24 Adjusted Budget	FY 24 Expenses	FY 24 Percentage		FY 23 Expenses	FY 23 Percentage
<u>General Fund</u>	33,428,580	3,883,774	12%		3,885,034	13%
<u>Special Revenue Fund</u>						
Housing Assistance	143,021	13,377	9%		8,528	5%
Debt Service Fund	1,720,523	1,347,741	78%		1,234,115	71%
Capital Projects Fund	1,050,000	14,286	1%		44,257	10%
Discretionary Sales Tax	3,105,000	267,803	9%		173,434	7%
Police Forfeiture Fund	-	-	0%		-	0%
Police Education Fund	-	-	0%		-	0%
Gas Tax	907,000	55,150	6%		70,193	1%
Police Impact Fees	-	-	0%		3,140	90%
Fire Impact Fees	-	-	0%		320	0%
Recreation Impact Fees	-	-	0%		340	0%
Building Fund	1,716,148	90,939	5%		79,745	5%
<u>Community Redevelopment Agencies</u>						
Greater Leesburg CRA fund	1,019,031	103,685	10%		98,564	13%
Carver Heights CRA fund	756,731	18,495	2%		16,388	2%
Highway 27/441 CRA fund	2,324,964	3,724	0%		3,755	0%
<u>Enterprise Funds</u>						
Stormwater Utility Fund	2,321,727	137,615	6%		98,657	4%
Electric Utility Fund	89,495,843	5,520,161	6%		7,259,522	7%
Gas Utility Fund	13,194,647	682,894	5%		697,579	7%
Water Utility Fund	13,285,439	901,827	7%		803,536	6%
Wastewater Utility Fund	22,163,574	1,218,100	5%		1,078,965	4%
Solid Waste Utility Fund	5,210,507	437,362	8%		913,936	17%
Airport Fund	5,533,947	414,251	7%		337,366	6%
<u>Internal Services Fund</u>						
Health Insurance Fund	7,975,656	136,156	2%		137,352	2%
Workers Comp Insurance Fund	1,256,311	213,605	17%		113,186	10%
Fleet Maintenance Fund	4,260,432	319,530	7%		240,382	6%
<u>Pension Trust Funds</u>						
Police Retirement Trust Fund	2,635,885	157,422	6%		104,539	5%
Fire Retirement Trust Fund	1,856,924	128,630	7%		146,344	9%
General Employees Trust Fund	3,190,000	278,245	9%		264,882	8%
Total All Funds	218,551,890	16,344,772	7%		17,814,059	8%

GENERAL	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	ELECTRIC UTILITY	GAS UTILITY	WATER UTILITY	WASTEWATER TREATMENT	COMMUNICATION	SANITATION SERVICES	STORM WATER	AIRPORT	BUILDING PERMITS	INTERNAL SERVICE
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POOLED CASH & INVESTMENTS		FUNDS TOTAL	AMERICAN FUND	CRA FUND	CRA FUND	CRA FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND
OPERATING CASH		\$ 8,136,285.48	\$ 203,950.94	\$ 219,134.49	\$ 517,213.33	\$ 3,013,598.42	\$ 179,315.05	\$ (279.33)	\$ 1,836,888.55	\$ 246,829.71	\$ 1,231,663.49	\$ 257,716.80	\$ 430,254.03
RESTRICTED CASH													
	HUD SHIP PROGRAM & \$HOUSE PROCEEDS	74,023.60	74,023.60										
	BOND/NOTE SINKING FUND	207,844.72		8,542.06		199,302.66							
	SIGN GRANT	308,836.00		77,587.00	90,013.00	141,236.00							
	R&R / OTHER RESTRICTED	5,998.19	5,998.19										
	CUSTOMER DEPOSITS	600,000.00				600,000.00							
SUBTOTAL OF RESTRICTED CASH		\$ 1,196,702.51	\$ 80,021.79	\$ 86,129.06	\$ 90,013.00	\$ 940,538.66	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL POOLED CASH		\$ 9,332,987.99	\$ 283,972.73	\$ 305,263.55	\$ 607,226.33	\$ 3,954,137.08	\$ 179,315.05	\$ (279.33)	\$ 1,836,888.55	\$ 246,829.71	\$ 1,231,663.49	\$ 257,716.80	\$ 430,254.03
NON-POOLED RESTRICTED CASH													
	DEP-WELLS FARGO	-											
SUBTOTAL NON-POOLED CASH		\$ -											
TOTAL POOLED CASH AND INVEST		\$ 9,332,987.99	\$ 283,972.73	\$ 305,263.55	\$ 607,226.33	\$ 3,954,137.08	\$ 179,315.05	\$ (279.33)	\$ 1,836,888.55	\$ 246,829.71	\$ 1,231,663.49	\$ 257,716.80	\$ 430,254.03

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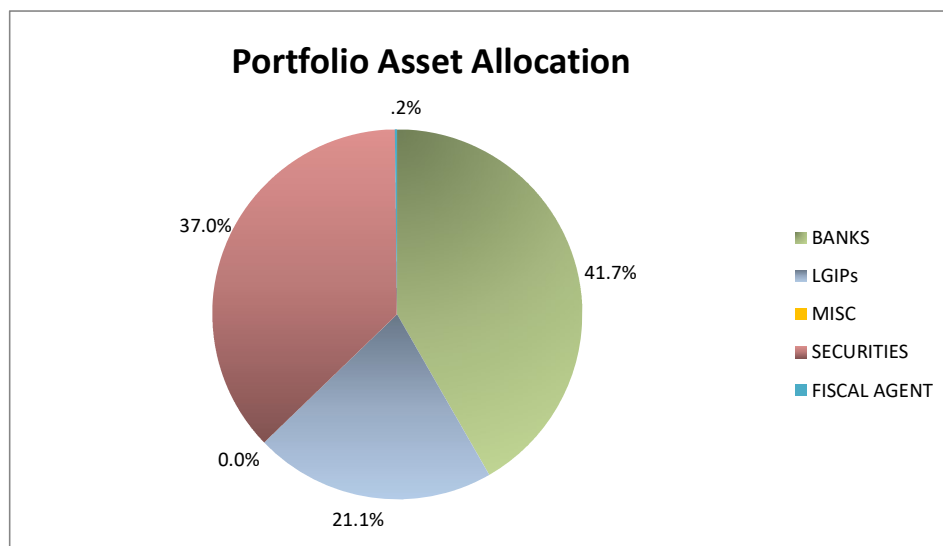
POOLED CASH & INVESTMENTS	FUNDS TOTAL	GENERAL FUND	COMMUNITY FUND	HOUSING FUND	WATER FUND
OPERATING CASH	\$ 6,059,749.13	\$ 2,291,273.47	\$ 1,436,293.80	\$ -	\$ 2,332,181.86
RESTRICTED CASH	620,159.75				620,159.75
SUBTOTAL OF RESTRICTED CASH	\$ 620,159.75	\$ -	\$ -	\$ -	\$ 620,159.75
TOTAL POOLED CASH	\$ 6,679,908.88	\$ 2,291,273.47	\$ 1,436,293.80	\$ -	\$ 2,952,341.61
TOTAL POOLED CASH AND INVESTMENTS	\$ 6,679,908.88	\$ 2,291,273.47	\$ 1,436,293.80	\$ -	\$ 2,952,341.61

INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
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**CITY OF LEESBURG
INVESTMENT REPORT
10/31/2023**

DESCRIPTION	BALANCE 10/31/2023
BANK OPERATING AND SAVINGS ACCOUNTS	
Truist Bank - Disbursement	\$44,959,244
TD Bank - Savings	-
Southstate Bank - Savings	11,452
Southstate Bank - CD	2,000,000
JP Morgan - CD	5,000,000
Southstate Bank - CD	5,000,000
TD Bank - CD	4,000,000
Seaside Bank	4,145,092
	\$65,115,787
LOCAL GOVERNMENT INVESTMENT POOLS	
FLSAFE	8,240,247
FLCLASS	10,445,062
FLPRIME	14,478,694
	33,164,003
US BANK (Fiscal Agent)	249,593
CHANDLER ASSET MANAGEMENT (SECURITIES)	57,795,000
PUBLIC TRUST ADVISORS (SECURITIES)	0
	57,795,000
TOTAL INVESTMENTS	156,324,383
MARKET ADJUSTMENT	(427,673)
TOTAL VALUE OF INVESTMENTS	<u><u>\$155,896,710</u></u>



Miscellaneous Accounts Receivable Customers With Unpaid Balances

Prepared by Finance

November 30, 2023

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Jennings, Matthew	Boat not here/ Sent to Attorney	Marina Rent	711.99
Porter-Shaw, Breanna	Working with Police Dept	Security for Jan 28,2023	40.00
			<u>751.99</u>

013 Fund

Calhoun, Contessa	Working with Housing Dept	Housing Rent	2,641.00
Piard, Marie	Working with Housing Dept	Housing Rent	1,927.00
			<u>4,568.00</u>

041 Fund

Nix, Corey	Working with Electric/ making payments	Apprentice Reimbursement	1,450.59
			<u>1,450.59</u>

042 Fund

Centurylink of Florida	Working with Gas Dept	USIC Locating Services	4,596.00
			<u>4,596.00</u>

046 Fund

Johnson & Laux Construction	Working with Public Works	Solid Waste Rolloff	616.50
			<u>616.50</u>

Total 11,983.08

001 FUND TOTAL	\$	751.99
013 FUND TOTAL	\$	4,568.00
041 FUND TOTAL	\$	1,450.59
042 FUND TOTAL	\$	4,596.00
046 FUND TOTAL	\$	616.50
	\$	<u><u>11,983.08</u></u>

Expected write offs as of November 30, 2023

Every September, the Finance Director informs the Commission the dollar amount of customer accounts to be written off. Listed below are the amounts for the prior fiscal years and how the City is trending for fiscal years 2022 and 2023

Fiscal Write Off Year	Projected Written Off	Actual Written Off	Add'l Amount Collected
2022-2023	\$ -		
2021-2022	281,753	350,141	68,388
2020-2021	307,042	22,615	(284,427)
2019-2020	284,281	635,544	351,263
2018-2019	342,912	284,276	(58,636)
2017-2018	394,427	268,001	(126,426)
2016-2017	345,913	314,552	(31,361)
2015-2016	491,091	440,511	(50,580)
2014-2015	431,543	364,023	(67,519)
2013-2014	292,507	258,246	(34,261)
2012-2013	280,544 *	216,319	(64,225)
2011-2012	380,227 *	341,414	(38,813)

Projected
Fiscal year 2023 - Month by Month
10/01/22- 09/30/23

Month	Amount Written Off	Number of Accounts	
		Commercial	Residential
October	\$ 23,873	5	77
November	34,977	1	90
December	52,217	6	119
January	48,307	4	76
February	53,540	3	88
March	58,912	4	99
April	34,336	1	56
May	29,663	4	64
June	37,858	2	72
July	31,499	2	79
August	23,172	1	62
September	29,405	6	74
Accounts to be written off*	\$ 457,759	39	956
Prior Yr to Date	\$ 281,754	38	748
difference - () negative	\$ (176,005)	(1)	(208)

Projected
Fiscal year 2024- Month by Month
10/01/23- 09/30/24

Month	Amount Written Off	Number of Accounts		Average Account Balance	
		Commercial	Residential	Commercial	Residential
October	\$ 37,620	4	70	199.24	297.10
November	48,177	3	104	290.80	385.40
December				936.08	391.60
January				3,201.68	467.10
February				373.72	595.67
March				977.69	555.57
April				474.74	604.66
May				229.54	449.15
June				116.87	511.92
July				398.72	380.95
August				57.98	372.81
September				551.32	352.67
Accounts to be written off	\$ 85,798	7	174		
Prior Yr to Date	\$ 58,850	6	167		
difference - () negative	\$ (26,948)	(1)	(7)		

City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of November 1, 2023- November 30, 2023 or 17%

Fund Name	REVENUES				
	CURRENT YEAR			LAST YEAR	
	FY 24 Adjusted Budget	FY 24 Revenue	FY 24 Percentage	FY 23 Revenue	FY 23 Percentage
<u>General Fund</u>	33,422,580	4,933,016	15%	3,887,739	13%
<u>Special Revenue Fund</u>					
Housing Assistance	119,200	20,818	17%	24,508	23%
Debt Service Fund	1,720,523	1,720,523	100%	1,608,036	92%
Capital Projects Fund	1,050,000	1,454,789	139%	476,655	70%
Discretionary Sales Tax	3,105,000	234,511	8%	209,399	8%
Police Forfeiture Fund	-	748	0%	221	0%
Police Education Fund	-	441	0%	487	0%
Gas Tax	907,000	76,748	8%	70,542	9%
Police Impact Fees	-	103,624	0%	104,196	0%
Fire Impact Fees	-	13,365	0%	7,818	0%
Recreation Impact Fees	-	19,739	0%	11,681	0%
Building Fund	1,055,500	149,001	14%	148,201	14%
<u>Community Redevelopment Agencies</u>					
Greater Leesburg CRA fund	921,935	4,095	0%	163	0%
Carver Heights CRA fund	756,731	3,682	0%	2,009	0%
Highway 27/441 CRA fund	2,324,964	16,360	1%	6,243	0%
<u>Enterprise Funds</u>					
Stormwater Utility Fund	2,277,464	311,405	14%	295,010	16%
Electric Utility Fund	89,495,843	10,415,479	12%	13,376,950	14%
Gas Utility Fund	11,687,508	1,606,006	14%	1,755,967	18%
Water Utility Fund	11,424,054	2,049,642	18%	1,753,561	16%
Wastewater Utility Fund	16,488,038	2,549,169	15%	2,261,603	10%
Solid Waste Utility Fund	5,210,507	844,732	16%	818,618	16%
Airport Fund	5,533,947	334,574	6%	306,658	10%
<u>Internal Services Fund</u>					
Health Insurance Fund	7,975,656	1,073,131	13%	929,378	12%
Workers Comp Insurance Fund	1,256,311	209,698	17%	190,075	16%
Fleet Maintenance Fund	4,022,175	520,683	13%	454,698	12%
<u>Pension Trust Funds</u>					
Police Retirement Trust Fund	2,635,885	1,210,047	46%	2,469,476	111%
Fire Retirement Trust Fund	1,856,924	1,329,607	72%	1,989,081	116%
General Employees Trust Fund	3,190,000	1,683,386	53%	3,390,734	105%
Use of Fund Balance (Various funds)	10,114,145				
Total All Funds	218,551,890	32,889,019	16%	36,549,707	10%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of November 1, 2023- November 30, 2023 or 17%

Fund Name	EXPENSES				LAST YEAR	
	CURRENT YEAR					
	FY 24 Adjusted Budget	FY 24 Expenses	FY 24 Percentage		FY 23 Expenses	FY 23 Percentage
<u>General Fund</u>	33,428,580	6,287,638	19%		6,085,328	20%
<u>Special Revenue Fund</u>						
Housing Assistance	143,021	21,528	15%		20,193	12%
Debt Service Fund	1,720,523	1,347,984	78%		1,234,115	71%
Capital Projects Fund	1,050,000	401,033	38%		154,891	36%
Discretionary Sales Tax	3,105,000	1,351,172	44%		(5,604)	0%
Police Forfeiture Fund	-	-	0%		-	0%
Police Education Fund	-	-	0%		6,915	115%
Gas Tax	907,000	226,649	25%		148,109	1%
Police Impact Fees	-	-	0%		8,200	234%
Fire Impact Fees	-	-	0%		520	0%
Recreation Impact Fees	-	-	0%		610	0%
Building Fund	1,716,148	198,668	12%		260,234	18%
<u>Community Redevelopment Agencies</u>						
Greater Leesburg CRA fund	1,019,031	122,553	12%		98,564	13%
Carver Heights CRA fund	756,731	43,584	6%		24,597	3%
Highway 27/441 CRA fund	2,324,964	155,634	7%		137,715	6%
<u>Enterprise Funds</u>						
Stormwater Utility Fund	2,321,727	239,132	10%		211,404	9%
Electric Utility Fund	89,495,843	10,419,021	12%		13,080,662	13%
Gas Utility Fund	13,194,647	1,391,118	11%		1,392,236	14%
Water Utility Fund	13,285,439	1,659,487	12%		1,494,432	10%
Wastewater Utility Fund	22,163,574	2,226,664	10%		2,124,553	9%
Solid Waste Utility Fund	5,210,507	845,341	16%		1,368,645	25%
Airport Fund	5,533,947	705,838	13%		569,407	10%
<u>Internal Services Fund</u>						
Health Insurance Fund	7,975,656	712,182	9%		657,281	8%
Workers Comp Insurance Fund	1,256,311	257,736	21%		191,522	17%
Fleet Maintenance Fund	4,260,432	592,970	14%		491,137	12%
<u>Pension Trust Funds</u>						
Police Retirement Trust Fund	2,635,885	251,137	10%		198,253	9%
Fire Retirement Trust Fund	1,856,924	244,787	13%		340,872	20%
General Employees Trust Fund	3,190,000	533,810	17%		630,498	19%
Total All Funds	218,551,890	30,235,666	14%		30,925,289	14%

**CITY OF LEESBURG
CASH AND INVESTMENTS BY FUND
11/30/2023**

		GENERAL	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	ELECTRIC UTILITY	GAS UTILITY	WATER UTILITY	WASTEWATER TREATMENT	COMMUNICATION	SANITATION SERVICES	STORM WATER	AIRPORT	BUILDING PERMITS	INTERNAL SERVICE		
POOLED CASH & INVESTMENTS		TOTAL	FUND	FUNDS GROUP	FUNDS	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUNDS GROUP		
OPERATING CASH		\$75,798,614.19	\$13,997,005.89		\$7,275,832.05	\$ 1,286,058.57	\$ 67,850.38	\$9,545,391.89	\$ 5,084,366.53	\$ 6,308,128.19	\$ 14,832,385.39		\$ 1,286,589.97	\$4,281,093.88	\$ 4,615,779.11	\$ 1,555,905.76	\$ 5,662,226.58
RESTRICTED CASH																	
	CUSTOMER DEPOSITS	6,999,814.10			8,516.59			5,048,830.63	1,232,261.52	707,381.95	1,685.00		9,655.00				
	RENEWL & REPLCMNT	17,770,875.00	1,144,515.57					(1,514,266.04)	671,392.46	4,435,932.98	11,519,847.71		850,000.00				654,935.73
	BOND/NOTE SINKING FUND	31,605,542.69			163,972.11			656,823.66	21,938.34	189,134.86	30,573,673.72						
	INFRASTRUCTURE DEVELOPMENT																
	SIGN GRANT & HUD SHIP	308,836.00			308,836.00												
	HWY 441/27 CRA - Restricted Surplus	600,000.00			600,000.00												
	IMPACT FEES	5,718,986.05								2,172,404.51	3,546,581.54						
	OTHER RESTRICTED CASH	12,426,892.22			74,198.94	12,151,920.28											
	DEVELOPER CONTRIBUTIONS	425,524.92						420,395.52	5,129.40								
	RATE STABILIZATION	4,458,325.00						4,458,325.00									
SUBTOTAL OF RESTRICTED CASH		80,314,795.98	1,144,515.57		1,155,523.64		12,151,920.28	9,070,108.77	1,930,721.72	7,504,854.30	45,641,787.97		859,655.00				654,935.73
TOTAL POOLED CASH		\$156,113,410.17	\$ 15,141,521.46	\$ 8,431,355.69	\$ 1,286,058.57	\$ 12,219,770.66	\$ 18,615,500.66	\$ 7,015,088.25	\$ 13,812,982.49	\$ 60,474,173.36	\$ -	\$ 2,146,244.97	\$ 4,281,093.88	\$ 4,615,779.11	\$ 1,555,905.76	\$ 6,317,162.31	
NON-POOLED RESTRICTED CASH																	
	CASH WITH FISCAL AGENT	511,721.02			272,643.08			40,099.52	83,409.53	115,568.89							
	DEPOSITORY TRUST ACCOUNT																
	DEP-WELLS FARGO																
SUBTOTAL NON-POOLED CASH		511,721.02			272,643.08			40,099.52	83,409.53	115,568.89							
TOTAL POOLED CASH AND INVEST		\$156,625,131.19	\$15,141,521.46	\$ 8,431,355.69	\$1,558,701.65	\$12,219,770.66	\$18,615,500.66	\$7,055,187.77	\$13,896,392.02	\$60,589,742.25	\$2,146,244.97	\$4,281,093.88	\$4,615,779.11	\$1,555,905.76	\$6,317,162.31		

INDIVIDUAL SPECIAL REVENUE FUNDS

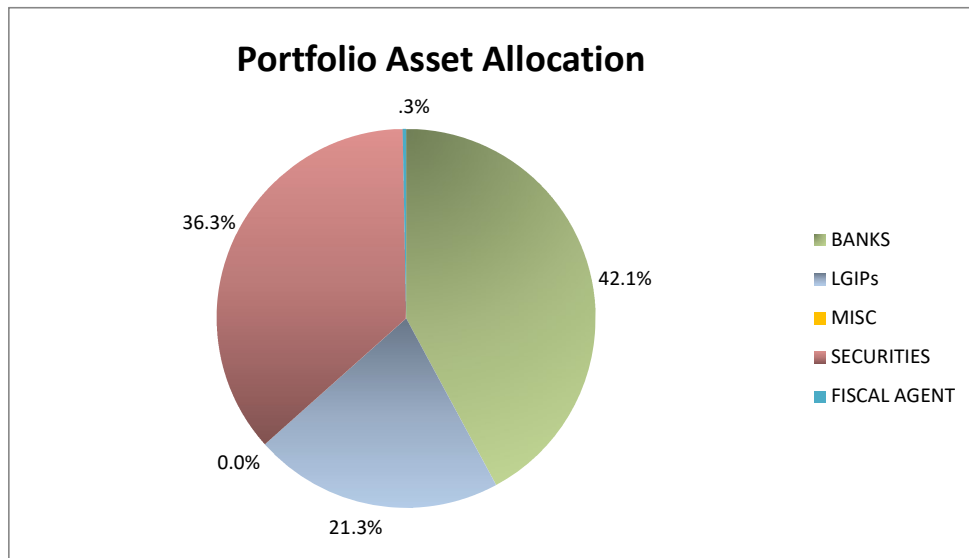
		SPECIAL REVENUE FUNDS TOTAL	HOUSING ASSISTANCE FUND	GREATER LEESBURG CRA FUND	CARVER HEIGHTS CRA FUND	HIGHWAY 441/27 CRA FUND	POLICE FORFEITURE FUND	POLICE EDUCATION FUND	DISCRETIONARY SALES TAX FUND	GAS TAX FUND	POLICE IMPACT FUND	FIRE IMPACT FUND	RECREATION IMPACT FUND
POOLED CASH & INVESTMENTS													
OPERATING CASH		\$ 7,275,832.05	\$ 200,465.44	\$ 195,051.46	\$ 490,543.44	\$ 2,926,352.07	\$ 179,642.37	\$ 161.62	\$ 1,159,875.86	\$ 150,747.85	\$ 1,272,359.26	\$ 263,467.42	\$ 437,165.26
RESTRICTED CASH													
	HUD SHIP PROGRAM & SHOUSE PROCEEDS	74,198.94	74,198.94										
	BOND/NOTE SINKING FUND	163,972.11		17,075.50		146,896.61							
	SIGN GRANT	308,836.00		77,587.00	90,013.00	141,236.00							
	R&R / OTHER RESTRICTED	8,516.59	8,516.59										
	CUSTOMER DEPOSITS	600,000.00				600,000.00							
SUBTOTAL OF RESTRICTED CASH		\$ 1,155,523.64	\$ 82,715.53	\$ 94,662.50	\$ 90,013.00	\$ 888,132.61	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL POOLED CASH		\$ 8,431,355.69	\$ 283,180.97	\$ 289,713.96	\$ 580,556.44	\$ 3,814,484.68	\$ 179,642.37	\$ 161.62	\$ 1,159,875.86	\$ 150,747.85	\$ 1,272,359.26	\$ 263,467.42	\$ 437,165.26
NON-POOLED RESTRICTED CASH													
SUBTOTAL NON-POOLED CASH		\$ -											
TOTAL POOLED CASH AND INVEST		\$ 8,431,355.69	\$ 283,180.97	\$ 289,713.96	\$ 580,556.44	\$ 3,814,484.68	\$ 179,642.37	\$ 161.62	\$ 1,159,875.86	\$ 150,747.85	\$ 1,272,359.26	\$ 263,467.42	\$ 437,165.26

- INTERNAL SERVICE FUNDS

	INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
POOLED CASH & INVESTMENTS					
OPERATING CASH	\$ 5,662,226.58	\$ 2,166,038.82	\$ 1,499,627.29	\$ -	\$ 1,996,560.47
RESTRICTED CASH	654,935.73				654,935.73
SUBTOTAL OF RESTRICTED CASH	\$ 654,935.73	\$ -	\$ -	\$ -	\$ 654,935.73
TOTAL POOLED CASH	\$ 6,317,162.31	\$ 2,166,038.82	\$ 1,499,627.29	\$ -	\$ 2,651,496.20
TOTAL POOLED CASH AND INVESTMENTS	\$ 6,317,162.31	\$ 2,166,038.82	\$ 1,499,627.29	\$ -	\$ 2,651,496.20

**CITY OF LEESBURG
INVESTMENT REPORT
11/30/2023**

DESCRIPTION	BALANCE 11/30/2023
BANK OPERATING AND SAVINGS ACCOUNTS	
Truist Bank - Disbursement	\$45,828,351
TD Bank - Savings	-
Southstate Bank - Savings	11,453
Southstate Bank - CD	2,000,000
JP Morgan - CD	5,000,000
Southstate Bank - CD	5,000,000
TD Bank - CD	4,000,000
Seaside Bank	4,162,978
	\$66,002,782
LOCAL GOVERNMENT INVESTMENT POOLS	
FLSAFE	8,277,206
FLCLASS	10,492,603
FLPRIME	14,545,819
	33,315,628
 US BANK (Fiscal Agent)	 511,721
 CHANDLER ASSET MANAGEMENT (SECURITIES)	 56,795,000
	56,795,000
 TOTAL INVESTMENTS	 156,625,131
MARKET ADJUSTMENT	(10,845,769)
TOTAL VALUE OF INVESTMENTS	\$145,779,362



Miscellaneous Accounts Receivable Customers With Unpaid Balances

Prepared by Finance

December 31, 2023

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Jennings, Matthew	Boat not here/ Sent to Attorney	Marina Rent	711.99
Porter-Shaw, Breanna	Working with Police Dept	Security for Jan 28,2023	40.00
			<u>751.99</u>

013 Fund

Calhoun, Contessa	Working with Housing Dept	Housing Rent	2,641.00
Piard, Marie	Working with Housing Dept	Housing Rent	1,927.00
			<u>4,568.00</u>

041 Fund

Nix, Corey	Working with Electric/ making payments	Apprentice Reimbursement	1,450.59
			<u>1,450.59</u>

042 Fund

Centurylink of Florida	Working with Gas Dept	USIC Locating Services	4,596.00
			<u>4,596.00</u>

046 Fund

Johnson & Laux Construction	Working with Public Works	Solid Waste Rolloff	616.50
			<u>616.50</u>

Total 11,983.08

001 FUND TOTAL	\$	751.99
013 FUND TOTAL	\$	4,568.00
041 FUND TOTAL	\$	1,450.59
042 FUND TOTAL	\$	4,596.00
046 FUND TOTAL	\$	616.50
	\$	<u><u>11,983.08</u></u>

Every September, the Finance Director informs the Commission the dollar amount of customer accounts to be written off. Listed below are the amounts for the prior fiscal years and how the City is trending for fiscal years 2022 and 2023

Fiscal Write Off Year	Projected Written Off	Actual Written Off	Add'l Amount Collected
2022-2023	\$ -	409,052	409,052
2021-2022	281,753	350,141	68,388
2020-2021	307,042	22,615	(284,427)
2019-2020	284,281	250,084	(34,197)
2018-2019	342,912	284,726	(58,186)
2017-2018	394,427	268,001	(126,426)
2016-2017	345,913	314,552	(31,361)
2015-2016	491,091	440,511	(50,580)
2014-2015	431,543	364,023	(67,520)
2013-2014	292,507 *	258,246	(34,261)
2012-2013	280,544 *	216,319	(64,225)

Projected
Fiscal year 2023 - Month by Month
10/01/22- 09/30/23

Month	Amount Written Off	Number of Accounts	
		Commercial	Residential
October	\$ 23,873	5	77
November	34,977	1	90
December	52,217	6	119
January	48,307	4	76
February	53,540	3	88
March	58,912	4	99
April	34,336	1	56
May	29,663	4	64
June	37,858	2	72
July	31,499	2	79
August	23,172	1	62
September	29,405	6	74
Accounts to be written off*	\$ 457,759	39	956
Prior Yr to Date	\$ 281,754	38	748
difference - () negative	\$ (176,005)	(1)	(208)

Projected
Fiscal year 2024- Month by Month
10/01/23- 09/30/24

Month	Amount Written Off	Number of Accounts		Average Account Balance	
		Commercial	Residential	Commercial	Residential
October	\$ 37,620	4	70	199.24	297.10
November	48,177	3	104	290.80	385.40
December	40,391	2	79	936.08	391.60
January				3,201.68	467.10
February				373.72	595.67
March				977.69	555.57
April				474.74	604.66
May				229.54	449.15
June				116.87	511.92
July				398.72	380.95
August				57.98	372.81
September				551.32	352.67
Accounts to be written off*	\$ 126,189	9	253		
Prior Yr to Date	\$ 111,067	12	286		
difference - () negative	\$ (15,122)	3	33		

City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of December 1, 2023- December 31, 2023 or 25%

Fund Name	REVENUES				
	CURRENT YEAR			LAST YEAR	
	FY 24 Adjusted Budget	FY 24 Revenue	FY 24 Percentage	FY 23 Revenue	FY 23 Percentage
<u>General Fund</u>	34,178,620	13,240,578	39%	10,951,466	36%
<u>Special Revenue Fund</u>					
Housing Assistance	119,200	30,658	26%	36,867	35%
Debt Service Fund	1,720,523	1,720,523	100%	1,608,036	92%
Capital Projects Fund	7,546,147	2,076,664	28%	490,987	8%
Discretionary Sales Tax	3,105,000	459,693	15%	432,589	17%
Police Forfeiture Fund	-	1,059	0%	40,265	0%
Police Education Fund	-	846	0%	917	0%
Gas Tax	907,000	164,437	18%	140,304	18%
Police Impact Fees	-	125,591	0%	158,335	0%
Fire Impact Fees	-	21,814	0%	13,600	0%
Recreation Impact Fees	-	33,971	0%	21,428	0%
Building Fund	1,055,500	254,715	24%	240,774	22%
<u>Community Redevelopment Agencies</u>					
Greater Leesburg CRA fund	921,935	933,653	101%	751,007	100%
Carver Heights CRA fund	921,163	753,729	82%	648,336	72%
Highway 27/441 CRA fund	2,324,964	2,314,490	100%	1,808,503	99%
<u>Enterprise Funds</u>					
Stormwater Utility Fund	2,314,511	462,837	20%	439,810	23%
Electric Utility Fund	89,495,843	15,678,768	18%	20,477,179	21%
Gas Utility Fund	13,066,749	2,580,292	20%	2,737,162	28%
Water Utility Fund	11,424,054	3,042,143	27%	2,648,357	24%
Wastewater Utility Fund	16,651,523	4,013,309	24%	3,556,480	23%
Solid Waste Utility Fund	5,210,507	1,261,204	24%	1,236,130	25%
Airport Fund	9,341,376	510,159	5%	409,026	7%
<u>Internal Services Fund</u>					
Health Insurance Fund	7,975,656	1,543,832	19%	1,537,976	20%
Workers Comp Insurance Fund	1,256,311	314,866	25%	281,163	24%
Fleet Maintenance Fund	4,022,175	765,534	19%	717,757	19%
<u>Pension Trust Funds</u>					
Police Retirement Trust Fund	2,635,885	2,302,002	87%	1,614,928	73%
Fire Retirement Trust Fund	1,856,924	2,292,418	123%	1,257,211	73%
General Employees Trust Fund	3,190,000	3,448,832	108%	2,399,885	74%
Use of Fund Balance (Various funds)	72,006,758				
Total All Funds	293,248,324	60,348,617	27%	56,656,478	27%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of December 1, 2023- December 31, 2023 or 25%

Fund Name	EXPENSES				LAST YEAR	
	CURRENT YEAR				FY 23 Expenses	FY 23 Percentage
	FY 24 Adjusted Budget	FY 24 Expenses	FY 24 Percentage			
<u>General Fund</u>	35,441,434	8,792,940	25%		8,177,701	25%
<u>Special Revenue Fund</u>						
Housing Assistance	143,021	32,417	23%		30,958	19%
Debt Service Fund	1,720,523	1,347,984	78%		1,234,359	71%
Capital Projects Fund	13,455,931	1,113,775	8%		215,381	2%
Discretionary Sales Tax	3,178,006	1,455,557	46%		(5,121)	0%
Police Forfeiture Fund	36,571	-	0%		-	0%
Police Education Fund	-	-	0%		6,915	198%
Gas Tax	907,000	301,873	33%		220,533	18%
Police Impact Fees	-	-	0%		13,100	0%
Fire Impact Fees	47,949	-	0%		980	0%
Recreation Impact Fees	-	-	0%		1,070	0%
Building Fund	1,833,626	406,542	22%		349,406	22%
<u>Community Redevelopment Agencies</u>						
Greater Leesburg CRA fund	1,092,298	150,641	14%		98,564	12%
Carver Heights CRA fund	1,055,776	57,332	5%		32,604	3%
Highway 27/441 CRA fund	2,466,200	155,634	6%		137,715	7%
<u>Enterprise Funds</u>						
Stormwater Utility Fund	3,373,500	349,251	10%		292,869	9%
Electric Utility Fund	89,502,163	16,096,550	18%		20,457,055	20%
Gas Utility Fund	14,699,112	2,198,439	15%		2,322,215	20%
Water Utility Fund	19,484,397	2,383,064	12%		2,215,938	13%
Wastewater Utility Fund	67,041,446	3,338,920	5%		3,334,572	5%
Solid Waste Utility Fund	5,210,507	1,273,098	24%		1,771,868	32%
Airport Fund	10,452,586	977,434	9%		781,133	11%
<u>Internal Services Fund</u>						
Health Insurance Fund	7,975,656	1,488,190	19%		1,028,199	13%
Workers Comp Insurance Fund	1,256,311	295,398	24%		277,723	24%
Fleet Maintenance Fund	5,191,502	875,170	17%		778,068	14%
<u>Pension Trust Funds</u>						
Police Retirement Trust Fund	2,635,885	379,027	14%		330,518	15%
Fire Retirement Trust Fund	1,856,924	362,374	20%		468,775	27%
General Employees Trust Fund	3,190,000	824,011	26%		899,557	28%
Total All Funds	293,248,324	44,655,621	15%		45,472,655	16%

**CITY OF LEESBURG
CASH AND INVESTMENTS BY FUND
12/31/2023**

		GENERAL	SPECIAL REVENUE	DEBT SERVICE	CAPITAL PROJECTS	ELECTRIC UTILITY	GAS UTILITY	WATER UTILITY	WASTEWATER TREATMENT	COMMUNICATION	SANITATION SERVICES	STORM WATER	AIRPORT	BUILDING PERMITS	INTERNAL SERVICE
POOLED CASH & INVESTMENTS		TOTAL	FUND	FUNDS GROUP	FUNDS	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUND	FUNDS GROUP
OPERATING CASH		\$86,566,525.96	\$20,296,395.78	\$11,103,570.11	\$ 1,015,183.93	\$ 742,823.84	\$9,521,810.90	\$ 5,134,392.59	\$ 6,358,501.43	\$ 15,161,874.87	\$ 1,273,824.42	\$4,271,983.89	\$4,643,827.65	\$ 1,499,802.16	\$ 5,542,534.39
RESTRICTED CASH															
	CUSTOMER DEPOSITS	6,964,375.92					5,048,830.63	1,196,823.34	707,381.95		9,655.00				
	RENEWL & REPLCMNT	17,654,185.23	1,146,078.07	12,574.96			(1,794,356.98)	691,392.46	4,615,479.60	11,477,293.51	850,000.00				655,723.61
	BOND/NOTE SINKING FUND	32,458,564.70		245,960.55			985,233.72	32,907.42	283,702.46	30,910,760.55					
	INFRASTRUCTURE DEVELOPMENT														
	SIGN GRANT & HUD SHIP	507,644.00		507,644.00											
	HWY 441/27 CRA - Restricted Surplus	600,000.00		600,000.00											
	IMPACT FEES	5,021,624.35							2,202,633.70	2,818,990.65					
	OTHER RESTRICTED CASH	11,657,838.09		74,335.73		11,382,729.36									
	DEVELOPER CONTRIBUTIONS	425,524.92					420,395.52	5,129.40							
	RATE STABILIZATION	4,143,535.00					4,143,535.00								
SUBTOTAL OF RESTRICTED CASH		79,433,292.21	1,146,078.07	1,440,515.24		11,382,729.36	8,803,637.89	1,926,252.62	7,809,197.71	45,208,729.71	859,655.00				655,723.61
TOTAL POOLED CASH		\$165,999,818.17	\$ 21,442,473.85	\$ 12,544,085.35	\$ 1,015,183.93	\$ 12,125,553.20	\$ 18,325,448.79	\$ 7,060,645.21	\$ 14,167,699.14	\$ 60,370,604.58	\$ -	\$ 2,133,479.42	\$ 4,271,983.89	\$ 4,643,827.65	\$ 6,198,258.00
NON-POOLED RESTRICTED CASH															
	CASH WITH FISCAL AGENT	773,849.16			407,958.71			61,369.02	127,651.88	176,869.55					
	DEPOSITORY TRUST ACCOUNT														
	DEP-WELLS FARGO														
SUBTOTAL NON-POOLED CASH		773,849.16			407,958.71			61,369.02	127,651.88	176,869.55					
TOTAL POOLED CASH AND INVEST		\$166,773,667.33	\$21,442,473.85	\$ 12,544,085.35	\$ 1,423,142.64	\$12,125,553.20	\$18,325,448.79	\$ 7,122,014.23	\$14,295,351.02	\$60,547,474.13	\$2,133,479.42	\$4,271,983.89	\$4,643,827.65	\$1,499,802.16	\$6,198,258.00

INDIVIDUAL SPECIAL REVENUE FUNDS

		SPECIAL REVENUE FUNDS TOTAL	HOUSING ASSISTANCE FUND	GREATER LEESBURG CRA FUND	CARVER HEIGHTS CRA FUND	HIGHWAY 441/27 CRA FUND	POLICE FORFEITURE FUND	POLICE EDUCATION FUND	DISCRETIONARY SALES TAX FUND	GAS TAX FUND	POLICE IMPACT FUND	FIRE IMPACT FUND	RECREATION IMPACT FUND
POOLED CASH & INVESTMENTS													
OPERATING CASH		\$ 11,103,570.11	\$ 196,470.03	\$ 1,094,805.90	\$ 1,000,129.02	\$ 5,170,118.19	\$ 179,953.10	\$ 566.48	\$ 1,280,673.13	\$ 163,214.22	\$ 1,294,326.15	\$ 271,916.35	\$ 451,397.54
RESTRICTED CASH													
	HUD SHIP PROGRAM & SHOUSE PROCEEDS	74,335.73	74,335.73										
	BOND/NOTE SINKING FUND	245,960.55		25,608.94		220,351.61							
	SIGN GRANT	507,644.00		70,950.00	319,724.00	116,970.00							
	R&R / OTHER RESTRICTED	12,574.96	12,574.96										
	CUSTOMER DEPOSITS	600,000.00				600,000.00							
SUBTOTAL OF RESTRICTED CASH		\$ 1,440,515.24	\$ 86,910.69	\$ 96,558.94	\$ 319,724.00	\$ 937,321.61	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL POOLED CASH		\$ 12,544,085.35	\$ 283,380.72	\$ 1,191,364.84	\$ 1,319,853.02	\$ 6,107,439.80	\$ 179,953.10	\$ 566.48	\$ 1,280,673.13	\$ 163,214.22	\$ 1,294,326.15	\$ 271,916.35	\$ 451,397.54
NON-POOLED RESTRICTED CASH													
	DEP-WELLS FARGO	-											
SUBTOTAL NON-POOLED CASH		\$ -											
TOTAL POOLED CASH AND INVEST		\$ 12,544,085.35	\$ 283,380.72	\$ 1,191,364.84	\$ 1,319,853.02	\$ 6,107,439.80	\$ 179,953.10	\$ 566.48	\$ 1,280,673.13	\$ 163,214.22	\$ 1,294,326.15	\$ 271,916.35	\$ 451,397.54

INTERNAL SERVICE FUNDS

	INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
POOLED CASH & INVESTMENTS					
OPERATING CASH	\$ 5,542,534.39	\$ 1,857,732.52	\$ 1,575,482.86	\$ -	\$ 2,109,319.01
RESTRICTED CASH	655,723.61				655,723.61
SUBTOTAL OF RESTRICTED CASH	\$ 655,723.61	\$ -	\$ -	\$ -	\$ 655,723.61
TOTAL POOLED CASH	\$ 6,198,258.00	\$ 1,857,732.52	\$ 1,575,482.86	\$ -	\$ 2,765,042.62
TOTAL POOLED CASH AND INVESTMENTS	\$ 6,198,258.00	\$ 1,857,732.52	\$ 1,575,482.86	\$ -	\$ 2,765,042.62

**CITY OF LEESBURG
INVESTMENT REPORT
12/31/2023**

DESCRIPTION	BALANCE 12/31/2023
BANK OPERATING AND SAVINGS ACCOUNTS	
Truist Bank - Disbursement	\$54,285,967
TD Bank - Savings	-
Southstate Bank - Savings	11,455
Southstate Bank - CD	2,000,000
JP Morgan - CD	5,000,000
Southstate Bank - CD	5,000,000
TD Bank - CD	4,000,000
Seaside Bank	4,180,343
	\$74,477,765
LOCAL GOVERNMENT INVESTMENT POOLS	
FLSAFE	8,315,183
FLCLASS	10,541,509
FLPRIME	14,614,996
	33,471,689
 US BANK (Fiscal Agent)	 773,849
 CHANDLER ASSET MANAGEMENT (SECURITIES)	 58,050,365
	58,050,365
 TOTAL INVESTMENTS	 166,773,667
MARKET ADJUSTMENT	(92,281)
TOTAL VALUE OF INVESTMENTS	<u><u>\$166,681,387</u></u>

