

**AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, JUNE 24, 2024 5:30 PM**

1. CALL TO ORDER

INVOCATION

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

2. PROCLAMATIONS

A. Proclaim City of Leesburg Election for November 5, 2024

3. PRESENTATIONS:

A. FLC University - Certificate of Completion - Institute for Elected Municipal Officials (IEMO) to Commissioner Allyson Berry

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. None

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, ratifying the Collective Bargaining Agreement for Re-Openers with the Florida Police Benevolent Associations, Inc. for Officers/Detectives and Corporals/Sergeants; 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 amending the City Code of Ordinances by amending Chapter 15, Article I, Section 15-16, entitled 'Sexual Offenders', to encompass amendments to Section 775.215, Florida Statutes; providing for severability; providing for conflicts; and providing for an effective date.**

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 40.61 +/- acres; and being generally located north of North Shore Drive and west of Beverly Point Road, lying in Section 14, 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 5; and providing an effective date. (North Shore Caras Cove ANNX)**
- 2. 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 40.61 +/- acres from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential, for a property generally located north of North Shore Drive and west of Beverly Point Road, lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (North Shore Caras Cove SSCP)**
- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 40.61 +/- acres from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development), for a**

property generally located north of North Shore Drive and west of Beverly Point Road; lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (North Shore Caras Cove PUD)

4. **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 R-2 (Medium Density Residential) zoning, on approximately 0.70 +/- acres to allow for an office use for a property generally located east of North 13th Street and south of Webster Street, lying in Section 24, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Webster Street Office PDO)**
5. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 49.12 +/- acres, and being generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 5; and providing an effective date. (ANNX Poe Road Subdivision)**
6. **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 49.12 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential, for a property generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (SSCP Poe Road Subdivision)**
7. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 49.12 +/- acres from Lake County CFD (Community Facility District) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for a residential subdivision for a property generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (PUD Poe Road Subdivision)**

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 March 2024

B. Financial Reports as of April 2024

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

A. Consider Bikefest 2025

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.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: June 24, 2024

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, ratifying the Collective Bargaining Agreement for Re-Openers with the Florida Police Benevolent Associations, Inc. for Officers/Detectives and Corporals/Sergeants; and providing an effective date.

Staff Recommendation:

Staff recommends ratification of the Collective Bargaining Agreement per Article 36.

Analysis:

The City and the Association agreed to reopen Article 34 (Compensation) and one additional article for fiscal year 2024-2025. The Association selected Article 31 (City of Leesburg Municipal Police Officers' Pension Trust Fund) as their additional article to reopen.

A tentative agreement has been reached, for Articles 31 and 34, with the Florida Police Benevolent Association, Inc. for both the Officers/Detectives and Corporals/Sergeants units. The union membership has ratified the tentative agreement. The next step in the CBA process is for the Commission to ratify the tentative agreement for these articles.

Assuming approval by the City Commission, the agreed upon updates will take effect on October 1, 2024.

Modifications to the existing contract have been underlined in the attached document. Most notable changes are as follows:

- Article 31 – Added line 31.6 which will allow the Pension Board to set aside funds, in each fiscal year, for the PBA to use to conduct pension surveys.
- Article 34 – Pay increases for existing union members shall be four percent (4%) for FY 24-25. The entry level pay shall increase by two percent (2%). All other pay grades shall see an increase of four percent (4%) to the minimum and maximum of each.

In conjunction with these changes, we recommend increasing the minimum and maximum of the command staff pay grades (Lieutenants, Captains, Major) by four percent (4%).

Procurement Analysis:**Options:**

1. Ratify the Collective Bargaining Agreement with the Florida Police Benevolent Association; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The proposed agreement represents a four percent (4%) increase to salaries which will be reflected in the FY 24-25 Police budget.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT
FOR RE-OPENERS WITH THE FLORIDA POLICE BENEVOLENT
ASSOCIATIONS, INC. FOR OFFICERS/DETECTIVES AND
CORPORALS/SERGEANTS; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT an Agreement has been reached with the Florida Police Benevolent Association, Inc. for both the Officers/Detectives and Corporals/Sergeants units.

THAT the Union Membership has approved the Agreement, and

THAT this Agreement is hereby Ratified and Accepted by the City of Leesburg, and

THAT the Mayor and City Clerk are hereby authorized to execute the agreement on behalf of the City.

THAT this resolution shall become effective October 1, 2024.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 24th day of June 2024.

Mayor

ATTEST:

City Clerk

ARTICLE 31
CITY OF LEESBURG MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND

31.1 The parties agree that the City will continue participation in the City of Leesburg Municipal Police Officers' Pension Trust Fund (the "Plan"), which was adopted in Chapter 17, Article IV of the City's Code of Ordinances.

31.2 The multiplier used to calculate the disability pension shall be as follows:

Three percent (3%) for each year of credited service prior to May 27, 2003;
plus

Two percent (2%) for each year of credited service between May 27, 2003,
and September 30, 2009; plus

Two-point five percent (2.5%) for each year of credited service between
October 1, 2009, and September 30, 2015; plus

Three percent (3%) on or after October 1, 2015.

31.3 The foregoing changes will apply only to eligible sworn personnel who are employed by the City as such upon full implementation of the changes, and not to any person not employed at such time or who enters the DROP plan prior to such implementation.

31.4 All Premium Insurance Revenues derived from Chapter 185, received by the City, during the term of this Agreement shall be used exclusively by the City to fund the benefits first, and second, the incurred unfunded liability of the City of Leesburg Municipal Police Officers' Pension Trust Fund.

31.5 Unit employees who retire under the provisions of normal retirement shall, upon the last day of employment, be awarded their service side-arm and retirement credentials.

31.6 For each fiscal year, the Pension Board shall set aside three thousand five hundred dollars (\$3,500) for the PBA to use at their sole discretion to conduct pension surveys.

For the City

AL Minner
City's Chief Labor Negotiator

Date

For PBA

George J. Corwine
PBA's Chief Labor Negotiator

Date

ARTICLE 34
COMPENSATION

34.1 Effective October 1, 2023, the below wage ranges are adopted.

For Fiscal Year 2023-2024, all bargaining unit members shall receive a sixteen percent (16%) General Wage Increase (GWI) in base pay or a pay increase to the new minimum pay. Unit members with six months or greater sworn law enforcement service with the Leesburg Police Department shall make a minimum of \$60,300.

The annual maximum of each salary range shall be advanced as outlined in the below tables:

In the event the City hires a law enforcement officer with previous experience from an agency of similar size or larger, the Chief may grant an additional base pay of up to fifteen percent (15%).

Fiscal Year 2023-2024

Position	Hourly Min	Hourly Max	Annual Min	Annual Max
Police Officer/Detective 300	\$27.15	\$37.43	\$60,001.50	\$82,720.30
Senior Police Officer/Detective 302	\$28.92	\$40.94	\$63,913.20	\$90,477.40
Police Corporal/Detective Corporal 304	\$30.37	\$45.49	\$67,117.70	\$100,532.90
Police Sergeant/Detective Sergeant 306	\$34.11	\$51.53	\$75,383.10	\$113,881.30

For Fiscal Year 2024-2025, each bargaining unit member shall receive an increase to the base pay of four percent (4%). In addition, for Fiscal Year 2024-2025, the following wage chart shall apply:

For the City

Al Minner
City's Chief Labor Negotiator

Date

6/13/24

For PBA

George J. Corwine
PBA's Chief Labor Negotiator

Date

June 13th, 2024

Fiscal Year 2024-2025

<u>Position</u>	<u>Hourly Min</u>	<u>Hourly Max</u>	<u>Annual Min</u>	<u>Annual Max</u>
<u>Police Officer/Detective 300</u>	<u>\$27.69</u>	<u>\$38.93</u>	<u>\$61,194.90</u>	<u>\$86,035.30</u>
<u>Senior Police Officer/Detective 302</u>	<u>\$30.08</u>	<u>\$42.58</u>	<u>\$66,476.80</u>	<u>\$94,101.80</u>
<u>Police Corporal/Detective Corporal 304</u>	<u>\$31.58</u>	<u>\$47.31</u>	<u>\$69,791.80</u>	<u>\$104,555.10</u>
<u>Police Sergeant/Detective Sergeant 306</u>	<u>\$35.47</u>	<u>\$53.59</u>	<u>\$78,388.70</u>	<u>\$118,433.90</u>

34.2 The parties agree to re-open this Agreement for bargaining compensation for fiscal year 2024-2025 (beginning October 1, 2024, and ending September 30, 2025). Such negotiations must begin no later than June 1 for the preceding fiscal year, and notice must be given under Article 27 of this Agreement.

34.3 The parties agree to re-open this Agreement for bargaining compensation for fiscal year 2025-2026 (beginning October 1, 2025, and ending September 30, 2026). Such negotiations must begin no later than June 1 for the preceding fiscal year, and notice must be given under Article 27 of this Agreement.

34.4 Should the increases adopted above result in a unit member being placed above the maximum, the unit member shall receive the difference of the GWI as applied and the maximum wage range in the form of a bonus check paid in the first full pay period of October. Said payment is to be treated as pensionable income.

34.5 Accrual Maximum Rate: Pursuant to the terms in Article 16, earned payments made for PTO accruals shall be paid at the employee's current rate of pay up to the maximum amount provided for in Article 16.19.

34.6 Education Incentive. Each employee covered by this Agreement and entitled to Educational Incentive Pay under guidelines established by the State of Florida for the completion of certain educational courses related to his job as a law enforcement officer shall continue to be so entitled, subject to the following: should the State of Florida Education Incentive Pay program be altered, amended or ended, that will be binding on the parties.

For the City

AL Minner
City's Chief Labor Negotiator

Date

6/13/24

For PBA

George J. Corwine
PBA's Chief Labor Negotiator

Date

June 13th, 2024

34.7 Specialty Pay

a. Special Weapons And Tactics Team - Each unit employee that is a member of the Leesburg Police Department's Special Weapons And Tactics Team shall continue to receive additional specialty pay in the amount of two-percent (2%) above said employee's current base rate of pay, provided, however, this shall apply only so long as an employee is a member, and such additional specialty pay shall cease upon cessation of membership for any reason.

b. Field Training Officer (FTO) shall receive one (1) additional hour of PTO per each shift while training a probationary unit member. The PTO hour will be added to the FTO's accrual bank and available to use on the pay period following submission.

c. Field Training Officer (FTO) Supervisor shall receive an incentive pay in the amount of \$1,250 annually and will be paid as an "add pay" in the amount of \$48.08 bi-weekly and will not be included in the base pay of any unit employee.

d. K-9 Supervisor shall receive an incentive pay in the amount of \$1,250 annually and will be paid as an "add pay" in the amount of \$48.08 bi-weekly and will not be included in the base pay of any unit employee.

e. Emergency Medical Technician (EMT) Incentive - To receive such pay, unit employees must have received EMT specialized training and maintain their EMT certification. The unit member shall submit a copy of his EMT certificate to the Chief of Police. The EMT incentive pay shall be \$1,250 annually and will be paid as an "add pay" in the amount of \$48.08 bi-weekly and will not be included in the base pay of any unit employee.

34.8 Clothing Allowance. Each unit employee assigned to non-uniform assignments (i.e. Detective) shall receive a clothing allowance in the amount of one thousand dollars (\$1,000.00) annually, paid on the first pay period for the new fiscal year. Clothing allowance for employees temporarily assigned to such non-uniformed assignments shall be prorated for the time assigned to non-uniform duties (i.e. 6-month assignment shall receive \$500.00). Unit employees promoted, reclassified, or transferred to a non-uniform assignment shall receive the clothing allowance calculated on remaining quarters in the fiscal year at two-hundred fifty dollars (\$250.00) per quarter. Unit employees assigned to light duty shall not be entitled to the clothing allowance during the period of such assignment. Clothing allowance payments are considered taxable income to the employee.

For the City

AL Minner
City's Chief Labor Negotiator

Date

6/13/24

For PBA

George J. Corwine
PBA's Chief Labor Negotiator

Date

June 13th, 2024

34.9 K-9 Allowance. The position of K-9 handler performs work related to the care of departmental dogs outside of their normally scheduled hours. The City recognizes that this time is compensable under the provisions of the Fair Labor Standards Act and will be paid in accordance with the following:

a. Employees assigned to K-9 duty will be paid for the care of departmental dogs done after their normally scheduled work hours. The parties to this Agreement concur that an average of three-and-one-half (3.5) hours per week is spent on such duties. K-9 handlers will be paid at their regular hourly rate of pay for completion of such duties and such hours will be considered as part of the K-9 handlers normally scheduled work hours.

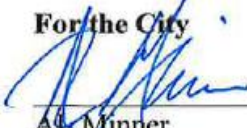
34.10 Holiday Bonus. Should the City grant holiday bonuses City-wide to City employees outside the bargaining unit in any fiscal year during the term of this agreement, unit employees shall receive the same bonus, provided it shall set no precedent or status quo for any future bonus.

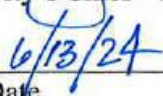
34.11 Out of Classification Pay. Any employee of the bargaining unit required to temporarily fill and assume the duties of a higher classification position for a period greater than eighty (80) consecutive hours shall receive a five percent (5%) salary increase. The affected employee's out of classification pay will begin the first scheduled workday after the absence of the higher classified employee for eighty (80) consecutive hours. The employee receiving out of classification pay will return to his regular salary upon return of the higher classified employee to work.

34.12 On Call/Standby Pay. Unit members placed on standby/on-call shall receive twenty-five dollars (\$25) per day while on such status.

34.13 Shift Differential. Bargaining unit members who work between the hours of 1800 and 0600, shall be paid a shift differential of one dollar (\$1.00) per hour for all time worked.

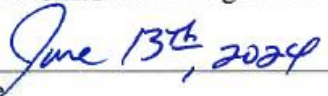
For the City


Al Minner
City's Chief Labor Negotiator


Date

For PBA


George J. Corwine
PBA's Chief Labor Negotiator


Date

Ratified this ____ day of _____, 2024

CITY OF LEESBURG, FLORIDA

By:

Mayor

ATTEST:

Julie R. Purvis, City Clerk

Ratified this ____ day of _____, 2024

**FLORIDA POLICE BENEVOLENT
ASSOCIATION, INC.**

By:

George J. Corwine, Chief Negotiator
Florida Police Benevolent Association

ATTEST:

Shannon Walsh
Leesburg PD Representative

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: June 24, 2024

From: Al Minner, (City Manager)

Subject: An Ordinance of the City of Leesburg, Florida amending the City Code of Ordinances by amending Chapter 15, Article I, Section 15-16, entitled ‘Sexual Offenders’, to encompass amendments to Section 775.215, Florida Statutes; providing for severability; providing for conflicts; and providing for an effective date.

Staff Recommendation:

Staff recommends approval of the proposed ordinance.

Analysis:

The City of Leesburg passed Ordinance 05-70 that established a prohibition on persons convicted of certain sex offenses from residing within 2,500 feet of any school, child-care facility, park, or playground. Section 775.215, Florida Statutes, has been amended since the City adopted Ordinance 05-70 and the City Commission wishes to amend the City’s Code to be consistent with the State Law.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

None

ORDINANCE NO. 2024-_____

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA
AMENDING THE CITY CODE OF ORDINANCES BY
AMENDING CHAPTER 15, ARTICLE I, SECTION 15-16,
ENTITLED ‘SEXUAL OFFENDERS’, TO ENCOMPASS
AMENDMENTS TO SECTION 775.215, FLORIDA
STATUTES: PROVIDING FOR SEVERABILITY;
PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, the City of Leesburg is a family-oriented city which highly values its children and is a place that families with young children find highly desirable; and

WHEREAS, the goal of protecting children from sexual offenders and predators is of the utmost importance to the citizens of Leesburg, Florida; and

WHEREAS, this goal cannot be accomplished by a single law, but instead depends upon a cohesive and functional system of federal, state, and local laws, which must be adjusted and adapted from time to time to address new threats and circumstances as they arise; and

WHEREAS, in 2004, the Legislature did pass Section 775.215, Florida Statutes, which established a prohibition on persons convicted of certain enumerated sex offenses from residing within 1,000 feet of any school, child-care facility, park, or playground; and

WHEREAS, on September 12, 2005, the City Commission passed Ordinance 05-70, which is codified in Chapter 15, Article I, Section 15-16 of the City’s Code of Ordinances; and

WHEREAS, Ordinance 05-70 was established and constructed around Section 775.215, Florida Statutes, pertaining to residency restrictions for persons convicted of certain sex offenses; and

WHEREAS, Section 775.215, Florida Statutes has been amended since the City adopted Ordinance 05-70 and the City Commission of the City of Leesburg wishes to amend the City’s Code to be consistent with the State Law.

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

Section 1. Recitals. The above recitals are adopted and incorporated herein by reference.

Section 2. Text Amendment. Section 16, Chapter 15, Article I, of the City of Leesburg Code of Ordinances is hereby amended to read as follows:

(Words in ~~struck through~~ are deletions from existing law; Words in underscored type are additions)

Sec. 15-16. - Sexual offenders.

(a) *Definitions.*

Child care means the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.

Child care facility includes any child care center or child care arrangement which provides child care for more than five children unrelated to the operator and which receives a payment, fee, or grant for any of the children receiving care, wherever operated, and whether or not operated for profit. The following are not included:

- Public schools and nonpublic schools and their integral programs, except as provided in s. 402.3025 Florida Statutes;
- Summer camps having children in full-time residence;
- Summer day camps;
- Bible schools normally conducted during vacation periods; and
- Operators of transient establishments, as defined in Florida Statutes, Chapter 509, which provide child care services solely for the guests of their establishment or resort, provided that all child care personnel of the establishment are screened according to the level 2 screening requirements of Florida Statutes, Chapter 435.

Park means all public and private property specifically designated as being used for recreational purposes and where children regularly congregate.

~~Permanent residence means a place where a person abides, lodges, or resides for fourteen (14) or more consecutive days, or for more than sixty (60) days within any one-year interval, whether or not consecutive.~~

Playground means a designated independent area in the community or neighborhood that is designated solely for children and has one or more play structures.

School has the same meaning as provided in Section 1003.01, Florida Statutes, and includes a private school as defined in Section 1002.01, Florida Statutes, a voluntary prekindergarten education program as described in Section 1002.53(3), Florida Statutes, a public school as described in Section 402.3025(1), Florida Statutes, the Florida School for the Deaf and the Blind, and the Florida Virtual School established under Section 1002.37, Florida Statutes, but does not include facilities dedicated exclusively to the education of adults.

Sexual offender means any person who has been convicted of or entered a plea of guilty to a violation of Section 794.011, Section 800.04, Section 827.071, Section 847.0135(5), or Section 847.0145, Florida Statutes, in which the victim of the offense was less than sixteen (16) years of age at the time the offense was committed, whether or not adjudication of guilt was withheld, and shall also include any person who has been convicted of or entered a plea of guilty to a violation of any statute in any other

state or territory of the United States of America, or any federal statute of the United States of America, which proscribes substantially the same behavior as those Florida Statutes referenced above, whether or not adjudication of guilt was withheld.

~~Temporary residence means: (i) a place where the person abides, lodges or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person's permanent residence, or (ii) the place where the person routinely abides, lodges, or resides for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.~~

(b) *Sexual offender residence prohibition; penalties; exceptions.*

- (1) It is unlawful for any sexual offender to establish ~~a permanent residence or a temporary residence~~ in the City of Leesburg within two thousand five hundred (2,500) feet of any school, ~~daycare center~~ child care facility, public park or public playground, ~~or public library~~, including any school, ~~daycare center~~ child care facility, public park or public playground, ~~or public library~~, located outside the municipal limits of the City of Leesburg but within two thousand five hundred (2,500) feet of a residence located within those municipal limits. It shall also be unlawful for any owner of residential real property knowingly to lease to, or rent to, or otherwise allow occupancy by a sexual offender who intends to establish a ~~permanent or temporary~~ residence within two thousand five hundred (2,500) feet of any school, ~~daycare center~~ child care facility, public park or public playground, ~~or public library~~, or knowingly to permit any sexual offender to establish a ~~temporary or permanent~~ residence within two thousand five hundred (2,500) feet of any school, ~~daycare center~~ child care facility, public park or public playground, ~~or public library~~, as a member of the household of the owner's named tenant(s).
- (2) For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer property line of a school, ~~daycare center~~ child care facility, public park or public playground, ~~or public library~~.
- (3) Penalties: The city may pursue any civil and criminal enforcement action or legal remedy available under controlling state law, including but not limited to injunctive relief. If injunctive relief or other civil judicial relief is sought, the city shall be entitled to recover its reasonable attorneys' fees from the defendant. A person who violates this section shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding sixty (60) days, or by both; for a second or subsequent conviction of a violation of this section, said person shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for a term not exceeding one (1) year, or by both. In the alternative, the city may seek enforcement by way of its municipal code enforcement process. This remedy shall be supplemental to and not in derogation of any other remedies.

- (4) Exceptions: A person ~~having a permanent residence~~ residing within two thousand five hundred (2,500) feet of any school, ~~daycare center~~ child care facility, public park or public playground, ~~or a public library~~ does not commit a violation of this section if ~~any of the following apply:~~ (i) ~~the person established the permanent residence prior to the date this section becomes effective, or prior to the commission of the initial offense which causes the person to fall within the definition of a sexual offender under this section, whichever is later;~~ (ii) ~~the person was a minor when he or she committed the offense and was not sentenced as an adult;~~ (iii) ~~the person is a minor;~~ (iv) the school, daycare center child care facility, public park, or public playground, ~~or a public library~~ within two thousand five hundred (2,500) feet of the person's ~~permanent~~ residence was established after the person established ~~permanent~~ residence.

- (c) *Application of ordinance/existing contracts.* The provisions of this section shall not be applied to persons residing at a prohibited location, or who have entered into a valid and binding contract to purchase or lease a residence at a prohibited location, prior to ~~the effective date of this section~~ September 12, 2005, and this section shall not be interpreted so as to impair valid, ~~existing~~ and bona fide contract rights existing at such time; however, the provisions of this section shall apply upon expiration or termination of any leasehold arising from such a landlord/tenant relationship. When a person who is a subject of this section changes residence or commences a new or renewed lease term, this section shall fully apply to such persons.

Section 3. Severability and Conflicts. The provisions of this ordinance are severable, and it is the intention of the City Commission of the City of Leesburg, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 4. Effective Date. This Ordinance shall be in effect immediately after its final adoption by the City of Leesburg Commission.

PASSED AND ADOPTED this ____ day of _____, 2024 by the City Commission of the City of Leesburg, Florida.

James A. Burry, Jr., Mayor

ATTEST:

J. Andi Purvis, City Clerk

Approved as to form:

William Grant Watson, City Attorney

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.1.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 40.61 +/- acres; and being generally located north of North Shore Drive and west of Beverly Point Road, lying in Section 14, 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 5; and providing an effective date. (North Shore Caras Cove ANNX)

Staff Recommendation:

The Planning and Zoning staff recommends approval of the proposed ordinance for annexation of 40.61 +/- acres.

Analysis:

The applicant has submitted a request for annexation of approximately 40.61 +/- acres, being generally located north of North Shore Drive and west of Beverly Point Road, as shown on the attached General Location Map. At this time, the property is undeveloped. The current zoning is Lake County C-1 (Neighborhood Commercial); the proposed zoning is City PUD (Planned Unit Development).

The proposal for the property is to develop eight single family homes. The property is surrounded by Leesburg PUD (Planned Unit Development), R-1-A (Single Family Residential), R-1 (Low Density Family Residential), R-2 (Medium Density Residential), R-3 (High Density Residential), C-3 (Highway Commercial), and P (Public). 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 May 23, 2024.

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 40.61 +/- ACRES; AND BEING GENERALLY LOCATED NORTH OF NORTH SHORE DRIVE AND WEST OF BEVERLY POINT ROAD, LYING IN SECTION 14, 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 5; AND PROVIDING AN EFFECTIVE DATE. (NORTH SHORE CARAS COVE ANNX)

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

Section 1

Based upon the petition of GL Summitt Engineering, Inc, Petitioner, "Permittee" for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

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

Section 2.

All of the property, real and personal, within said annexed territory, described in Section 1 above, as provided by this ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the City of Leesburg, Florida, and the said annexed property shall be liable, proportionately, for all of the present outstanding and existing, as well as future, indebtedness of the City of Leesburg, Florida; that all of the ordinances of the City of Leesburg, and all the laws heretofore passed by the Legislature of the State of Florida relating to and which now or hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the City of Leesburg, Florida, at the time of the passage and approval of said laws and ordinances. The property annexed here by is assigned to City Commission District 5;

Section 3.

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

Section 4.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

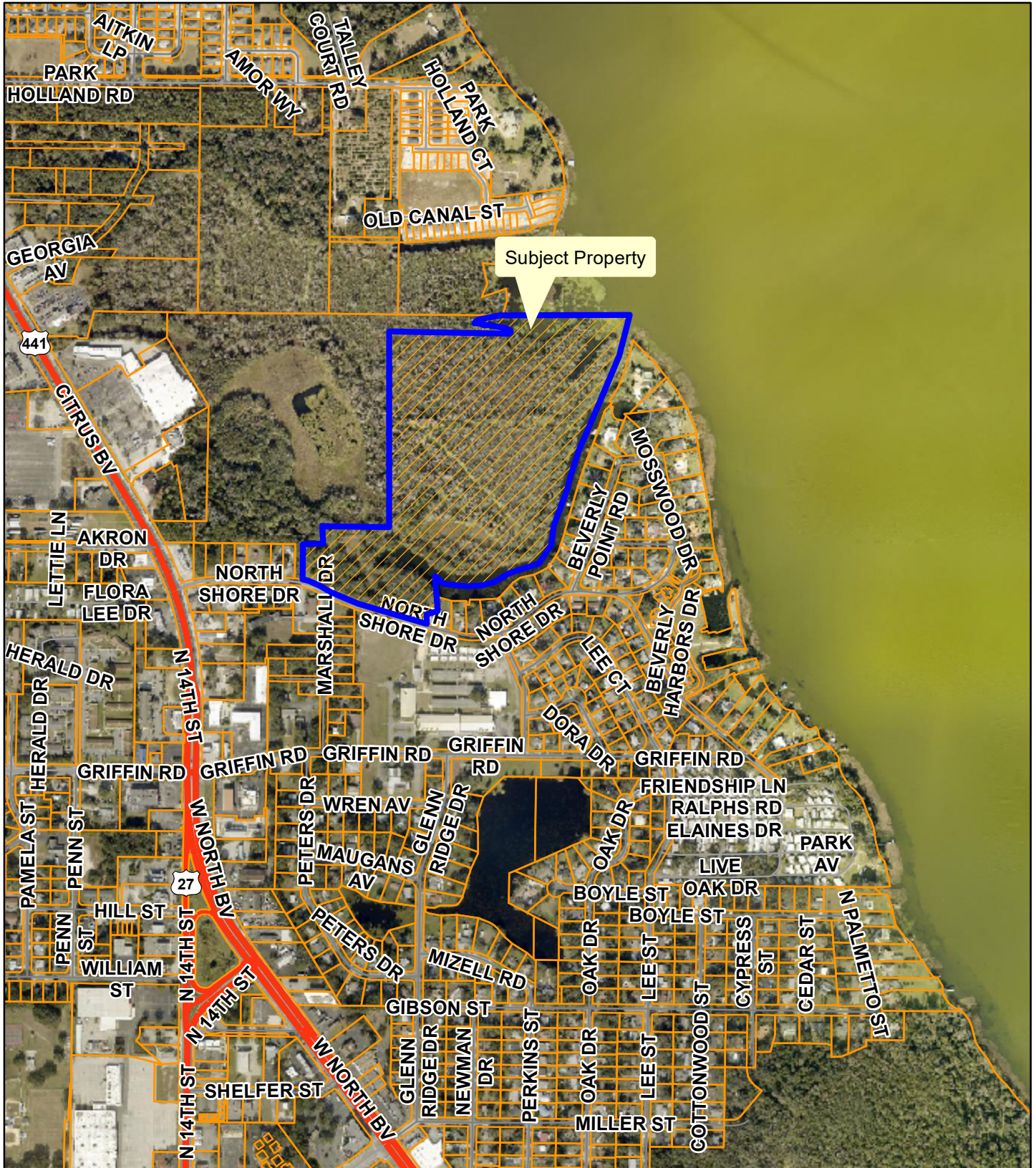
ATTEST:

City Clerk

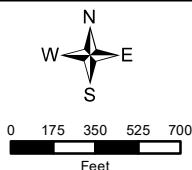
Northshore Legal Description:

From the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, run East 749 feet for the P.O.B. Run thence North 100 feet, run thence East 375 feet, run thence North to a point that is 100 feet South of the North line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 14, run thence East of Lake Griffin, begin again at Point of Beginning, and run West to a point that is 635 feet East of the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, run thence South to the Northerly right of way line of North Shore Drive, run thence Southeasterly along said right of way line to a point that is 25.92 feet East of the West line of Government Lot 4, run thence North 50 feet, run thence East 50 feet, run thence North to the center of the canal, to Lake Griffin, thence Northerly along waters of Lake Griffin to the intersection of the first line. Section 14, Township 19 South, Range 24 East Lake County, Florida.

Aerial



**Planning
& Zoning
Division**

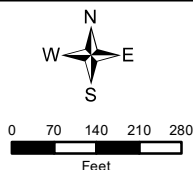


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Aerial

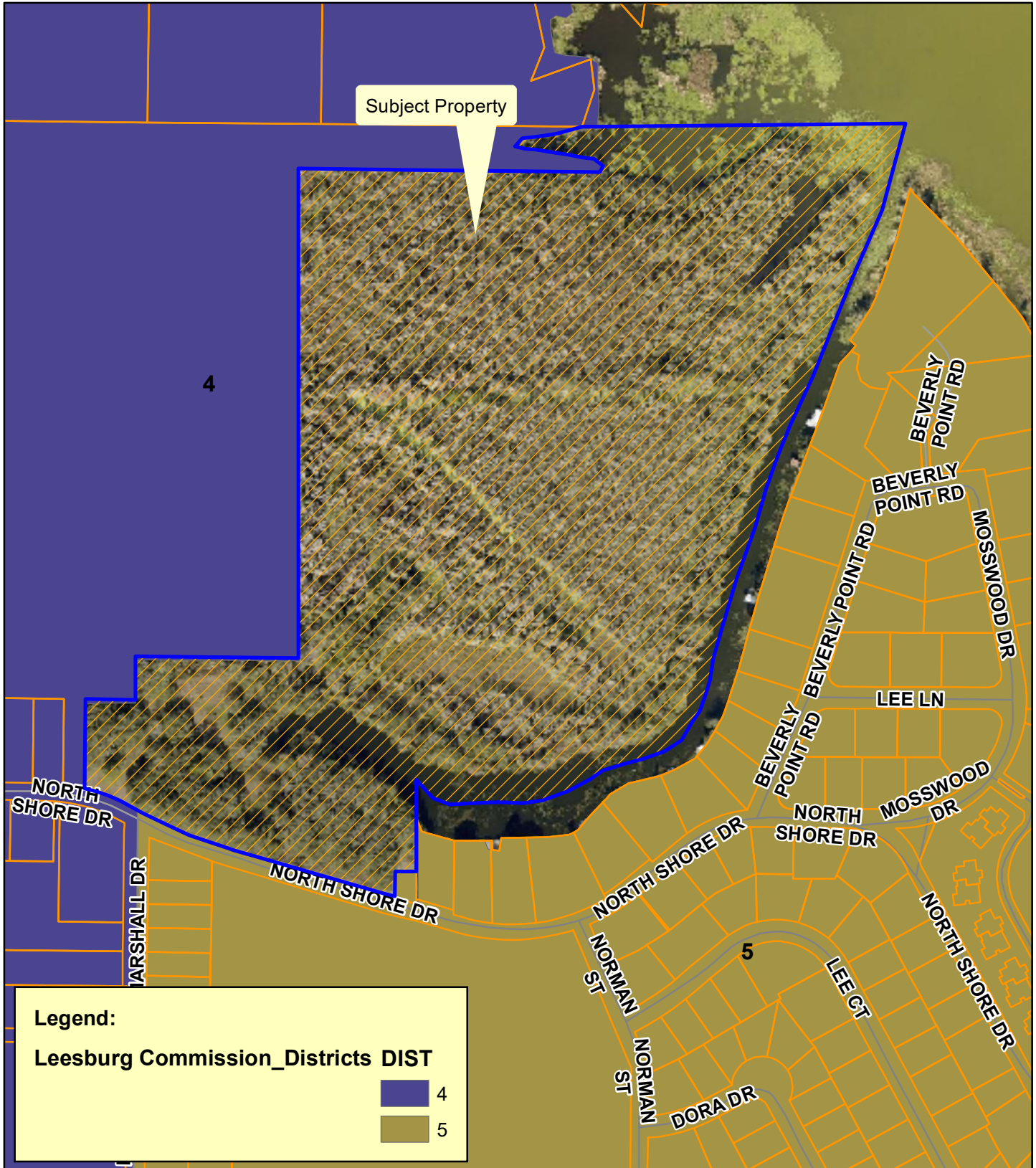


**Planning
& Zoning
Division**

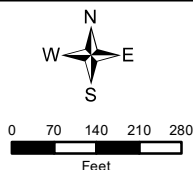


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Commission District



**Planning
& Zoning
Division**



ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.2.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 40.61 +/- acres from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential, for a property generally located north of North Shore Drive and west of Beverly Point Road, lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (North Shore Caras Cove SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed large-scale comp plan amendment of the City's Future Land Use Map on 40.61 +/- acres from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential.

Analysis:

The project site is approximately 40.61 acres. The property is generally located north of North Shore Drive and west of Beverly Point Road. Currently, the property is undeveloped acreage. The proposed use is for eight single family homes and conservation land.

The surrounding Future Land Use Map designations of City of Leesburg Conservation, Estate Residential, Low Density Residential, High Density Residential, and Institutional are compatible, as conditioned in the PUD zoning, with the proposed future land use designation of Conservation and Estate 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.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Regional Office to City of Leesburg Neighborhood Mixed Use; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact on the City because of this action. Future development of the property will provide a small positive fiscal impact the 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 40.61 +/- ACRES FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY OF LEESBURG CONSERVATION AND ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED NORTH OF NORTH SHORE DRIVE AND WEST OF BEVERLY POINT ROAD, LYING IN SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (NORTH SHORE CARAS COVE 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 40.61 +/-acres of land generally located north of North Shore Drive and west of Beverly Point Road from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential, as shown on the revised map of said area, lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida;

Section 2.

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

Section 3.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Northshore Legal Description:

From the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 14, run East 749 feet for the P.O.B. Run thence North 100 feet, run thence East 375 feet, run thence North to a point that is 100 feet South of the North line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 14, run thence East of Lake Griffin, begin again at Point of Beginning, and run West to a point that is 635 feet East of the Northwest corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, run thence South to the Northerly right of way line of North Shore Drive, run thence Southeasterly along said right of way line to a point that is 25.92 feet East of the West line of Government Lot 4, run thence North 50 feet, run thence East 50 feet, run thence North to the center of the canal, to Lake Griffin, thence Northerly along waters of Lake Griffin to the intersection of the first line. Section 14, Township 19 South, Range 24 East Lake County, Florida.



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: May 23, 2024
OWNER: H2O Development LLC
PETITIONER: GL Summitt Engineering, Inc
PROJECT: North Shore (Caras Cove)
REQUEST: Small Scale Comprehensive Plan Amendment from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential
CASE NO.: SSCP-24-157

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 to Conservation and Estate Residential is compatible with the adjacent future land use designations of City of Leesburg Conservation and Estate Residential.
3. The proposed request for a PUD (Planned Unit Development) zoning is compatible with the current surrounding zoning districts of City of Leesburg PUD (Planned Unit Development), R-1-A (Single Family Residential), R-1 (Low Density Family Residential), R-2 (Medium Density Residential), R-3 (High Density Residential), P (Public), and C-3 (General Commercial).
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 Medium Density to the City of Leesburg Conservation and Estate Residential and forward this recommendation to the City Commission for consideration.

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

DATE: May 23, 2024
OWNER: H2O Development LLC
PETITIONER: GL Summitt Engineering, Inc
PROJECT: North Shore (Caras Cove)
REQUEST: Amend the Comprehensive Plan from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential and Rezone from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development) to allow 8 detached single-family units.
CASE NO.: SSCP-24-157; PUD-24-158 (ANNX-24-156)

GENERAL LOCATION: North of North Shore Drive and east of Beverly Point Road

FUTURE LAND USE DESIGNATION: Lake County Urban Medium Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg Conservation
South – City of Leesburg Low Density Residential, Institutional
East – City of Leesburg Estate Residential, High Density Residential
West – City of Leesburg Conservation, Low Density Residential

PROPOSED FUTURE LAND USE DESIGNATION: Conservation and Estate Residential

EXISTING ZONING DESIGNATION: Lake County C-1 (Neighborhood Commercial)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg PUD (Planned Unit Development)
South – City of Leesburg R-1 (Low Density Family Residential), R-2 (Medium Density Residential), PUD (Planned Unit Development), P (Public)
East – City of Leesburg R-1-A (Single Family Residential), R-3 (High Density Residential)
West – City of Leesburg C-3 (General Commercial), R-1 (Low Density Family Residential)

PROPOSED ZONING DESIGNATION: Lake County C-1 (Neighborhood Commercial)

EXISTING LAND USE: City of Leesburg PUD (Planned Unit Development)

SURROUNDING LAND USE:

North – Vacant Residential; State of Florida
South – Vacant Residential; Residential; Place of Worship; School Board of Lake County
East – Residential
West – Wetlands

PROPOSED LAND USE: Residential (Single-Family Detached)

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

DATE: May 23, 2024
OWNER: H2O Development LLC
PETITIONER: GL Summitt Engineering, Inc
PROJECT: North Shore (Caras Cove)
REQUEST: Amend the Comprehensive Plan from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential and Rezone from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development) to allow 8 detached single-family units.
CASE NO.: ANNX-24-156; SSCP-24-157; PUD-24-158

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 05/17/2024.

FIRE

No comments received as of 05/17/2024.

ELECTRIC

Electric has no objections. Steve Davis, 05/03/2024

GAS

Gas Department- No Comment. – Wayne Williams, 05/02/2024

GIS

GIS has no comments. – Nicholas Tota, 05/02/2024

BUILDING

No comments received as of 05/17/2024.

PUBLIC WORKS

Public Works has no issues with this item. – Clifford Kelsey, 05/03/2024

ADDRESSING

No comments received as of 05/17/2024.

HOUSING & REDEVELOPMENT

No comments received as of 05/17/2024.

LAKE COUNTY PUBLIC WORKS

I have no comment. – Seth Lynch, 05/02/2024

LAKE COUNTY SCHOOLS

This project was issued a ‘no impact’ letter (NI2022-01). – Heather Croney, 05/02/2024

PUBLIC RESPONSES

No comments received as of 05/17/2024.

Approval

Disapproval

1

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

No comments received as of 05/17/2024.

PUBLIC COMMENTS (DISAPPROVAL)

No comment. – Marian Cunningham Kob, 5/20/2024



MEMORANDUM

PROJECT: DE MINIMIS DETERMINATION (Tier 1 TIA) EXEMPTION

CASE: North Shore (Caras Cove) ANNX-24-156; SSCP-24-157; PUD-24-158

TO: **Delivered via email:**
Jason Lee
E: jason@landanddev.com
Geoff Summitt
E: geoff@glseng.com
Michael Woods, Executive Director, Lake~Sumter MPO
E: mwoods@lakesumtermpo.com
City of Leesburg Public Works
E: John.Borrow@leesburgflorida.gov
E: Tracy.Bronson@leesburgflorida.gov
Lake County Public Works
Seth.Lynch@lakecountyfl.gov
Sharon.Lewis@lakecountyfl.gov

FROM: Max Van Allen, Planner, City of Leesburg

THROUGH:  Dan Miller, Director, Planning and Zoning, City of Leesburg

DATE: May 20, 2024

STATUS: **APPROVED De minimis determination**

The proposed development meets the de minimis determination criteria stated in Lake~Sumter Metropolitan Planning Organization Methodology and Guidelines Section 3.1 Tier 1 TIA: Projects Generating Less than 100 Peak Hour Two-way Net New Trips.

A traffic analysis is not required based on the proposed number of 8 single-family residences.

Lake-Sumter MPO
TIS Methodology Guidelines

and signed by a licensed professional engineer prior to submittal.

3.1 Tier 1 TIA: Projects Generating Less than 100 Peak Hour Two-way Net New Trips
De minimis Determination (Tier 1 TIA) - The LSMPO defines "de minimis" development as any development for which the net average weekday peak hour two-way volume generated by the development is less than 100 trip ends or driveway volume on the adjacent roadway[s].

As an example, developments of the following size typically generate less than 100 net new peak hour trips:

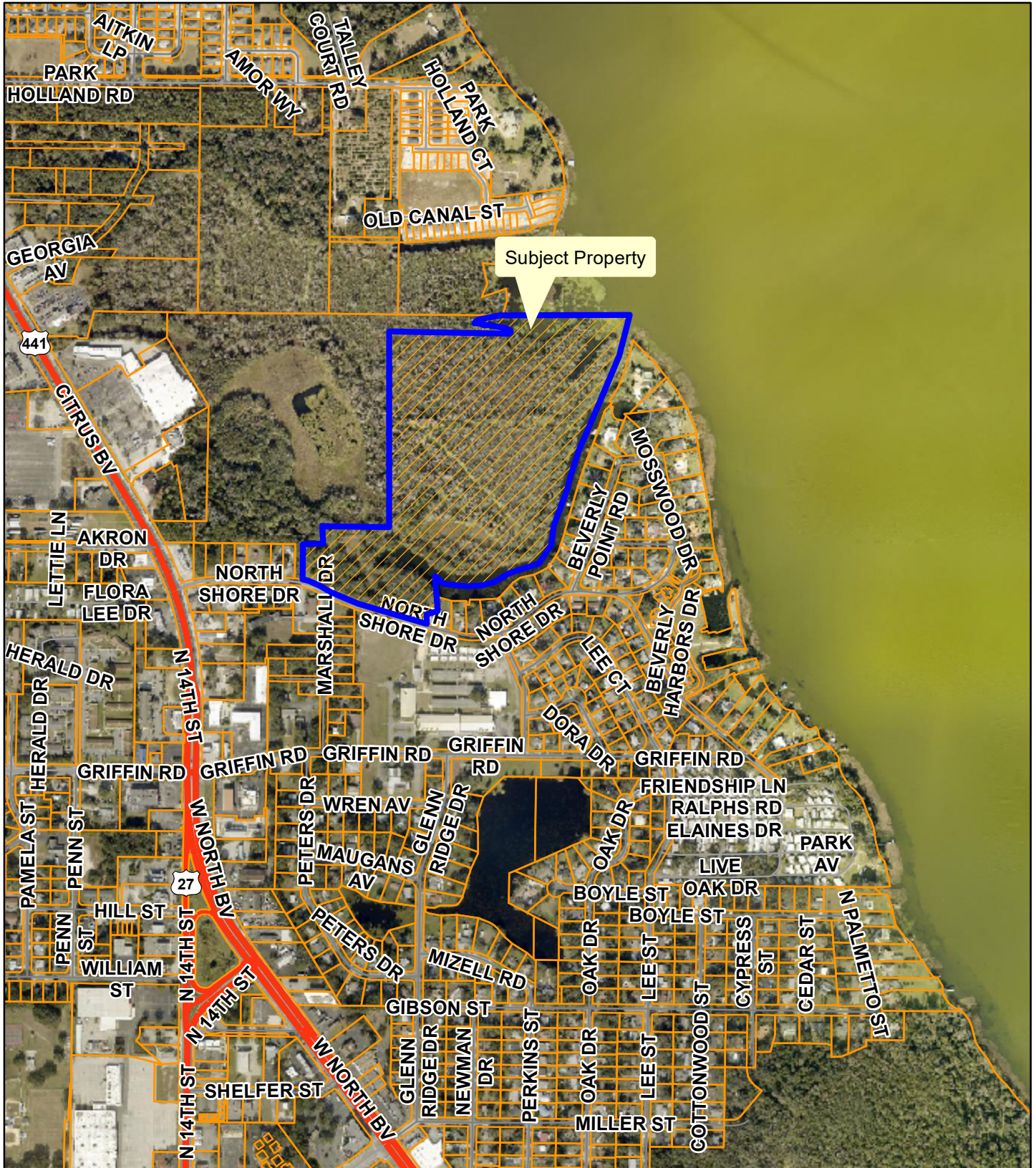
- Single Family Residential (ITE Code 210) – 99 dwelling units.
- Apartment (ITE Code 220) – 160 dwelling units.
- Office Building (ITE Code 710) – 66,000 square feet.
- Retail (ITE Code 820, Shopping Center w/o supermarket) – 26,000 square feet.
- Services (ITE Code 945, Gas station with Convenience Market) – 6 Fueling Positions.

Projects generating less than 100 peak hour two-way net new trips may generally be considered to create non-substantial impacts. In most cases, a Request for Exemption Letter from a Tier 1 TIA may be submitted.

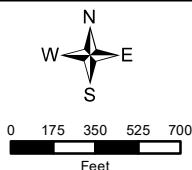
If the traffic impacts of a proposed project can be clearly determined to have de minimis impacts and all the parties involved (local government, LSMPO, Florida Department of Transportation (FDOT), applicant, etc.) are in agreement, the submittal of a Tier 1 TIA may not be necessary. The applicant may submit a Request for Exemption Letter from doing a TIA. The required information needed to be provided in the Exemption Letter is described in Section 5. An example of a Request for Exemption Letter from doing a TIA can be found in Appendix B. Any exemptions to performing a Tier 1 TIA or deviation from this methodology shall be at the discretion of the appropriate local government. If an exemption is approved, the local government has the responsibility of notifying the LSMPO.

However, there may be circumstances when a project generates less than 100 Peak Hour Two-way Net New Trips and the Request for Exemption Letter is denied. At this point a Tier 1 TIA is necessary. The applicant will need to submit a Methodology Letter for approval prior to the Tier 1 TIA submittal. The required information to be contained in the Methodology Letter is described in section 6. If any deviations from, or modifications to a Methodology are considered by the local government, the LSMPO must be notified prior to the submittal of the methodology by the applicant.

Aerial



**Planning
& Zoning
Division**

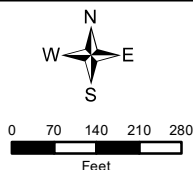


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Aerial



**Planning
& Zoning
Division**

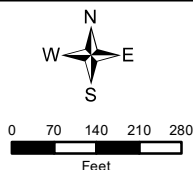


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Surrounding Land Uses

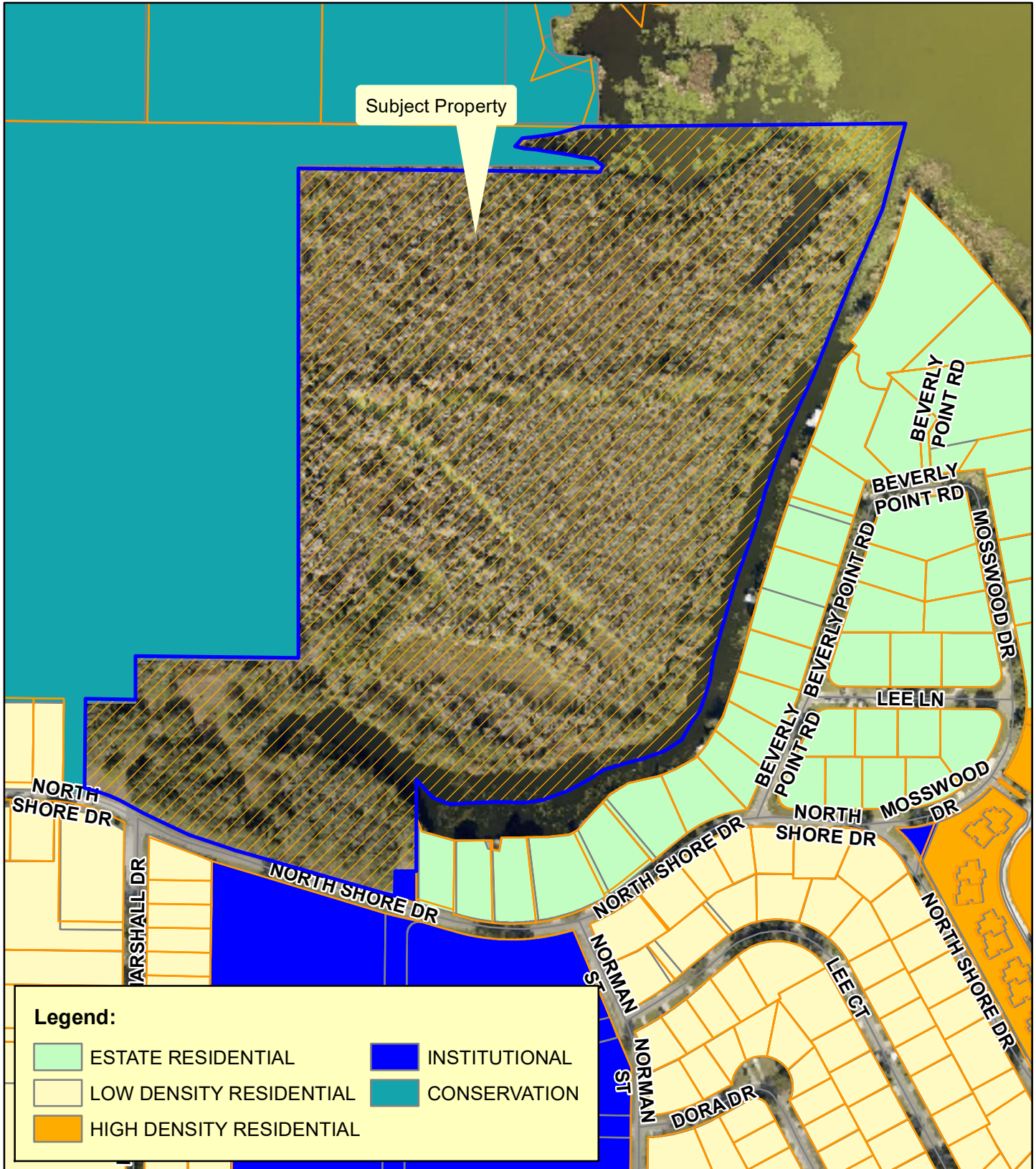


**Planning
& Zoning
Division**

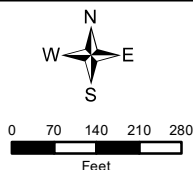


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

City of Leesburg Future Land Use

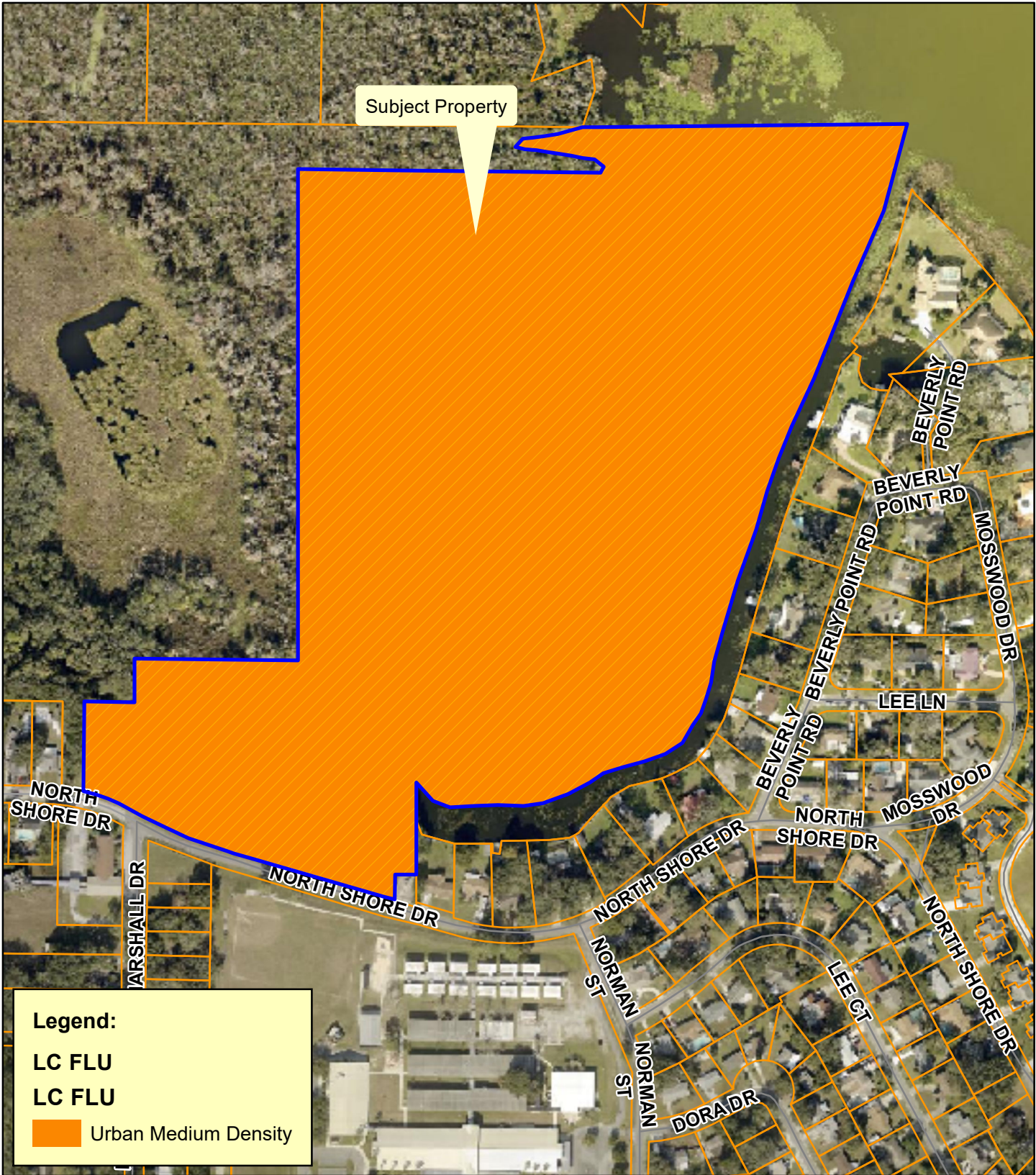


**Planning
& Zoning
Division**

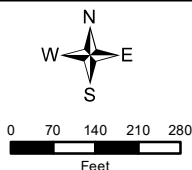


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Lake County Future Land Use

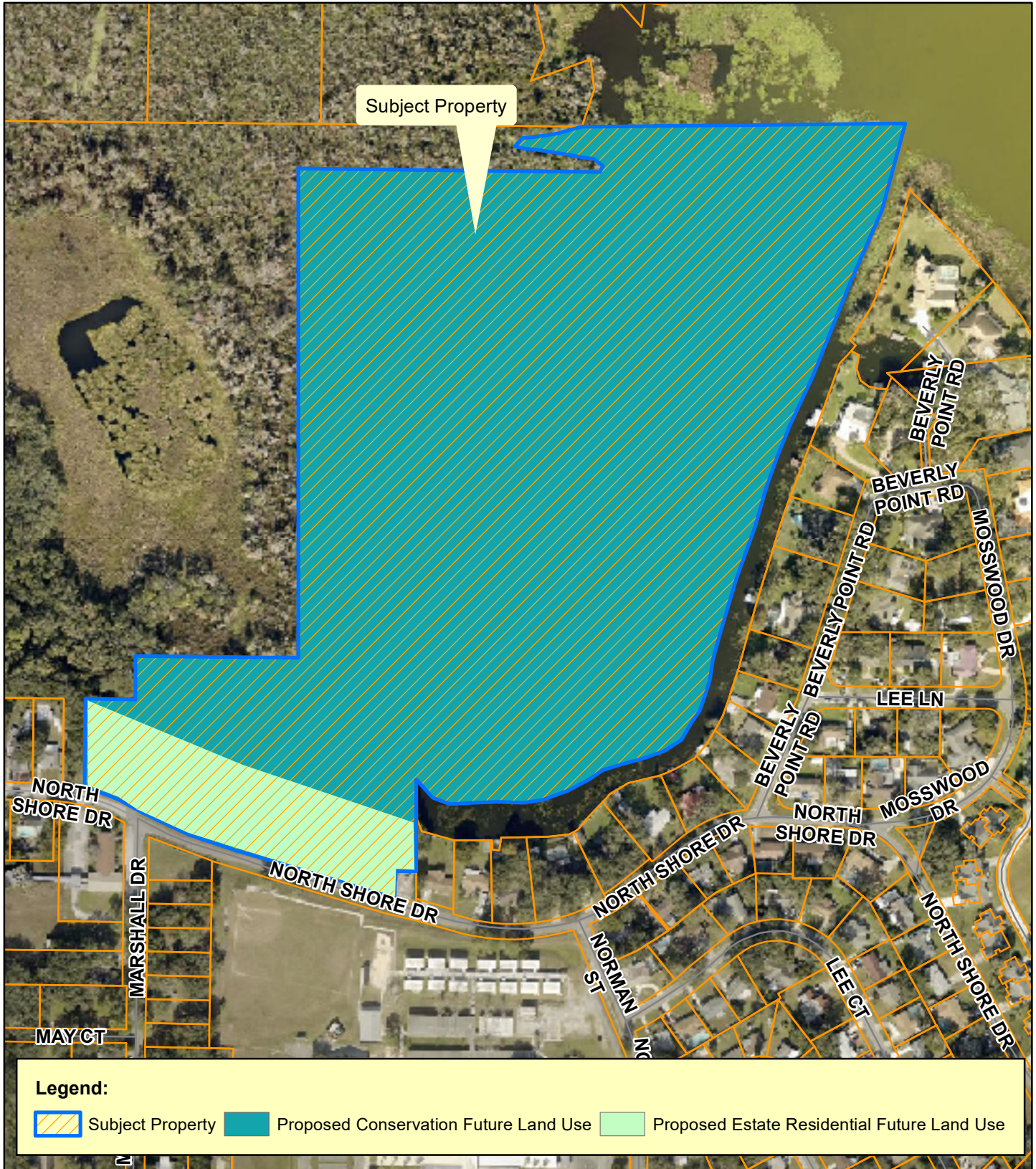


**Planning
& Zoning
Division**

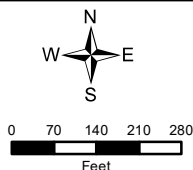


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Proposed Future Land Use



**Planning
& Zoning
Division**

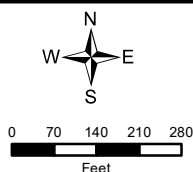


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 May 1, 2024

Flood Zone

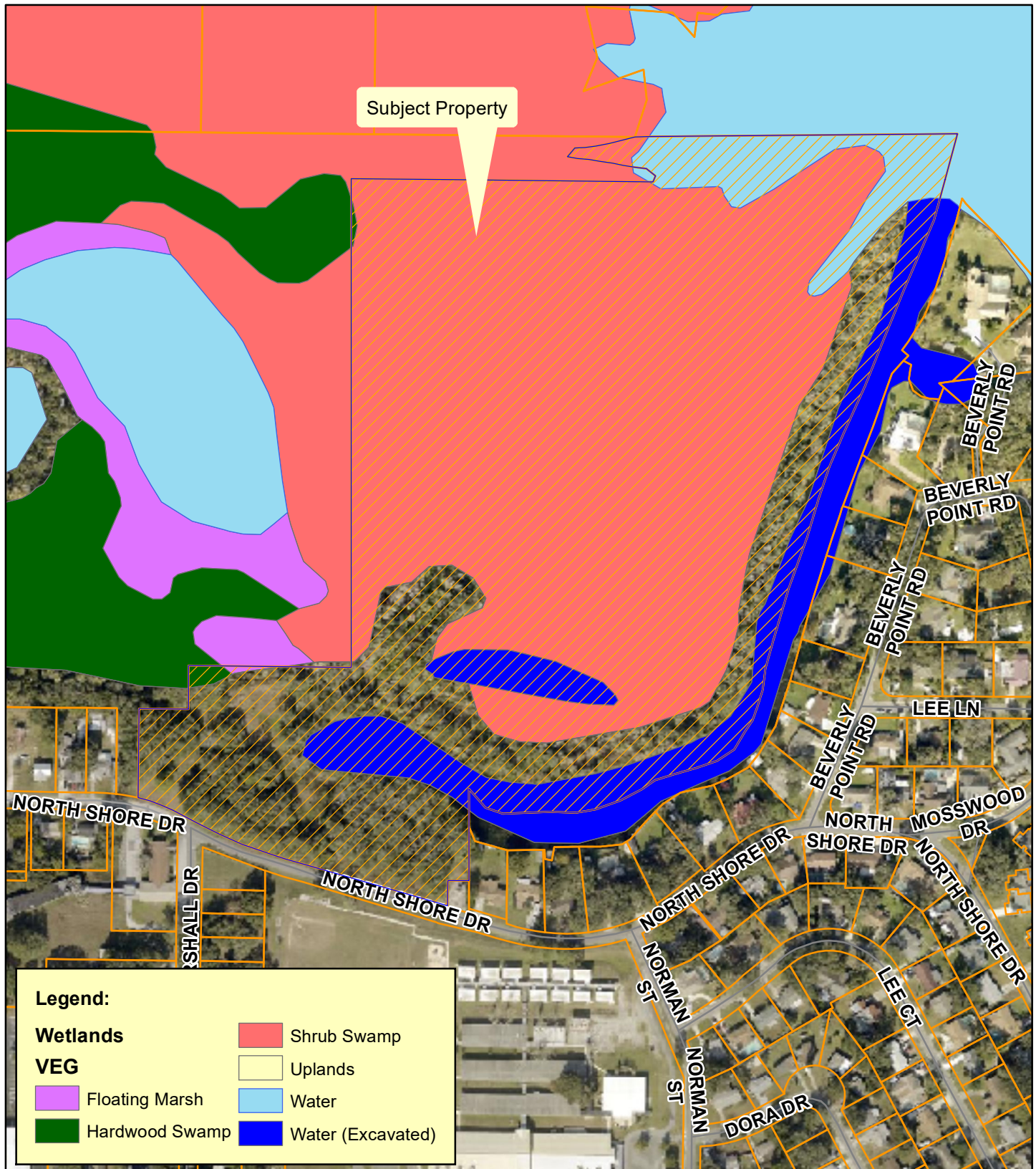


**Planning
& Zoning
Division**

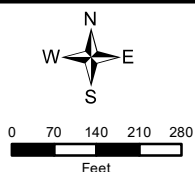


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Wetlands

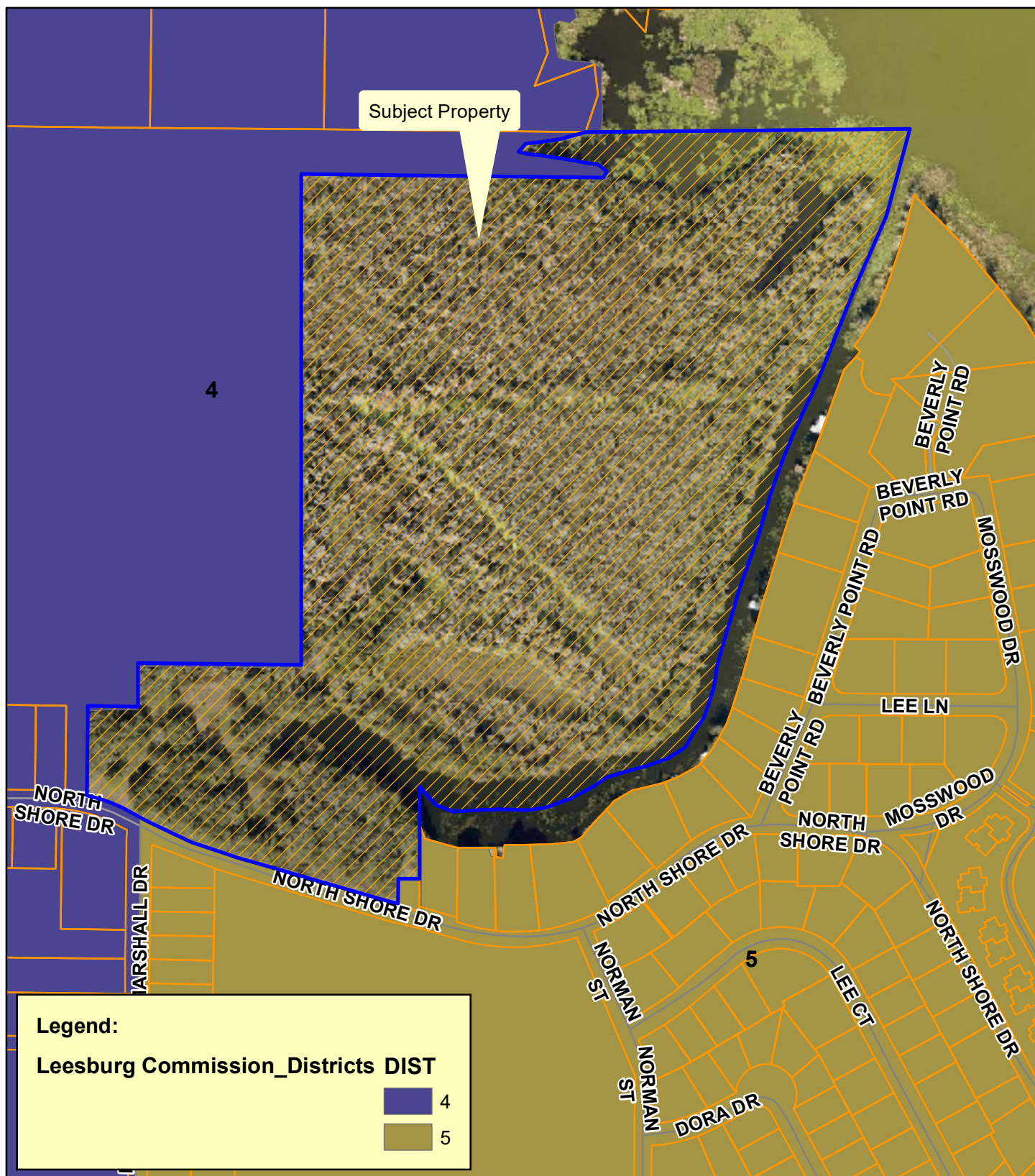


Planning & Zoning Division

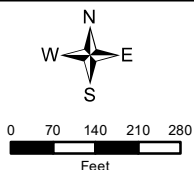


ANNX-24-156; SSCP-24-157; PUD-24-158
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Commission District



Planning & Zoning Division



ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.3.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 40.61 +/- acres from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development), for a property generally located north of North Shore Drive and west of Beverly Point Road; lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (North Shore Caras Cove PUD)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development) to allow 8 detached single-family units.

Analysis:

The project site is approximately 40.61 +/- acres, and is generally located north of North Shore Drive and west of Beverly Point Road as shown on the attached maps. At this time, the property is undeveloped acreage. The proposal will allow 8 detached single-family units. The existing land uses surrounding the property are Vacant Residential, State of Florida, Residential, Place of Worship, School Board of Lake County and Wetlands. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on May 23, 2024, and recommended approval, with the condition that side setbacks within the North Shore Caras Cove PUD document, Section 4 "Development Standards" N. 1. f. shall be amended from 10 feet to 7.5 feet based on the applicant and staff request at the public hearing.

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:

Future development on this site will create a small 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 OF APPROXIMATELY 40.61 +/- ACRES FROM LAKE COUNTY C-1 (NEIGHBORHOOD COMMERCIAL) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED NORTH OF NORTH SHORE DRIVE AND WEST OF BEVERLY POINT ROAD; LYING IN SECTION 14, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (NORTH SHORE CARAS COVE PUD)

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

Section 1.

Based upon the petition of GL Summitt Engineering, Inc (Petitioner) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County C-1 (Neighborhood Commercial) 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 _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

North Shore (Caras Cove) - 1200 N SHORE DR, LEESBURG FL, 34748

PUD-24-158

AK#: 1204151

Legal Description Taken from Property Record Card

Friday, May 24, 2024

AK # 1204151 Legal Description

FROM NW COR OF SW 1/4 OF SW 1/4 RUN E 749 FT FOR POB, RUN N 100 FT, E 375 FT, N TO PT 100 FT S OF N LINE OF NW 1/4 OF SW 1/4, E TO LAKE GRIFFIN, BEG AGAIN AT POB & RUN W TO PT 635 FT E OF NW COR OF SW 1/4 OF SW 1/4, S TO NORTH SHORE DR, SE'LY ALONG SAID DR TO PT 25.92 FT E OF W LINE OF GOV LOT 4, N 50 FT, E 50 FT, N TO CENTER OF CANAL, NE'LY ALONG CENTER LINE OF CANAL TO LAKES TO INTERSECT FIRST LINE ORB 5791 PG 2215

NORTH SHORE (CARAS COVE)
PUD (PLANNED UNIT DEVELOPMENT AGREEMENT)
May 24, 2024

This Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district is granted by the City of Leesburg Planning Commission, Lake County, Florida to **H2O Development, LLC, 14934 Old US Highway 441, Tavares, FL 32778, (Geoff Summitt, G L Summitt Engineering, Inc., Petitioner), "Agent"** 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 residential development consisting of approximately 40.61 +/- acres containing a maximum of 8 detached single-family residential units, generally located north of North Shore Drive and east of Beverly Point Road, 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 **H2O Development, LLC, 14934 Old US Highway 441, Tavares, FL 32778, (Geoff Summitt, G L Summitt Engineering, Inc., Petitioner), "Agent"** 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 40.61 +/- acres, shall be used for platted, detached single-family residential development, pursuant to City of Leesburg development codes and standards.

A. Permitted Uses

1. Detached single family residential units
2. Accessory structures for residential uses
3. Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.

B. Prohibited Uses

1. Attached single family units (Townhouses)
2. Duplex/Triplex uses
3. Multi-family units (Apartments)
4. Commercial uses
5. All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. DEVELOPMENT STANDARDS

- A. The project shall contain a maximum of 8 detached single-family residential units on the approximately 40.61-acre site, as shown on **Exhibit C, Conceptual Development Plan**.
- B. The platted single-family residential lots shall be oriented along North Shore Drive, for access purposes.
- C. Each detached single-family residential unit shall have a minimum two (2) car garage.
- D. Defined closet space for each additional bedroom above the minimum house size may be included in the minimum square footage requirement herein.
- E. Gutters shall be installed on the side and rear horizontal fascia for any home that has less than 7.5-foot side setback. For lots with a side yard setback of 7.5 feet or greater, no gutters are required. All lots shall be designed to direct stormwater to the appropriate drainage system(s).
- F. Homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement.
- G. The maximum impervious surface for each platted lot shall be 65%.
- H. Roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
- I. Maximum building height: two (2) stories or 35 feet.
- J. Accessory structures shall have a minimum rear and side setback of 5 feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.

- K. Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.
- L. Solid roof structures attached to the residence must meet the required rear setback as noted under “Minimum building setbacks.”
- M. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein.
- N. The minimum lot development standards shall be:
 - 1. For detached, single-family lots:
 - a. Minimum house size: 1,700 square feet living area (under roof).
 - b. Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet. Closet space for each bedroom may be included in the additional bedroom size calculation.
 - c. Minimum lot size shall be 10,000 square feet.
 - d. Minimum lot width 90 feet
 - e. Minimum lot depth 115 feet
 - f. Minimum building setbacks:
 - Front – 25 feet;
 - Porch/Garage – 20 feet (porch must be a minimum width of 5 feet).
 - Rear – 20 feet;
 - Side – 7.5 feet;
 - Side Street – 15 feet.

5. **DESIGN/ARCHITECTURAL STANDARDS**

- A. All buildings shall utilize at least five (5) of the following design features to provide visual relief along all elevations of the single-family units. Designs may vary throughout the development.
 - 1. Dormers
 - 2. Gables
 - 3. Recessed or raised entries
 - 4. Covered porch entries
 - 5. Cupolas
 - 6. Pillars or decorative posts
 - 7. Bay window (minimum 12-inch projections)
 - 8. Eaves (minimum 6-inch projections)
 - 9. Front windows with arched glass tops and minimum 4-inch trim.
 - 10. Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 - 11. Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 - 12. Stone accents
 - 13. Shutters
 - 14. Board and batten siding

15. Hardy board siding
 16. Raised banding
 17. Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials 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 shall be permitted subject to the provision of at least five (5) unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco.
 4. For all designs, architectural facades and features shall be submitted and reviewed by the Planning and Zoning Manager or designee for compliance prior at time of site plan review.
- C. Other similar design variations meeting the intent of this section may be approved by the Planning and Zoning Manager or designee.
- D. The architectural styles and facades shown in **Exhibit D, Representative Façade Samples** herein are considered conceptual.
- E. 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 as shown on **Exhibit E**, attached hereto.

6. 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. A minimum twenty-five (25)-foot wide buffer tract with plantings as shown in Figure B below, shall be provided along all other property boundaries not located along the North Shore Drive right-of-way.
- C. All landscape buffers shall be separate from all other platted lots, shall not be part of individually platted lots, and shall be a common area to be maintained by an entity such as a Property Owners or Homeowners Association.
- D. Each platted single-family residential lot of record shall contain a minimum of one (1) canopy tree, located within in the front yard, selected from the list of trees within the City of Leesburg Code of Ordinances, *Section 25-328 Table 1, Canopy Trees*, plus at least one (1) other tree, located in the back yard, and one (1) additional tree to be

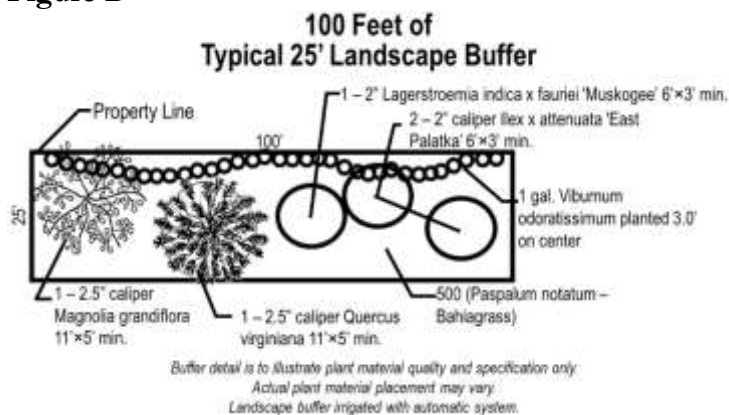
located in either the front or back yard, for a total of three (3) required trees per single-family lot. All other requirements for tree planting based on lot size under the Code of Ordinances shall remain in effect.

- E. Land uses allowed within the upland buffers and conservation areas are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
- 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



- G. Variations to the landscape and buffering requirements of the code may be approved by the Planning and Zoning Manager or designee, to the extent that the overall intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.
- H. 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.

7. SITE ACCESS AND SIGNAGE

- A. All access points are conceptual and subject to Lake County approval. 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.
 1. 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, driveway, and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 2. 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.
- B. 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.
- C. The developer may provide a decorative entry feature to include a concrete, brick or stucco wall no more than six (6) feet in height, on each side of the development, visible from North Shore Drive. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
- D. Alternative designs for the ground enclosure support and bases of monument signs 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.

8. TRANSPORTATION IMPROVEMENTS

- A. 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.
- B. 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.

- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development which are legally required by Lake County, the Lake-Sumter MPO, and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements. All roads within the development shall be constructed to meet the City of Leesburg's standards, ARTICLE VII – TECHNICAL STANDARDS of the Code of Ordinances, as amended.
- E. The Permittee shall be responsible for obtaining all necessary legally required Lake County and FDOT permits, as required, 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.
 - 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. As a condition of accepting the roadway 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 and may require bonds or other financial assurance of maintenance for some period of time.
- G. Sidewalks shall be provided along North Shore Drive, and shall provide cross connections to all recreation and residential areas. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

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. Developer shall be responsible for the installation of a natural gas appliances in eighty percent (80%) of all single-family homes in the development as required by the City of Leesburg Code of Ordinances as amended.
- D. 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 and lots.
- 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 consist of not less than 200 square feet of space per dwelling unit, or 0.05 total acres (1,600 square feet), whichever is greater. A "tot lot" of at least 1,600 square feet with playground equipment shall be considered to meet this requirement.

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, trails, recreation areas/equipment, landscaping and drainage shall be the responsibility of the property owner. A homeowner's association or property owner's association 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 this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. As part of the overall development review process, if the project is constructed in phases, the plat of the lots for each approved 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.
- C. Upon approval of this PUD by the City Commission, a development permit or building permit application must be submitted with the City for work related to one or more phases of the PUD within four (4) years of this approval becoming final with no appeal pending or the PUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the PUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

16. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. 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 conditions 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 these PUD Conditions of Approval 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. These PUD 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 as set forth herein.

17. LEVELS OF SERVICE

A. Levels of Service

1. 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.

B. Utilities

1. Projected Capacities

- i. 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.

- C. 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.

D. Commitment of Capacity

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

E. Ability to Provide Services

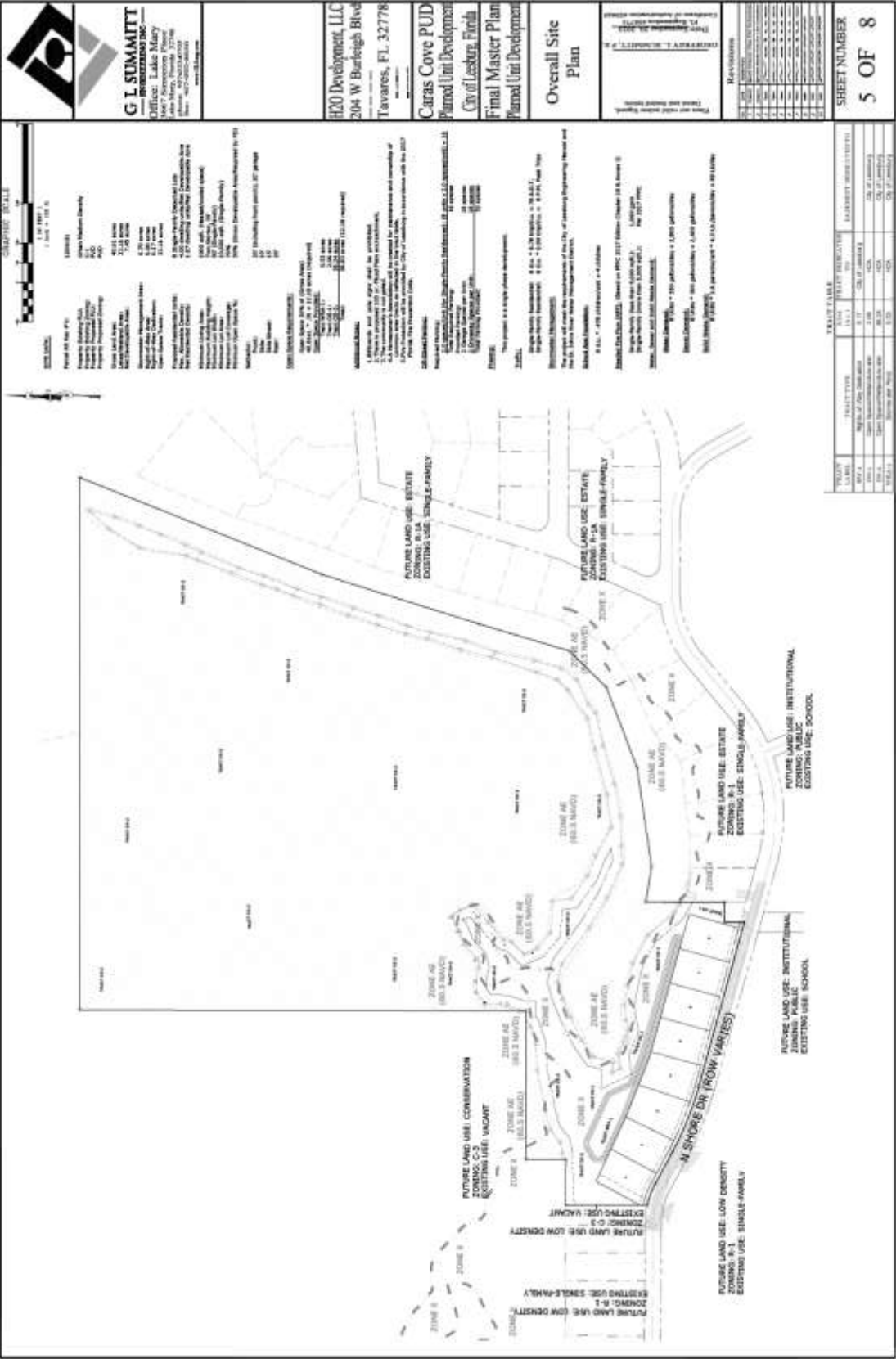
1. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B

LEGAL DESCRIPTION

Altkey: 1204151

FROM NW COR OF SW 1/4 OF SW 1/4 RUN E 749 FT FOR POB, RUN N 100 FT, E 375 FT, N TO PT 100 FT S OF N LINE OF NW 1/4 OF SW 1/4, E TO LAKE GRIFFIN, BEG AGAIN AT POB & RUN W TO PT 635 FT E OF NW COR OF SW 1/4 OF SW 1/4, S TO NORTH SHORE DR, SE'LY ALONG SAID DR TO PT 25.92 FT E OF W LINE OF GOV LOT 4, N 50 FT, E 50 FT, N TO CENTER OF CANAL, NE'LY ALONG CENTER LINE OF CANAL TO LAKES TO INTERSECT FIRST LINE ORB 5791 PG 2215



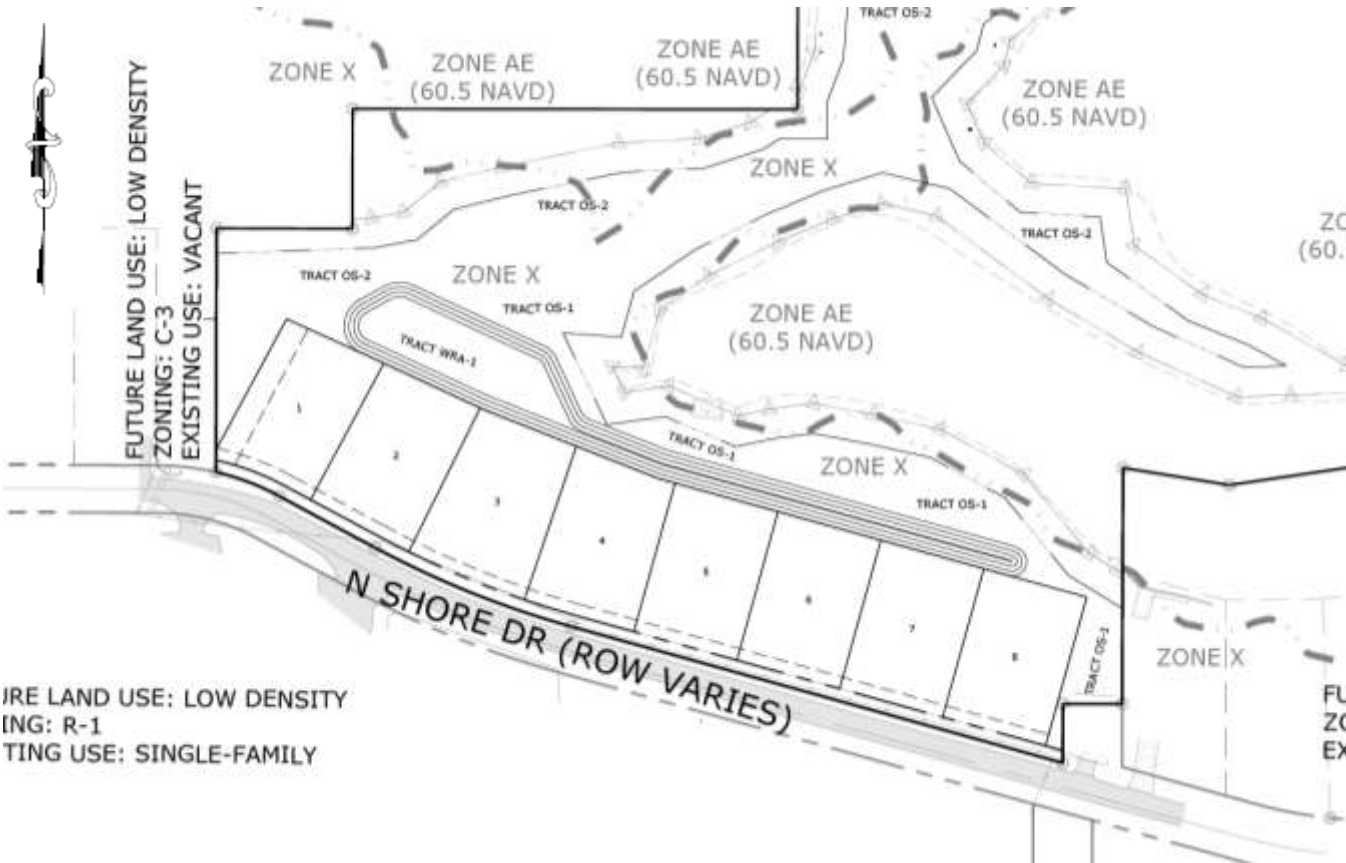


EXHIBIT D

REPRESENTATIVE FAÇADE SAMPLES









TYPICAL DARK SKY LIGHTING FIXTURES

Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

Fixtures that produce glare and light trespass



Acceptable

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



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



CITY OF LEESBURG PLANNING & ZONING DEPARTMENT RECOMMENDATIONS

DATE: May 23, 2024
OWNER: H2O Development LLC
PETITIONER: GL Summitt Engineering, Inc
PROJECT: North Shore (Caras Cove)
REQUEST: Rezone from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development) to allow 8 detached single-family units.
CASE NO.: PUD-24-158

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request for a PUD (Planned Unit Development) zoning is compatible with the current surrounding zoning districts, including City of Leesburg PUD (Planned Unit Development), R-1-A (Single Family Residential), R-1 (Low Density Family Residential), R-2 (Medium Density Residential), R-3 (High Density Residential), P (Public), and C-3 (General Commercial).
2. The proposed request for the Future Land Use designation of Conservation and Estate Residential, is compatible with the proposed zoning of PUD (Planned Unit Development).
3. The proposed request does not appear to create a detriment to surrounding properties, based on the location and proximity to compatible development, including existing single-family development.

Action Requested:

1. Vote to approve the proposed rezoning from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development), and forward this recommendation to the City Commission for consideration.

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

DATE: May 23, 2024
OWNER: H2O Development LLC
PETITIONER: GL Summitt Engineering, Inc
PROJECT: North Shore (Caras Cove)
REQUEST: Amend the Comprehensive Plan from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential and Rezone from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development) to allow 8 detached single-family units.
CASE NO.: SSCP-24-157; PUD-24-158 (ANNX-24-156)

GENERAL LOCATION: North of North Shore Drive and east of Beverly Point Road

FUTURE LAND USE DESIGNATION: Lake County Urban Medium Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg Conservation
South – City of Leesburg Low Density Residential, Institutional
East – City of Leesburg Estate Residential, High Density Residential
West – City of Leesburg Conservation, Low Density Residential

PROPOSED FUTURE LAND USE DESIGNATION: Conservation and Estate Residential

EXISTING ZONING DESIGNATION: Lake County C-1 (Neighborhood Commercial)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg PUD (Planned Unit Development)
South – City of Leesburg R-1 (Low Density Family Residential), R-2 (Medium Density Residential), PUD (Planned Unit Development), P (Public)
East – City of Leesburg R-1-A (Single Family Residential), R-3 (High Density Residential)
West – City of Leesburg C-3 (General Commercial), R-1 (Low Density Family Residential)

PROPOSED ZONING DESIGNATION: Lake County C-1 (Neighborhood Commercial)

EXISTING LAND USE: City of Leesburg PUD (Planned Unit Development)

SURROUNDING LAND USE:

North – Vacant Residential; State of Florida
South – Vacant Residential; Residential; Place of Worship; School Board of Lake County
East – Residential
West – Wetlands

PROPOSED LAND USE: Residential (Single-Family Detached)

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

DATE: May 23, 2024
OWNER: H2O Development LLC
PETITIONER: GL Summitt Engineering, Inc
PROJECT: North Shore (Caras Cove)
REQUEST: Amend the Comprehensive Plan from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential and Rezone from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development) to allow 8 detached single-family units.
CASE NO.: ANNX-24-156; SSCP-24-157; PUD-24-158

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 05/17/2024.

FIRE

No comments received as of 05/17/2024.

ELECTRIC

Electric has no objections. Steve Davis, 05/03/2024

GAS

Gas Department- No Comment. – Wayne Williams, 05/02/2024

GIS

GIS has no comments. – Nicholas Tota, 05/02/2024

BUILDING

No comments received as of 05/17/2024.

PUBLIC WORKS

Public Works has no issues with this item. – Clifford Kelsey, 05/03/2024

ADDRESSING

No comments received as of 05/17/2024.

HOUSING & REDEVELOPMENT

No comments received as of 05/17/2024.

LAKE COUNTY PUBLIC WORKS

I have no comment. – Seth Lynch, 05/02/2024

LAKE COUNTY SCHOOLS

This project was issued a ‘no impact’ letter (NI2022-01). – Heather Croney, 05/02/2024

PUBLIC RESPONSES

No comments received as of 05/17/2024.

Approval

Disapproval

1

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

No comments received as of 05/17/2024.

PUBLIC COMMENTS (DISAPPROVAL)

No comment. – Marian Cunningham Kob, 5/20/2024



MEMORANDUM

PROJECT: DE MINIMIS DETERMINATION (Tier 1 TIA) EXEMPTION

CASE: North Shore (Caras Cove) ANNX-24-156; SSCP-24-157; PUD-24-158

TO: **Delivered via email:**
Jason Lee
E: jason@landanddev.com
Geoff Summitt
E: geoff@glseng.com
Michael Woods, Executive Director, Lake~Sumter MPO
E: mwoods@lakesumtermo.com
City of Leesburg Public Works
E: john.borrows@leesburgflorida.gov
E: Tracy.Bronson@leesburgflorida.gov
Lake County Public Works
Seth.Lynch@lakecountyfl.gov
Sharon.Lewis@lakecountyfl.gov

FROM: Max Van Allen, Planner, City of Leesburg

THROUGH:  Dan Miller, Director, Planning and Zoning, City of Leesburg

DATE: May 20, 2024

STATUS: **APPROVED De minimis determination**

The proposed development meets the de minimis determination criteria stated in Lake~Sumter Metropolitan Planning Organization Methodology and Guidelines Section 3.1 Tier 1 TIA: Projects Generating Less than 100 Peak Hour Two-way Net New Trips.

A traffic analysis is not required based on the proposed number of 8 single-family residences.

Lake-Sumter MPO
TIS Methodology Guidelines

and signed by a licensed professional engineer prior to submittal.

3.1 Tier 1 TIA: Projects Generating Less than 100 Peak Hour Two-way Net New Trips
De minimis Determination (Tier 1 TIA) - The LSMPO defines "de minimis" development as any development for which the net average weekday peak hour two-way volume generated by the development is less than 100 trip ends or driveway volume on the adjacent roadway[s].

As an example, developments of the following size typically generate less than 100 net new peak hour trips:

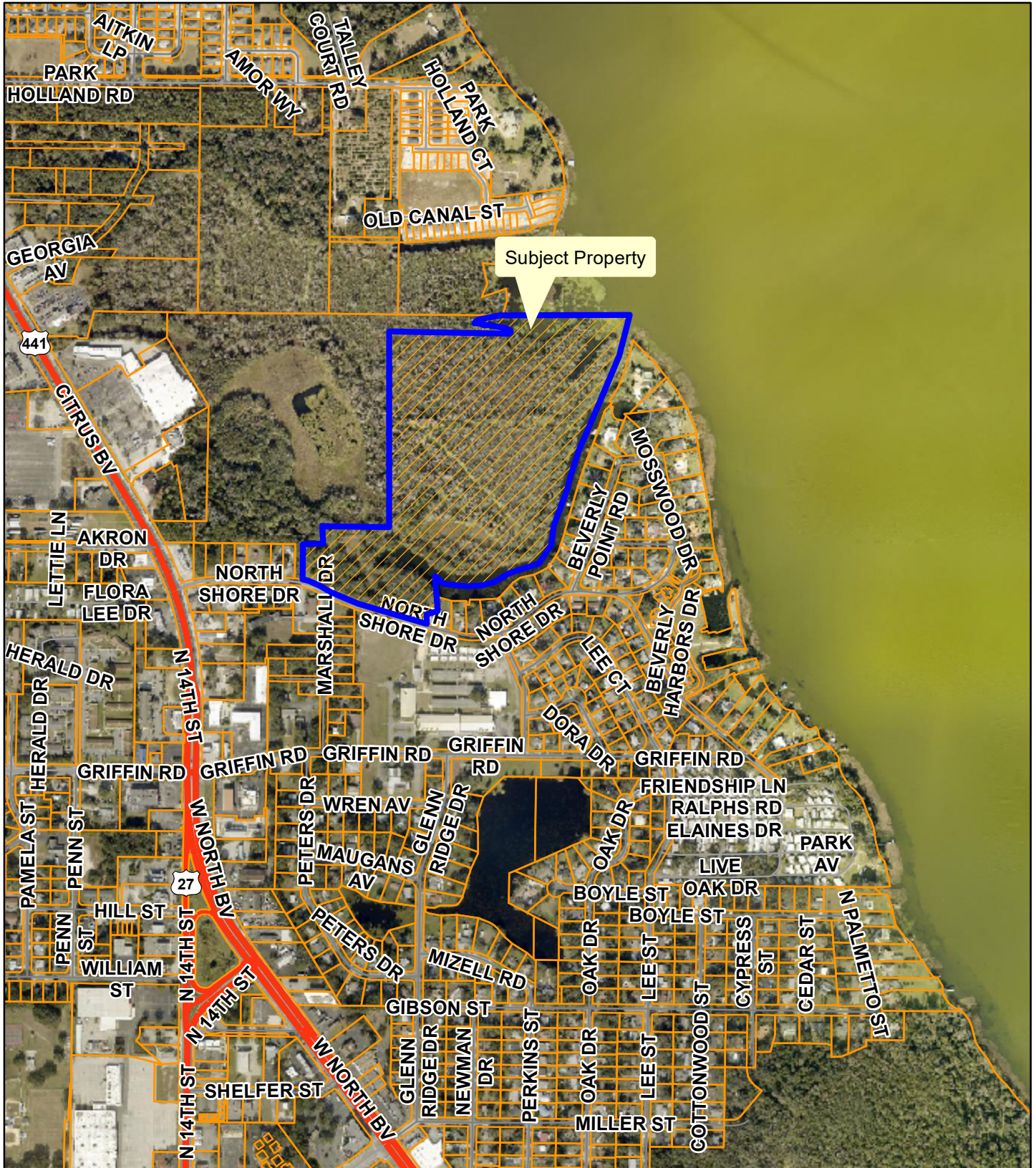
- Single Family Residential (ITE Code 210) – 99 dwelling units.
- Apartment (ITE Code 220) – 160 dwelling units.
- Office Building (ITE Code 710) – 66,000 square feet.
- Retail (ITE Code 820, Shopping Center w/o supermarket) – 26,000 square feet.
- Services (ITE Code 945, Gas station with Convenience Market) – 6 Fueling Positions.

Projects generating less than 100 peak hour two-way net new trips may generally be considered to create non-substantial impacts. In most cases, a Request for Exemption Letter from a Tier 1 TIA may be submitted.

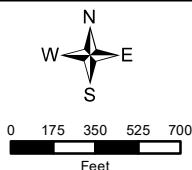
If the traffic impacts of a proposed project can be clearly determined to have de minimis impacts and all the parties involved (local government, LSMPO, Florida Department of Transportation (FDOT), applicant, etc.) are in agreement, the submittal of a Tier 1 TIA may not be necessary. The applicant may submit a Request for Exemption Letter from doing a TIA. The required information needed to be provided in the Exemption Letter is described in Section 5. An example of a Request for Exemption Letter from doing a TIA can be found in Appendix B. Any exemptions to performing a Tier 1 TIA or deviation from this methodology shall be at the discretion of the appropriate local government. If an exemption is approved, the local government has the responsibility of notifying the LSMPO.

However, there may be circumstances when a project generates less than 100 Peak Hour Two-way Net New Trips and the Request for Exemption Letter is denied. At this point a Tier 1 TIA is necessary. The applicant will need to submit a Methodology Letter for approval prior to the Tier 1 TIA submittal. The required information to be contained in the Methodology Letter is described in section 6. If any deviations from, or modifications to a Methodology are considered by the local government, the LSMPO must be notified prior to the submittal of the methodology by the applicant.

Aerial



**Planning
& Zoning
Division**

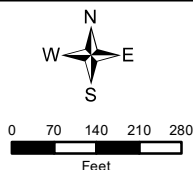


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Aerial

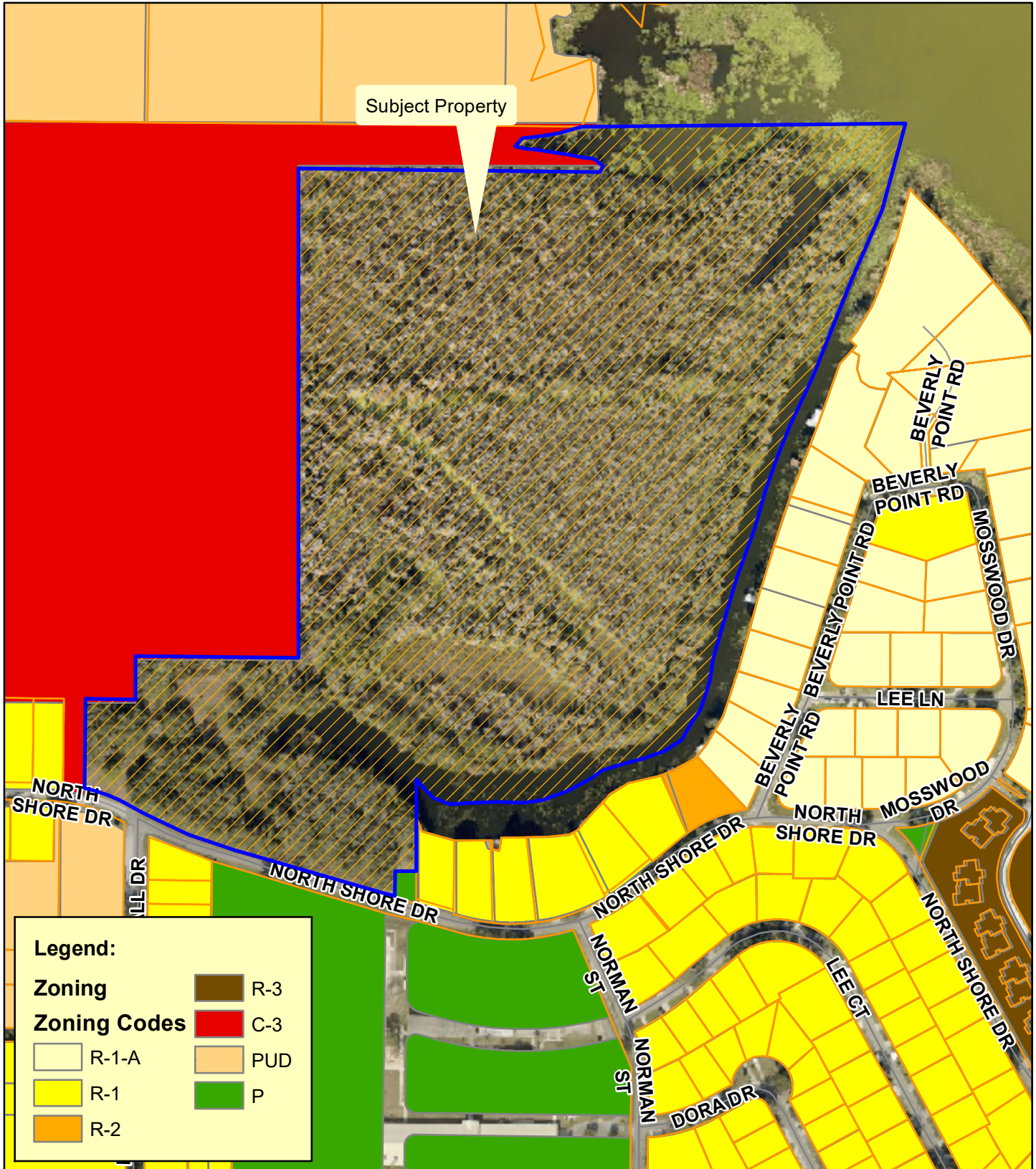


**Planning
& Zoning
Division**

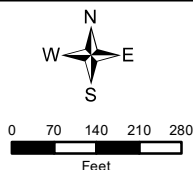


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

City of Leesburg Zoning

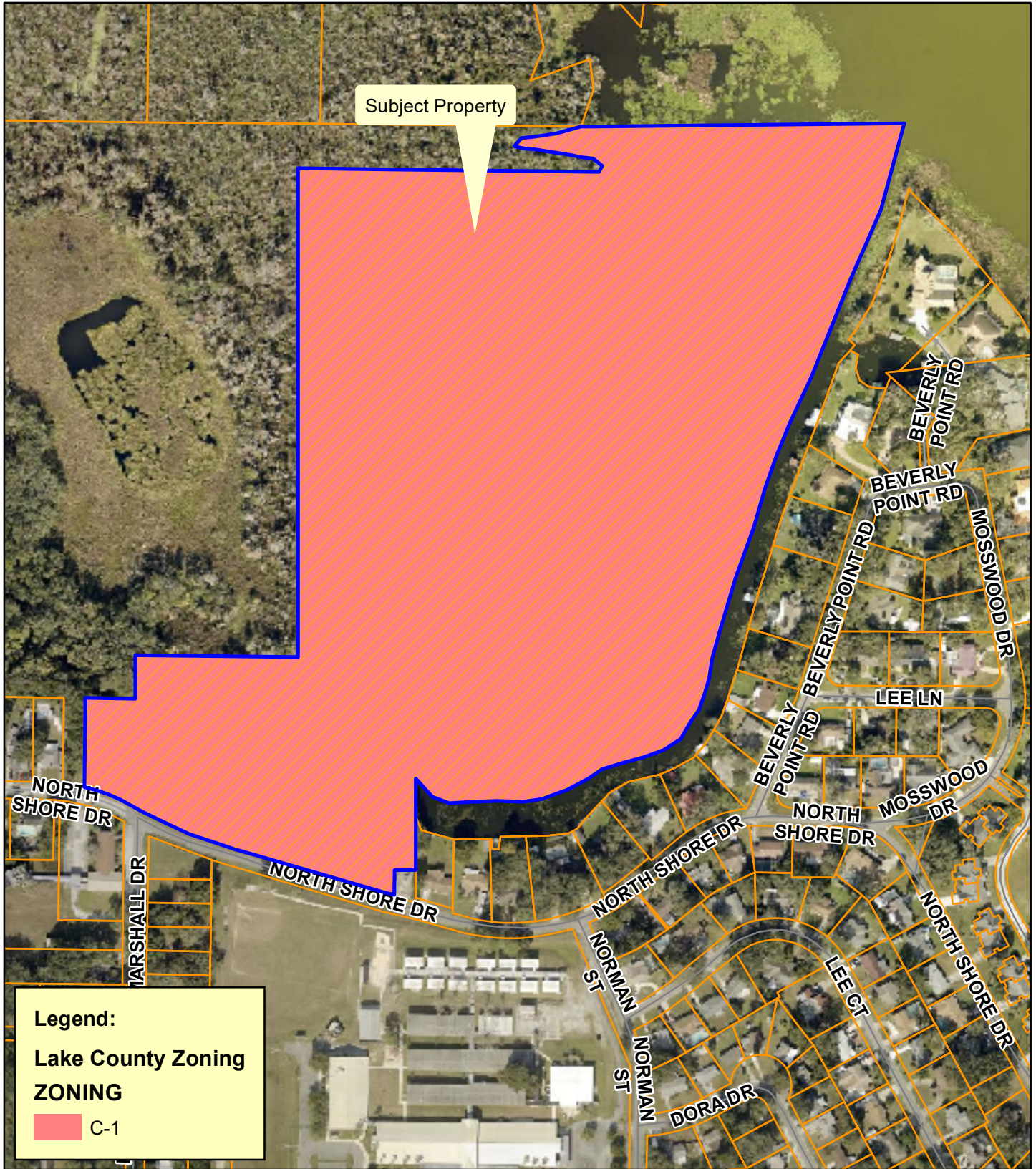


**Planning
& Zoning
Division**

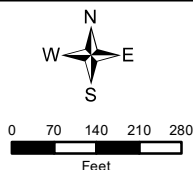


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Lake County Zoning

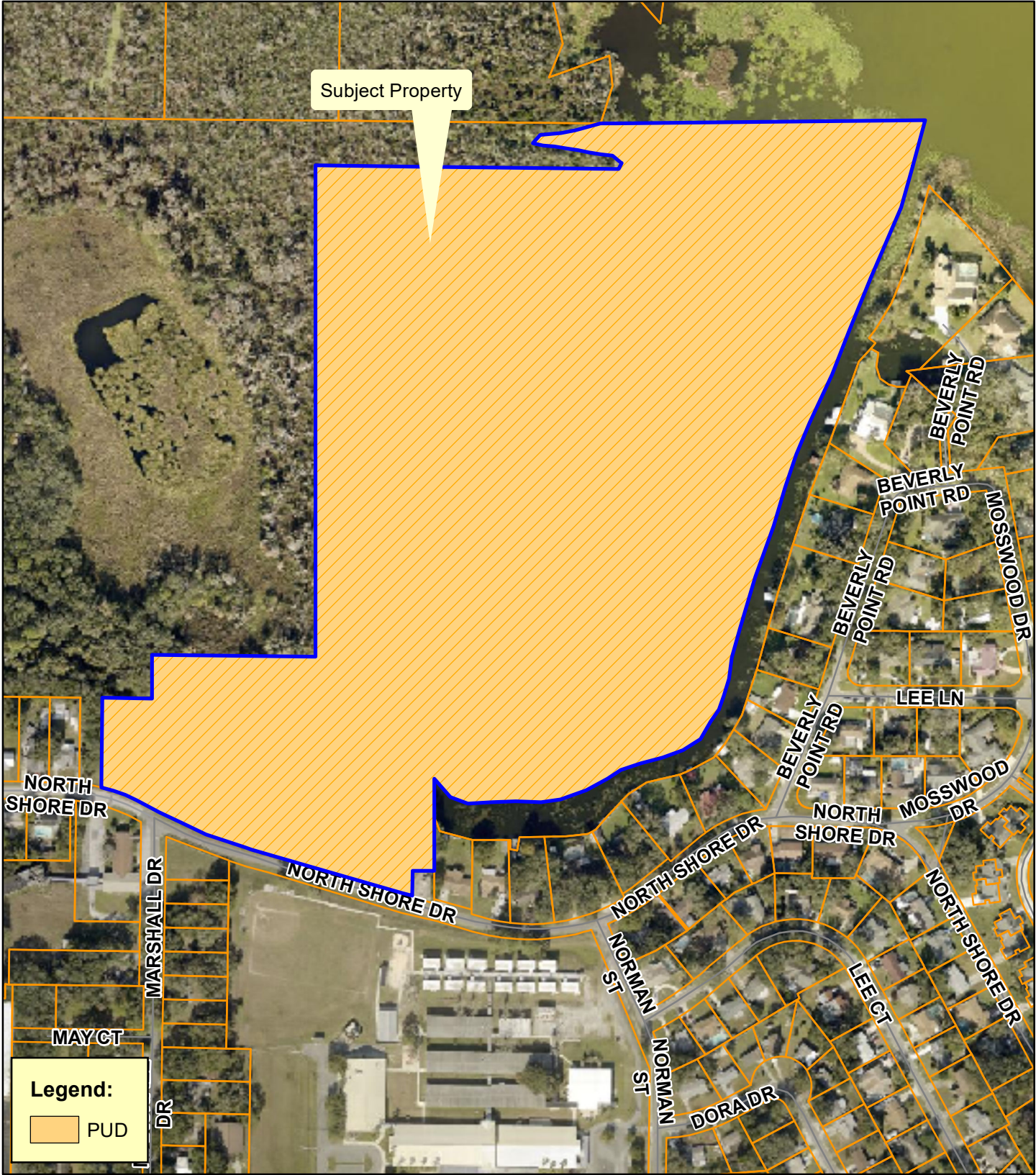


Planning & Zoning Division

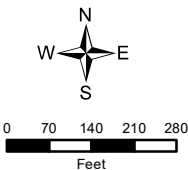


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Proposed Zoning



**Planning
& Zoning
Division**

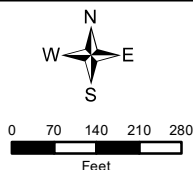


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Surrounding Land Uses



**Planning
& Zoning
Division**

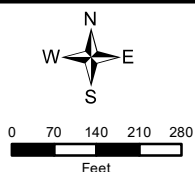


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Flood Zone

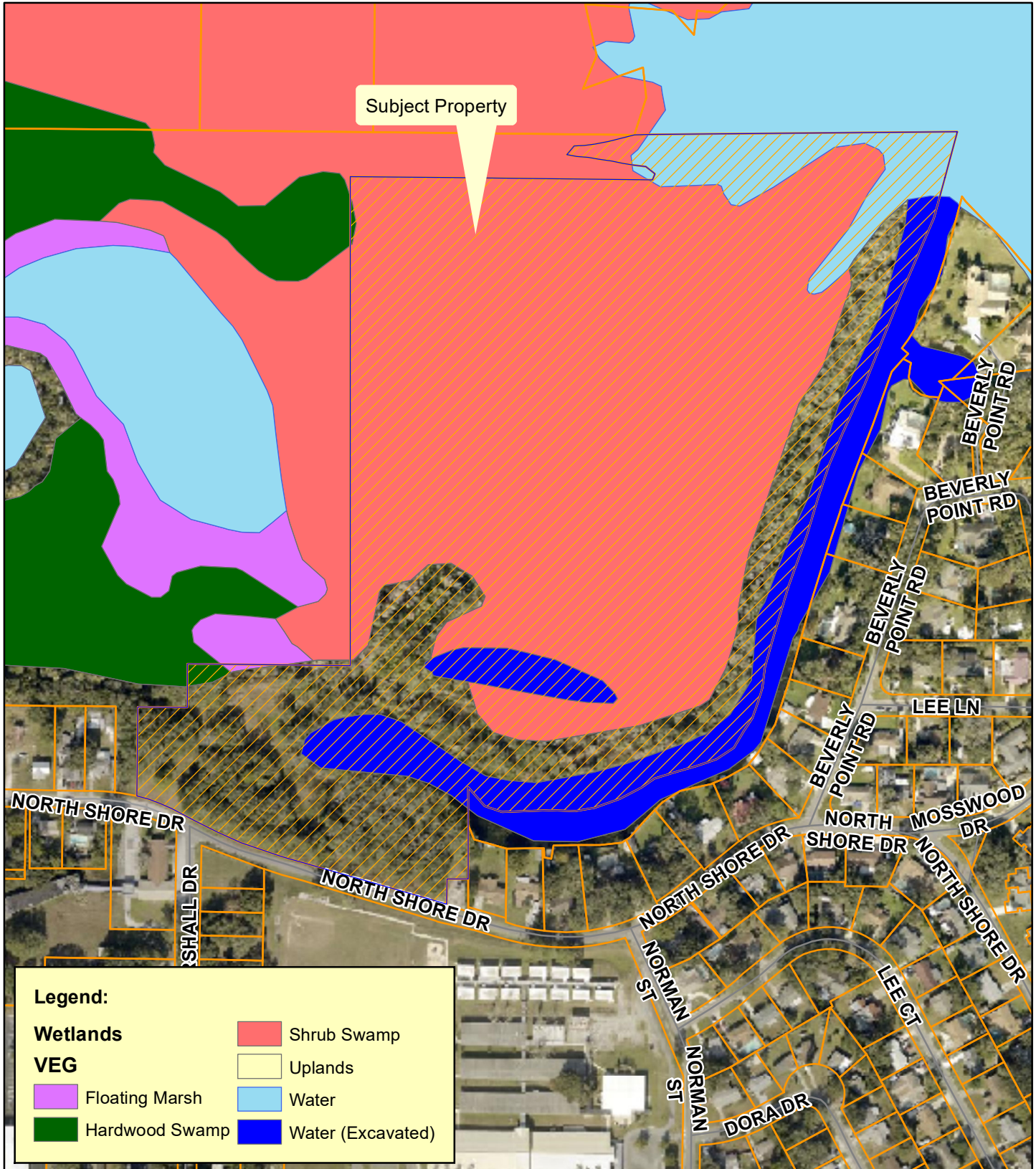


Planning & Zoning Division

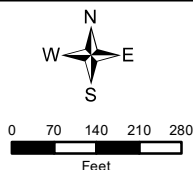


ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024

Wetlands

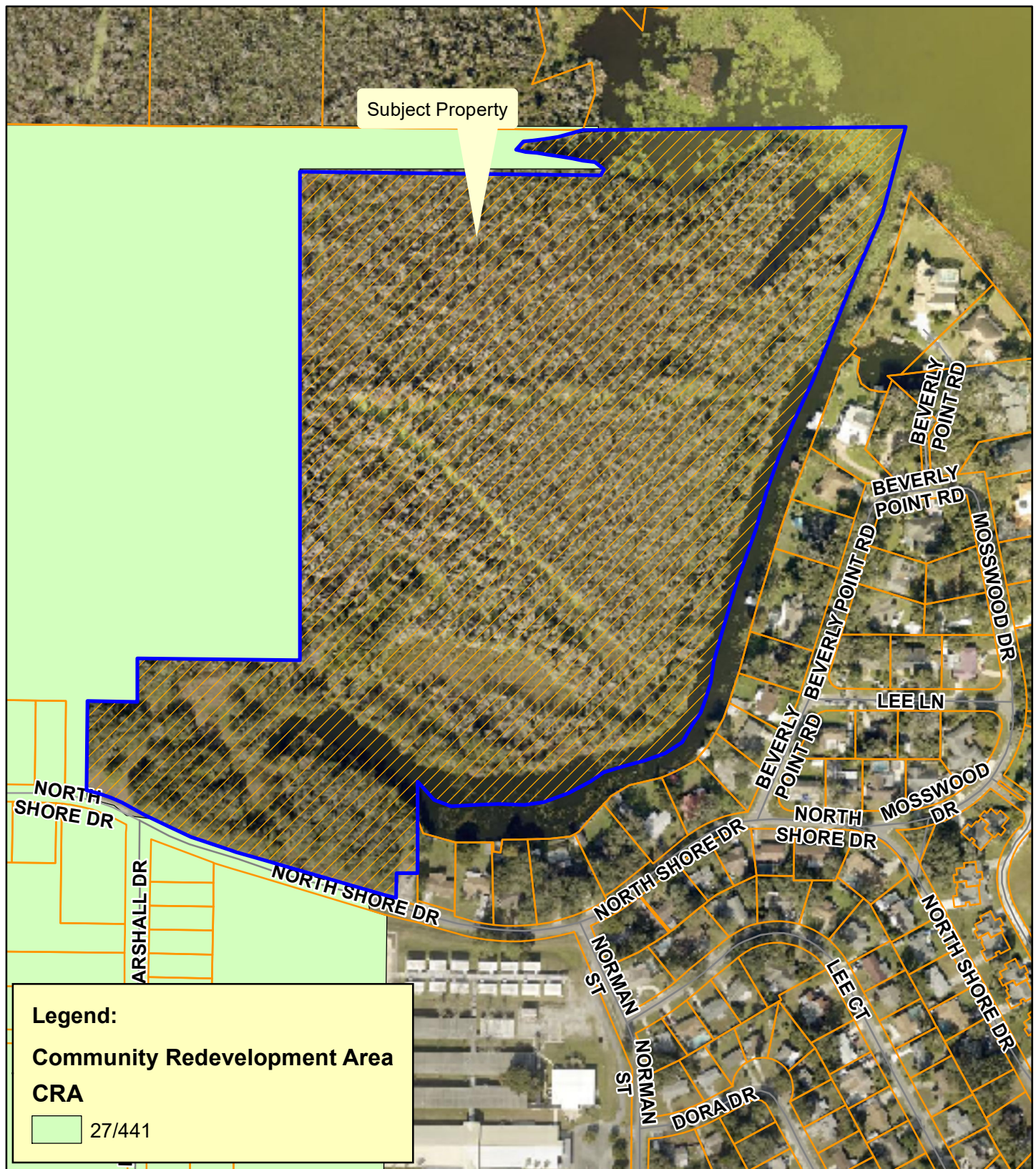


**Planning
& Zoning
Division**

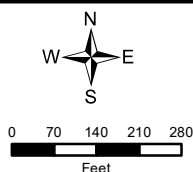


ANNX-24-156; SSCP-24-157; PUD-24-158
 North Shore (Caras Cove), 1200 North Shore Drive
 Alternate Key #: 1204151
 Section 14, Township 19 South, Range 24 East
 April 24, 2024

Community Redevelopment Area



Planning & Zoning Division



ANNX-24-156; SSCP-24-157; PUD-24-158
North Shore (Caras Cove), 1200 North Shore Drive
Alternate Key #: 1204151
Section 14, Township 19 South, Range 24 East
April 24, 2024



Close-up of Sign on Property from North Shore Drive.



Looking North onto Property from North Shore Drive



Looking Southeast from Property along North Shore Drive.



Looking South from Property across North Shore Drive.



Looking Northwest from Property along North Shore Drive.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.4.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director)

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 R-2 (Medium Density Residential) zoning, on approximately 0.70 +/- acres to allow for an office use for a property generally located east of North 13th Street and south of Webster Street, lying in Section 24, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Webster Street Office PDO)

Staff Recommendation:

The 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 R-2 (Medium Density Residential) zoning, to allow for an office use.

Analysis:

The project site is approximately 0.70 +/- acres, and is generally located east of North 13th Street and south of Webster Street as shown on the attached maps. At this time, the property is vacant, undeveloped land. As a Planned Development Overlay (PDO) allows an additional use or uses but keeps the underlying zoning district, this PDO proposal will allow for office use. This proposed use will be compatible with the existing development in the area including single family and multifamily, residential, vacant commercial, and warehousing.

The Planning Commission held a public hearing on the application on May 23, 2024, and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed PDO (Planned Development Overlay) to permit an office use; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Existing development on this site will create a small 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, ADDING A PDO (PLANNED DEVELOPMENT OVERLAY), WITH A WAIVER FROM SECTION 25-282 (A) (1) PDO FIVE-ACRE MINIMUM, TO THE EXISTING R-2 (MEDIUM DENSITY RESIDENTIAL) ZONING, ON APPROXIMATELY 0.70 +/- ACRES TO ALLOW FOR AN OFFICE USE FOR A PROPERTY GENERALLY LOCATED EAST OF NORTH 13TH STREET AND SOUTH OF WEBSTER STREET, LYING IN SECTION 24, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (WEBSTER STREET OFFICE PDO)

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

Section 1.

Based upon the petition of *M. Meredith Kirste, P.A. (Agent, Petitioner)* of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the 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 R-2 (Medium Density Residential) 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 at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

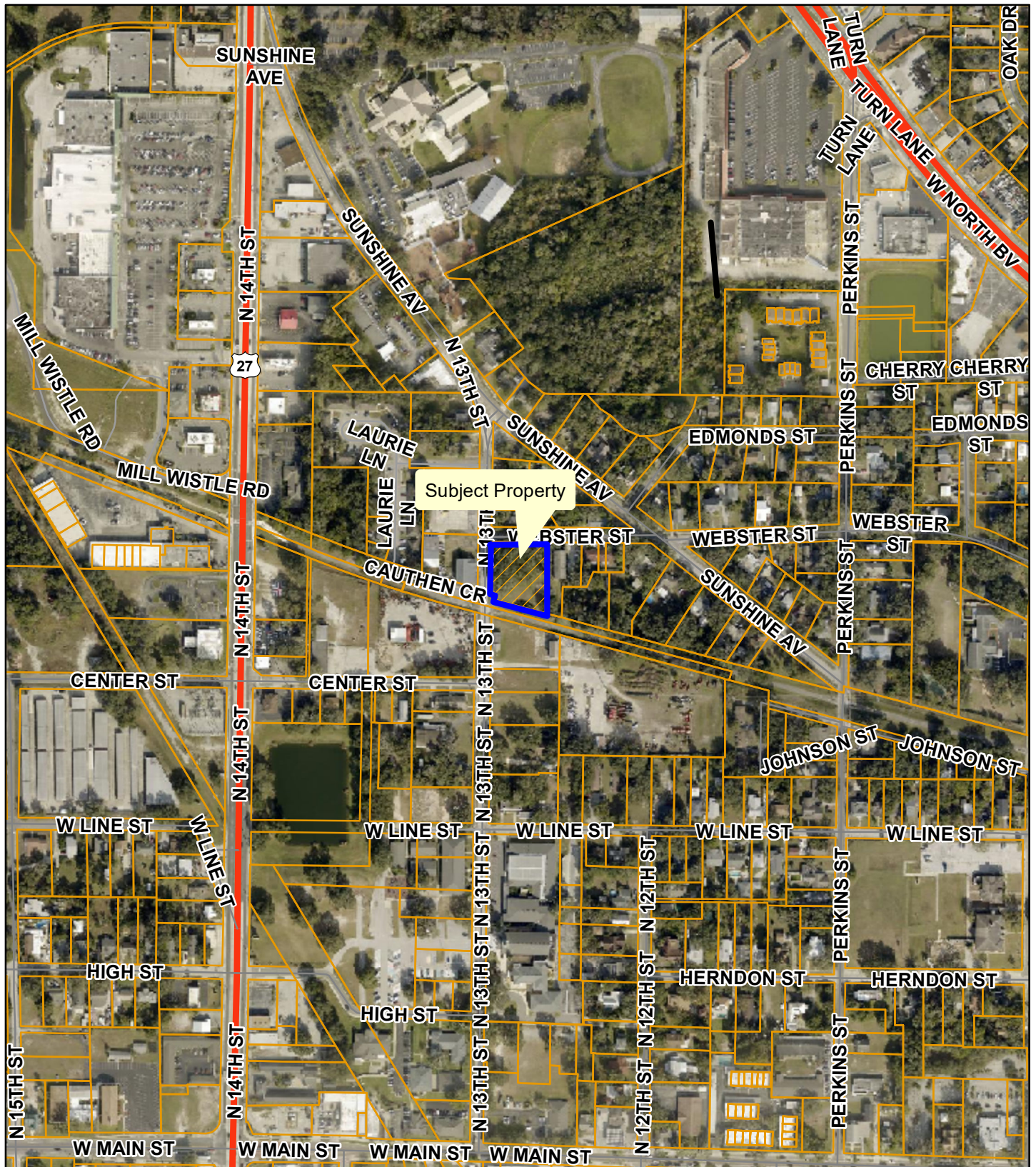
ATTEST:

City Clerk

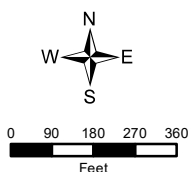
LEGAL DESCRIPTION (from Warranty Deed)
N. 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East

Lot 12 of EDMUNDS ADDITION TO THE CITY OF LEESBURG, recorded in
Plat Book 1, Page 38, Public Records of Lake County, Florida.

Extended Aerial



Planning & Zoning Division

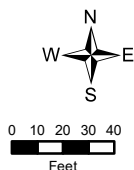


SPUD-24-120 Webster Street Office PDO
N 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East
April 24, 2024

Aerial

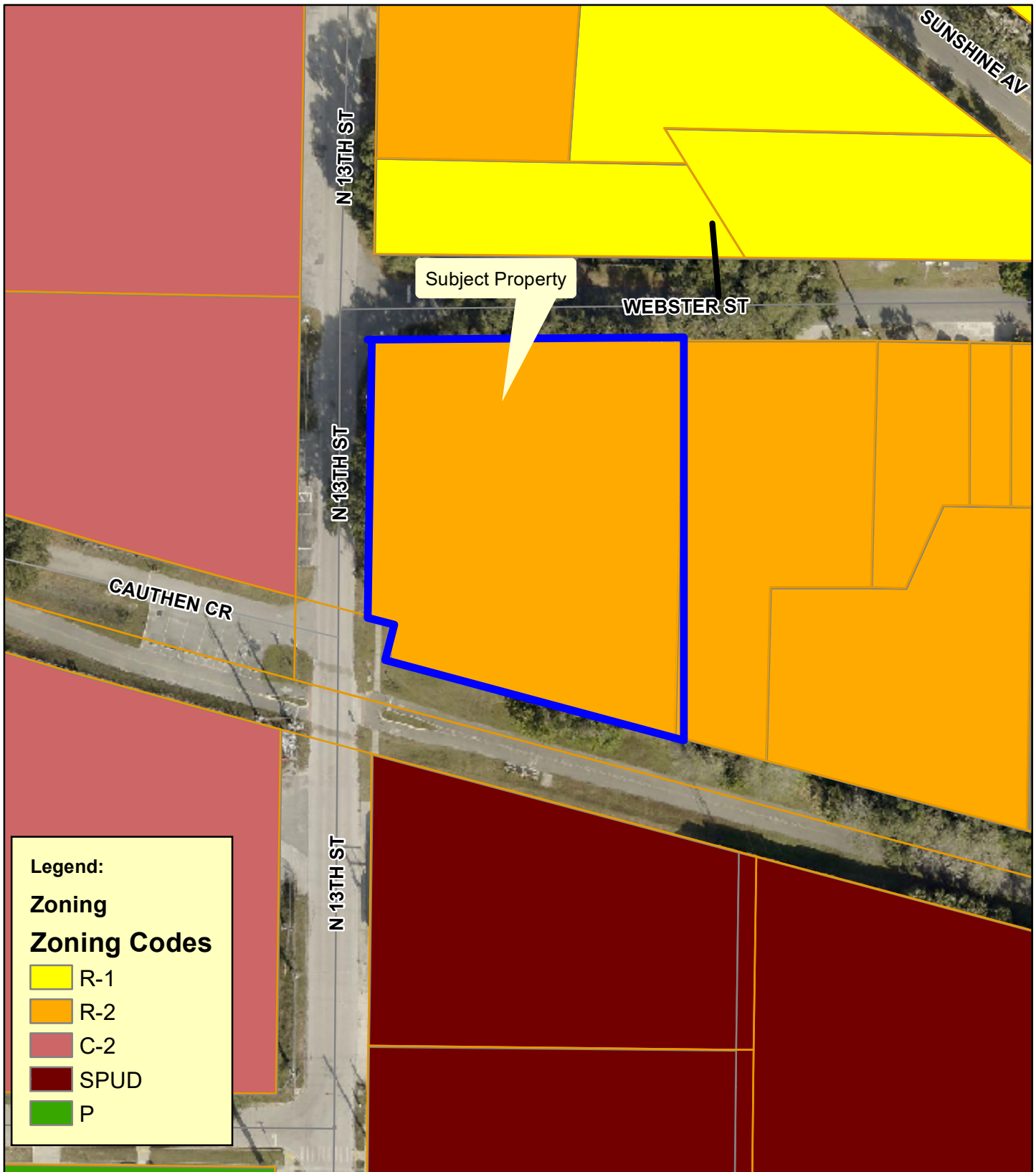


**Planning
& Zoning
Division**

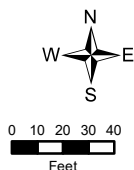


SPUD-24-120 Webster Street Office PDO
N 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East
April 24, 2024

Zoning

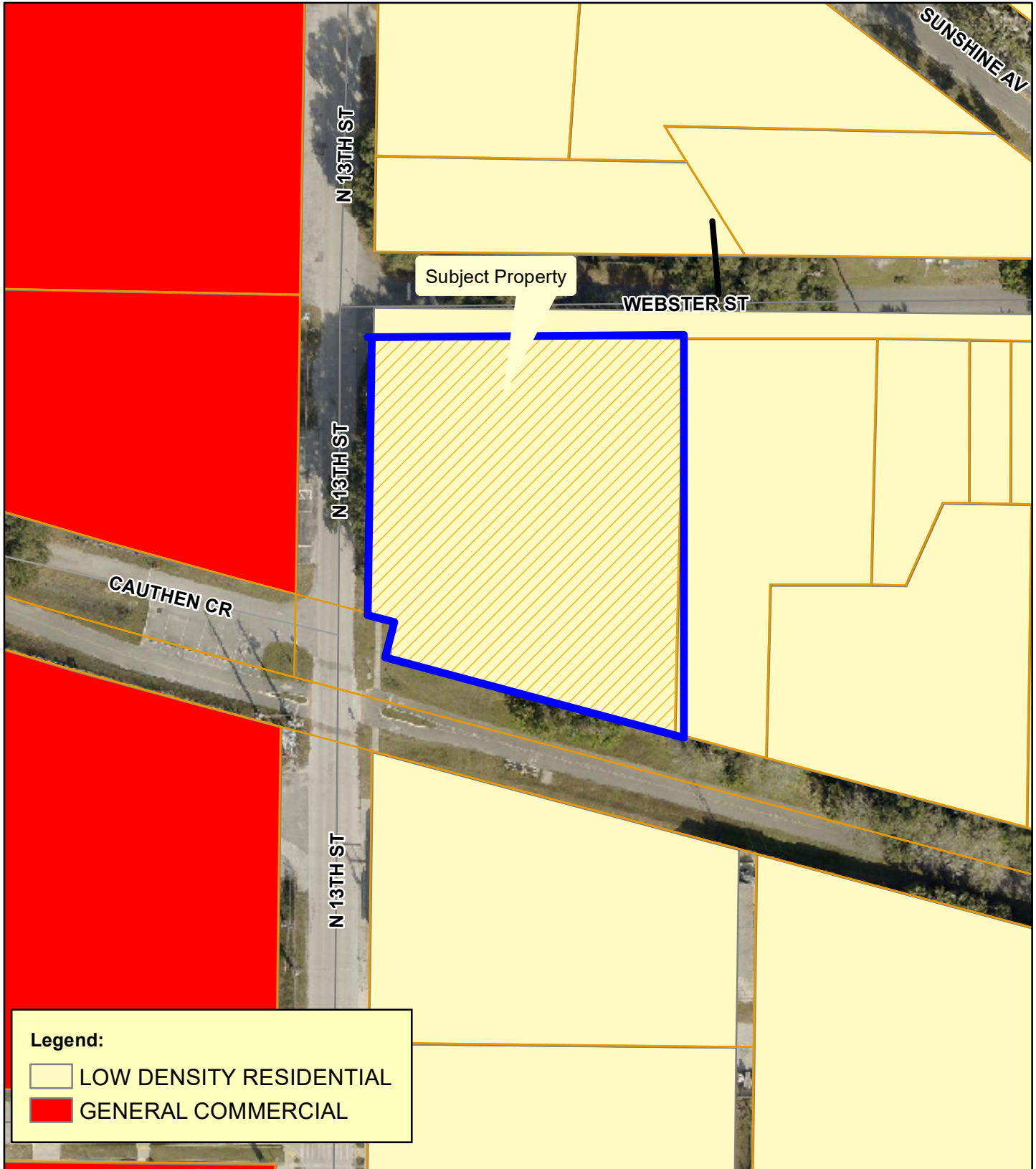


**Planning
& Zoning
Division**

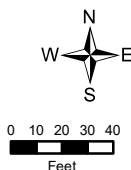


SPUD-24-120 Webster Street Office PDO
N 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East
April 24, 2024

Future Land Use

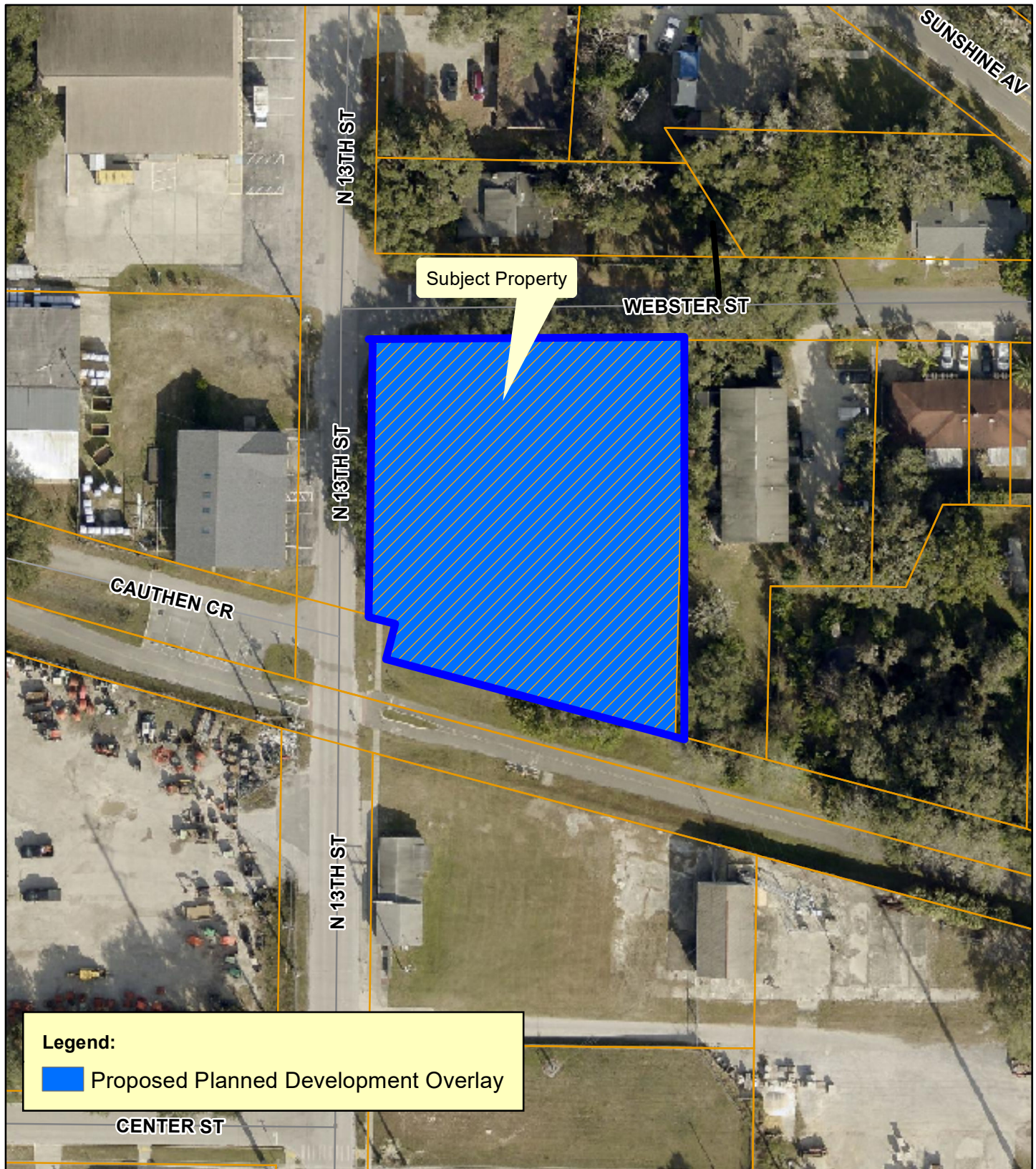


**Planning
& Zoning
Division**

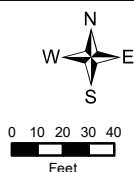


SPUD-24-120 Webster Street Office PDO
N 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East
April 24, 2024

Proposed Planned Development Overlay

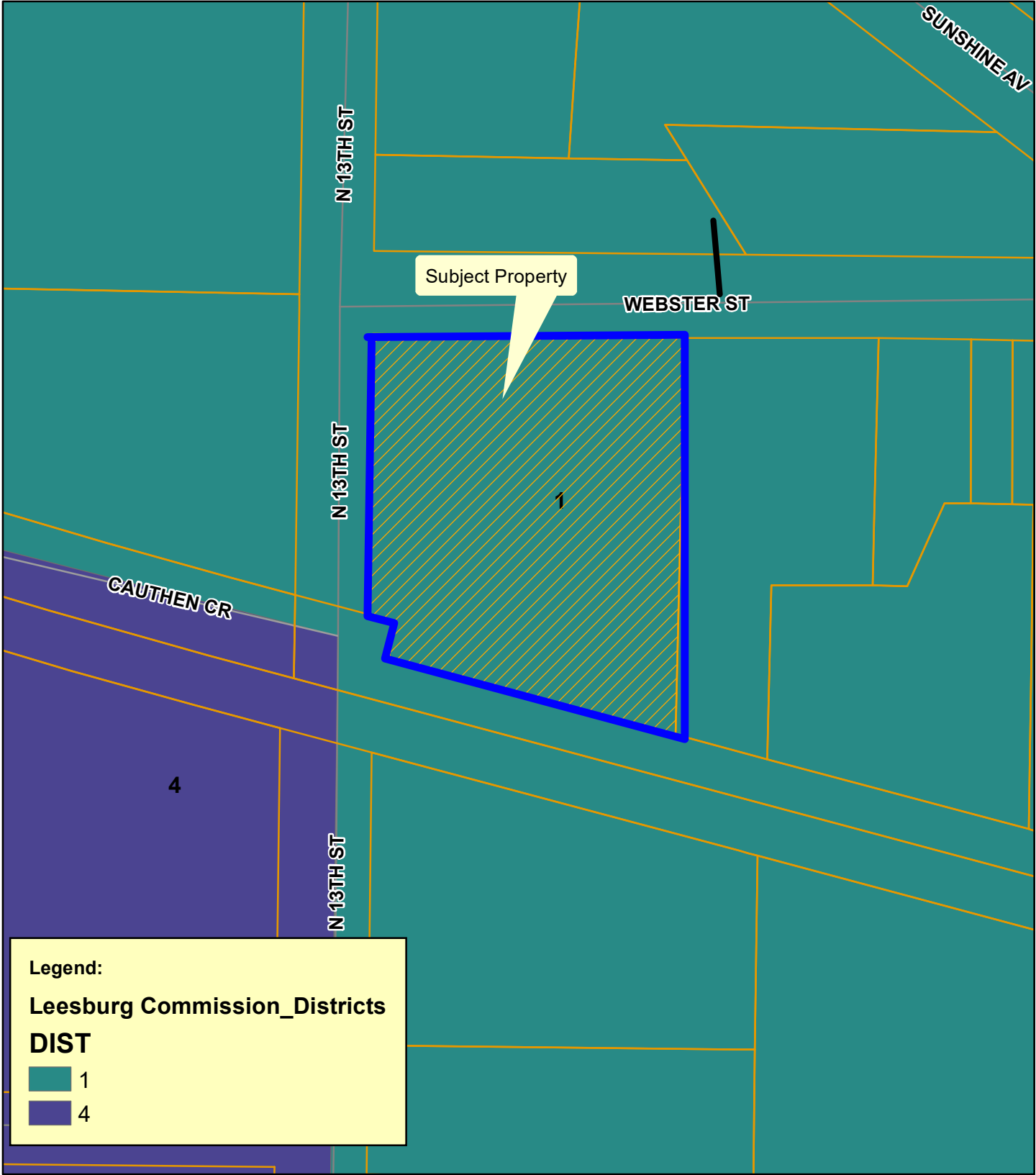


**Planning
& Zoning
Division**

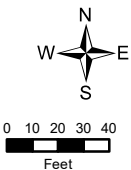


SPUD-24-120 Webster Street Office PDO
N 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East
April 24, 2024

Commission Districts



**Planning
& Zoning
Division**



SPUD-24-120 Webster Street Office PDO
N 13th Street, Leesburg, FL 34748
Alternate Key #: 1820162
Section 23, Township 19 South, Range 24 East
April 24, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.5.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director), Dianne Yekel, (Senior Planner)

Subject: An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 49.12 +/- acres, and being generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 5; and providing an effective date. (ANNX Poe Road Subdivision)

Staff Recommendation:

The Planning and Zoning staff recommends approval of the proposed ordinance for annexation of 49.12 +/- acres.

Analysis:

The applicant has submitted a request for annexation of approximately 49.12 +/- acres, generally located north of Poe Street and south of County Road 473, as shown on the attached General Location Map. At this time, the property is undeveloped. The current zoning is Lake County CFD (Community Facility District) and Lake County R-6 (Urban Residential District); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is to connect to city utilities. The proposal for the property is a residential subdivision.

The property is surrounded by Lake County R-1 (Rural Residential), R-6 (Urban Residential District) and City of Leesburg PUD (Planned Unit Development). 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 May 23, 2024.

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 49.12 +/- ACRES, AND BEING GENERALLY LOCATED NORTH OF POE STREET AND SOUTH OF COUNTY ROAD 473, LYING IN SECTION 02, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 5; AND PROVIDING AN EFFECTIVE DATE. (ANNX POE ROAD SUBDIVISION)

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

Section 1.

Based upon the petition of *Sean Myers, (Brightleaf Properties, 1133 Louisiana Avenue, Winter Park, Florida, 32789) Petitioner*, 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 5;

Section 3.

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

Section 4.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

Poe Street Residential - Legal Description provided by Allen & Company

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR CR 473 AND HAINES CREEK ROAD.

AND

THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 25 FEET FOR RIGHT-OF-WAY.

TOGETHER WITH

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: THE EAST 15 FEET OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS DESCRIBED IN O.R. BOOK 1103, PAGE 1771, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 2,139,706 SQUARE FEET OR 49.12 ACRES, MORE OR LESS.

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

DATE: May 10, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Small Scale Comprehensive Plan to Estate Residential and Rezoning to PUD
(Planned Unit Development)
CASE NO.: SSCP-24-87, PUD-24-88

GENERAL LOCATION: North of Poe Street and south of County Road 473

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North –	Lake County Urban Low Density
South –	City Estate Residential, Lake County Urban Low Density
East –	Lake County Urban Low Density
West –	Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County CFD (Community Facility District) and R-6
(Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:

North –	Lake County R-1 (Rural Residential), R-6 (Urban Residential District)
South –	City of Leesburg PUD (Planned Unit Development), Lake County R-1 (Rural Residential), R-6 (Urban Residential District)
East –	Lake County R-6 (Urban Residential District)
West –	Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Vacant undeveloped

SURROUNDING LAND USE:

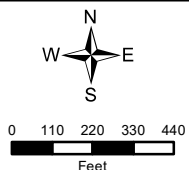
North –	Vacant Residential
South –	Pasture Improved, Single-Family
East –	Vacant Residential, Single-Family
West –	Vacant Residential

PROPOSED LAND USE: Single-family detached residential

Locator

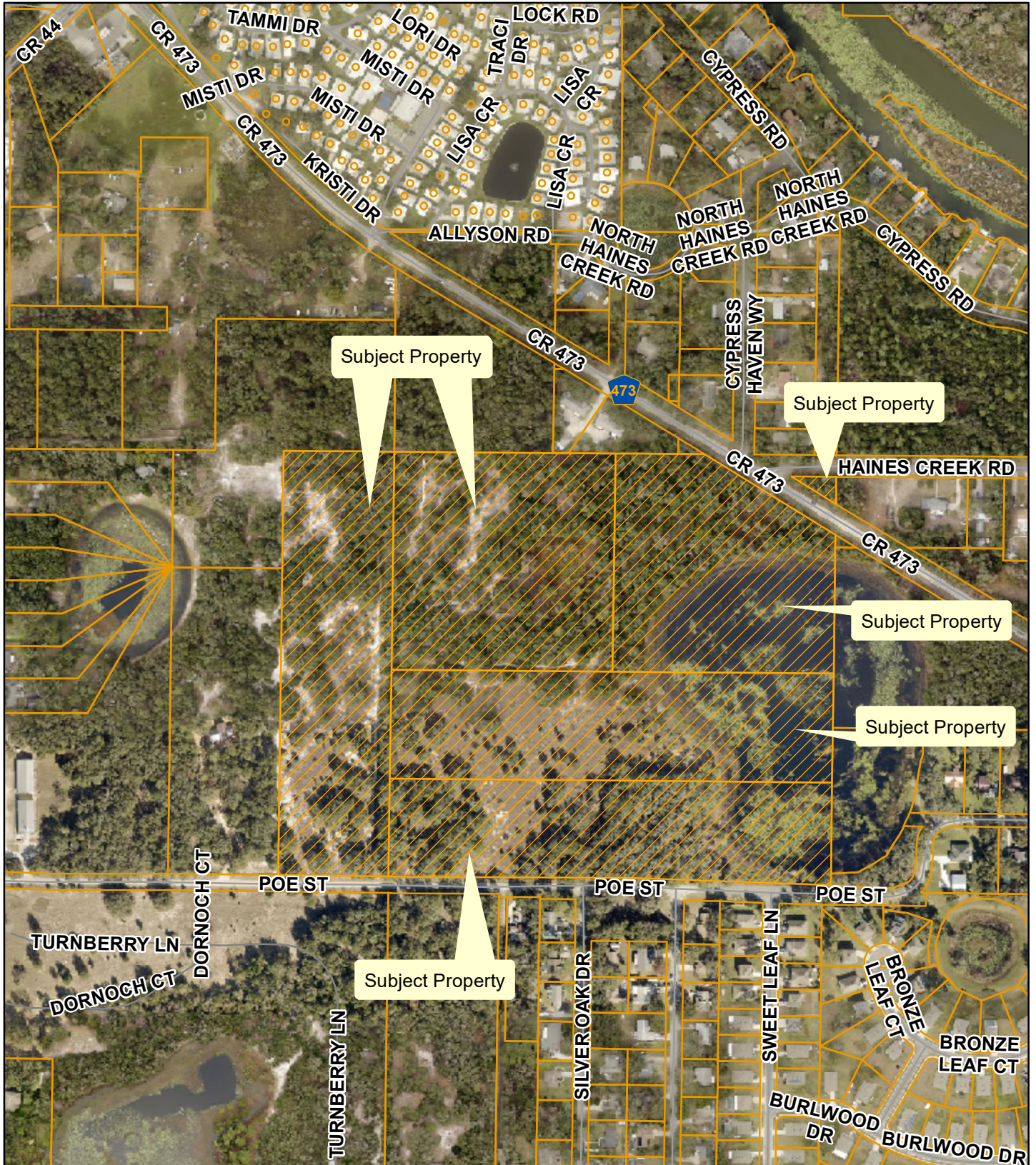


**Planning
& Zoning
Division**

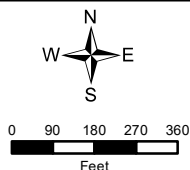


Caldwell Trust Property
ANNX-24-86; SSCP-24-87; PUD-24-88
AK#: 1388040, 1388309, 1388007, 1388112, 1779201
Section 02, Township 19 South, Range 25 East
March 20, 2024

Aerial

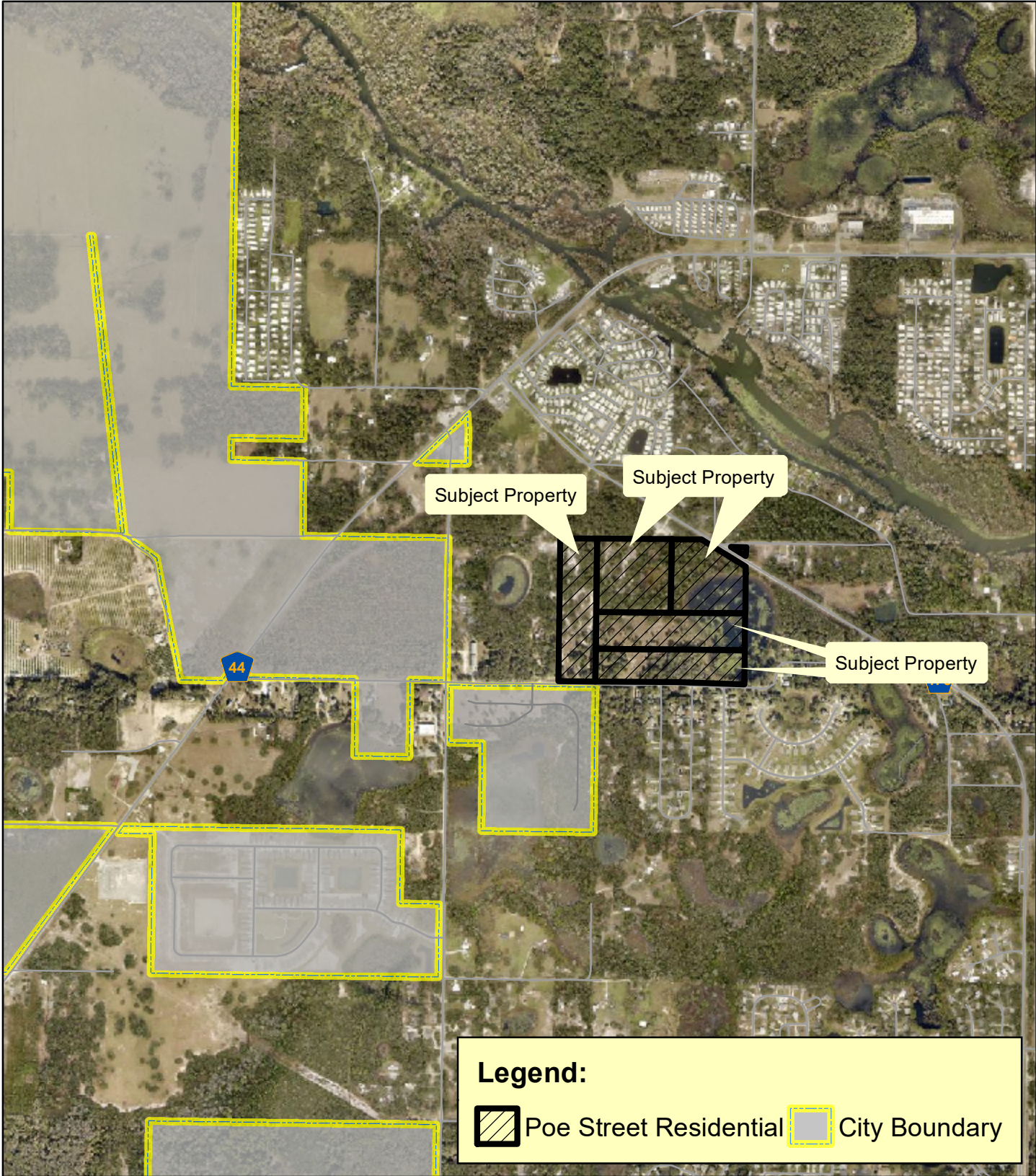


**Planning
& Zoning
Division**



Caldwell Trust Property
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 Section 02, Township 19 South, Range 25 East
 March 20, 2024

City Boundary

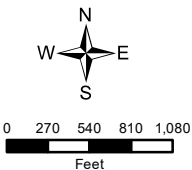


Legend:

 Poe Street Residential  City Boundary

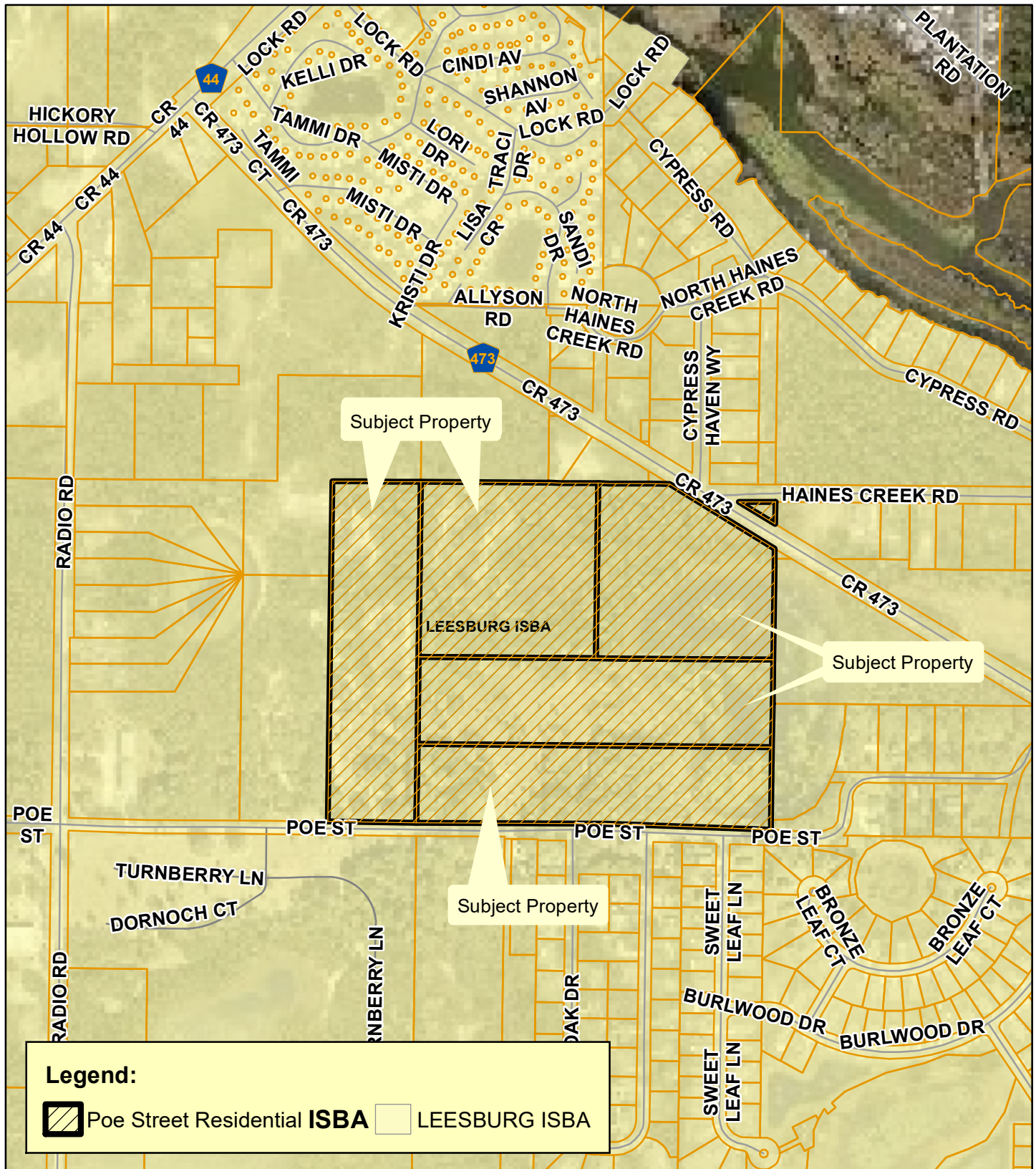


**Planning
& Zoning
Division**

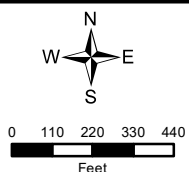


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ANNX-24-86; SSCP-24-87; PUD-24-88
AK#s: 1388040, 1388309, 1388007, 1388112, 1779201
Section 02, Township 19 South, Range 25 East
March 20, 2024

Interlocal Service Boundary Area



**Planning
& Zoning
Division**

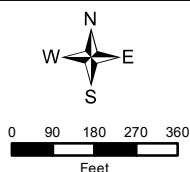


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 AK#s: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Surrounding Land Use

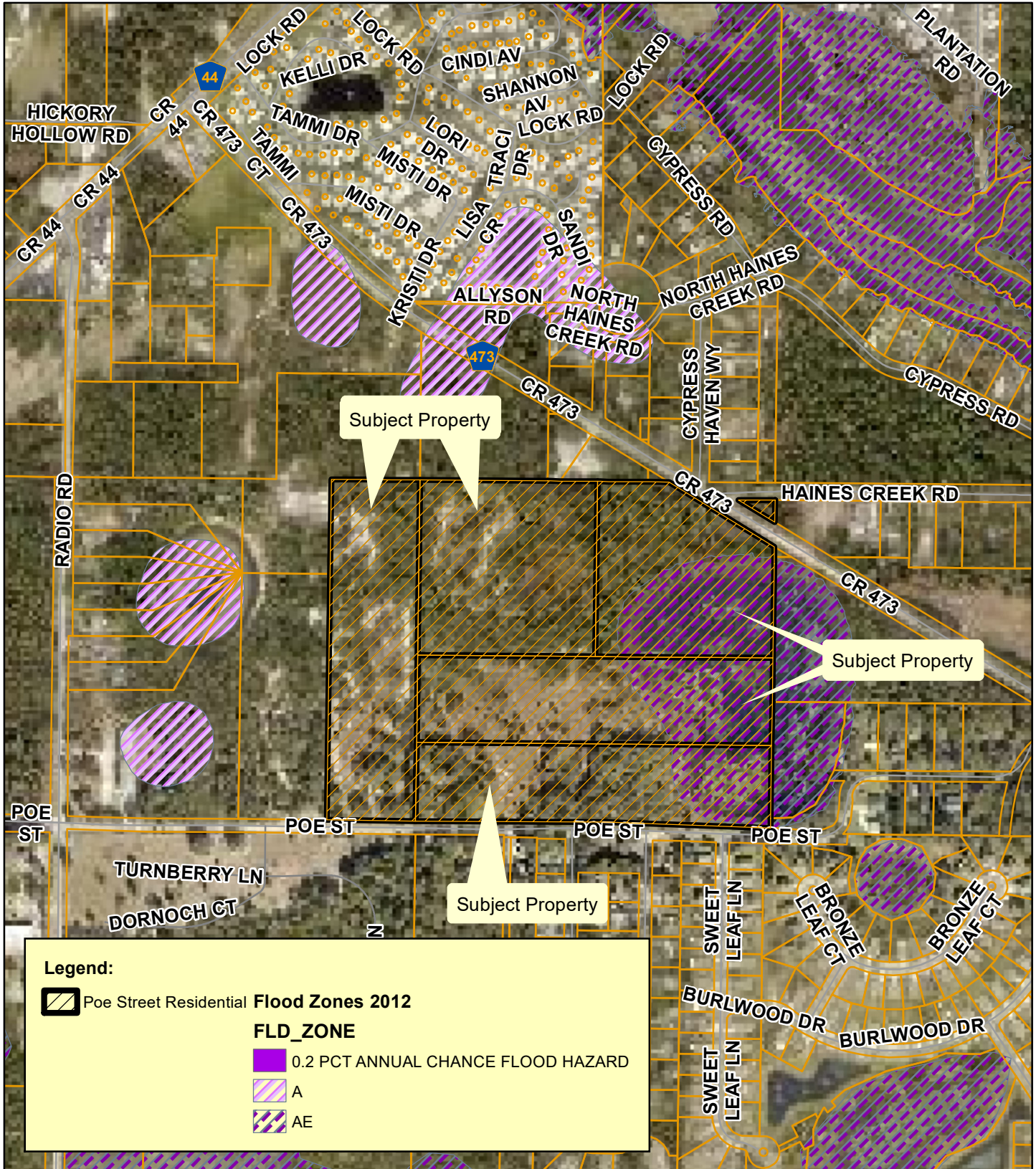


**Planning
& Zoning
Division**

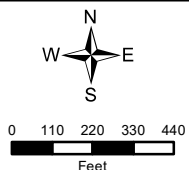


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 Section 02, Township 19 South, Range 25 East
 March 20, 2024

2012 Flood Zone Data

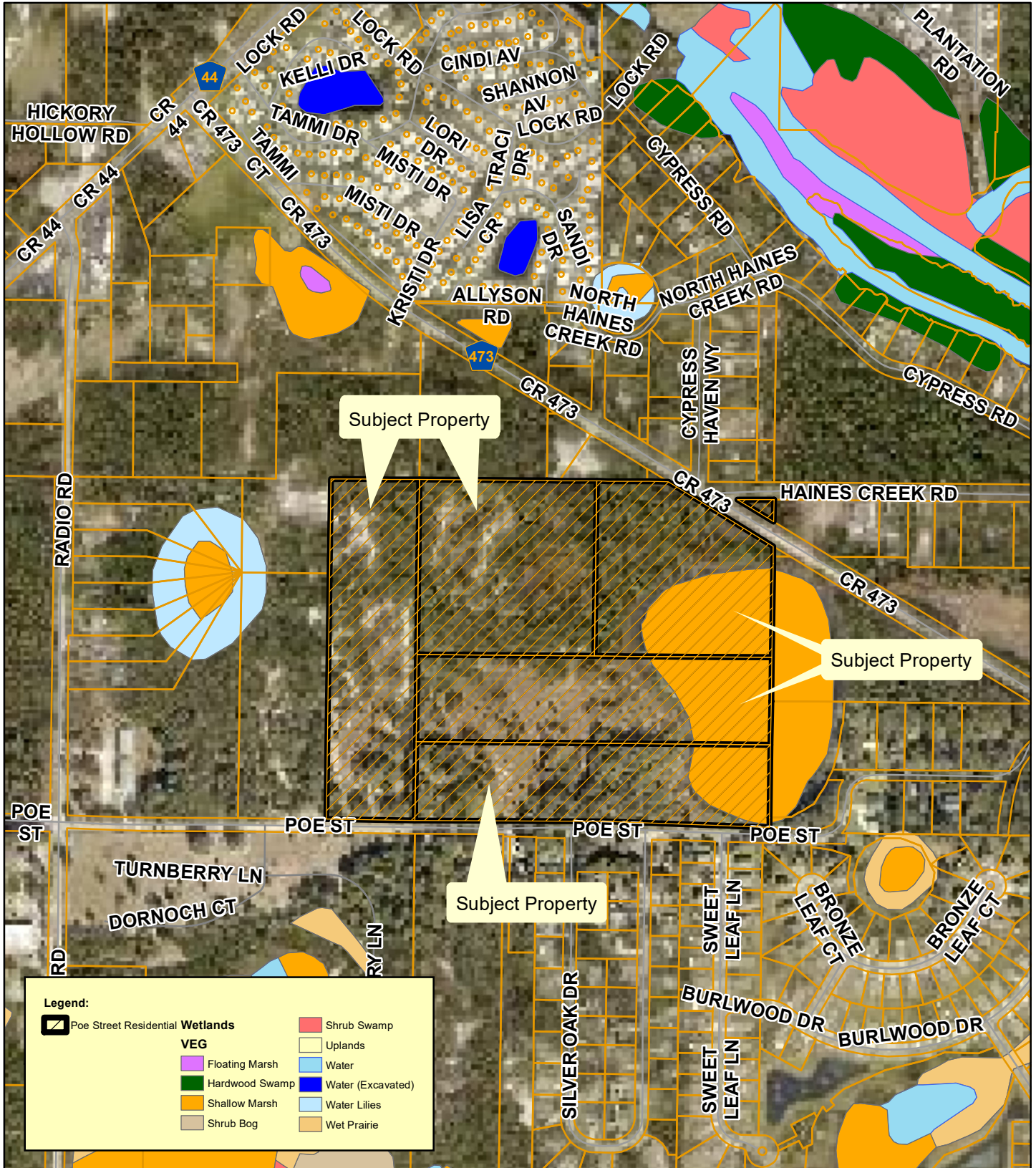


**Planning
& Zoning
Division**

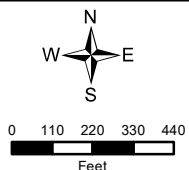


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 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Wetlands

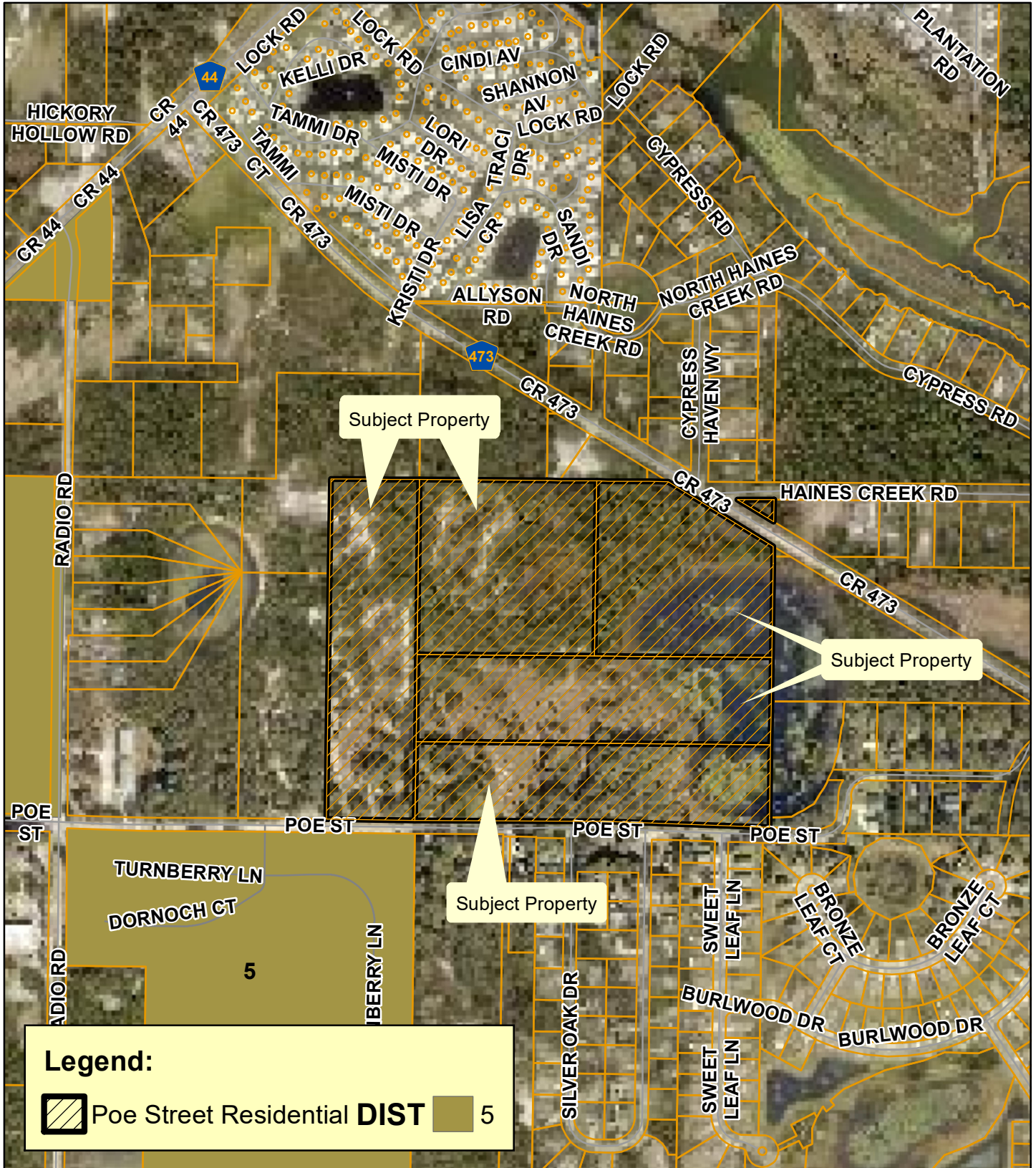


**Planning
& Zoning
Division**

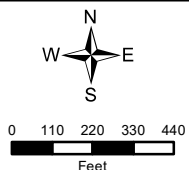


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 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Commission Districts



**Planning
& Zoning
Division**



Caldwell Trust Property
 ANNX-24-86; SSCP-24-87; PUD-24-88
 AK#: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.6.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director), Dianne Yekel, (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 49.12 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential, for a property generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (SSCP Poe Road Subdivision)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 49.12 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential.

Analysis:

The project site is approximately 49.12 acres. The property is generally located north of Poe Street and south of County Road 473. Currently, the property is undeveloped. The proposed use is for a residential subdivision. The surrounding Future Land Use Map designations of Lake County Urban Low Density and City of Leesburg Estate Residential are compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Estate 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.

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

The Planning Commission held a public hearing on the application on May 23, 2024, and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the requested small-scale comprehensive plan amendment from Lake County Urban Low Density to City of Leesburg Estate Residential; or
2. Other action as the Commission may deem appropriate.

Fiscal Impact:

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

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 49.12 +/- ACRES FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED NORTH OF POE STREET AND SOUTH OF COUNTY ROAD 473, LYING IN SECTION 02, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (SSCP POE ROAD SUBDIVISION)

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 49.12 acres of land generally located north of Poe Street and south of County Road 473 from Lake County Urban Low Density to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida;

Section 2.

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

Section 3.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

Poe Street Residential - Legal Description provided by Allen & Company

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR CR 473 AND HAINES CREEK ROAD.

AND

THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 25 FEET FOR RIGHT-OF-WAY.

TOGETHER WITH

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: THE EAST 15 FEET OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS DESCRIBED IN O.R. BOOK 1103, PAGE 1771, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 2,139,706 SQUARE FEET OR 49.12 ACRES, MORE OR LESS.



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: May 23, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Small Scale Comprehensive Plan to Estate Residential
CASE NO.: SSCP-24-87

THE PLANNING & ZONING DIVISION RECOMMENDS:

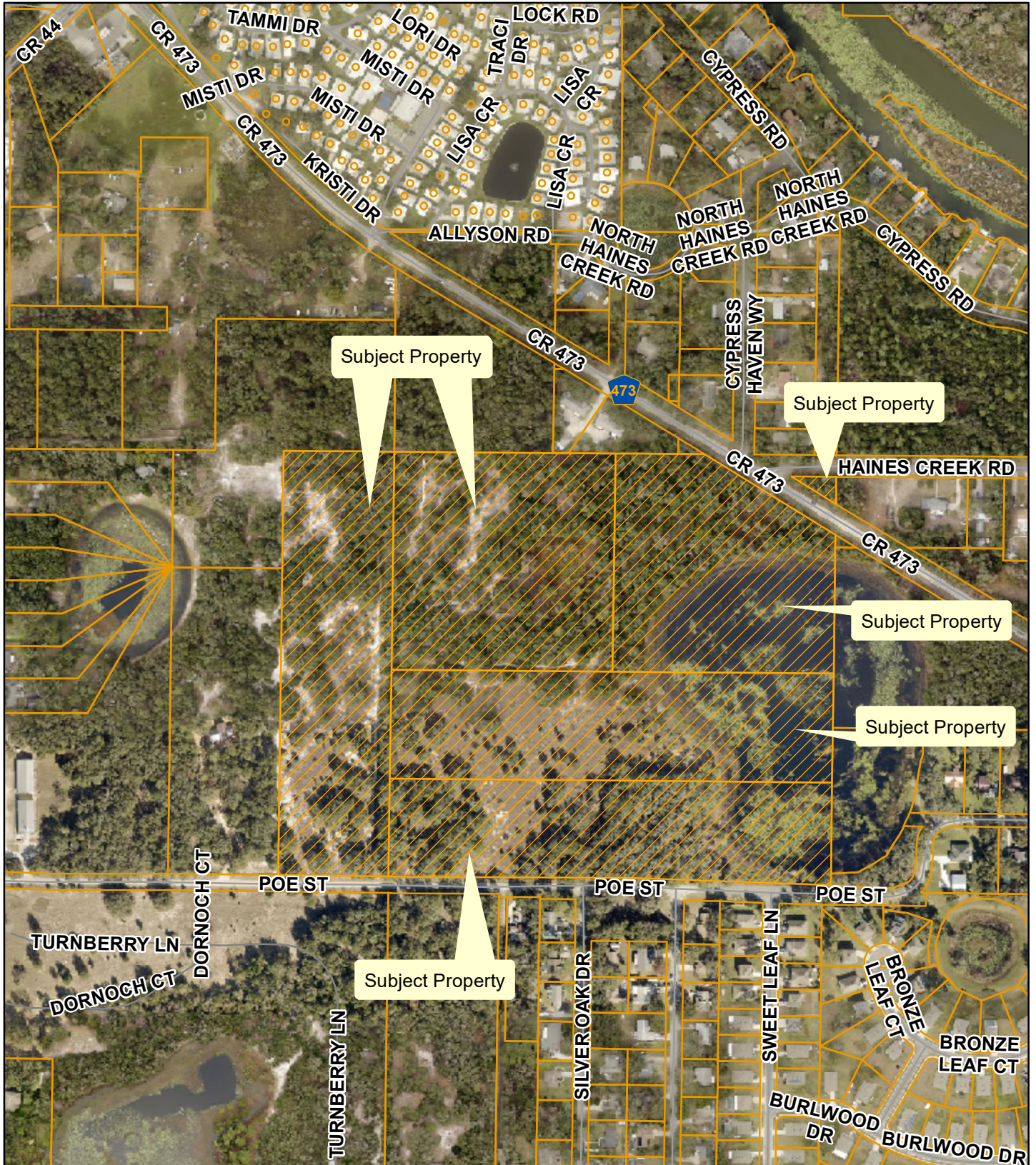
APPROVAL of the request for the following reason(s):

1. This project meets the requirements of Chapter 163.3187 Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed Small Scale Comprehensive Plan (SSCP) amendment is compatible with the adjacent future land use designations of Lake County Urban Low Density and City of Leesburg Estate Residential.
3. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County R-1 (Rural Residential), Lake County R-6 (Urban Residential District), Lake County RP (Residential Professional), and City of Leesburg PUD (Planned Unit Development).
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.

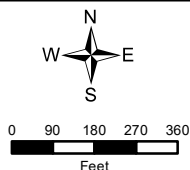
Action Requested:

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

Aerial

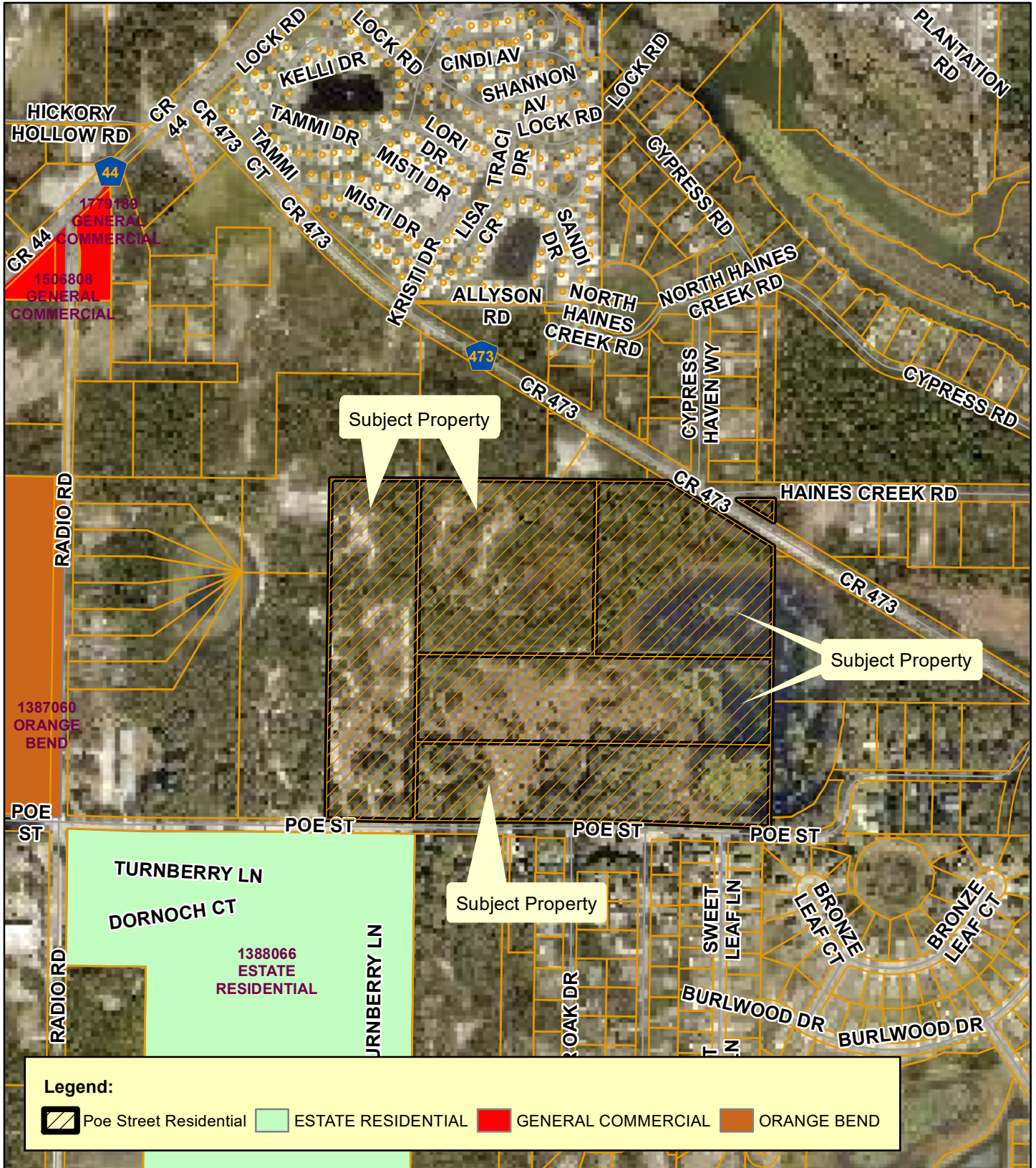


**Planning
& Zoning
Division**

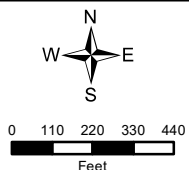


Caldwell Trust Property
 ANN-24-86; SSCP-24-87; PUD-24-88
 AK#: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Future Land Use

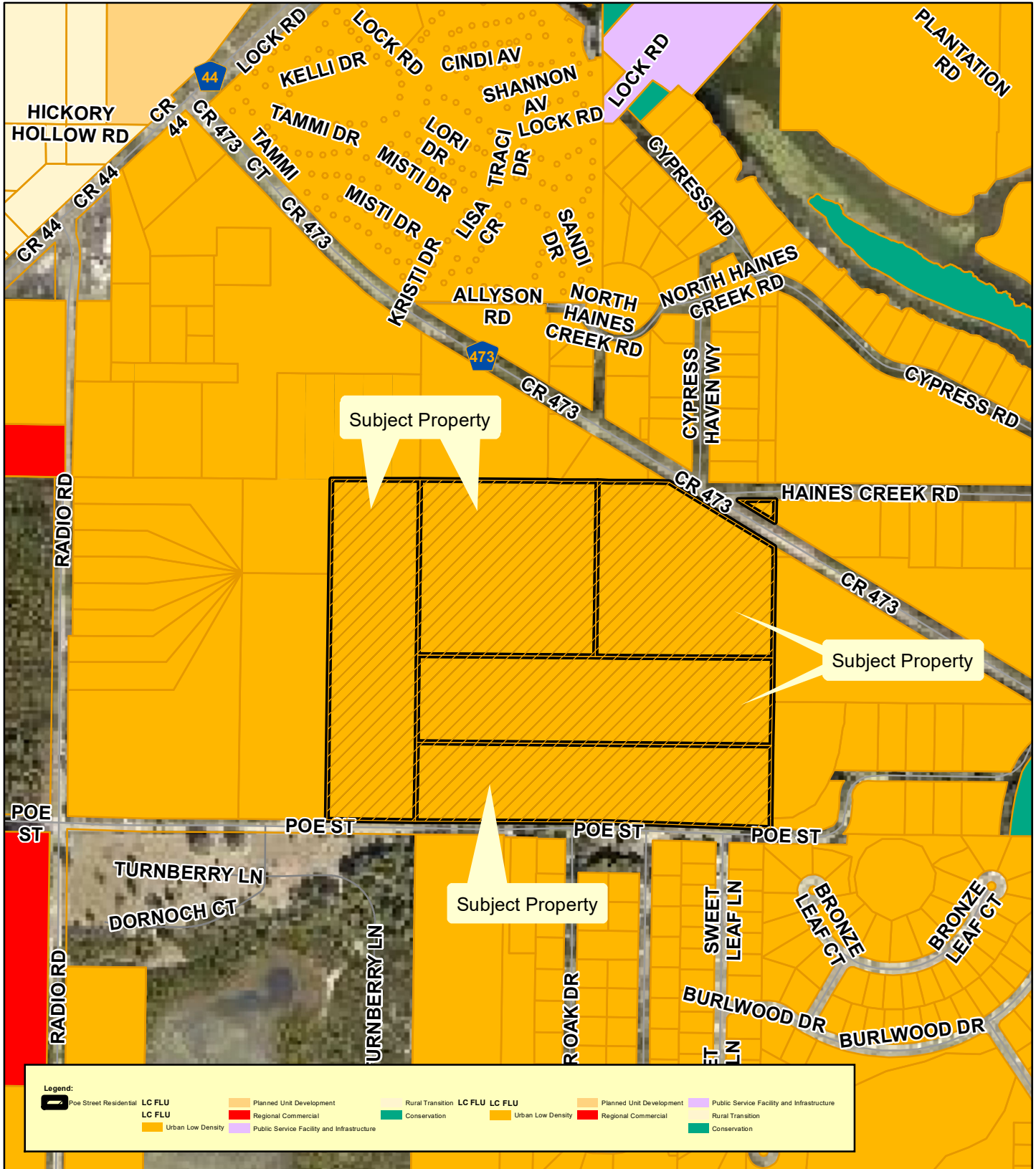


**Planning
& Zoning
Division**

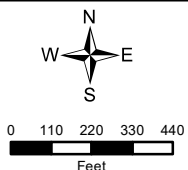


Caldwell Trust Property
 ANNX-24-86; SSCP-24-87; PUD-24-88
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 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Lake County Future Land Use

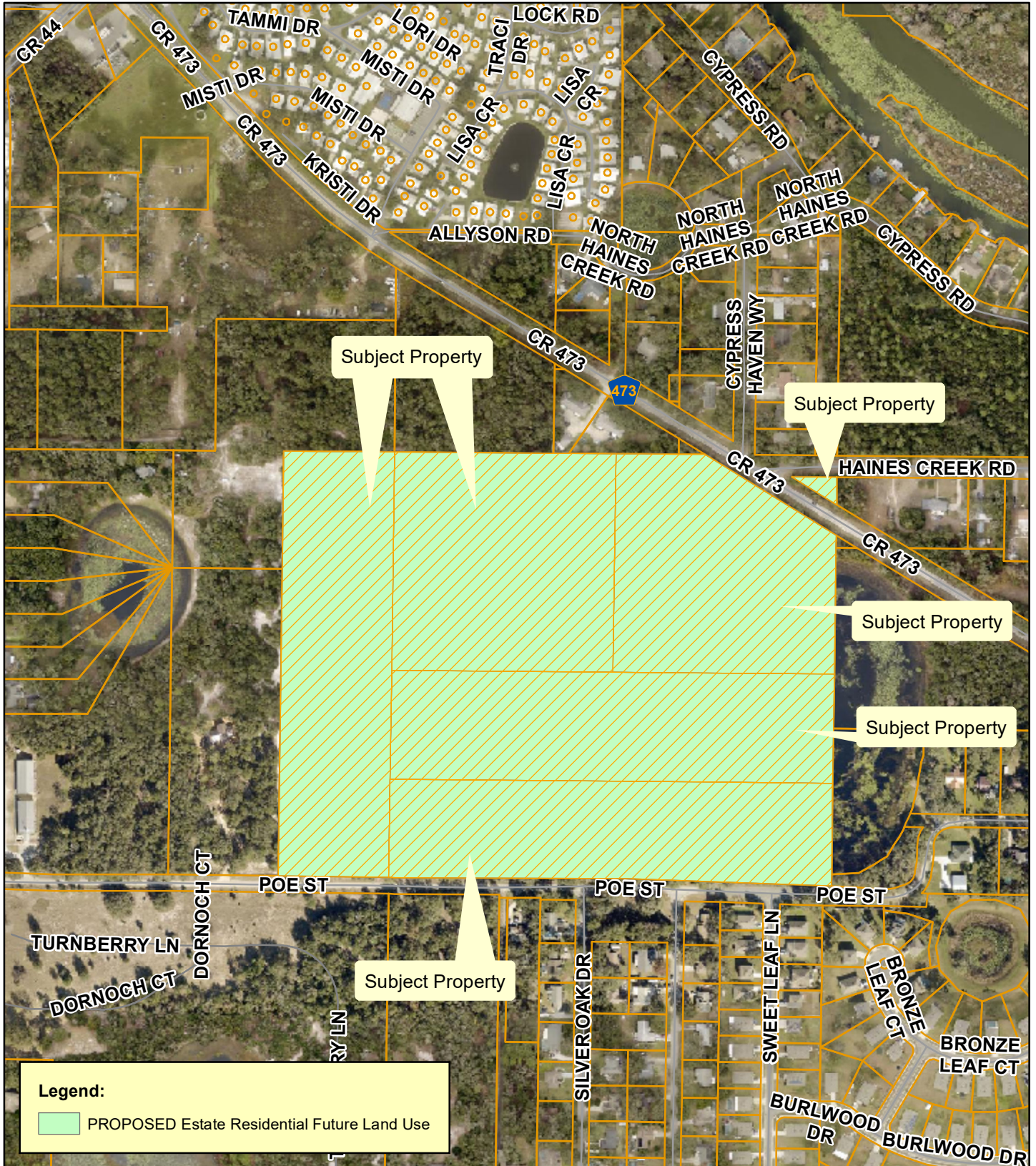


**Planning
& Zoning
Division**

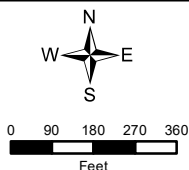


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 AK#s: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

PROPOSED FUTURE LAND USE

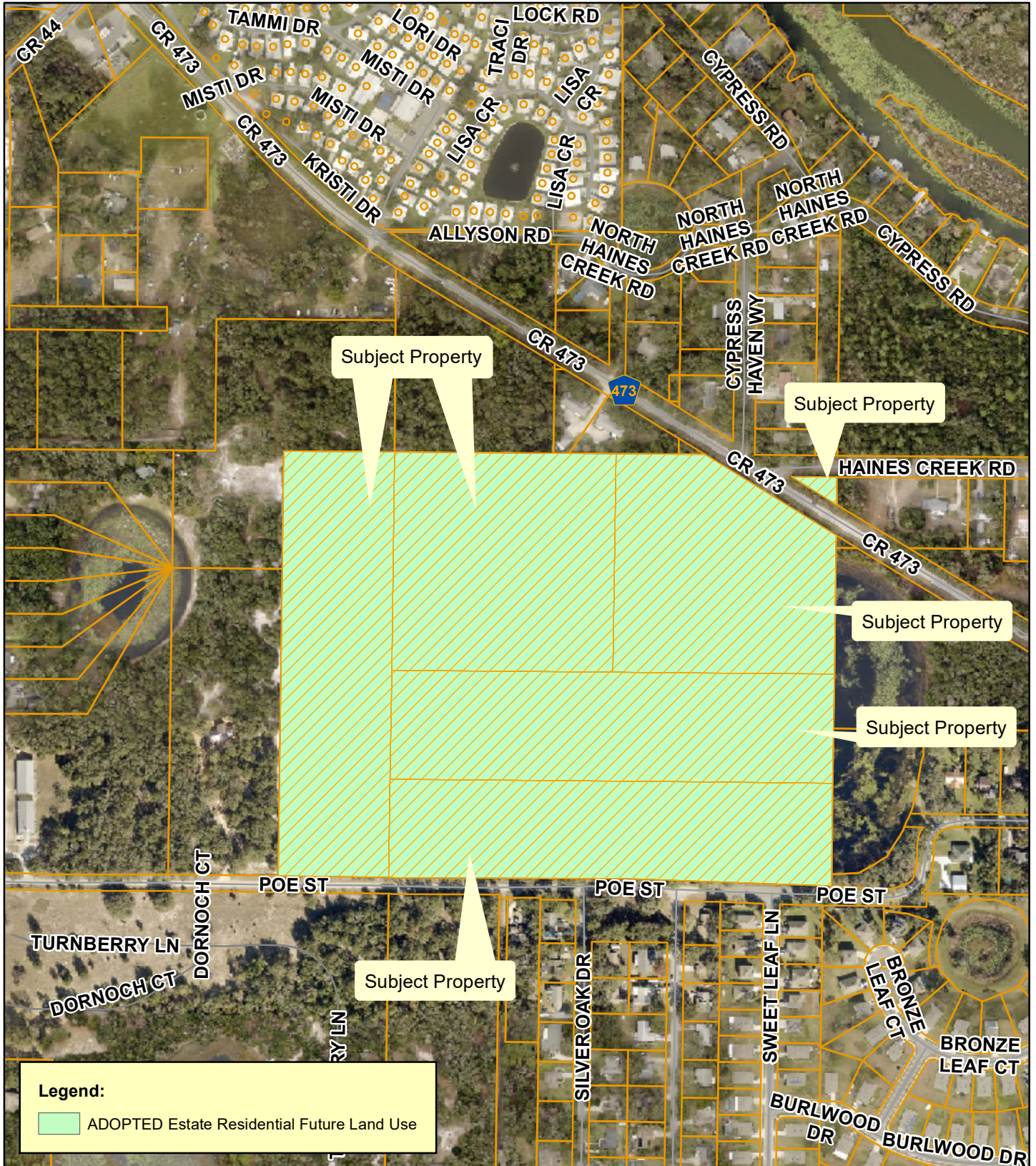


**Planning
& Zoning
Division**

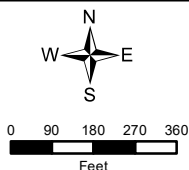


Caldwell Trust Property
 ANNX-24-86; SSCP-24-87; PUD-24-88
 AK#s: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

ADOPTED FUTURE LAND USE



**Planning
& Zoning
Division**



Caldwell Trust Property
 ANNX-24-86; SSCP-24-87; PUD-24-88
 AK#s: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

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

DATE: May 10, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Small Scale Comprehensive Plan to Estate Residential and Rezoning to PUD
(Planned Unit Development)
CASE NO.: SSCP-24-87, PUD-24-88

GENERAL LOCATION: North of Poe Street and south of County Road 473

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North –	Lake County Urban Low Density
South –	City Estate Residential, Lake County Urban Low Density
East –	Lake County Urban Low Density
West –	Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County CFD (Community Facility District) and R-6
(Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:

North –	Lake County R-1 (Rural Residential), R-6 (Urban Residential District)
South –	City of Leesburg PUD (Planned Unit Development), Lake County R-1 (Rural Residential), R-6 (Urban Residential District)
East –	Lake County R-6 (Urban Residential District)
West –	Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Vacant undeveloped

SURROUNDING LAND USE:

North –	Vacant Residential
South –	Pasture Improved, Single-Family
East –	Vacant Residential, Single-Family
West –	Vacant Residential

PROPOSED LAND USE: Single-family detached residential

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

DATE: May 17, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Small Scale Comprehensive Plan to Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-87, PUD-24-88

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 5/17/24

FIRE

In reference to Case Number SSCP-24-87, PUD-24-88

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 SSCP-24-87, PUD-24-88 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 performance 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

Caption Amanda Stevenson 4/10/24

ELECTRIC

“This is outside Leesburg Electric Service territory. No objections.” Steve Davis 3/28/24

GAS

“No Comment.” Wayne Williams 3/28/24

GIS

“GIS has no comments.” Nicholas Tota 3/28/2024

BUILDING

No comments received as of 5/17/24

PUBLIC WORKS

“Public Works has no issues with this. Developer will most likely have to tie into City Water and Sewer at the corner of Radio Rd and Poe Street once Troon Creek completes construction.” Cliff Kelsey 3/28/24

ADDRESSING

No comments received as of 5/17/24

ECONOMIC DEVELOPMENT

No comments received as of 5/17/24

LAKE COUNTY PUBLIC WORKS

Please see attached Lake County Public Works comments 4/11/24

LAKE COUNTY SCHOOLS

No comments received as of 5/17/24

PUBLIC RESPONSES

Approval

No comments received as of 5/17/24

Disapproval

No comments received as of 5/17/24



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

March 1, 2024

Dianne Yekel,
Senior Planner
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Poe Street Subdivision / Planned Unit Development
CASE NO.: PUD-24-88

Thank you for requesting our comments on this planned unit development.

The below information neither constitutes an approval nor a denial by Lake County Board of County Commissioners or Lake County staff. Specifically, the County Commissioners have neither discussed nor voted on this project. These recommendations are only from the Lake County Department of Public Works. The Office of Planning and Zoning, Office of Building Services, Office of Fire Rescue, and other associated offices have NOT provided comments on this development. Further input by these groups may be required.

Lake County Department of Public Works recommended requirements for Poe Street Subdivision PUD impacts to roadways and drainage systems:

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Poe Street:

- Access from Poe Street, a county maintained paved road, will require permitting with Lake County Public Works Department. The access must meet the county transportation and access management standards. Please coordinate the design of the access and any other necessary road and right-of-way improvements with the Engineering Division of the Lake County Public Works Department.
- Turn lanes will be required on Poe Street at the Developments proposed entrances.
- A preliminary review of the right-of-way for Poe Street return with some deeded right-of-way. A detailed survey of Poe Street will be required that includes all property lines, right-of-way, surface/above ground utilities, and other features of the right-of-way.
- Additional right-of-way for Poe Street will be required to meet the minimum requirements for a local road to accommodate the offsite road improvements, utilities, sidewalks, and maintaining the roadside drainage. The standard minimum right-of-way measured from centerline of the road is 33-ft. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc.
- A sidewalk will be required along the entire frontage of Poe Street to meet both city and county requirements.

CR 473:

- The development will be required to provide a dedicated left turn lane (northbound) on CR 473 at the intersection with Poe Street. Additional alignment and roadway improvements may also be required and will be further evaluated with future development application.

Radio Road:

- The development will have traffic impacts to the intersection of Radio Road and Poe Street. Further evaluation of the impacts will be required with the traffic impact study and future development application.

Traffic:

- The traffic methodology was shared with Lake County but the Traffic Impact Study for the development has not been provided for review. Please have the applicant provide the TIS to the Lake County Public Works Department and City of Leesburg for review.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands.

Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any

PROJECT: Poe Street Subdivision/ Planned Unit Development
CASE NO.: PUD-24-88

other elements that may be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please contact me if you have any questions concerning the comments and recommendations provided in this letter.

Sincerely,



Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountvfl.gov

Cc: Jeff Earhart, Engineering Manager for Lake County
Mike Fitzgerald, Planning Director for Lake County
Janie Barron, Planning Manager for Lake County
Dan Miller, Planning and Zoning Manager for City of Leesburg

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.7.

Meeting Date: June 24, 2024

From: Dan Miller, (Planning and Zoning Director), Dianne Pacewicz, (Senior Planner)

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 49.12 +/- acres from Lake County CFD (Community Facility District) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for a residential subdivision for a property generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (PUD Poe Road Subdivision)

Staff Recommendation:

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

Analysis:

The subject site is approximately 49.12 +/- acres, and is generally located north of Poe Street and south of County Road 473 as shown on the attached maps. At this time, the property is undeveloped. The proposal will allow for a residential subdivision. The existing land uses surrounding the property are vacant residential, pasture improved, and single-family. The project will be required to connect to City of Leesburg utilities.

The Planning Commission held a public hearing on the application on May 23, 2024, 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:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 49.12 +/- ACRES FROM LAKE COUNTY CFD (COMMUNITY FACILITY DISTRICT) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR A RESIDENTIAL SUBDIVISION FOR A PROPERTY GENERALLY LOCATED NORTH OF POE STREET AND SOUTH OF COUNTY ROAD 473, LYING IN SECTION 02, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (PUD POE ROAD SUBDIVISION)

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

Section 1.

Based upon the petition of Sean Myers, (Brightleaf Properties, 1133 Louisiana Avenue, Winter Park, Florida 32789, Petitioner), of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County CFD (Community Facility District) and 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 _____ day of _____ 2024.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

Exhibit A

Poe Street Residential - Legal Description provided by Allen & Company

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR CR 473 AND HAINES CREEK ROAD.

AND

THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 25 FEET FOR RIGHT-OF-WAY.

TOGETHER WITH

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: THE EAST 15 FEET OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS DESCRIBED IN O.R. BOOK 1103, PAGE 1771, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 2,139,706 SQUARE FEET OR 49.12 ACRES, MORE OR LESS.

POE ROAD SUBDIVISION
PUD (Planned Unit Development) Conditions
City of Leesburg, Florida
May 23, 2024

These Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Joyce D Caldwell Trust, PO Box 490197, Leesburg, FL 34749 and 35335 Gala Drive, Leesburg, FL 34788 as "Permittee" (Sean Myers, Brightleaf Properties, 1133 Louisiana Ave #101, Winter Park, FL 32789, 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 residential development consisting of a maximum of 135 total units on approximately 49.12 acres, generally located north of Poe Street and south of County Road 473, 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 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. In the event of any conflict between the conditions of this document and the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **Joyce D Caldwell Trust, PO Box 490197, Leesburg, FL 34749 and 35335 Gala Drive, Leesburg, FL 34788 as "Permittee" (Sean Myers, Brightleaf Properties, 1133 Louisiana Ave #101, Winter Park, FL 32789, 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 USES

The above-described property shall be used for the development of 135 single-family residential units on approximately 49.12 acres, and consisting of 50, 60 and 70-foot-wide lots, designed and constructed pursuant to City of Leesburg development codes and standards.

- A. Permitted Uses
 - 1) Detached single family residential units
 - 2) Location of all permitted uses shall be substantially with the conceptual site plan shown in Exhibit C
- B. Prohibited Uses
 - 1) All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.
- C. Accessory Uses
 - 1) RV/Boat Storage
 - 2) Accessory structures
 - 3) Sales office in a single-family unit
 - 4) Recreational Uses (Pool/ Clubhouses/ fields, courts, etc.)
 - 5) Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar
 - 6) Temporary modular sales center office (during construction and sales of new units) and construction offices, not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.

Figure 1 – Residential Unit Summary, by Lot Size

50' x 120' lots =	66
60' x 130' lots =	63
70' x 130' lots =	6
Total =	135

4. DEVELOPMENT STANDARDS

- A. The project shall consist of 135 units on approximately 49.12 acres, at a gross density not to exceed 2.75 units per acre, as specified in this agreement, and shown on **Exhibit C, Conceptual Site Plan**. Larger lots than the minimum requirements herein shall be permitted within the development if desired.
- B. A mix of lot sizes is required as shown in Exhibit C (50, 60 and 70-foot-wide lots), Conceptual Site Plan
- C. Along each street, homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement.
- D. The maximum impervious surface for the project shall be 65%. Community and private swimming pools shall not count toward the impervious surface calculation.

E. Lot requirements

1) For 50 x 120-foot lots:

- a) Minimum house size: 1,800 square feet, (under roof)
- b) Minimum lot size shall be 6,000 square feet.
- c) Minimum width 50 feet
- d) Minimum depth 120 feet
- e) Minimum building setbacks:
 - Front – 25 feet;
 - Rear – 18 feet;
 - Side – 5 feet;
 - Corner Side – 15 feet.
 - Porch – 14 feet (porch must be a minimum width of 6 feet).

2) For 60 x 120-foot lots:

- a) Minimum house size: 1,800 square feet, (under roof)
- b) Minimum lot size shall be 7,200 square feet.
- c) Minimum width 60 feet
- d) Minimum depth 120 feet
- e) Minimum building setbacks:
 - Front – 25 feet;
 - Rear – 18 feet;
 - Side – 7.5 feet;
 - Corner Side – 15 feet.
 - Porch – 14 feet (porch must be a minimum width of 6 feet).

3) For 70 x 120-foot lots:

- a) Minimum house size: 1,800 square feet, (under roof)
- b) Minimum lot size shall be 8,400 square feet.
- c) Minimum width 70 feet
- d) Minimum depth 120 feet
- e) Minimum building setbacks:
 - Front – 25 feet;
 - Rear – 18 feet;
 - Side – 7.5 feet;
 - Corner Side – 15 feet.
 - Porch – 14 feet (porch must be a minimum width of 6 feet).

4) For all structures:

- a) Each single-family detached residential structure shall have a minimum two car garage.
- b) Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet, including closet.
- c) Except where otherwise allowed in these conditions, minimum distance between structures shall be 15 feet; measured from building wall to building wall, and the combined roof overhang of two adjacent structures shall not exceed forty (40) percent of the distance between the building wall and the property line.

- d) Maximum building height: two (2) stories or 35 feet.
- e) Accessory structures shall have a minimum rear and side setback of 5 feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.
- f) Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.
- g) Solid roof structures attached to the residence must meet the required rear setback as noted under “Minimum building setbacks.”
- h) As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein
- i) Gutters are required on the sides of all single-family structures if the structures are less than 15 feet apart.

5. **DESIGN/ARCHITECTURAL STANDARDS**

A. All buildings shall utilize at least five (5) of the following design features to provide visual relief along all elevations of the single-family units. Designs may vary throughout the development.

- 1) Dormers
- 2) Gables
- 3) Recessed or raised entries
- 4) Covered porch entries
- 5) Cupolas
- 6) Pillars or decorative posts
- 7) Bay window (minimum 12-inch projections)
- 8) Eaves (minimum 6-inch projections)
- 9) Front windows with arched glass tops and minimum 4-inch trim.
- 10) Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
- 11) Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
- 12) Stone accents
- 13) Shutters
- 14) Board and batten siding
- 15) Hardy board siding
- 16) Raised banding
- 17) Craftsman style garage doors

B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total front 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 garages, tile or metal roofs, arched windows, porches, 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.
- C. Other similar design variations meeting the intent of this section may be approved by the Community Development Director or designee.
- D. The architectural styles and facades shown in **Exhibit D, Building Elevations** herein are considered to meet the requirements of this section.

6. PARKING

- A. For all recreational areas, the permittee shall have off-street parking spaces per an approved site plan pursuant to the City of Leesburg Code of Ordinances.

7. LANDSCAPING AND BUFFERS, GENERAL & RESIDENTIAL

- A. A master landscape plan shall be submitted for review by City staff for all landscaping, buffer and boundary areas, parking lots, access roads, entry ways and new construction. This plan shall be reviewed for consistency with this PUD document and the Conceptual Site Plan (**Exhibit C**), and City of Leesburg landscape code requirements.
- B. All landscaped areas shall be designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- C. Each platted single-family residential lot of record within the project shall contain a minimum of two (2) canopy trees, one located within the front yard, and shall be selected from the list of trees within the City of Leesburg Code of Ordinances, *Section 25-238 Table 1 Canopy Trees*, plus at least one other tree located in the back yard. All other requirements for tree planting based on lot size under the Code of Ordinances shall remain in effect.
- D. The north, south, and western boundaries of the property shall contain the following: A minimum twenty-five (25) foot wide buffer tract with plantings as shown in Figures A and B below.
- E. Along the west side, abutting the residential properties, there shall be an addition of a non-invasive clumping bamboo within the required buffer. Acceptable clumping bamboo species include Seabreeze Midsize Timber Bamboo, Blue Timber Bamboo, or Emerald Timber Bamboo. This shall be maintained by a property owners or homeowner association.
- F. A split rail fence, of either wood or vinyl/synthetic construction, shall be installed along the length of the exterior boundaries on the north, south, and west sides of the

property. The split rail fence shall be installed at a minimum height of four (4) feet. Said fence shall be maintained by the Property Owners or Homeowners Association. A solid six-foot fence of PVC or other synthetic material may be allowed as an option to the split rail fence.

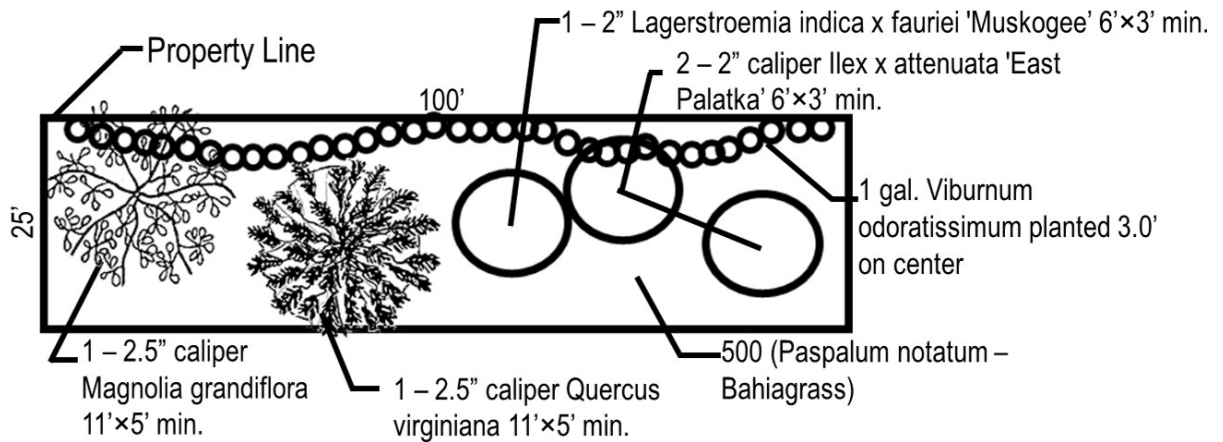
- G. In areas of the project which are primarily used as and platted for recreational or open space uses, no specific buffer shall be required.
- H. All buffers along the exterior property lines shall be distinct and separate from the residential lots and properties, and shall be platted as buffers which are owned and maintained by a property owners or homeowners association.
- I. Nothing herein shall be construed to prevent the developer or property owners from increasing buffer width and/or plantings.
- J. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
- K. In addition to the requirements herein, 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

100 Feet of Typical 25' Landscape Buffer



Buffer detail is to illustrate plant material quality and specification only.

Actual plant material placement may vary.

Landscape buffer irrigated with automatic system.

- L. 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. Tree sample plots shall be located and trees identified by a registered landscape architect, certified arborist, or certified forester or licensed surveyor
- M. Open Space - A minimum of thirty-five (35) percent of the property shall be open space. Retention areas, buffers, plus recreation and landscaped areas may be used for the purpose of calculating open space. Parking areas and vehicle access areas shall not be considered in calculating open space.
- N. A minimum of two (2) trees shall be provided on each residential lot. One (1) must be provided in the front yard, and one (1) in the rear yard.
- O. Variations to Landscape Requirements
 1. Variations to these landscape requirements of this document may be approved by the Planning and Zoning Director as long as the intent of the landscaping section of this PUD (Planned Unit Development) document is maintained.

2. Use of the University of Florida IFAS (Institute of Food and Agricultural Sciences) approved standards for “Florida Friendly Landscaping” will also be acceptable.

8. SITE ACCESS AND IMPROVEMENTS

- A. The main vehicular access points to the project site consist of a minimum of one (1) boulevard style access point on Poe Street and one (1) regular access point on Poe Street
- B. Boulevard requirements: One main access to the property shall be a boulevard type (divided roadway with landscaped median).
- C. Access locations depicted on the Master Development Plan are conceptual and subject to Lake County approval. Actual location and design of the roads shall be determined at 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.
- D. 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, signalization, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be approved by Lake County Public Works Department.
- E. Prior to completion of the subdivision design plans, the developer shall work with the Lake County Public Works Department to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
- F. 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.
- G. 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.
- H. All access points within the development and all access points to roadways outside the development shall be subject to the City of Leesburg, Florida Department of Transportation and Lake County permitting and review processes.

9. TRANSPORTATION IMPROVEMENTS

- A. 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 sidewalks, recreation paths, etc.

- B. A traffic/transportation study shall be submitted for review and determination of any necessary access improvements, including any off-site improvements required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development as required by Lake County, the Lake-Sumter MPO and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.
- E. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg.
- F. 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.
- G. Sidewalks shall be provided on both sides of all roads and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain one sidewalk. All sidewalks shall be constructed in accordance with City of Leesburg Codes.
- H. If desired, golf cart paths and parking for golf carts may be provided, and may be located in such a manner that allows access throughout the development. These paths shall allow access, via the main boulevard roadway, to all residential and recreational area of the proposed development.

10. SIGNAGE

- A. *Access points*- Each access point shall 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 or as noted in this section. This decorative entry feature may be used for signage per City of Leesburg Code of Ordinances, as amended.

11. LAKE COUNTY SCHOOL BOARD

- A. The proposed development is subject to a separate agreement with the Lake County School Board to mitigate the impact of additional students, as agreed with the owner/developer and the School Board, such as an agreement reflecting a negotiated settlement allowing the Lake County School Board the ability to provide adequate student stations to contain the projected number of students.

12. UTILITIES

- A. 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:
- B. 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.
- C. 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.
- D. Developer shall be responsible for the installation of a natural gas service in eighty percent (80%) of all single-family detached homes in the development, as required by the City of Leesburg Code of Ordinances.
- E. 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. All infrastructure necessary to provide water and wastewater services to the development must be in place, approved by the City, and operational, prior to issuance of building permits for any residential or commercial structures within the development.

13. 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 association is an acceptable maintenance entity.
- D. The existing 100-year flood plain shown shall be shown on all plans and lots.
- 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. 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. 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.

14. 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.

15. IRRIGATION & WATER USAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, 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.
- C. For purposes of water conservation, all irrigated areas shall meet the requirements of section 25-337(c)(4), City of Leesburg Code of Ordinances.

16. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site shall 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 consist of not less than 200 square feet of space per dwelling unit or 27,000 square feet (0.62 acres).
- B. Permitted recreational amenities shall include:
 - 1. Children's playground areas
 - 2. Trails
 - 3. Dog Parks
 - 4. Various recreational courts (Tennis, Basketball, handball courts, etc.)
 - 5. Pavillion
- C. Walking trails shall be provided around retention/detention pond and wetlands, as shown on the Conceptual Site Plan, Exhibit C.

17. LIGHTING REQUIREMENTS

- A. All lighting installed shall meet City of Leesburg standards and details, shall be constructed in a manner that is directed to the interior of the property, and does not cause excessive light pollution on neighboring properties.
- B. Exterior lighting shall incorporate "Dark Sky Standards" in the lighting plan for the development. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution. Appropriate designs are shown on Exhibit E, attached hereto.
- C. This will include, but not be limited to shielded fixtures, lower levels of blue light, directional lighting, timed and/or sensor activated light fixtures, and other methods which can reduce impact on adjacent and nearby properties.

18. 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 and recreational facilities shall be the responsibility of the property owner. A homeowner's association or property owner's association shall serve as an appropriate entity for all common properties within the development.

19. 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 this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. As part of the overall development review process, if the project is constructed in phases, the plat of the lots for each approved 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.
- C. Upon approval of this PUD by the City Commission, a development permit or building permit application must be submitted with the City for work related to one or more phases of the PUD within four (4) years of this approval becoming final with no appeal pending or the PUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the PUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

20. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. 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 conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. Model home permits are limited to four (4) per phase prior to the City's issuance of the Certificate of Completion (CC) for the project. Water service and fire access to the model must be available prior to permit issuance.
- E. The transfer of ownership or lease of any or all of the property described in this PUD 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.
- F. These PUD 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 as set forth herein.

- G. These conditions of approval shall be recited within the site plan and construction plan submittals.

21. LEVELS OF SERVICE AND CAPACITY

A. As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which could exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, schools, and solid waste. 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.

B. Utilities -Planning & Construction

1. 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.
2. For all development requiring construction of new distribution, collection lines, or other infrastructure needed to develop the subdivision, the developer shall 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 concurrent or 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. The City's ability to provide said services is dependent upon capacity available at the time of permit submittal.
2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B

LEGAL DESCRIPTION

Poe Street Residential - Legal Description provided by Allen & Company

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR CR 473 AND HAINES CREEK ROAD.

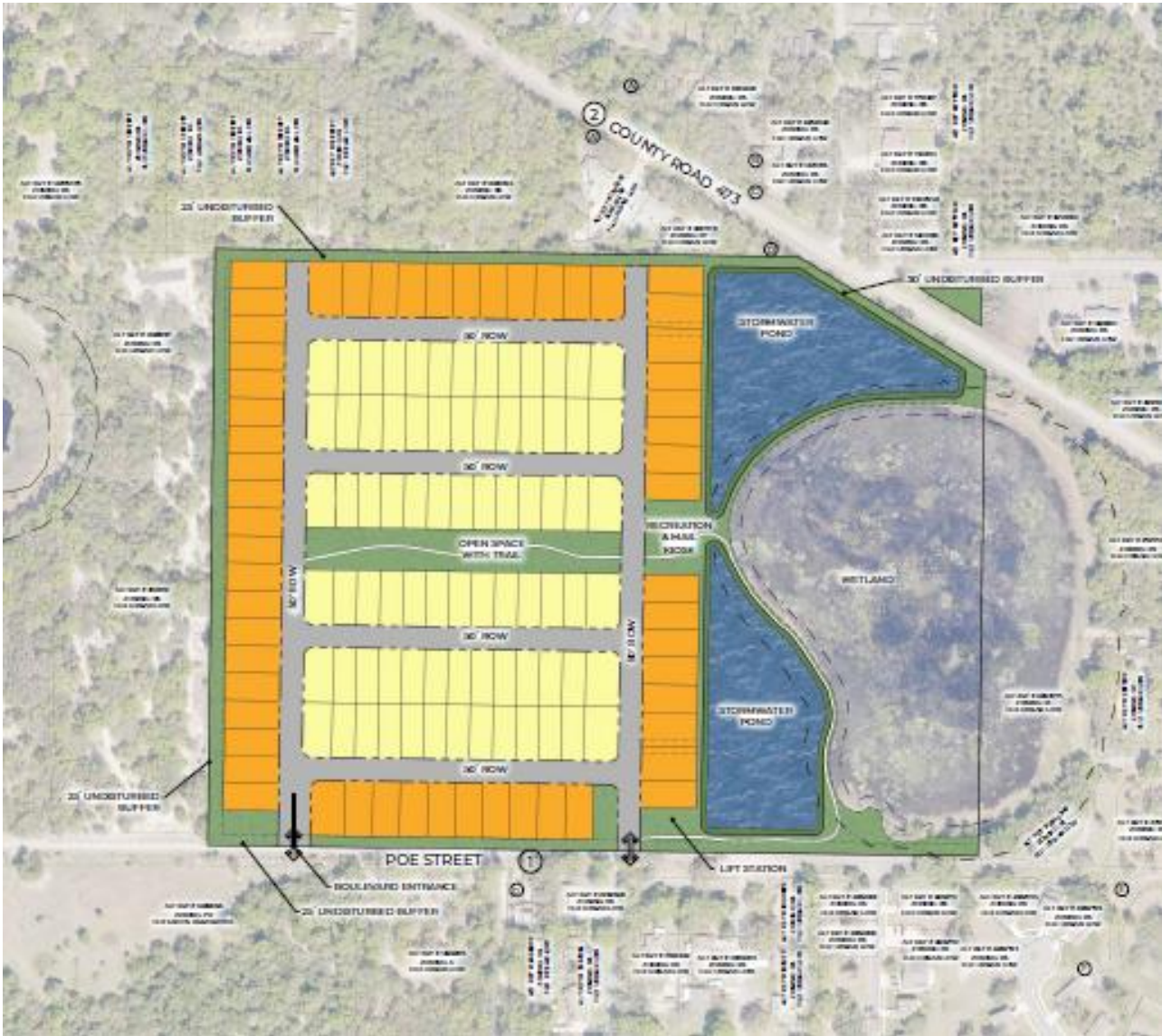
AND

THE SOUTH 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 25 FEET FOR RIGHT-OF-WAY.

TOGETHER WITH

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: THE EAST 15 FEET OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS DESCRIBED IN O.R. BOOK 1103, PAGE 1771, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 2,139,706 SQUARE FEET OR 49.12 ACRES, MORE OR LESS.



m

EXHIBIT D

SAMPLE FACADES



LIVING AREA - 2,092 S.F



LIVING AREA - 1,615 S.F

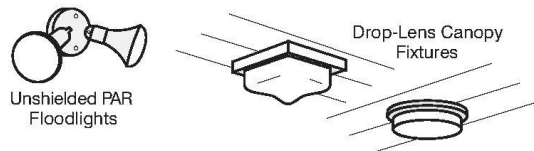
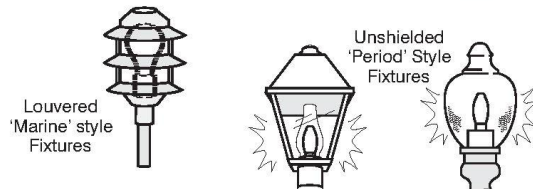
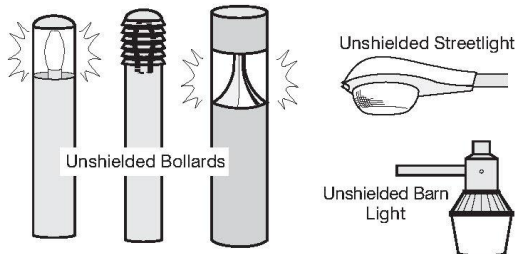
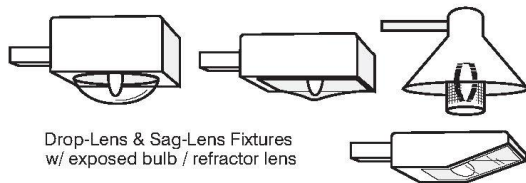
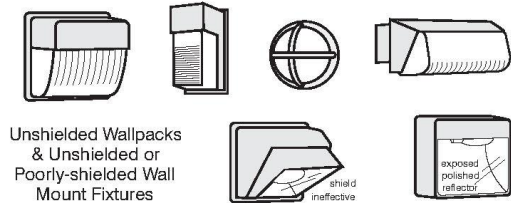
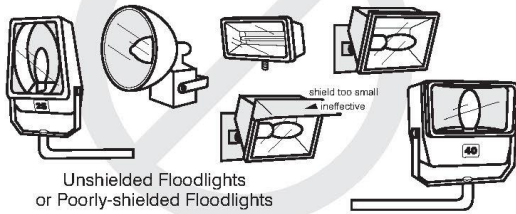


LIVING AREA - 1,990 S.F

Examples of Acceptable / Unacceptable Lighting Fixtures

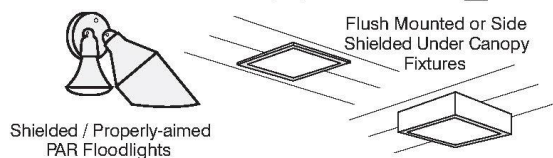
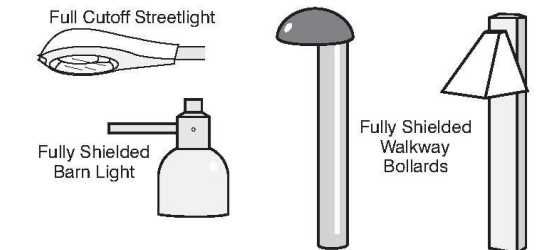
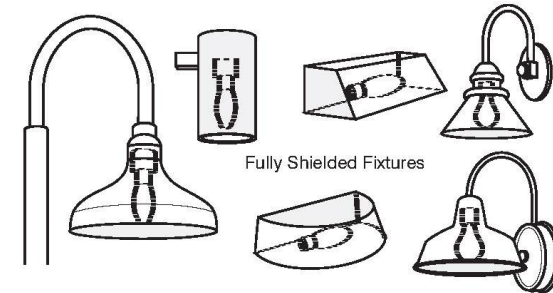
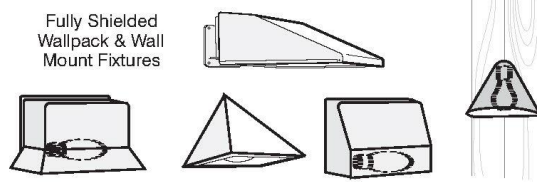
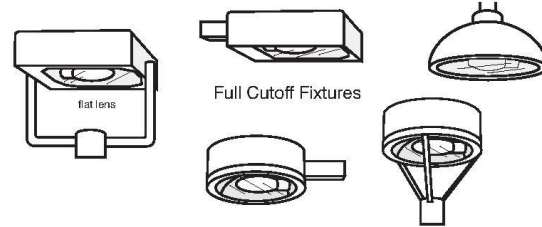
Unacceptable / Discouraged

Fixtures that produce glare and light trespass



Acceptable

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



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



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: May 23, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Rezoning to PUD (Planned Unit Development)
CASE NO.: PUD-24-88

THE PLANNING & ZONING DIVISION RECOMMENDS:

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

1. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County R-1 (Rural Residential), Lake County R-6 (Urban Residential District), Lake County RP (Residential Professional), and City of Leesburg PUD (Planned Unit Development).
2. The proposed Small Scale Comprehensive Plan (SSCP) amendment is compatible with the adjacent future land use designations of Lake County Urban Low Density and City of Leesburg Estate Residential.
3. The proposed request does not appear to create a detriment to surrounding properties, based on the location and proximity to future compatible development.

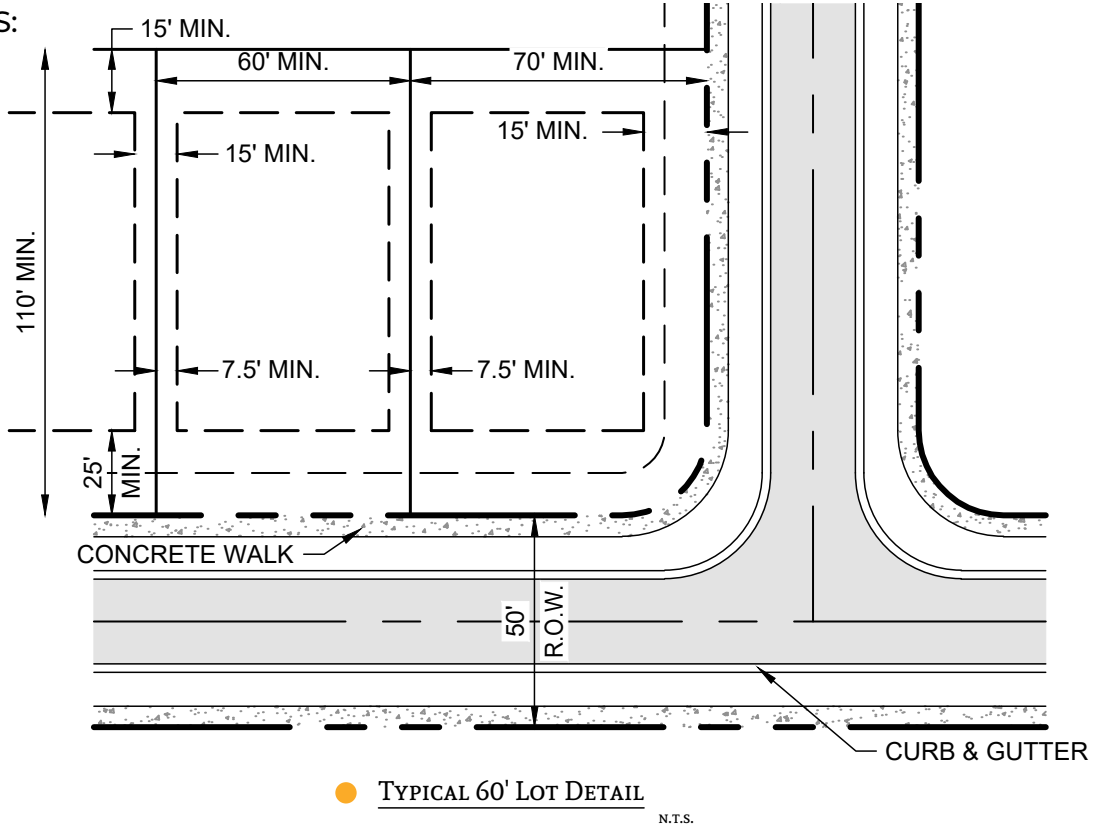
Action Requested:

1. Vote to **approve** staff's recommendation to rezone the subject property from Lake County CFD (Community Facility District) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) and forward to the City Commission for consideration.

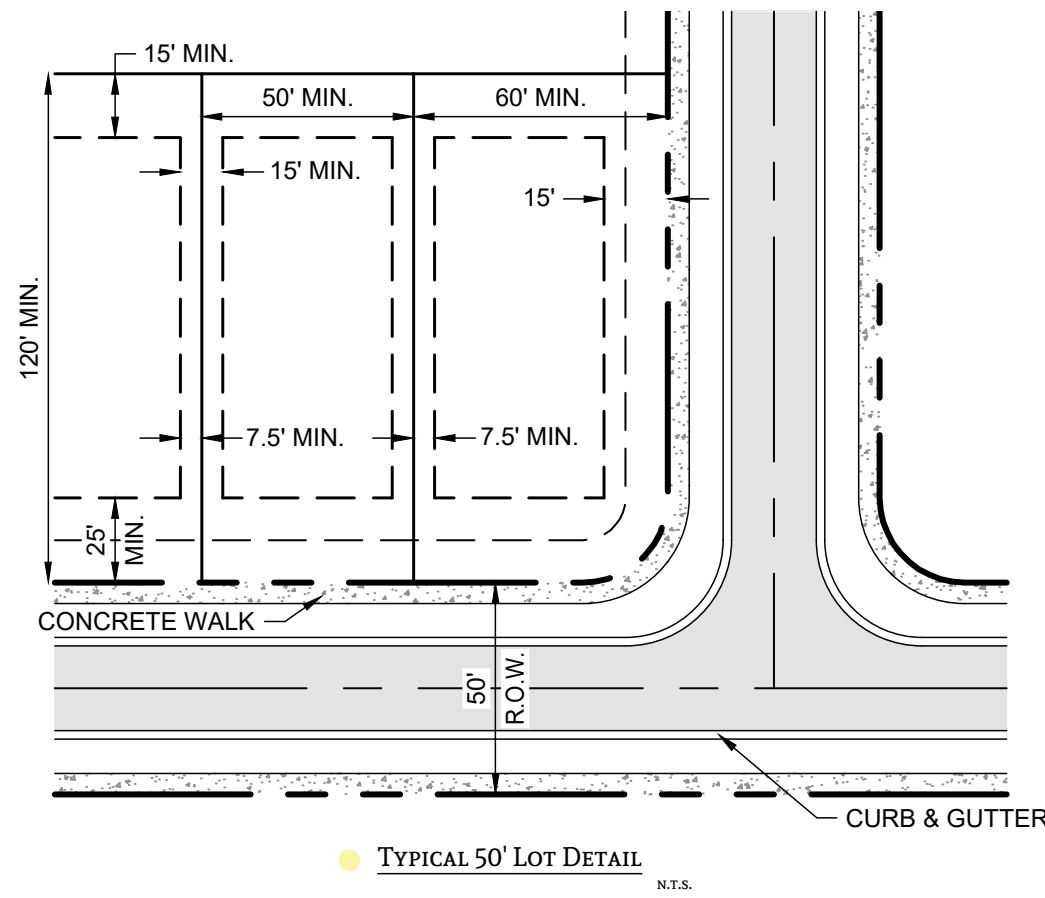
REQUIRED SETBACKS:

- FOR 50' LOTS
- FRONT 25'
- SIDE 15'
- REAR 18'

- FOR 60' LOTS
- FRONT 25'
- SIDE 15'
- REAR 18'



Typical 60' Lot Detail



Typical 50' Lot Detail

- (A) ALT KEY # 1320275
ZONING: R6
FLU: URBAN LOW
- (B) ALT KEY # 3852035
ZONING: R6
FLU: URBAN LOW
- (C) ALT KEY # 1320259
ZONING: R6
FLU: URBAN LOW
- (D) ALT KEY # 1320216
ZONING: R6
FLU: URBAN LOW
- (E) ALT KEY # 3900844
ZONING: R6
FLU: URBAN LOW
- (F) ALT KEY # 3862727
ZONING: R6
FLU: URBAN LOW
- (G) ALT KEY # 3277791
ZONING: R1
FLU: URBAN LOW

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LAKE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR CR 473 AND HAINES CREEK ROAD.

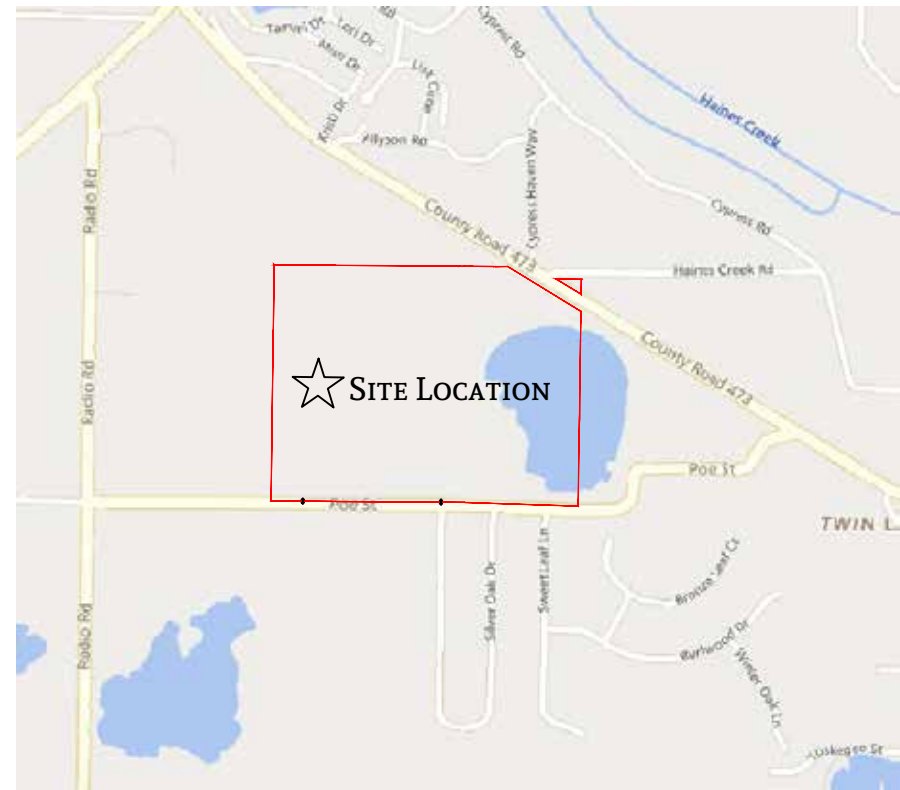
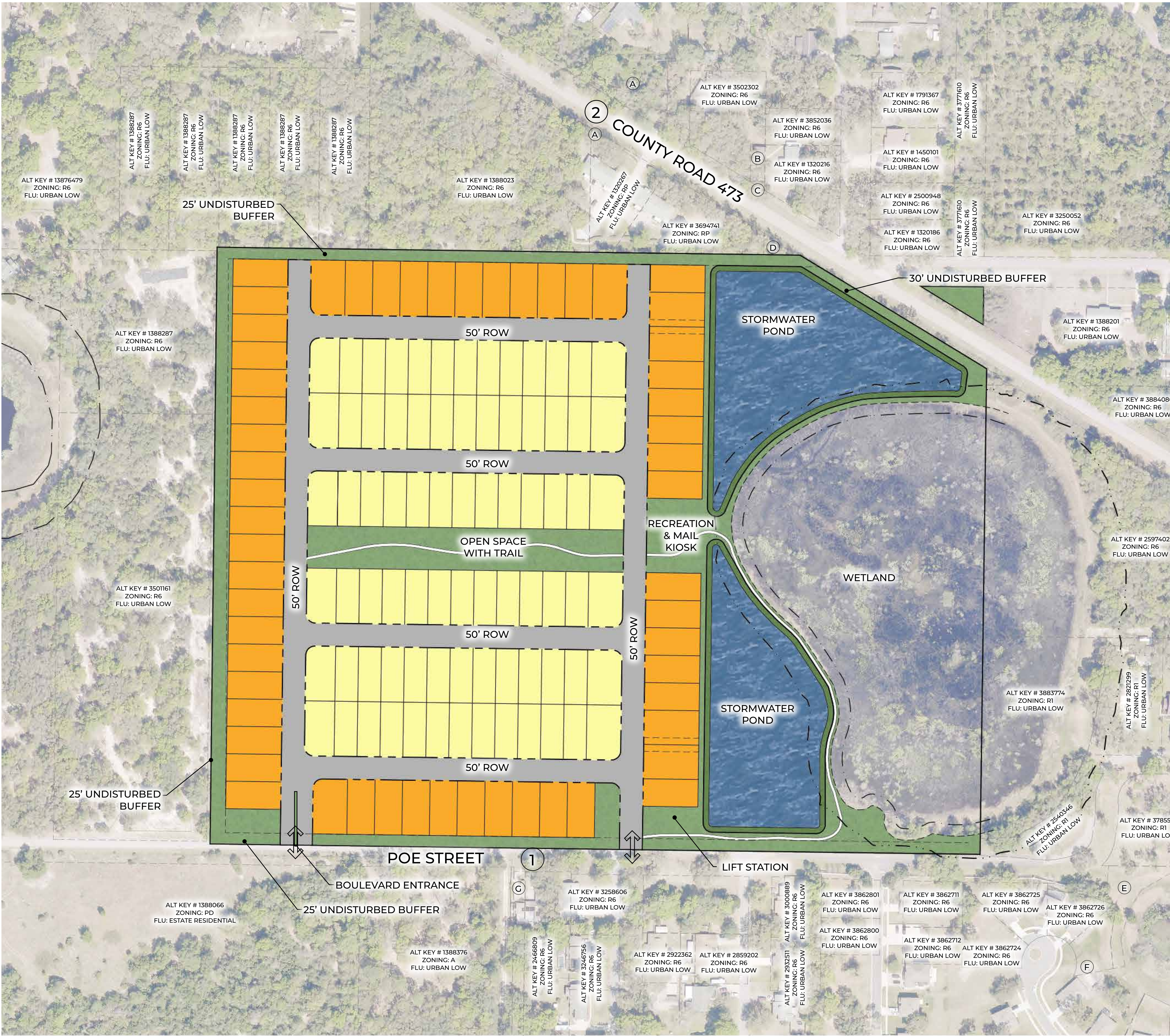
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TOGETHER WITH

THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: THE EAST 15 FEET OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 IN SECTION 2, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, AS DESCRIBED IN O.R. BOOK 1103, PAGE 1771, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 2,139,706 SQUARE FEET OR 49.12 ACRES, MORE OR LESS.



VICINITY MAP

N.T.S.

NOTES:

- METHOD OF WATER SUPPLY: 8" PVC OFFSITE WATER MAIN EXTENSION ON POE STREET
- METHOD OF SEWAGE DISPOSAL: PROPOSED LIFT STATION WITH 4" PVC FORCEMAIN EXTENSION ON POE STREET
- GRADING AND DRAINAGE PATTERN: ONSITE STORMWATER COLLECTION VIA ROADWAY CURB INLETS TO A WET DETENTION POND
- COMMON OPEN SPACE USES INCLUDE PRESERVATION, PARKS, OPTIONAL TRAILS, AND LANDSCAPE BUFFERS.

- 1 POE STREET
- 50' RIGHT OF WAY
- 20' PAVEMENT / 2 LANES
- LOCAL / PUBLIC
- ASPHALT IN GOOD CONDITION
- NO SIDEWALKS / BIKE PATH
- TRANSIT STOPS / TRAFFIC DEVICES
- 2 COUNTY ROAD 473
- 80' RIGHT OF WAY
- 20' PAVEMENT / 2 LANES
- LOCAL / PUBLIC
- ASPHALT IN GOOD CONDITION
- NO SIDEWALKS / BIKE PATH
- TRANSIT STOPS / TRAFFIC DEVICES

PROPERTY OWNER:
JOYCE D CALDWELL TRUST
PO BOX 490197
LEESBURG, FL 34749
AND
35335 GALA DR
LEESBURG, FL 34788

PETITIONER:
SEAN MYERS,
MANAGING DIRECTOR -
BRIGHTLEAF PROPERTIES
1133 LOUISIANA AVE #101
WINTER PARK, FL 32789
407-252-9802

ENGINEER:
LEVELUP CONSULTING, LLC
505 E. JACKSON ST. SUITE 200
TAMPA, FL 33602
813-375-0616

SURVEYOR:
ALLEN & COMPANY
16 E. PLANT ST.
WINTER GARDEN, FL 34787
407-654-5355

LEGEND

---	PROPERTY LINE
---	EDGE OF FEMA FLOOD ZONE AE
---	EDGE OF WATER
---	RIGHT OF WAY
---	EASEMENT LINE
---	EDGE OF WETLAND
---	EDGE OF UPLAND BUFFER
---	TRACT LINES
---	PROPOSED FULL ACCESS POINT (PEDESTRIAN & VEHICULAR)

SITE DATA TABLE

PROJECT LOCATION	CITY OF LEESBURG, FLORIDA
TOTAL PROJECT AREA	49.12-ACRES±
TOTAL DEVELOPABLE AREA	40.34-ACRES±
WETLAND PRESERVATION AREA	8.78-ACRES±
TOTAL UNITS	135
GROSS DENSITY	2.7 DU/AC.
COMMON OPEN SPACE	15.23 AC. (31% OF PROJECT AREA)
EXISTING ZONING (LAKE COUNTY)	R-6 & CFD
PROPOSED ZONING (LEESBURG)	PUD
EXISTING FLU (LAKE COUNTY)	URBAN LOW DENSITY
PROPOSED FLU (LEESBURG)	ESTATE RESIDENTIAL



0 60 120 240
1"=120'

PREPARED FOR:
09 MAY 2024

CALDWELL
ESTATES, LLC



POE STREET RESIDENTIAL

Master Development Plan



NOTES:

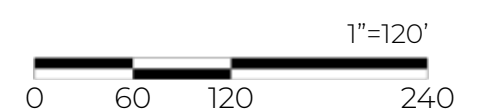
1. PROTECTED TREES ARE DEFINED IN THE CITY OF LEESBURG LDC SEC. 25-337.1 AS:
 - ALL TREES AND PALMS NATIVE TO FLORIDA OR FLORIDA FRIENDLY, INCLUDING, BUT NOT LIMITED TO THOSE IDENTIFIED WITHIN THE PROTECTED TREE LIST FOUR (4) INCHES OR LARGER IN DIAMETER AT BREAST HEIGHT.
 - SAND PINE AND XERIC OAK SCRUB COMMUNITY FOUR (4) INCHES DIAMETER OR LARGER AT BREAST HEIGHT.
 - WETLAND TREES OF ANY SIZE.
 - HISTORIC, SPECIMEN, AND HERITAGE TREES.
2. TREE REMOVAL PERMIT. IT SHALL BE UNLAWFUL AND A VIOLATION OF THIS SECTION TO CLEAR, KILL OR REMOVE A PROTECTED TREE OR PALM BY ANY METHOD WITHOUT FIRST OBTAINING A TREE REMOVAL PERMIT. WHEN A DEVELOPMENT ORDER IS ISSUED FOR A SITE PLAN, SUBDIVISION OR MASTER PARK PLAN, A SEPARATE TREE REMOVAL PERMIT SHALL NOT BE REQUIRED IF THE TREES TO BE REMOVED ARE IDENTIFIED AND MITIGATED ON THE APPROVED LANDSCAPE PLAN. APPROVAL OF A PRELIMINARY PLAT DOES NOT AUTHORIZE APPROVAL FOR THE REMOVAL OF TREES OR OTHER VEGETATION. ANY TREE REMOVAL PERMIT SHALL REQUIRE REPLACEMENT TREES IN COMPLIANCE WITH THIS SECTION AND SHALL SPECIFY THE SCHEDULE WHEN TREES WILL BE REMOVED AND WHEN SUCH REPLACEMENT TREES WILL BE PLANTED.

LEGEND	
	PROTECTED TREE (701 TOTAL)
	PROPERTY LINE



POE STREET RESIDENTIAL

Master Development Plan



PREPARED FOR:
09 MAY 2024

CALDWELL
ESTATES, LLC

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

DATE: May 10, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Small Scale Comprehensive Plan to Estate Residential and Rezoning to PUD
(Planned Unit Development)
CASE NO.: SSCP-24-87, PUD-24-88

GENERAL LOCATION: North of Poe Street and south of County Road 473

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North –	Lake County Urban Low Density
South –	City Estate Residential, Lake County Urban Low Density
East –	Lake County Urban Low Density
West –	Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County CFD (Community Facility District) and R-6
(Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:

North –	Lake County R-1 (Rural Residential), R-6 (Urban Residential District)
South –	City of Leesburg PUD (Planned Unit Development), Lake County R-1 (Rural Residential), R-6 (Urban Residential District)
East –	Lake County R-6 (Urban Residential District)
West –	Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Vacant undeveloped

SURROUNDING LAND USE:

North –	Vacant Residential
South –	Pasture Improved, Single-Family
East –	Vacant Residential, Single-Family
West –	Vacant Residential

PROPOSED LAND USE: Single-family detached residential

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

DATE: May 17, 2024
OWNER: Joyce D Caldwell Trust
PETITIONER: Sean Myers, Brightleaf Properties
PROJECT: Poe Road Subdivision
REQUEST: Small Scale Comprehensive Plan to Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-87, PUD-24-88

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 5/17/24

FIRE

In reference to Case Number SSCP-24-87, PUD-24-88

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 SSCP-24-87, PUD-24-88 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 performance 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

Caption Amanda Stevenson 4/10/24

ELECTRIC

“This is outside Leesburg Electric Service territory. No objections.” Steve Davis 3/28/24

GAS

“No Comment.” Wayne Williams 3/28/24

GIS

“GIS has no comments.” Nicholas Tota 3/28/2024

BUILDING

No comments received as of 5/17/24

PUBLIC WORKS

“Public Works has no issues with this. Developer will most likely have to tie into City Water and Sewer at the corner of Radio Rd and Poe Street once Troon Creek completes construction.” Cliff Kelsey 3/28/24

ADDRESSING

No comments received as of 5/17/24

ECONOMIC DEVELOPMENT

No comments received as of 5/17/24

LAKE COUNTY PUBLIC WORKS

Please see attached Lake County Public Works comments 4/11/24

LAKE COUNTY SCHOOLS

No comments received as of 5/17/24

PUBLIC RESPONSES

Approval

No comments received as of 5/17/24

Disapproval

No comments received as of 5/17/24



Department of Public Works, Engineering Division
P.O. Box 7800 • 350 N. Sinclair Ave. • Tavares, FL 32778

March 1, 2024

Dianne Yekel,
Senior Planner
City of Leesburg
Planning and Zoning Department
204 North 5th Street
Leesburg, Florida 34749
(sent via email)

RE: PROJECT: Poe Street Subdivision / Planned Unit Development
CASE NO.: PUD-24-88

Thank you for requesting our comments on this planned unit development.

The below information neither constitutes an approval nor a denial by Lake County Board of County Commissioners or Lake County staff. Specifically, the County Commissioners have neither discussed nor voted on this project. These recommendations are only from the Lake County Department of Public Works. The Office of Planning and Zoning, Office of Building Services, Office of Fire Rescue, and other associated offices have NOT provided comments on this development. Further input by these groups may be required.

Lake County Department of Public Works recommended requirements for Poe Street Subdivision PUD impacts to roadways and drainage systems:

P 352.253.6000 • F 352.253.9025
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Poe Street:

- Access from Poe Street, a county maintained paved road, will require permitting with Lake County Public Works Department. The access must meet the county transportation and access management standards. Please coordinate the design of the access and any other necessary road and right-of-way improvements with the Engineering Division of the Lake County Public Works Department.
- Turn lanes will be required on Poe Street at the Developments proposed entrances.
- A preliminary review of the right-of-way for Poe Street return with some deeded right-of-way. A detailed survey of Poe Street will be required that includes all property lines, right-of-way, surface/above ground utilities, and other features of the right-of-way.
- Additional right-of-way for Poe Street will be required to meet the minimum requirements for a local road to accommodate the offsite road improvements, utilities, sidewalks, and maintaining the roadside drainage. The standard minimum right-of-way measured from centerline of the road is 33-ft. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc.
- A sidewalk will be required along the entire frontage of Poe Street to meet both city and county requirements.

CR 473:

- The development will be required to provide a dedicated left turn lane (northbound) on CR 473 at the intersection with Poe Street. Additional alignment and roadway improvements may also be required and will be further evaluated with future development application.

Radio Road:

- The development will have traffic impacts to the intersection of Radio Road and Poe Street. Further evaluation of the impacts will be required with the traffic impact study and future development application.

Traffic:

- The traffic methodology was shared with Lake County but the Traffic Impact Study for the development has not been provided for review. Please have the applicant provide the TIS to the Lake County Public Works Department and City of Leesburg for review.

Stormwater Management:

- The site's stormwater management design will need to be reviewed by Lake County when submitted to both the City of Leesburg and St Johns River Water Management District. We may require Lake County stormwater design standards on ponds that outfall or affect surrounding unincorporated lands.

Please be advised that this letter pertains to transportation, access management, stormwater, and floodplain related impacts foreseen from the proposed PUD application as reviewed by Lake County Department of Public Works. This letter does not include any land use, zoning, or any

PROJECT: Poe Street Subdivision/ Planned Unit Development
CASE NO.: PUD-24-88

other elements that may be addressed by other departments, such as Lake County Department of Economic Growth - Office of Planning and Zoning.

Please contact me if you have any questions concerning the comments and recommendations provided in this letter.

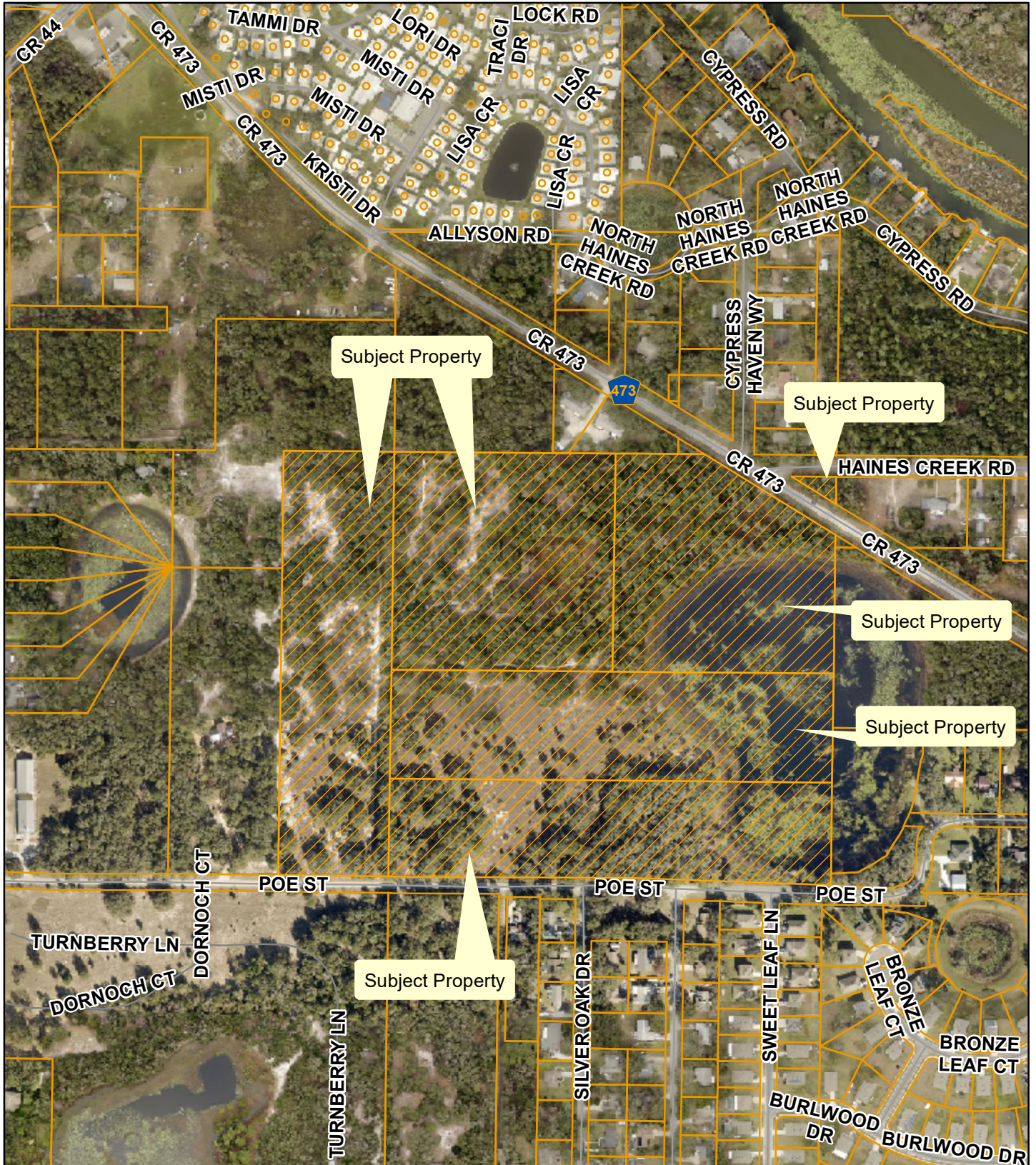
Sincerely,



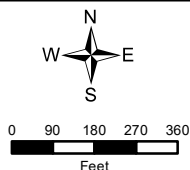
Seth Lynch
Development Engineer/Project Manager
Lake County Department of Public Works
Engineering Division
slynch@lakecountyfl.gov

Cc: Jeff Earhart, Engineering Manager for Lake County
Mike Fitzgerald, Planning Director for Lake County
Janie Barron, Planning Manager for Lake County
Dan Miller, Planning and Zoning Manager for City of Leesburg

Aerial

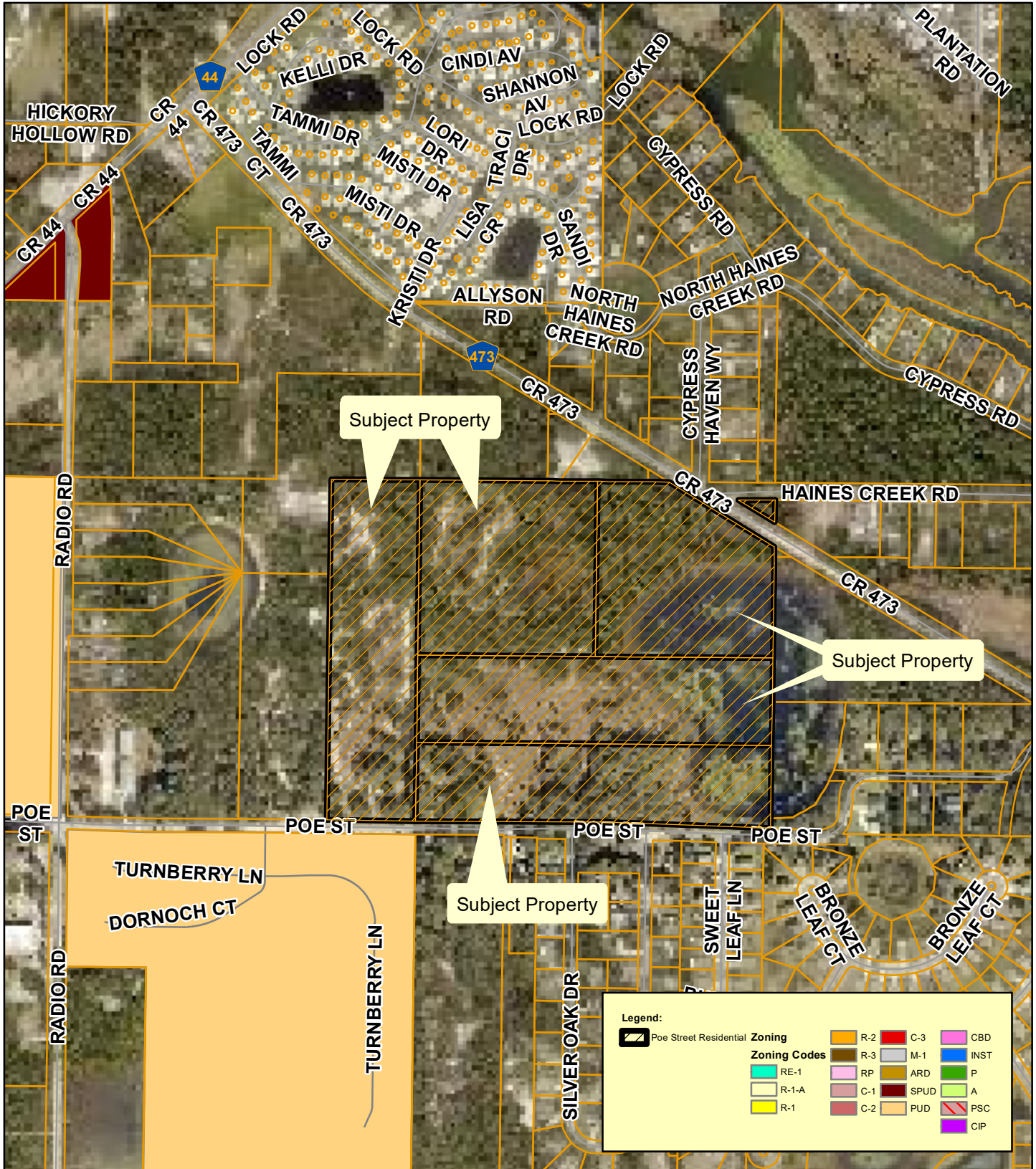


**Planning
& Zoning
Division**

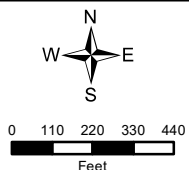


Caldwell Trust Property
 ANN-24-86; SSCP-24-87; PUD-24-88
 AK#: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Zoning

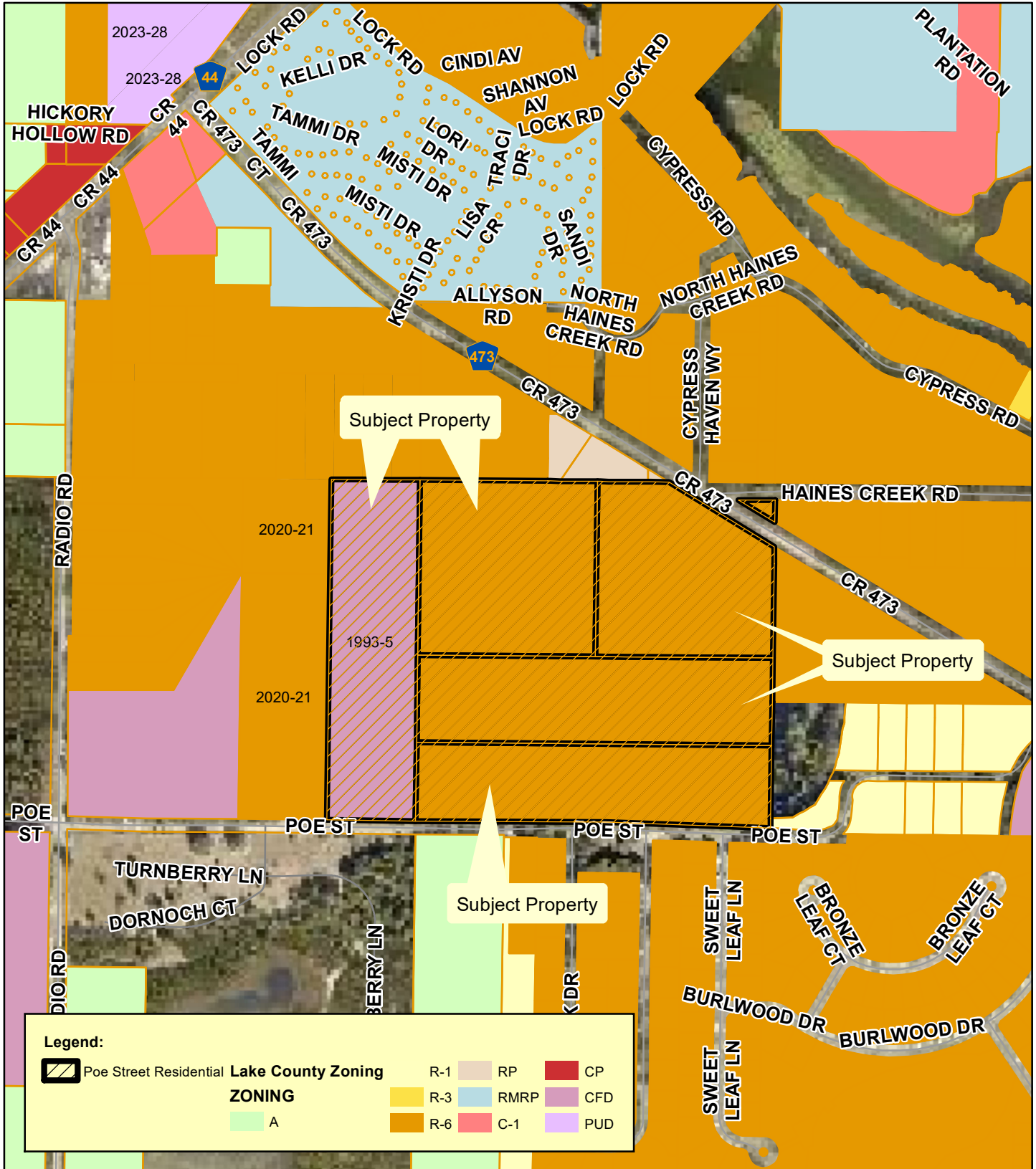


**Planning
& Zoning
Division**

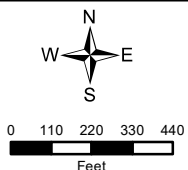


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 AK#: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

Lake County Zoning

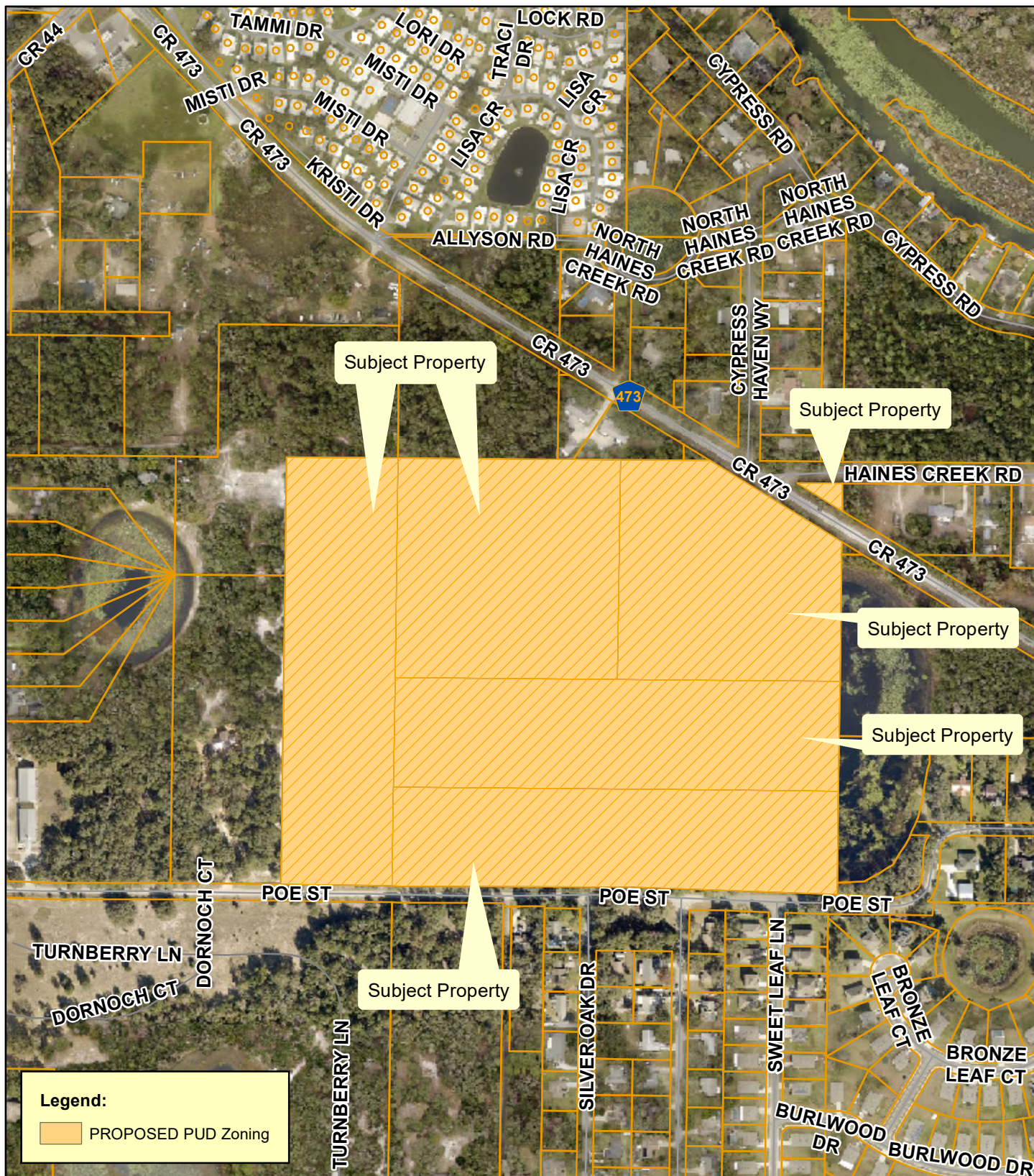


**Planning
& Zoning
Division**

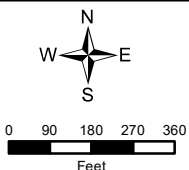


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 Section 02, Township 19 South, Range 25 East
 March 20, 2024

PROPOSED PLANNED UNIT DEVELOPMENT ZONING



**Planning
& Zoning
Division**

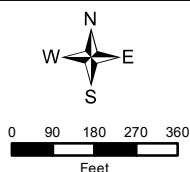


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March 20, 2024

Surrounding Land Use



**Planning
& Zoning
Division**



Caldwell Trust Property
 ANNX-24-86; SSCP-24-87; PUD-24-88
 AK#: 1388040, 1388309, 1388007, 1388112, 1779201
 Section 02, Township 19 South, Range 25 East
 March 20, 2024

POE ROAD SUBDIVISION



Close up of signs that were posted



Looking north into the western side of the subject property on Poe Street



Looking east along Poe Street



Looking south across the street from subject property on Poe Street



Looking west along Poe Street



Looking north into the eastern side of the subject property on Poe Street



Looking east along Poe Street



Looking across the street from subject property



Looking west along Poe Street



Looking southwest into the property on County Road 473



Looking northwest on County Road 473



Looking across the street on County Road 473



Looking southeast on County Road 473

Miscellaneous Accounts Receivable Customers With Unpaid Balances
Prepared by Finance
March 31, 2024

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Galbreath, Jean-Paul	Working with Police Dept	Security for Dec 2,2023	360.00
Jam Entertainment	Working with Police Dept	Security for Nov 18,2023	495.00
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
The Card Company	Working with Police Dept	Security for Dec 8,2023	180.00
			<u>1,786.99</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	1,150.59
			<u>1,150.59</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 12,718.08

001 FUND TOTAL	\$	1,786.99
013 FUND TOTAL	\$	4,568.00
041 FUND TOTAL	\$	1,150.59
042 FUND TOTAL	\$	4,596.00
046 FUND TOTAL	\$	616.50
	\$	<u><u>12,718.08</u></u>

Expected write offs as of March 31, 2024

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	40,391	2	79	936.08	391.60
January	51,778	2	108	3,201.68	467.10
February	79,343	11	89	373.72	595.67
March	26,916	3	78	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	\$ 284,226	25	528		
Prior Yr to Date	\$ 271,826	23	549		
difference - () negative	\$ (12,400)	(2)	21		

City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of March 1, 2024- March 31, 2024 or 50%

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>	34,278,368	20,141,509	59%	17,413,364	57%
<u>Special Revenue Fund</u>					
Housing Assistance	119,200	62,030	52%	71,354	67%
Debt Service Fund	1,720,523	1,720,523	100%	1,608,036	92%
Capital Projects Fund	7,546,147	2,267,043	30%	629,229	10%
Discretionary Sales Tax	3,105,000	1,368,741	44%	1,330,950	51%
Police Forfeiture Fund	-	2,693	0%	40,892	0%
Police Education Fund	-	2,277	0%	2,427	0%
Gas Tax	907,000	374,015	41%	369,671	46%
Police Impact Fees	-	168,171	0%	346,201	0%
Fire Impact Fees	-	48,831	0%	38,820	0%
Recreation Impact Fees	-	62,399	0%	62,501	0%
Building Fund	1,055,500	597,656	57%	516,740	48%
<u>Community Redevelopment Agencies</u>					
Greater Leesburg CRA fund	921,935	944,609	102%	753,560	100%
Carver Heights CRA fund	921,163	767,799	83%	668,416	102%
Highway 27/441 CRA fund	2,324,964	2,374,833	102%	1,828,764	100%
<u>Enterprise Funds</u>					
Stormwater Utility Fund	2,314,511	955,221	41%	884,437	46%
Electric Utility Fund	89,995,843	31,109,974	35%	38,947,162	41%
Gas Utility Fund	13,066,749	6,831,423	52%	6,230,810	63%
Water Utility Fund	11,424,054	5,786,204	51%	5,313,214	48%
Wastewater Utility Fund	16,651,523	8,583,394	52%	7,706,468	50%
Solid Waste Utility Fund	5,210,507	2,573,093	49%	2,471,190	50%
Airport Fund	9,341,376	1,029,547	11%	865,188	14%
<u>Internal Services Fund</u>					
Health Insurance Fund	7,975,656	3,449,227	43%	3,205,520	41%
Workers Comp Insurance Fund	1,256,311	716,576	57%	595,819	51%
Fleet Maintenance Fund	4,022,175	1,514,263	38%	1,548,513	41%
<u>Pension Trust Funds</u>					
Police Retirement Trust Fund	2,635,885	3,738,547	142%	2,822,710	127%
Fire Retirement Trust Fund	1,856,924	4,029,527	217%	2,631,415	153%
General Employees Trust Fund	3,190,000	5,581,771	175%	4,011,674	124%
Use of Fund Balance (Various funds)	72,649,874				
Total All Funds	294,491,188	106,801,896	48%	102,915,045	49%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of March 1, 2024- March 31, 2024 or 50%

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>	36,041,182	16,990,246	47%		15,444,257	47%
<u>Special Revenue Fund</u>						
Housing Assistance	143,021	59,955	42%		58,553	36%
Debt Service Fund	1,720,523	1,384,085	80%		1,358,258	78%
Capital Projects Fund	13,455,931	1,598,786	12%		639,106	5%
Discretionary Sales Tax	3,178,006	1,602,291	50%		160,667	6%
Police Forfeiture Fund	89,687	51,571	0%		-	0%
Police Education Fund	-	-	0%		6,915	198%
Gas Tax	997,000	527,773	53%		451,599	37%
Police Impact Fees	-	-	0%		29,920	15%
Fire Impact Fees	47,949	-	0%		2,940	6%
Recreation Impact Fees	-	-	0%		3,010	0%
Building Fund	1,833,626	806,777	44%		646,515	41%
<u>Community Redevelopment Agencies</u>						
Greater Leesburg CRA fund	1,092,298	693,713	64%		499,709	61%
Carver Heights CRA fund	1,055,776	125,386	12%		97,566	13%
Highway 27/441 CRA fund	2,466,200	155,634	6%		145,674	7%
<u>Enterprise Funds</u>						
Stormwater Utility Fund	3,373,500	702,512	21%		587,205	18%
Electric Utility Fund	90,002,163	31,500,632	35%		38,577,965	38%
Gas Utility Fund	14,699,112	4,936,925	34%		4,515,471	39%
Water Utility Fund	19,484,397	4,769,779	24%		4,508,786	25%
Wastewater Utility Fund	67,041,446	6,805,800	10%		6,563,605	10%
Solid Waste Utility Fund	5,210,507	2,603,982	50%		3,031,873	56%
Airport Fund	10,452,586	1,745,975	17%		1,467,738	21%
<u>Internal Services Fund</u>						
Health Insurance Fund	7,975,656	3,800,389	48%		2,934,638	38%
Workers Comp Insurance Fund	1,256,311	455,412	36%		605,014	52%
Fleet Maintenance Fund	5,191,502	1,699,080	33%		1,594,565	30%
<u>Pension Trust Funds</u>						
Police Retirement Trust Fund	2,635,885	754,211	29%		683,268	31%
Fire Retirement Trust Fund	1,856,924	766,026	41%		848,846	49%
General Employees Trust Fund	3,190,000	1,556,212	49%		1,637,491	51%
Total All Funds	294,491,188	86,093,152	29%		87,101,154	30%

**CITY OF LEESBURG
CASH AND INVESTMENTS BY FUND
3/31/2024**

		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	FUND	FUNDS GROUP
OPERATING CASH	\$86,132,907.53	\$18,357,741.48	\$11,134,352.89	\$ 774,440.17	\$ 123,793.19	\$8,414,010.20	\$ 5,862,716.98	\$ 6,315,521.65	\$ 17,868,019.80		\$ 1,258,884.32	\$4,414,441.85	\$4,776,624.27	\$ 1,433,541.60	\$ 5,398,819.13
RESTRICTED CASH															
CUSTOMER DEPOSITS	7,247,092.69					5,048,830.63	1,479,540.11	707,381.95	1,685.00		9,655.00				
RENEWL & REPLCMNT	16,297,358.56	1,147,640.57	19,540.25			(2,319,016.11)	751,392.46	5,079,750.27	10,100,347.41		850,000.00				667,703.71
BOND/NOTE SINKING FUND	26,012,827.20		491,925.87			1,970,463.90	65,814.66	567,405.26	22,917,217.51						
INFRASTRUCTURE DEVELOPMENT															
SIGN GRANT & HUD SHIP	507,644.00		507,644.00												
HWY 441/127 GRA - Restricted Surplus	600,000.00		600,000.00												
IMPACT FEES	6,364,870.24														
OTHER RESTRICTED CASH	11,287,189.35		75,028.61		11,011,387.74					2,334,182.91	4,030,687.33				
DEVELOPER CONTRIBUTIONS	412,771.92														
RATE STABILIZATION	3,791,104.00					407,642.52	5,129.40								
SUBTOTAL OF RESTRICTED CASH	72,520,857.96	1,147,640.57	1,694,138.73		11,011,387.74	8,699,024.94	2,301,876.63	8,688,720.39	37,049,937.25		859,655.00				667,703.71
TOTAL POOLED CASH	\$158,653,765.49	\$ 19,505,382.05	\$ 12,828,491.62	\$ 774,440.17	\$ 11,135,180.93	\$ 17,313,035.14	\$ 8,164,593.61	\$ 15,004,224.04	\$ 54,917,957.05	\$ -	\$ 2,118,539.32	\$ 4,414,441.85	\$ 4,776,624.27	\$ 1,433,541.60	\$ 6,066,522.84
NON-POOLED RESTRICTED CASH															
CASH WITH FISCAL AGENT	1,560,233.58			813,905.60				125,177.52	260,378.93	360,771.53					
DEPOSITORY TRUST ACCOUNT															
DEP-WELLS FARGO															
SUBTOTAL NON-POOLED CASH	1,560,233.58			813,905.60				125,177.52	260,378.93	360,771.53					
TOTAL POOLED CASH AND INVEST	\$160,213,999.07	\$19,505,382.05	\$ 12,828,491.62	\$1,588,345.77	\$11,135,180.93	\$17,313,035.14	\$8,289,771.13	\$15,264,620.97	\$55,278,728.58		\$2,118,539.32	\$4,414,441.85	\$4,776,624.27	\$1,433,541.60	\$6,066,522.84

INDIVIDUAL SPECIAL REVENUE FUNDS

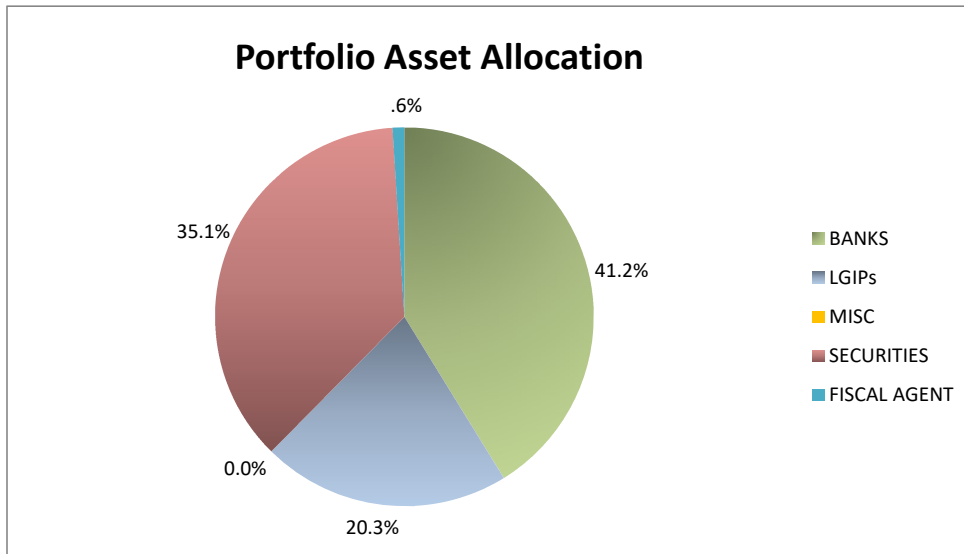
		SPECIAL REVENUE FUNDS TOTAL	HOUSING ASSISTANCE FUND	GREATER LEESBURG CRA FUND	CARVER HEIGHTS CRA FUND	HIGHWAY 441/27 CRA FUND	POLICE FORFEITURE FUND	POLICE EDUCATION FUND	DISCRETIONARY SALES TAX FUND	GAS TAX FUND	POLICE IMPACT FUND	FIRE IMPACT FUND	RECREATION IMPACT FUND
POOLED CASH & INVESTMENTS													
OPERATING CASH		\$ 11,134,352.89	\$ 195,072.53	\$ 546,622.30	\$ 945,003.73	\$ 5,010,095.78	\$ 130,016.93	\$ 1,998.12	\$ 2,042,986.77	\$ 146,891.91	\$ 1,336,906.08	\$ 298,933.35	\$ 479,825.39
RESTRICTED CASH													
	HUD SHIP PROGRAM & SHOUSE PROCEEDS	75,028.61	75,028.61										
	BOND/NOTE SINKING FUND	491,925.87		51,209.26		440,716.61							
	SIGN GRANT	507,644.00		70,950.00	319,724.00	116,970.00							
	R&R / OTHER RESTRICTED	19,540.25	19,540.25										
	CUSTOMER DEPOSITS	600,000.00				600,000.00							
SUBTOTAL OF RESTRICTED CASH		\$ 1,694,138.73	\$ 94,568.86	\$ 122,159.26	\$ 319,724.00	\$ 1,157,686.61	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL POOLED CASH		\$ 12,828,491.62	\$ 289,641.39	\$ 668,781.56	\$ 1,264,727.73	\$ 6,167,782.39	\$ 130,016.93	\$ 1,998.12	\$ 2,042,986.77	\$ 146,891.91	\$ 1,336,906.08	\$ 298,933.35	\$ 479,825.39
NON-POOLED RESTRICTED CASH													
	DEP-WELLS FARGO	\$ -											
SUBTOTAL NON-POOLED CASH		\$ -											
TOTAL POOLED CASH AND INVEST		\$ 12,828,491.62	\$ 289,641.39	\$ 668,781.56	\$ 1,264,727.73	\$ 6,167,782.39	\$ 130,016.93	\$ 1,998.12	\$ 2,042,986.77	\$ 146,891.91	\$ 1,336,906.08	\$ 298,933.35	\$ 479,825.39

- INTERNAL SERVICE FUNDS

	INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
POOLED CASH & INVESTMENTS					
OPERATING CASH	\$ 5,398,819.13	\$ 1,450,289.88	\$ 1,808,829.77	\$ -	\$ 2,139,699.48
RESTRICTED CASH	667,703.71				667,703.71
SUBTOTAL OF RESTRICTED CASH	\$ 667,703.71	\$ -	\$ -	\$ -	\$ 667,703.71
TOTAL POOLED CASH	\$ 6,066,522.84	\$ 1,450,289.88	\$ 1,808,829.77	\$ -	\$ 2,807,403.19
TOTAL POOLED CASH AND INVESTMENTS	\$ 6,066,522.84	\$ 1,450,289.88	\$ 1,808,829.77	\$ -	\$ 2,807,403.19

**CITY OF LEESBURG
INVESTMENT REPORT
3/31/2024**

DESCRIPTION	BALANCE 3/31/2024
BANK OPERATING AND SAVINGS ACCOUNTS	
Truist Bank - Disbursement	\$45,344,128
TD Bank - Savings	-
Southstate Bank - Savings	11,459
Southstate Bank - CD	2,088,736
JP Morgan - CD	5,212,917
Southstate Bank - CD	5,188,356
TD Bank - CD	4,000,000
Seaside Bank	4,233,790
	\$66,079,386
LOCAL GOVERNMENT INVESTMENT POOLS	
FLSAFE	8,427,341
FLCLASS	10,684,912
FLPRIME	14,818,009
	33,930,262
US BANK (Fiscal Agent)	1,560,234
CHANDLER ASSET MANAGEMENT (SECURITIES)	58,644,118
	58,644,118
TOTAL INVESTMENTS	160,213,999
MARKET ADJUSTMENT	(231,318)
TOTAL VALUE OF INVESTMENTS	<u><u>\$159,982,681</u></u>



Miscellaneous Accounts Receivable Customers With Unpaid Balances
Prepared by Finance
April 30, 2024

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Galbreath, Jean-Paul	Working with Police Dept	Security for Dec 2,2023	360.00
Jam Entertainment	Working with Police Dept	Security for Nov 18,2023	495.00
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
The Card Company	Working with Police Dept	Security for Dec 8,2023	180.00
			<u>1,786.99</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	1,000.00
			<u>1,000.00</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 12,567.49

001 FUND TOTAL	\$	1,786.99
013 FUND TOTAL	\$	4,568.00
041 FUND TOTAL	\$	1,000.00
042 FUND TOTAL	\$	4,596.00
046 FUND TOTAL	\$	616.50
	\$	<u>12,567.49</u>

Expected write offs as of April 30, 2024

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	40,391	2	79	936.08	391.60
January	51,778	2	108	3,201.68	467.10
February	79,343	11	89	373.72	595.67
March	26,916	3	78	977.69	555.57
April	21,640	2	59	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	\$ 305,865	27	587		
Prior Yr to Date	\$ 306,162	24	605		
difference - () negative	\$ 297	(3)	18		

City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of April 1, 2024- April 30, 2024 or 58%

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>	34,278,368	22,780,637	66%	19,412,648	63%
<u>Special Revenue Fund</u>					
Housing Assistance	119,200	71,656	60%	79,903	75%
Debt Service Fund	1,720,523	1,720,523	100%	1,608,036	92%
Capital Projects Fund	7,546,147	3,241,676	43%	644,916	10%
Discretionary Sales Tax	3,105,000	1,600,191	52%	1,559,181	60%
Police Forfeiture Fund	-	3,158	0%	41,075	0%
Police Education Fund	-	2,801	0%	3,062	0%
Gas Tax	907,000	458,187	51%	445,813	56%
Police Impact Fees	-	178,447	0%	395,319	0%
Fire Impact Fees	-	54,083	0%	44,543	0%
Recreation Impact Fees	-	71,167	0%	72,150	0%
Building Fund	1,055,500	659,211	62%	576,858	54%
<u>Community Redevelopment Agencies</u>					
Greater Leesburg CRA fund	921,935	947,209	103%	754,078	100%
Carver Heights CRA fund	921,163	773,049	84%	670,191	102%
Highway 27/441 CRA fund	2,324,964	2,396,915	103%	1,834,669	100%
<u>Enterprise Funds</u>					
Stormwater Utility Fund	2,314,511	1,120,955	48%	1,030,863	54%
Electric Utility Fund	89,995,843	36,662,790	41%	44,370,454	46%
Gas Utility Fund	13,066,749	7,496,003	57%	7,014,297	71%
Water Utility Fund	11,424,054	6,773,859	59%	6,366,513	58%
Wastewater Utility Fund	16,651,523	10,260,753	62%	9,093,596	59%
Solid Waste Utility Fund	5,210,507	3,013,038	58%	2,870,838	58%
Airport Fund	9,341,376	1,155,173	12%	1,015,761	17%
<u>Internal Services Fund</u>					
Health Insurance Fund	7,975,656	3,928,635	49%	4,109,297	53%
Workers Comp Insurance Fund	1,256,311	826,105	66%	681,806	59%
Fleet Maintenance Fund	4,022,175	1,839,619	46%	1,777,016	47%
<u>Pension Trust Funds</u>					
Police Retirement Trust Fund	2,635,885	2,900,041	110%	3,122,675	140%
Fire Retirement Trust Fund	1,856,924	3,372,717	182%	3,159,879	184%
General Employees Trust Fund	3,190,000	4,502,331	141%	3,995,627	123%
Use of Fund Balance (Various funds)	72,649,874				
Total All Funds	294,491,188	118,810,929	54%	116,751,064	55%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of April 1, 2024- April 30, 2024 or 58%

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>	36,041,182	20,489,460	57%		17,782,009	54%
<u>Special Revenue Fund</u>						
Housing Assistance	143,021	75,079	52%		72,848	45%
Debt Service Fund	1,720,523	1,604,625	93%		1,604,800	92%
Capital Projects Fund	13,455,931	2,002,064	15%		702,452	5%
Discretionary Sales Tax	3,178,006	1,723,521	54%		181,685	7%
Police Forfeiture Fund	89,687	51,571	0%		-	0%
Police Education Fund	-	-	0%		6,915	198%
Gas Tax	997,000	601,012	60%		451,599	37%
Police Impact Fees	-	-	0%		197,761	97%
Fire Impact Fees	47,949	-	0%		3,400	7%
Recreation Impact Fees	-	-	0%		3,470	0%
Building Fund	1,833,626	919,445	50%		745,802	47%
<u>Community Redevelopment Agencies</u>						
Greater Leesburg CRA fund	1,092,298	751,901	69%		505,230	62%
Carver Heights CRA fund	1,055,776	144,480	14%		125,853	17%
Highway 27/441 CRA fund	2,466,200	155,634	6%		145,674	7%
<u>Enterprise Funds</u>						
Stormwater Utility Fund	3,373,500	841,529	25%		710,364	22%
Electric Utility Fund	90,002,163	36,430,117	40%		43,695,675	43%
Gas Utility Fund	14,699,112	5,615,434	38%		5,202,180	44%
Water Utility Fund	19,484,397	5,466,430	28%		5,326,504	30%
Wastewater Utility Fund	67,041,446	7,895,004	12%		7,676,228	12%
Solid Waste Utility Fund	5,210,507	3,073,085	59%		3,454,777	63%
Airport Fund	10,452,586	1,976,045	19%		1,722,747	24%
<u>Internal Services Fund</u>						
Health Insurance Fund	7,975,656	4,385,134	55%		4,860,267	63%
Workers Comp Insurance Fund	1,256,311	504,878	40%		790,399	68%
Fleet Maintenance Fund	5,191,502	2,038,778	39%		1,838,648	34%
<u>Pension Trust Funds</u>						
Police Retirement Trust Fund	2,635,885	854,386	32%		779,284	35%
Fire Retirement Trust Fund	1,856,924	894,444	48%		977,951	57%
General Employees Trust Fund	3,190,000	1,818,010	57%		1,909,350	59%
Total All Funds	294,491,188	100,312,066	34%		101,473,872	35%

CITY OF LEESBURG
CASH AND INVESTMENTS BY FUND
4/30/2024

		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		\$87,606,017.84	\$17,642,084.73	\$11,150,235.90	\$ 656,007.82	\$ 404,619.90	\$9,891,891.02	\$ 6,227,118.20	\$ 6,652,496.38	\$ 17,834,205.20	\$ 1,246,851.17	\$4,207,441.74	\$4,893,297.29	\$ 1,372,496.75	\$ 5,427,271.74
RESTRICTED CASH	CUSTOMER DEPOSITS	7,232,539.33					5,048,830.63	1,464,986.75	707,381.95	1,685.00	9,655.00				
	RENEWL & REPLCMNT	16,254,918.41	1,147,640.57	15,035.99			(2,519,795.52)	771,392.46	5,211,914.78	10,110,959.15	850,000.00				667,770.98
	BOND/NOTE SINKING FUND	22,524,532.68		569,724.84			1,122,450.30	41,816.26	444,994.45	20,345,546.83					
	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	5,929,164.67							2,137,214.99	3,791,949.68					
	OTHER RESTRICTED CASH	11,175,517.47	250,000.00	75,204.84		10,649,539.63									
	DEVELOPER CONTRIBUTIONS	406,253.92					401,124.52	5,129.40							
	RATE STABILIZATION	3,602,315.00					3,602,315.00								
SUBTOTAL OF RESTRICTED CASH		68,232,885.48	1,397,640.57	1,767,609.67		10,649,539.63	7,654,924.93	2,283,324.87	8,501,506.17	34,250,140.66	859,655.00				667,770.98
TOTAL POOLED CASH		\$155,838,903.32	\$ 19,039,725.30	\$ 12,917,845.57	\$ 656,007.82	\$ 11,054,159.53	\$ 17,546,815.95	\$ 8,510,443.07	\$ 15,154,002.55	\$ 52,084,345.86	\$ -	\$ 2,106,506.17	\$ 4,207,441.74	\$ 4,893,297.29	\$ 6,095,042.72
NON-POOLED RESTRICTED CASH															
SUBTOTAL NON-POOLED CASH	CASH WITH FISCAL AGENT	1,273,268.47			676,814.89			100,039.99	208,090.75	288,322.84					
	DEPOSITORY TRUST ACCOUNT DEP-WELLS FARGO														
TOTAL POOLED CASH AND INVEST		\$157,112,171.79	\$19,039,725.30	\$ 12,917,845.57	\$ 1,332,822.71	\$11,054,159.53	\$17,546,815.95	\$8,610,483.06	\$15,362,093.30	\$52,372,668.70	\$2,106,506.17	\$4,207,441.74	\$4,893,297.29	\$1,372,496.75	\$6,095,042.72

INDIVIDUAL SPECIAL REVENUE FUNDS

POOLED CASH & INVESTMENTS		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
OPERATING CASH		\$ 11,150,235.90	\$ 196,342.25	\$ 478,583.58	\$ 930,863.94	\$ 4,959,721.40	\$ 130,503.19	\$ 2,522.49	\$ 2,153,545.02	\$ 157,848.79	\$ 1,347,398.57	\$ 304,234.40	\$ 488,672.27
RESTRICTED CASH	HUD SHIP PROGRAM & \$HOUSE PROCEEDS	75,204.84	75,204.84										
	BOND/NOTE SINKING FUND	569,724.84		55,553.23		514,171.61							
	SIGN GRANT	507,644.00		70,950.00	319,724.00	116,970.00							
	R&R / OTHER RESTRICTED	15,035.99	15,035.99										
	CUSTOMER DEPOSITS	600,000.00				600,000.00							
		\$ 1,767,609.67	\$ 90,240.83	\$ 126,503.23	\$ 319,724.00	\$ 1,231,141.61	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
SUBTOTAL OF RESTRICTED CASH		\$ 1,767,609.67	\$ 90,240.83	\$ 126,503.23	\$ 319,724.00	\$ 1,231,141.61	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL POOLED CASH		\$ 12,917,845.57	\$ 286,583.08	\$ 605,086.81	\$ 1,250,587.94	\$ 6,190,863.01	\$ 130,503.19	\$ 2,522.49	\$ 2,153,545.02	\$ 157,848.79	\$ 1,347,398.57	\$ 304,234.40	\$ 488,672.27
NON-POOLED RESTRICTED CASH													
SUBTOTAL NON-POOLED CASH		\$ -											
TOTAL POOLED CASH AND INVEST		\$ 12,917,845.57	\$ 286,583.08	\$ 605,086.81	\$ 1,250,587.94	\$ 6,190,863.01	\$ 130,503.19	\$ 2,522.49	\$ 2,153,545.02	\$ 157,848.79	\$ 1,347,398.57	\$ 304,234.40	\$ 488,672.27

INTERNAL SERVICE FUNDS

POOLED CASH & INVESTMENTS		INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
OPERATING CASH		\$ 5,427,271.74	\$ 1,347,965.00	\$ 1,870,788.89	\$ -	\$ 2,208,517.85
RESTRICTED CASH		667,770.98				667,770.98
SUBTOTAL OF RESTRICTED CASH		\$ 667,770.98	\$ -	\$ -	\$ -	\$ 667,770.98
TOTAL POOLED CASH		\$ 6,095,042.72	\$ 1,347,965.00	\$ 1,870,788.89	\$ -	\$ 2,876,288.83
TOTAL POOLED CASH AND INVESTMENTS		\$ 6,095,042.72	\$ 1,347,965.00	\$ 1,870,788.89	\$ -	\$ 2,876,288.83

**CITY OF LEESBURG
INVESTMENT REPORT
4/30/2024**

DESCRIPTION	BALANCE 4/30/2024
BANK OPERATING AND SAVINGS ACCOUNTS	
Truist Bank - Disbursement	\$46,233,585
TD Bank - Savings	-
Southstate Bank - Savings	11,460
Southstate Bank - CD	2,088,736
JP Morgan - CD	5,212,917
Southstate Bank - CD	5,188,356
TD Bank - CD	0
Seaside Bank	4,251,607
	\$62,986,661
LOCAL GOVERNMENT INVESTMENT POOLS	
FLSAFE	8,464,410
FLCLASS	10,732,192
FLPRIME	14,885,252
	34,081,854
US BANK (Fiscal Agent)	1,273,268
CHANDLER ASSET MANAGEMENT (SECURITIES)	58,770,388
	58,770,388
TOTAL INVESTMENTS	157,112,172
MARKET ADJUSTMENT	(270,736)
TOTAL VALUE OF INVESTMENTS	<u><u>\$156,841,436</u></u>

