AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, APRIL 28, 2025 5:30 PM

1. CALL TO ORDER

INVOCATION

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

2. PROCLAMATIONS:

A. Child Abuse Prevention Month

B. Leesburg High School Boys Weightlifting State Championship

C. Municipal Clerks Week

3. PRESENTATIONS:

A. County Commissioner, Timothy Morris, District Five - Introduction

4. PUBLIC COMMENTS:
This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Please note that issues raised during this time will not be discussed in detail during the current meeting. They will either be referred to the appropriate staff or scheduled for consideration at a future City Commission Meeting. Each speaker is allocated three minutes to provide their comments. Kindly adhere to this time limit to ensure equal opportunity for all participants and to support the efficient conduct of the meeting. Thank you!

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

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held April 14, 2025

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC, regarding natural gas service to the development known as Banning Ranch – Phase 3A; and providing an effective date.

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC, regarding natural gas service to the development known as Banning Ranch – Phase 3B; and providing an effective date.

3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and 48 Land Group LLC, regarding natural gas service to the development known as Blake's Ridge; and providing an effective date.

4. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement affecting the property described therein from Integra Isles LP, joined by Dwight Capital LLC; and providing an effective date.

5. Resolution of the City Commission of the City of Leesburg, Florida Establishing a rent increase for the Mispah Simmons Apartment Complex; and providing an effective date.

6. Resolution of the City Commission of the City of Leesburg, Florida, expressing strong opposition for House Bill 1221 related to the use of Local Option Taxes, including Tourist Development Taxes and Discretionary Sale Surtax; 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, annexing certain real property consisting of approximately 1.22 +/- acres; and being generally located east of U.S. Highway 27 and south of Howard Road, lying in Section 2, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Two Boats Investments 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 1.22 +/- acres from Lake County Urban Low to City of Leesburg General Commercial, for a property generally located east of U.S. Highway 27 and south of Howard Road, lying in Section 02, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Two Boats Investments SSCP)**

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 1.22 +/- acres from Lake County C-1 (Neighborhood Commercial) to City of Leesburg C-3 (Highway Commercial) to allow for office and warehouse uses, for a property generally located east of U.S. Highway 27 and south of Howard Road, lying in Section 02, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Two Boats Investments RZ)**

4. **An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay) to the existing R-1-A (Single Family Residential) Zoning on approximately 16.22 +/- acres to allow for agricultural uses for a property generally located east of Number Two Road and south of County Road 48, lying in Section 17, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Number Two Road Agriculture PDO)**

B. FIRST READING OF ORDINANCES:

1. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 37.48 +/- acres; and being generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, 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. (Old Mill Subdivision 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 real property consisting of approximately 37.48 +/- acres; and being generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Old Mill Subdivision SSCP)

3. An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 37.48 +/- acres from Lake County A (Agriculture) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for 32 townhomes and 110 single-family homes, for a property generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Old Mill Subdivision PUD)

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 February 2025

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

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

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

AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, APRIL 14, 2025 5:30 PM

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, April 14, 2025, at the Venetian Center. Mayor Reisman called the meeting to order at 5:30 p.m. with the following members present:

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

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

INVOCATION

Mayor Reisman gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

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

2. PRESENTATION:

A. Presentation of the Florida Department of Environmental Protection's 2024 Plant Operations Excellence Award for the Highland Lakes Water Treatment Plant

Mayor Reisman presented Public Works Director (PWD), Cliff Kelsey, and Chief Water Operator (CWO), Al Purvis, with a plaque for the Florida Department of Environmental Protections 2024 Plant Operations Excellence Award for the Highland Lakes Water Treatment Plant. **CWO Purvis** said he was the blessed guy who got to accept the award, but it is his staff that really makes it happen. He congratulated and thanked them for all their hard work.

3. SPECIAL MATTERS:

A. Presentation: Growth Data by City Manager

CM Minner started out by explaining this would be the prime topic of the evening. It is a request for a

temporary suspension of annexations. He has spoken to a number of staff members along with various other folks. However, the agenda packets were disseminated Wednesday afternoon and his office's recommendation to the commission was to vote against the suspension of residential annexations and rezoning. This presentation will provide backup for that recommendation. He wanted to highlight a few reasons for that. First, this policy would be bad for our economic development efforts. While there is a considerable amount of growth, the feedback from folks that we work and recruit with, whether it is industry or commercial, they look for movement and advancement of development issues and, overall, the broad spectrum of putting out a suspension of annexations or a statement that is opposed to growth does not help recruit industry, jobs or commercial to the city.

Secondly, and perhaps we should use the word "legal" loosely, which could be due to some criticism, but the intent of the resolution, while everybody understands it, at the end of the day, it will not have the effect that everybody wants from it. Whether it is a moratorium, which does have some legal issues, but the wording in the resolution is suspension and our city attorney would point out quickly that ours is a suspension and not a moratorium. If we were going to split legal hairs, that is where we would come into issues on the moratorium. A moratorium/suspension time span sets a bad precedent no matter what side of the equation you are on. If you work in the development sector, you will be upset because you see an area for capital expansion and the natural economy is moving forward. If you are an opponent of growth, you will walk out with the anticipation that growth is controlled. There will be a time to do things, but in reality, that does not happen. There are a number of things that go into growth and none of which is controlled by the city. The schools are one, and roads are another. There are a number of other things that go into how we manage growth and a simple suspension by the city would not be one of them. A big omission would be water, because water is a significant issue and there are a number of things associated with water that are outside the city's control. Later in the presentation he would touch on that along with how far we can get with water. The next thing he hopes the presentation shows, at least from a city manager's perspective, is that we work with other agencies. We have a number of people here in the city who are professionals, who put pride into their work and their recommendations. However, most of the time, we see recommendations made by the planning and zoning department that favor annexations for one reason or another. Whether folks agree with the planning and zoning departments on the issue of growth, what we do see from the planning side is that city staff have done everything they can to provide good policy and to manage growth in the best way possible.

Moving to the growth data slide, the first thing he wanted to point out was that a planned unit development (PUD) is not a development order. When we approved Whispering Hills, we approved 1,700 homes. It approved an “x” number of acres to change from a rural protection area (RPA) in the county to a PUD in the city. That did not give "carte blanche" development approval to that development. A PUD is a planning tool, and that is another reason for not stopping annexations. If we stop annexations, we will stop planning.

Referring to the slide, he pointed out the little bubbles on the city's development map which represent the approved PUDs. The development map is used as a tool because it shows what we are planning to bring in. However, the magic question is how fast and when they will come. One of the biggest things he wanted to stress about a PUD is that it is not a development order. A PUD does not entitle a developer to just build homes. There are two sections in a PUD that cover transportation and the level of service. In those sections it basically says before you build you have to get approval from other governmental agencies. Developers are also required to go to the county and the state because they have to have their government approvals. Most of our PUDs do not connect to Leesburg roads, they connect to urban collectors, which are state or county roads. Internal neighborhood roads would be city roads and our PUDs do spell that out. When developers receive their signed approved PUD, it states right in the PUD that they cannot develop because they are required to go talk to other agencies. That allows us to better

plan for the roads. Also, the level of service paragraph is super important because in that paragraph it says this is not a development order. A PUD does not give the developer the right to build because they have to go through a system, and that system is spelled out in the city's code of ordinances, Chapter 25, Article 9. It is in the zoning section, and it is called concurrency. That section of code talks about all the things that have to be done in order to move from a PUD to a development order. He wanted to point that out to hopefully dispel any misconceptions about PUDs, because PUDs are not a development order. They are just a planning tool.

Referring to another slide, he showed the number of approved units. However, on the slide he purposely left out the northwest section of Leesburg. He noted that the northwest section of Leesburg is listed on the development map. He knows the city has received complaints about the Northwest section of Leesburg, but that area covers the US Highway 441 Silver Lake corridor, and it also includes Treasure Trove and Liberty Park. Currently, we have 39,803 approved residential units and of those units 14,185 are The Villages. So, about 35% of the PUDs are The Villages and 25,638 units, which is about 64%, are non-villages. He would speculate from conversations and editorials along with some different articles that some of the major concerns were that Leesburg annexed the rural protection areas of the county. The city did that in two areas, but remember that was done with the approval and consent of the county. Back in 2013, we entered into three agreements. The first agreement in 2013 was the Interlocal Service Boundary Agreement (ISBA). Referring to the slide, he said the green-colored area represents Leesburg's area in the interlocal service boundary agreement. The blue color represents Howey-in-the-Hills, the orange color represents Mascotte and the yellow color represents Groveland. There are four areas where all the cities meet around Dewey Robbins Road and US 27. That is where all the ISBAs interconnect. Those ISBAs were approved by the county in 2013. In that 2013 document, non-contiguous annexations were contemplated, but it specced out different levels of what we can and cannot annex with or without the county's approval. Exhibits were provided in the ISBA, and they specced out areas where the county pre-approved non-contiguous annexations and where the county disagreed with non-contiguous annexations. The lighter colored areas represent the inclusive ISBA area and the darker colored areas represent what has been annexed. The black line outlines the rural protection area (RPA), which is also known as the Yalaha/Apopka RPA. So, yes, the city did annex 4,300 units from the Yalaha/Apopka RPA. We did annex into the approved area with the county's understanding in 2013. So, about 11% of the approved PUDs are from that RPA. We also took in some property outside the RPA and the ISBA in the Orange Bend area. Orange Bend is the very northwest portion of the city, and that area was not included on that map. However, in that area, we went back to the county around 2014, and received approval from the county to annex the Esmeralda RPA. The county approved that annexation as well. So, everywhere we have annexed in the RPA, we also received the county's approval. The second thing we did which is important with the ISBAs is that, in 2014, Lake County and Leesburg, even though Lake County did not do this with all the cities, maybe some of them, but with Leesburg specifically, they gave us a "carte blanche" annexation to anywhere inside our ISBA. That was done in exchange for our services. In exchange for providing fire services, Leesburg was permitted to annex anywhere in that box. That agreement was made around the 2013/2014 timeframe. Those annexations did come later, and he has another graph that refers to that, but remember during that timeframe, the economic and political climate was significantly different. Those issues were reviewed, talked about, and contemplated. So, Leesburg is not out here just annexing all kinds of stuff like a cowboy.

Moving to another slide, he said that he had heard comments about Leesburg not having a growth plan. That we have all this crazy growth, yet we have not done anything and that is not true. He provided ten bullet points that depict what the city has done to manage all the growth that has been put upon us in both paper and planning form. Those two items deal with sewer and water. First, we did the wastewater plant expansion at the Turnpike plant. Several years ago, the Turnpike plant only handled 3 MGD, which MGD means a million gallons per day. We process a certain amount of wastewater every day and of the

3 MGD we hang out now around 2.5 to 2.75 MGD. The biggest taker of our capacity at this stage is The Villages. We contracted with The Villages, and sold them a capacity in our plant. That was done around 2017 and 2018. We sold The Villages 3 MGD of capacity when the plant was rated at 3, and we only had 1 MGD in use. So, at that time, we oversold capacity, but we immediately started putting on an expansion to the plant where we went from the 3 MGD to 4.5 MGD. At that time, we also talked about whether we needed to expand the Turnpike plant more, but at that time, we decided not to expand because we did not see the volume of the PUDs and the volume of requests that would come. Since then, we changed our tune, and we have gone back to expand the plant a second time. So, effective June 2025, our $40 million Turnpike plant expansion project will be completed, and it will handle a significant amount of capacity. However, it would not be able to handle the capacity of 40,000 units. To plan for 40,000 units and to grow in a short period of time, he would suggest, is unreasonable. Effective June 2025, we will have 1.8 MGD of capacity in the sewer plant at the Turnpike. The northwest side of Leesburg will flow into the Canal plant. We do have capacity for that growth, and we are also in the early stages of planning where to spend some state grant revenues to expand that plant. When breaking the math down, he highlighted some numbers on that chart because this is where we can argue about whether it is too high, too low, or too fast. However, it is anybody's guess. In Leesburg, on the budget side, over the past decade, we have gotten really adept at budgeting our expenses. We are extremely conservative, and we budget revenues extremely conservatively. He has actually been ridiculed by commissioners in the past, in a nice way, for projecting revenues that are too small, which eliminates expenditures. So, we really like to miss low on the revenue side, and we like to miss even lower on the expenditure side. In government, we see some of the inverse of that will. We will overstate revenues to squeeze in special projects. However, back to growth numbers. The numbers highlighted are dictated by how much we are using, and the numbers do vary. So, for planning purposes, we estimate a typical household uses 250 gallons a month. So, 250 gallons of wastewater out and 250 gallons a day of wastewater in for single-family residents. Some places were high, and some places were low, and that is why he said that number is a little bit of a bubble, because some of the newer PUDs have different requirements for yard irrigation. We have different issues with reuse, so that 250 is probably a little high, but in some places it is low. Overall, we could argue about what that number should look like, but 250 is a good budget number. If we divide 250 gallons into units and divide that by the capacity number, we get about 7,200 units of capacity that can go into the Turnpike plant. If they divide that by what we are doing (not including The Villages, because The Villages are basically a standalone), we have been getting about 30 units and our average growth has been 33 units a month. That is the formulaic approach. If we put all the numbers together, we have roughly eighteen years of sewer capacity growing at 33 units a month, and we can discharge 250 gallons a month. That can be arguable either way, high or low, but it is a good planning number.

It is the same thing on the waterside. We have a consumptive use permit (CUP). We have several consumptive use permits, but we have two standalone operations. We have the Plantation, and for those who live in the Plantation, they have their own water system that the City of Leesburg manages. They also have their own consumptive use permit, which means they are outside the 9 MGD that we are talking about. They are pretty much set. In fact, the award that Chief Water Operator, Al Purvis, received included this development. So, things are going pretty well in Plantation as far as consumption and delivery. Now, the rest of the city is the 9 MGD and how much of the 9 MGD is left? Our average flow is 7 MGD and when we throw out the numbers, remember this is a 12-month average from the St John's Water Management District. That number can break high, and it can go low, but as long as, at the end of the year, we are at the average, then we operate within our allowable take from the aquifer and ours is 7 MGD. We have not exceeded that greatly and that is about where we hang out. Again, same math: 250 gallons a day, divided by 2 MGD and 8,000 units divided by 33. So, if we grow at 33 units a month, we will have enough water for another twenty years. However, those are way out numbers, but the important numbers, and when it came down to growth, he would leave it at this because the water discussion is

extremely complex. On the waterside of the equation, what the folks of the City of Leesburg need to know is that City of Leesburg staff along with our contract engineer, Dewberry, went to the district last year to try and increase our CUP from 9 MGD to 15 MGD. We used all sorts of documentation that included the development map, but long story short, the district told us no. They would not expand our CUP because we have not demonstrated the need. That was their response. Whether we agree with it or not, that is what the district said. The second thing the district said was come back to us when you have hit your capacity or in 2030, when the CUP expires. That is why we put that date out there, because from 2025 to 2030 we are going to see and experience a lot of different things that affect growth and that will really come from the district's water. However, with growth, water really is the issue more than anything else. So, with bullet points one and two, the point was to demonstrate that the City of Leesburg has successfully gotten us to the 2030 to 2035 timeframe. We have a decade of water and sewer planning that is pretty reasonable. We did that with limited bond issues, and we did that without significantly increasing the water and sewer rates. We still remain one of the highest quality providers from a weight and from a delivery standpoint in that municipal service.

The next thing we did was to make an agreement with NVR homes. NVR Homes is specced out because of BarKey and Blue Cedar, which are the furthest south major PUDs, and they are now under construction. However, BarKey is the big one. So, NVR Homes was the developer of the BarKey subdivision, and we entered into a bypass sewer agreement with them. So, ostensibly, that means NVR Homes is responsible for building the sewer interceptor and that will be constructed along US 27 across from the Duke transmission easement. It will run up CR 33 to the Turnpike Plant. That is the major interceptor that will serve most of the subdivisions and PUDs that are being developed in South Leesburg off US 27. On the CR 33 side, those developers will be required to build a trunk line up CR 33 to connect to where this interceptor would intersect them, which is roughly the Okahumpka intersection of CR 470, CR 33 and CR 48. So, bullet points one, two and three demonstrate that we have our water and sewer issues specced out. On the northwest side of the community, we have the same issues with pioneering agreements. We have been able to secure paths to get water out and collect sewer in. With the gas services agreements, one thing that Leesburg is unique about, is that we do require subdivisions that come into Leesburg to be gas-reliant on appliances. We have all our gas service agreements for that.

The next issue deals with the modifications that we have done for PUDs; the landscaping, lighting and other different types of things for architectural designs. He would argue that our PUDs are very comprehensive in all the things they do. So, before anyone says Leesburg does not plan, he would encourage them to read the PUDs, because they are more comprehensive than county PUDs. He would also point out that they would read the Drake PUD from the county and compare the Drake PUD to the Mount Dora North and South PUDs, compare those to our typical PUD, and they would see that the county matriculates in PUD language closer to Leesburg. Plus, we updated our comprehensive plan this year, which is significant. One of the things that we did in the comprehensive plan was to protect Sunnyside. One of the primary reasons that we protected Sunnyside was because Sunnyside is one of the only areas in Leesburg that is the least connected. Most of the subdivisions in Leesburg are connected to a major intersection. Tara Oaks, in one fashion or another, is connected to a major collector of the county. That is not saying that we do not have county road impacts, but that says we are connected to major collectors of the county that include CR 48, CR 33, and US Highway 441. It would be those types of roads.

We have also done a tremendous number of infill projects, and this probably goes unspoken, but we have heard that municipalities need to look at other tools in the toolbox to encourage development. He would say that Leesburg has done that. We did it through the home grant program, where we encourage redevelopment in blighted areas, and we have given money. We also do the facade, sign and landscape (FSL) program. He would also point out the Lee School subdivision because the Lee School property has

been a blighted area in the city, and we have done a number of things to encourage a major high-density PUD in infill areas. When we have opportunities to look at infill, he would argue that we are taking those opportunities.

Our electric services are an interesting subject to talk about because he would argue that most of our electric service extensions have been in areas not in Leesburg. They have been in the Fruitland Park area more along the CR 466 corridor. We started some electric extensions in the Silver Lake area, but half of those PUDs are in Duke territory. Whereas in the south, most of those PUDs are in SECO territory. Our electric utility has managed growth, and we will be talking about electric utilities agnosium during the upcoming budget season. He sees more of the issues with the electric utility being associated with inflation and the cost of fuel versus growth. In the electric department, while growth is keeping us busy in the Fruitland Park and Silver Lake areas, he would state that he has lost sleep at night over fuel issues and inflation before growth, because the electric utilities have done a fabulous job managing growth.

Last, he wanted to point to this fiscal year's budget because we brought in three million new dollars, and we have spent that new growth income on two major things; the expansion of public safety services and keeping electricity rates down. That covered a snapshot of Leesburg's growth plan.

Moving to the next slide, he said we cannot talk about growth without roads because roads are multi-jurisdictional. That is where communication with the county and state comes into play for how we are going to tackle these types of things. Referring to the two maps, he said the one on the right is the long-range plan and the one on the left is the short-range plan from the MPO, which the county and the city are a part of. What we see mostly are improvements being done in South Lake County. The map on the right is the best one because it shows the little red cross, which is the famous Dixie intersection. That intersection continues to be a failing intersection. That intersection has been a failing since it was constructed. Then, of course, the US Highway 441 widening project, which has been on the county books for a long time. The city has intervened, and we were actually the ones who stopped that expansion project when FDOT was ready to do it, and now it is back on the books. However, it continually makes the five-year plan, but it is the one street that continually gets pushed back. It is really important to point out that for both these roads, the government entities have to unfortunately plan in the rear, because the agencies require these to be paid by impact fees. Taking a look at Lake County, we used to have four transportation districts. Now, the county and the city both collect that money, but the city passes that money on to the county and the county plans and spends that money accordingly. However, impact fees in the past were coordinated over five districts and there were five different levels of impact fees. When the county increased the impact fees, which was a very good move, all the districts were equaled in terms of what they pay except for The Villages, where the county created its own impact fee. That was an interesting move and the right one. He was sure that was not a popular statement, but he could not stand before them and say The Villages did not have an impact on the roads, because they certainly did. However, transportation planners look at where the major impacts are and the map on the right reflects that The Village's primary impact is on the Turnpike. That is the major collector, because pretty much all transportation engineers work with The Villages. The villages' multimodal form of transportation with their golf carts does remove an impact off the roads. That does not mean there is no impact; it just means they take an impact off of the roads. Most governmental agencies have seen that impact and the county carving The Villages out and giving them their own special impact fee reflects that. Continuing, he said there has been a lot of conversation with regard to the roads in various PUDs, especially the ones near the famous Okahumpka intersection. He pointed out that the intersection is now in the county's plan to improve. When they spoke with county staff, they said they were looking at the 2026 to 2027 timeframe for those intersection improvements to be made. That was the information provided by county staff. He showed a rendering of the proposed improvements.

Moving to the next slide, he said he wanted to talk about growth because there has been a lot of talk countywide about who is growing the most, and where and when it is happening and occurring. So, how fast are cities growing? He would say that individually we are growing slower than the county. However, collectively, the cities together are growing faster than the county. When looking at the numbers, growth is not isolated to Lake County, it is in the incorporated areas or the cities. Growth is happening throughout Lake County. Referring to the chart, he said he went back ten years because that seemed to be the best measure of growth that shows the actual tax growth for the governmental entity. Growth is based on taxable values for the jurisdiction. He wanted to measure it going from 2015, which is the last decade. Over the last ten years, we have seen growth and, over the last ten years, we have been hanging out around 40% of the county. However, cities are now about 57% of the county.

Referring to another slide, he wanted to show the data from the Lake County Board of Education. The reason it came from the Lake County Board of Education is that the board of education is extremely interested in everybody's educational impact fees. We pay an impact fee in Leesburg, and the average impact fee for a typical 1,500-square-foot home is about $15,000. Of that impact fee, about $9,000 of it goes to the school board. The school boards get the lion's share of the impact fees and that is pretty typical for every political subdivision, also known as a county and the state. They have a vested interest in ensuring and cross-checking how much impact fee money they have collected and where it has been collected. So, they go back to the county and the unincorporated building departments to measure what has been collected versus building permits issued. The chart measured two things; on the left side that column measured annual permits issued, and the colored bars represented permits issued. In Lake County, over the last three years, they have run somewhere between 1,300 being their low and 2,000 being their high.

Now, for Leesburg, and why we jumped so far ahead in this chart, that was completely related to The Villages' development. Most of Leesburg's growth is completely related to the building permits that were issued to The Villages. When we include The Villages, we have to remember The Villages built about 3,200 units during the last year. He also had another chart which brought that number down. However, with The Villages, we could not ignore that growth, but we also had to measure it with what the economy is, and the difference between The Villages and typical growth is that The Villages have a captured market of a specific demographic, which is typically higher-income people. They typically buy a higher value, and they typically have more cash. They typically work the way you want to see the government work. They have cash on hand, so they typically go out and start putting infrastructure in because they know they control what growth is coming in behind them. However, in government, we do not have that option, and, unfortunately, in government, what you see is what we see. An extreme example of that is the subdivision that is half done or never gets built. That is what the government deals with. On a county level, and on an unincorporated level, we deal with speculation and what is fueling the fire. In his opinion, the bubble of growth comes from Orlando through Clermont and Groveland. They are still the fastest growers in the county. However, that growth is now upon us, hence the number of PUDs we have on the books. If we take The Villages out of the chart and go to the next big circle, that shows typical growth and that shows the City of Leesburg is approving less than 500 units a year. Now, with the chart on the left, we have units per year and the red line represents the average number of units a month. That average with non-village growth is 33 units. That is the big question he would pose, because when does that 33-unit number start to look like a village number? The Villages number is between 250 and 300 units a month. Where an average contractor cannot crank out that many houses. However, he would argue that this was atypical growth for Leesburg. In our history, and during our fastest data years, we may have hit 88 to 90 units in a three-month period. Then we would fall off. That has been history since he was here. Our history was probably even slower than that before his arrival. Over the last decade, statistics show 33 units. If they were to ask him where he saw those numbers going in the future, he would say we could sustain them at 50 to 75. If we take that number and plug it into the equation, that

number still gets us to 2030. So, he would respond by saying what we have on the books versus what we are planning is planned through 2035, so that is an important chart.

The next chart shows how we shifted the numbers over the years. The figures and information for this chart came from the property appraiser's office. However, he took some complex numbers and put them into a snapshot picture to make it more understandable. Once a building permit has been issued, a house has been built and someone lives in it. That is when the government starts collecting revenue. Now, how do we measure that? We measure it by what the total taxable value growth is from year to year. This chart shows a decade of annual growth, and he also put a caveat in it for every municipal corporation, including Lake County, for the past decade as long as its total taxable value was over a billion dollars. The reason he put that caveat in there was because we have a couple of slow growers and a couple of really superfast growers, like Fruitland Park, where they grow between 50-75% in one year. However, they still have a relatively small growth number without The Villages. This chart showed the bigger growers, and most of the growth that we all feel did not come from Fruitland Park. In the middle of the chart there is a black line which represents the county. The county's assessed value reflects all the cities combined. So, Lake County from 2015 to 2024 showed steady growth. However, 2015 showed some significant numbers because 2015 was when the economy actually started growing again after the recession from 2008 to 2010. From 2008 to 2010, assessed values dropped like a rock across the State of Florida. That was when we saw a 30% decrease and from 2013 to 2014 we started coming out of it. That was important to mention because that was when the ISBAs were made. Now, if we look at who the fast growers were back in 2015, it shows Groveland, Clermont, Minneola, and Lady Lake. However, with Lady Lake he would argue that it was due to The Villages' growth, because in the chart we see that Lady Lake stabilized. Looking at the slow growers, the number one slow grower in Lake County in 2015 was Leesburg, and in 2015 we had a 3% increase, which was the city's first positive increase in taxable value since 2008. That was a significant year because that was when we saw that first growth coming out of the recession. Looking at the red line you can see it slowly growing. Now, fast-forwarding through the chart, we see the one big yellow blip that represents Fruitland Park in 2017, and again that was when The Villages of Fruitland Park was built, and that included 2,500 units. Fruitland Park peaked with 50% growth between 2016 and 2018. However, that number falls off and stabilizes. So, if we take The Villages out of the matrix, who were the biggest growers in Lake County in 2024, those were Minneola, Groveland, and Clermont. So, taking The Villages out of the equation for Leesburg, our numbers have pretty much remained the same over the past ten years. Most of the growth that has occurred has been in South Lake County versus Leesburg, less The Villages. If we cut The Villages out of our growth equation, he would capitulate that this is an estimate, but the dotted red line near the end of the chart represents an extrapolation of taking The Villages' taxable value out of Leesburg's 2023 and 2024 rolls and that is about $750 million. This year, in 2024, the Leesburg taxable value was about $3.3 billion. It was up almost a billion dollars in one year, but most of that was accountable to The Villages. They could do the math on the 3,200 units at about $400,000 taxable value per year, which is where we get those numbers. We looked at the sales numbers, so these numbers are not made up because there is some validity behind the numbers. If we take that out, we see where Leesburg is and that is represented by the dotted line. So, the slow growers in Lake County would be Eustis, Mount Dora, Lady Lake, and Leesburg without the The Villages. Some of the issues that we see in growth are the massive PUDs that the city has approved, but again, that is not a development order. Plus, there is growth all around us. He did not think we could singularly sit back and say that the intersection at Dixie Avenue was because of all the Leesburg PUDs on the books. They cannot sit at the Okahumpka intersection and say that is because of all the PUDs on the city's books. Transportation is a collective network and Leesburg has a history of being a mecca of employment and of commerce. It is not just residential growth in Leesburg. It is also due to the success of Groveland, because we can underscore the success that the feed park has had that the county worked with Groveland on. That has had an impact on our economy, and while we cannot argue that success and its taxable value increase with job creation and the service economy that has been

created. We cannot argue that traffic has had an impact on our roads. It is not just residential growth, it is all the growth in Lake County that has affected our roads.

Moving to the last slide, he said there was a perception that city growth is hurting the county and that city growth is burdening county roads and county services. However, he would argue that, and quite frankly, he would argue the inverse. He would argue that the city's tax dollars subsidize county services and that can be proven because, remember, everybody in the county pays property taxes to the county. They have a little over five million dollars in general fund ad Valorem taxes that they levy. They also levy some MSTUs, but for general fund purposes they levy a little over five million dollars of property taxes and everybody in Lake County has to pay that. Whether you live in an incorporated area or an unincorporated area, you have to pay the county property ad Valorem taxes. Now, if you live in an unincorporated area, you do not pay a municipal property tax. You may pay an MSTU, which is a municipal service taxing unit. In any case, you may or may not pay an MSTU. So, where do these services go? First, this data came from the FY 25 budget of the county, and we tried to break it down. Leesburg's population is 33,344, and that is pretty much the latest number. Lake County's population from the county budget is 433,331. If we divide the two, Leesburg is 7.69% of the county. Jumping down to the big chart, collectively, all the cities pay 57% of the county's ad Valorem taxes. We pay 57% of the ad Valorem taxes. The county's general fund budget is $316 million and that $316 million budget in the county is paid for in two ways; property taxes and all other taxes. All the other taxes are a really long list, but they include shared revenues just as the city gets from the state. It includes fines and forfeitures and everything else. So, of that budget, their amount of $316 million, and about $206 million comes from property taxes. That means of the $206 million the county brings in, about 57% of that comes from cities. They cannot deny that. The next thing, in a fair proration, if the population of the unincorporated area is 54%, if we add up all the city populations, then divide that by the populations which that data was provided in the county's FY 25 budget. The cities cooperatively or totally make up 50% of all other general fund revenue for the county. If they massage those numbers together, the cities make up 56% of the county's budget.

Now, looking at the chart, it shows all the general services that are provided by the county to county residents. This is where it is a little bit of a mixed bag, but this mixed bag is in the county's favor, because it indicates that there is less of a subsidy than there actually is. However, that is probably up for debate, but he basically did a straight line test three ways. There are certain services that cities do not receive. We do not receive planning and zoning services, and there are a couple of other ones that we do not receive. However, there are some that we do receive, such as the tax collector, and we all share in the tax collector. So, we took that as a straight line value. If we receive it, the chart will say 100%, but if it is 100%, it is really only 56%, because unincorporated folks have to pay for that service too. Then there is another one in the county budget that is called tax increment financing where the county shares their tax increments for CRAs, which are across the county and that number is special because in their budget the transfer increment payments are that number, so the county pays out about $12.9 million dollars to all cities for their CRAs. We assume all of that so that number is in there. However, at the end of the day, the city subsidizes the county to the tune of about $50.6 million. So, $50.6 million and 57% of the ad Valorem taxes are brought in by cities. So, when new growth comes in to the county, they receive a good chunk of that revenue. This is not revenue that just goes to cities. That concludes his presentation.

From the audience, former city commissioner, **Elise Dennison,** asked if that money ever comes back to the city from the county. **CM Minner** answered that he left that part of the presentation out on purpose, because he wanted the numbers to speak for themselves. However, before the county is concerned and says that municipal growth is hurting our roads and that municipal growth is hurting Lake County, his response to the county would be, where are you spending the unincorporated money? He would argue that the unincorporated money goes out to unincorporated services and the case in point is that DST

revenue and gas tax revenue are special earmarked revenues and there are formulas. In fact, the county pontificated about this at their last meeting, and they pontificated about cities not playing nice with them and, if the cities do not play nice, they are going to change the formulas for how we get road tax money. However, the point about the slide goes without saying, and he could argue that because city growth does subsidize county services to unincorporated residents, while incorporated residents do not get their value of county taxes. So, perhaps some of that money should be spent on roads. He did not want to bring that up, but it was brought up. There are two other big revenue sources that we need to look at, and that would be DST and gas tax revenues. There are statutory formulas for how that money is disseminated, and the statutes say that they do it the state way, or through a joint agreement. In Lake County and in most counties, they do it through a joint agreement. Doing so through a joint agreement gives the cities more money. So, he could still come back and argue that the City of Leesburg is only 7.65% of Lake County, but we only get 4.5% of the DST revenue, which is the penny sales tax, and we only get 4.7% of the gas tax revenue. In every case, on an ad Valorem level and a special revenue level, he would argue that Leesburg is a giver and not a taker to Lake County finances. Those things need to be considered as we talk about the growth equation. **Mayor Reisman** thanked him for the presentation.

B. Resolution of the City Commission of the City of Leesburg, Florida, expressing its current position regarding Residential Annexations and Rezonings; and providing an effective date.

DENIED RESOLUTION 12,009

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

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

Mayor Reisman requested comments from the Commission and the audience. **Commissioner Connell** indicated that he would reserve his comments until after public comments were received. **Mayor Reisman** opened the floor to public comments at 6:27 pm.

Public Participants:

John Bernaden - Oppose Resolution	Andy Price - Oppose Resolution	Mandy Wenstein - Oppose Resolution
Theresa Gidman - Support Resolution	Pamela Favre - Support Resolution	Don Magruder - Oppose Resolution
Sandi Moore - Oppose Resolution	Larry Crook - Support Resolution	Beth Williams - Oppose Resolution
David Chambliss - Support Resolution	Jeffrey Hanes - Support Resolution	Leslie Campione - Support Resolution
Kevin Baker - Oppose Resolution	Mario Nappa - Support Resolution	Bill Polk - Support Resolution
Adam Edgington - Oppose	Tony Iorio - Oppose Resolution	Matt Orosz - Oppose Resolution

Resolution		
Ben Snyder - Oppose Resolution	Allen Chen - Support Resolution	Louise Chen - Support Resolution
Lisa Hayden - Support Resolution	Ray Hayden - Support Resolution	Stephanie Stokes-Wrinkle - Support Resolution
Cindy Newton - Support Resolution	Jack Williams - Support Resolution	Vance Yoakum - Support Resolution
Gene Everson - Support Resolution	Wayne Ray - Support Resolution	Gary Custer - Support Resolution
John Preston - Support Resolution		

Mayor Reisman closed public comments at 7:52 pm. He asked for commission comments.

Commissioner Connell said there were a lot of comments made and there are a lot of rumors going around concerning this resolution that are not true. Some of them have been dispelled tonight, but he wanted to go back over them. This resolution does not stop growth in the city. The city could still issue permits for new homes. It does not stop any annexations into the city if that property is proposed to be developed for commercial purposes. He promotes commercial development because we need economic development, and we need more jobs. He does not know if we need more houses right now. This resolution does not stop the annexation of commercial areas, and it would not stop the building of homes. The people that got up who expressed concern about this putting people out of business or that it would put people on the unemployment line. Based on the numbers tonight, as of 2024 there are over 25,638 lots that have been approved, so those lots could be developed and built on. He would ensure that the number was higher than 25,000 because that was from almost a year ago. We are probably closer to 30,000 lots. Those people who wanted to say these things were trying to gaslight everybody and scare everybody because it is absolutely not true. There are plenty of lots to be built on in the city. We have over 25,000 lots. This would not put anybody out of business because it still allows for commercial development, which he agrees with. An example of the 25,000-plus lots that have already been approved in the city that have not been built on, Leesburg currently has 16,281 existing homes. So, that should shed a little light on how many 25,000 plus lots there would be. The existing Leesburg only has 16,000 homes in it, and that is quite a bit of lots to have on the books. Again, how much more do we need? Keep in mind this resolution is a temporary stay. It is not a permanent thing. It does not stop construction of what has already been approved. It just says we are going to take a break, we are going to take a step back to allow us to regroup, so we can look at what we have on the books. Look at our city utilities, water, and wastewater systems. Based on the presentation tonight, and using those numbers, our wastewater plant can only accommodate 7,200 more homes before we have to look at spending tens of millions of dollars on an expansion of a wastewater plant. So, 7,200 more lots, but we have over 25,000 approved lots. We only have a wastewater system to accommodate 7,200 of them. The water based on our consumptive use permit through St John's would only allow 8,000 more homes before we have to go back to the state and ask them to allow us to pump more water. Our city utilities presently, with water and wastewater, can only accommodate about 25% of the 25,000 to 30,000 lots that were approved on the books without major expansions to the wastewater systems and having to go get an increase for our consumptive use permit. He does not know that we need to continue to annex more property when our utilities can only handle 25% of what has already been approved without having to pay tens of millions of dollars in expansion of services. The latest school concurrency report said our high school is at 90%

capacity and that needs to be taken into consideration as we look at bringing more property into the city. Where are these kids going to go to school? With the road system, the roads are simply not adequate to handle what we have now, much less 25,000 plus lots that have already been approved and what if we continue to annex more? We need to take that into consideration and put a temporary pause on some annexation until some of the issues can be addressed. We have 25,000 plus lots that have been approved and keep in mind that 25,000 is a low number because that was over a year ago. If we use the latest census report at 2.8 per household that 25,638, if you really want to get down to that, then 2.8 equates to over 71,000 new residents, which then equates to about 142,000 more vehicles on our roads. That is impossible, and it cannot happen. Just to put this into perspective, that would be 71,786 new residents with the already approved lots and the current population as of 2024 is around 33,000. We would over double the population with the lots on the books. Plus, they have not even been built yet. The numbers used tonight in the presentation were 396 new units per year, and we have to keep in mind that the number can majorly fluctuate. He believes 396 is a low number because the housing market is in a downturn and interest rates are still high. If we get a booming market back and interest rates drop, that number could jump from 396 to 1,200 in any given year. So, based on the slide presentation tonight, we need to take that into consideration. The numbers that were proposed in the slide presentation were on the low-end, very conservative. It did not take into consideration that we could have a housing spike because that is a real possibility. Just using the 396 and the 25,000 lots we have already approved, that gives us enough growth for building houses for the next 65 years. He does not know if we need to continue to annex more property when we are sitting on 65,000 lots of surplus to build on. He does not see it. He does not see why we need to keep annexing property into the city when we are sitting on that many lots. In closing, he wanted to recap a few things. This resolution does not stop permitting new homes. It does not put anybody out of business. It is not going to hurt anybody's business. We have 25,000 lots, and we currently have 16,000 homes in the city. There is plenty of land to build on. This is just a temporary stay. This temporary stay would allow us a twenty-one-month temporary stay so we could take a step back and reevaluate what is already on the books. It would allow us to reevaluate the utility and road systems along with the school system. Let's get with the county to see what we can do with the roads. Let's get with the schools to see what we can do. We need to reevaluate our own utility system. He has heard this for years, and he is tired of hearing blame the county for our road system. Well, yes, the majority of the road system does belong to the county, but that is an easy way out. We are contributing to the problem by continuing to annex and rezone these properties. We are putting the traffic on these roads. We cannot continue to blame the county for our road system. We have to take responsibility for our own actions. By annexing all this stuff we are contributing to the problem. It is not just a county issue. So, tonight, a yes vote would be a vote for the residents and a no vote is a vote for big business. **Mayor Reisman** asked if there were any other commission comments.

Commissioner Pederson stated, first, we would be here till midnight if he had to rebut every inaccurate statement he heard tonight. He wanted to keep his comments positive. People are moving to this state whether we like it or not and that is because we live in a great state. Yes, people are moving to Leesburg, and he was happy that people wanted to move to Leesburg. Yes, the frustration is with the roads. He drives the roads, and he has his own frustrations. The best thing that can come from this meeting is that we meet with the county and the state. He did not want to sit there and blame the city entirely, because that would not be an accurate statement. We need to have conversations to discuss the things that people do not want to talk about. The developers may need to pay more. He knows nobody wants to raise impact fees, but we need to talk about raising the roads/traffic impact fees. We probably need to talk about the dirty word no one wants to hear and that is that we may need to raise taxes. When people confront him on the streets about the roads, he tells them the city could build the roads, but they would have to pay more taxes to get that done. He knows that response annoys them because no one wants to pay more taxes. However, we need to sit down with the county and the state. The MPO has a five-year plan for Central Florida, and there are no roads in Leesburg on that project list as of now, and that is just crazy. That tells

him there are bigger needs in Central Florida because that list is based on data and that is concerning. Again, that is another funding issue. We have people pouring into the state, and we will have to deal with it at multiple levels. As far as this moratorium/temporary stay, we will have some legal liability there, but that is another subject. We have to remember commercial development follows residential. If we approve this resolution, our city will be tainted by a moratorium. It will bring commercial development to a halt, maybe not a halt, but it will definitely slow it down. He does not think people want that, but that is what will happen with a moratorium.

Commissioner Berry commented that she had listened to everyone tonight, and she took notes. The question she posed was what came first: the horse or the cart? Do we move forward with development and hope that infrastructure catches up or do we prioritize infrastructure before allowing more growth? A better question might be who even has the horse right now? We all recognize the critical need for infrastructure, but should we ignore the need and continue development anyway? This is the dilemma that we have, and it is frustrating for the residents, and it is stretching and stressing our city leadership. It is not an ideal situation for the city, but we are doing better and we will continue our due diligence. The State of Florida has indicated that they are not ready to address the roads in these areas, which further complicates our ability to move forward effectively. Looking back at early leadership and prior commissions, she learned that they leaned towards residential development. They choose to do rooftops, and not industry. Now, we are seeing the long-term impact of those choices. We have lost one of our key industries, which was discussed earlier and that will affect our utility revenues. While halting residential construction might seem to be a quick fix, doing so would economically set us back even further, and it would take much longer to recover. In this year's legislation there were 1,900 bills filed and 500 of those bills will impact our cities in one way or another. Most of them were issues that have not even been addressed yet, such as the Live Local Act, where rezoning will take place and the developers can do whatever wherever. We may no longer have CRAs and that would greatly affect the city. We currently have three CRAs that we highly rely on as far as redevelopment and helping to rid blight in our city. If we wait a year or however long, this will set us back even further, especially for the district she represents, because they may not have a CRA later on. In 2027, we may not have this opportunity again and there are a lot of things to consider. She knows how difficult it is because she has been listening to every speaker, and she empathizes and understands because we do not know what is coming down later on. Everyone pays property taxes, but in the future there may not be any property taxes. Everyone should be listening to and watching the legislation this year for what is coming up. It could be a whole different ordeal. So, there are a lot of things to consider. Another critical component that we must recognize is our ISBA. She has reviewed it, and she knows for a fact that, since coming on board, they have definitely been doing what was proposed back in 2004 with earlier commissions. What she was trying to say is everything we have been working to bring up rooftops, and we are here dealing with it. We are welcoming that because that means more people will be in our city and the downtown area. At this time, we do not have any industry, but that does not mean it will not come, and commercial will come once the rooftops are in place. That is basically what we see and experience whether people like it or not. We should work collaboratively and that is what she would like to do, and that will be her main focus. Why can't we work more collaboratively with the county to both widen the roads and begin phase development for the 30,000 homes that are already approved? Realistically, that kind of build-out will take at least five to twelve years; it may take even longer. Last, to address public perception, each annexation request that is presented to the commission by the planning and zoning department comes with all the detailed documentation, and that documentation is public information. It includes a traffic study, which always states that the development of homes will not cause any adverse effects on the roadway. It often states there are no issues with the proposed development. She would like to request representation from both traffic studies and a person from the county to be at the meetings to address their concerns. Otherwise, we are unable to ask for more details. Yes, this is a start, and we need to work together, but stopping what has already been put into place from previous commissions is not an ideal thing to do. **Commissioner**

Connell pointed out that this would not stop growth. This would just put a temporary pause on annexations. We still have over 25,000 lots to build on, and this would not stop commercial annexations. It only stops residential annexations for twenty-one months. This has nothing to do with stopping commercial development. It does not stop development as far as residential property for the lots that are already on the books. They could still develop the 25,000 acres in the next twenty-one months, if that is what they want to do. They have plenty of property already in the city to develop. This is just a temporary stay for us so we can get a handle on the water, wastewater, roads and the school system. It is a temporary stay. It does not stop building, because we have over 25,000 lots to build on. He wanted to point out for perspective that we only have 16,000 existing homes in the city. So, by comparison, we would more than double our current size, so we have plenty to build on. **Commissioner Berry** wanted to know about the twenty-one-month temporary stay. How would we know if that was enough time to understand what is better? **Commissioner Connell** replied that we would not know. However, as we get closer to the end of 2026, we could have another discussion to see where we are. At that time, we could release the temporary stay if we had a handle on the water, wastewater, schools and road systems. If we do not, then we could extend it for more time. We would vote for a continuous to add more time to it, or we would let it sunset. If we have a good handle on this, we would allow the temporary stay to sunset in January 2027. Remember this is just a temporary stay.

Commissioner Burry wanted to touch on the question Commissioner Pederson had with regard to roads. Currently, in Leesburg, the section of US Highway 441 from Perkins to Newel Hill is the only section of US Highway 441 that is still a two-lane road from north of The Villages to Mount Dora, so that project rates pretty high on the MPO list, but it is never high enough for it actually to occur. Plus, this is the only major project that we are currently in line for. With regard to residential development, that is and will continue to be the chief economic driver for our community. That is just the way it is. Twelve hundred people a day move to Florida. When we look at the statistics for where they are moving too, the fastest growing counties in the state are Sumter, Polk, Lake, and Marion County. There are sixty-seven counties in the State of Florida, so that means we are in the upper 15-20% of the state. So, people are coming, and we have done a re-evaluation of our comprehensive plan to deal with that growth. When people get up and say we are not doing our due diligence, that is not true because we are. We just completed the comprehensive plan, and we are open for business. We had several meetings about it and the public came in and gave their input. That was part of that comprehensive plan, and most importantly, that was an introspective look. The departments themselves looked at where they were, and they looked at where they needed to be. We just went through this, so to act like we have our heads in the sand, and that we are not looking at growth is not correct. That is false information that people are pedaling. Currently, we have the ability to say yes or no to any annexation or any type of PUD. Whether it be commercial or residential, we have that ability as commissioners. We are listening to everyone. We hear everything people are saying. However, about half of the people say it is not good for businesses and the other half say it is. Right now, we have the ability to say yes or no to any annexation, and he was not willing to give that up because some people think it is a good idea and others do not. We have the ability to say yes or no, and we have said both collectively as a group. We have collectively said yes, and we have collectively said no to annexations. He was not in favor of this resolution.

Mayor Reisman wanted to know if this was a legally binding document. **CA Watson** said there was flexibility in the document that would not make it binding. There was a statement towards the bottom of the recitals that says the city commission will consider any application for residential annexation or rezoning during this period. However, outside extremely compelling circumstances, the city commission may wish to notify applicants of its current position to potentially save them time, resources, and expenses. Again, this would not be binding, and this would not handcuff the commission. If this were to be approved, they could still approve residential annexations if they wanted to. The way he viewed this resolution is that it would be more of a statement to the people who are looking to annex residential

development into the city. If this were approved, it would simply say that the city was not particularly interested in a purely residential annexation. As much as anything, this would broadcast information out to those who might incur expenses, time or pour a lot of resources into potentially trying to annex a residential development into the city. It would be letting them know up front what the current commission's position or perspective was on that. Again, this would potentially save them time and resources for not bringing something forward that the city commission was not particularly interested in. However, it does not bind the city to deny every residential development. **Mayor Reisman** wanted to confirm that a developer could still bring an application before the commission. **CA Watson** answered yes, that was correct. **Mayor Reisman** indicated that there is a legal process already in place, so what is the point of this resolution? He thanked the city attorney for his comments, and he respected Commissioners Berry, Pederson and Burry's comments because they already said a lot of what he wanted to say. So, for the sake of time, he would not go into that. However, he did appreciate their comments. He asked if there were any further commission comments. There were none.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	No
Commissioner Pederson	No
Commissioner Berry	No
Mayor Reisman	No

One yea, four nays, the Commission denied the resolution.

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Please note that issues raised during this time will not be discussed in detail during the current meeting. They will either be referred to the appropriate staff or scheduled for consideration at a future City Commission Meeting. Each speaker is allocated three minutes to provide their comments. Kindly adhere to this time limit to ensure equal opportunity for all participants and to support the efficient conduct of the meeting. Thank you!

Candace Chapman, founder and executive director of Virginia Samuels Cares Inc., PO Box 492032 Leesburg, thanked the commissioners, especially Commissioner Berry and Mayor Reisman, for inviting her to come before the city commission. She was there to present Virginia Samuels Cares Day, which will be held on May 17th in downtown at city hall. Virginia Samuels Cares was her grandmother. She worked for the City of Leesburg for thirty-one years. She was honored to be able to present her day on the front steps of city hall, where she worked hard for thirty-one years. She does not even think she took a sick day. She has been backed by Advent Health, the Wawa Foundation and Publix. She made an appeal to the City of Leesburg for them to back her as well. They are geared toward education, stroke prevention, and mental health awareness. They help those who are incarcerated and homeless. They have touched 950 lives over the last two years. They have donated over 1,200 pounds of food to the food distribution center Lake Cares in Mount Dora. They have also donated over 125 pounds of clothing. She asked the City of Leesburg and the community to come out. It is a free event from 4:000 p.m. to 7:00 p.m. on the 17th of May. In closing, she asked the city to consider a sponsorship and to look into her 2023 surplus lot donation request.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the

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

Commissioner Pederson moved to adopt the Consent Agenda as presented, and Commissioner Berry seconded the motion. Commissioner Connell stepped out of the meeting at 8:21 pm.

The roll call vote was:

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

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

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held March 24, 2025

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc., for design, bidding, and construction phase services, for a multi-unit, Corporate Hangar building, at the Leesburg International Airport; and providing an effective date.

ADOPTED RESOLUTION 12,010

2. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Victoria Estates, Ltd. for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

ADOPTED RESOLUTION 12,011

3. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from MSF Gateway, LLC for the purpose of granting the City an Easement over the property

described therein; and providing an effective date.

ADOPTED RESOLUTION 12,012

4. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement affecting the property described therein from Silver Lake Commons, LLC, joined by United Community Bank; and providing an effective date.

ADOPTED RESOLUTION 12,013

5. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Philip Castleman and Laura J. Castleman for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

ADOPTED RESOLUTION 12,014

6. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Bellaviva at Whispering Hills, LLC, regarding natural gas service to the development known as Whispering Hills-Phase 1C; and providing an effective date.

ADOPTED RESOLUTION 12,015

7. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Bellaviva at Whispering Hills, LLC, regarding natural gas service to the development known as Whispering Hills-Phase 1D; and providing an effective date.

ADOPTED RESOLUTION 12,016

8. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Bellaviva at Whispering Hills, LLC, regarding natural gas service to the development known as Whispering Hills-Phase 1E; and providing an effective date.

ADOPTED RESOLUTION 12,017

9. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Bellaviva at Whispering Hills, LLC,

regarding natural gas service to the development known as Whispering Hills-Phase 1F; and providing an effective date.

ADOPTED RESOLUTION 12,018

10. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Bellaviva at Whispering Hills, LLC, regarding natural gas service to the development known as Whispering Hills-Phase 1G; and providing an effective date.

ADOPTED RESOLUTION 12,019

11. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Public Transportation Grant Agreement (PTGA) 456524-1-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for Design and Construction for the Rehabilitation of the Air Traffic Control Tower (ATCT) at Leesburg International Airport; and providing an effective date.

ADOPTED RESOLUTION 12,020

12. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc. for design, bidding, and construction administration, related to the ATCT Rehabilitation at the Leesburg International Airport; and providing an effective date.

ADOPTED RESOLUTION 12,021

13. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Brightleaf Properties, regarding natural gas service to the development known as Caldwell Estates; and providing an effective date.

ADOPTED RESOLUTION 12,022

14. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Professional Services – Design Agreement with Forefront Architecture and Engineering, LLC related to the Leesburg Gas Department Operations Center; and providing an effective date.

ADOPTED RESOLUTION 12,023

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES:

1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 77.5 +/- acres; and being generally located south of CR 33, west of U.S. Highway 27, and north of CR 48, lying in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Leatherleaf ANNX)

ADOPTED ORDINANCE 25-10

Mayor Reisman announced that they would take a five-minute recess at 8:22 p.m. The meeting reconvened at 8:28 p.m. Commissioner Connell reentered the meeting at 8:30 p.m.

Mayor Reisman asked the city attorney to perform the swearing-in. **CA Watson** asked anyone wishing to provide testimony on the Leatherleaf PUD item 6.A.3 to stand and raise their right hand. He swore them all in.

Commissioner Pederson introduced ordinances 6.A.1, 6.A.2 ,and 6.A.3 to be read by title only. CC Purvis read the ordinances by title only.

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

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller stated this project is known as Leatherleaf. The overall proposal is for seventy-seven plus or minus acres. It is located north of CR 48 and south of CR 33. There is a large-scale comprehensive plan amendment request to change the future land use designation from Lake County Regional Commercial to City of Leesburg General Commercial. There is a rezoning request to amend the current zoning from Lake County Agriculture to City of Leesburg Planned Unit Development. This property is located outside the city's electric service area. Under the PUD requirements there would be two hundred and thirty-five detached single-family residences with forty-eight paired villas plus 120,000 square feet of commercial uses. There are no other permitted uses in this proposal. The lot sizes range from fifty to sixty feet for the single-family units and sixty feet for the duplex units. The front setbacks are twenty-five feet and the lot depths are one hundred and twenty feet. These are the standards that we have been using in all PUDs for quite some time. The house sizes range from 1,600 to 1,700 square feet for each respective lot size and 1,300 square feet for the duplex units. That is 1,300 square feet for each side of the duplex units. There is a minimum of two off-street parking spaces for each unit and two floors is the maximum height. This

development will include approximately six acres to be devoted to commercial businesses along CR 48. It will include space for restaurants and office uses. It would have a maximum of 120,000 square feet for those types of uses. It would be adjacent to the main entrance on CR 48. There are design and architectural standards and some of the facades were included in the packet. The PUD includes dark sky lighting, trees in each yard and thirty-five percent of open space. It also includes all the usual standards that are in all planned unit developments. There is a twenty-five-foot landscape buffer all the way around the entirety of the property boundaries and a fence is required on any area not adjacent to an existing wetland or preservation area. Sidewalks are required. It also includes the requirement of Bahia or Bermuda grass; there will be no St. Augustine grass. The main access points will be a boulevard-type roadway. It will include a landscaped median of eight feet in the middle with enough lane width to allow for emergency vehicles to maneuver around if one side is blocked. There will be 1.3 acres of recreational space to allow for a swimming pool, playground, dog park, gazebo, etc. Finally, they included the phasing clause which is in all PUDs that states if substantial commencement has not occurred within forty-eight months or four years, the property would automatically revert to the RE-1 zoning, which is one acre per unit. Michael Rankin of LPG along with Logan Opsahl of Lowdens Law were present to answer any questions the commission may have.

Commissioner Burry asked about page 320 of the packet. There were comments from Lake County, the Department of Public Works Engineering Division. They said the developers have to do something with Haywood Worm Farm Road on the northern section, but this development only butts up to it. They would not be using that road for any purpose. Is that correct? **PZD Miller** answered that they butt up to Haywood Worm Farm Road, but it would have either emergency access or full access at that point. However, that would all be handled and determined during the final design. **Commissioner Burry** wanted to verify that there would be requirements because they are asking for an upgrade to that road to meet the road standards of Leesburg. **PZD Miller** answered yes. **Commissioner Burry** said he was curious about that and the turn lanes. The county also recommended that they do a traffic impact analysis, and that they wanted that provided to them for review prior to the PUD hearing. Did they do that and did it occur? **PZD Miller** replied yes. That was done. We coordinate with Lake County more extensively, particularly with their public works department. The Lake County Public Works department had some significant comments with regard to CR 48 and CR 33. In each case, they talked about left and right turn lanes along with additional right of way, and an additional area for the Lake County trail. So, there was a significant amount of coordination and that will continue. Lake County also asked for quite a bit of extra land in order to make a four-lane road on CR 48, and the developers are aware of that. **Commissioner Burry** wanted to know if that was for both CR 33 and CR 48. **PZD Miller** responded that he only knew about CR 48. He did not see anything concerning CR 33. **Commissioner Burry** then asked about the traffic study. Did that say the roads were fine? **PZD Miller** answered yes. There is always a lot of confusion about that because, basically, what a traffic study says is whether the development will degrade a roadway to a lower level of service. What that means for a level of service in transportation planning, while keeping in mind he was not a transportation planner, because there is a whole science to that, but it is basically graded A through F, just like grades in school. If a road has a level of service of "c" and if the new development does not degrade it to a "d", that is what they mean by no impact. **Commissioner Connell** mentioned that they were just proposing to have a turning deceleration lane. They were not proposing to widen the road. **Commissioner Burry** indicated in the PUD it does talk about widening the road. **Commissioner Connell** wanted to know if they were going to widen the whole road because it is a 1.1-mile strip. **Commissioner Burry** stated the PUD did say they were going to leave some property for a road. **PZD Miller** stated they were referring to the portion of road entering into the development. **Commissioner Connell** pointed out that we already have major problems on that portion of the road. This will be the third development approved on this 1.1-mile stretch over the last six or eight months. So, did the county get the needed right of way on the other two developments? **PZD Miller** answered yes.

Commissioner Connell continued to say that they still do not have it from one end to the other. They have enough right of way to put deceleration lanes or turn lanes into the developments. They do not have enough right of way to upgrade the road to four-lanes. **PZD Miller** pointed out that they cannot request that a development do anything additional that is outside the contiguous property line. **Commissioner Connell** agreed and said he understands development and that they cannot require a development to go out and acquire property from somebody else. However, did they give enough property to the county, to your knowledge, to make this a four-lane road across the front of their property or just enough to make turning lanes/deceleration lanes onto their property? **PZD Miller** responded to his knowledge, the county had very similar comments on the other developments along this roadway. Each development would have to widen the road in the same manner as this one. **Commissioner Burry** pointed out that in the PUD it says CR 48 has to have additional right of way to accommodate the site road and right of way improvements to accommodate a future four-lane road on CR 48 along with the trail. **PZD Mille**r agreed. Lake County has been very specific about these developments, which is good. **Commissioner Connell** said he understands that, and that is a good thing. However, we have a potential third development being approved on this 1.1-mile stretch, and we only have enough right of way that fronts these three pieces of property, so what good does that really do for us? We could not make it a four-lane, two-lane, four-lane, two-lane. We will still have a two-lane road running through there for years until the county gets the rest of that right of way. It will not help the present situation having a potential third development on that road. **Commissioner Berry** asked when they do the traffic study. Does that traffic study consider what has already been approved and not developed? Are they just looking at this development, or are they taking into consideration the developments that have already been approved? **PZD Miller** answered that he was not a traffic expert, but they do take into account everything that has been approved up to that point. If something were to come in after this one, they would know about this one if it were approved tonight. They have to show all that when they do a traffic study for a development. They have to show everything that has been approved up to that point. **Commissioner Berry** wanted to know if this would be the last development on this stretch of the road. **PZD Miller** answered unless something new comes tomorrow. **Commissioner Berry** said she meant to ask whether the other developments that have been approved were those included in this particular study? Were the previously approved developments along this stretch of road included in that study? **PZD Miller** answered yes. **Mayor Reisman** asked if there were any other commission comments. There were none. He asked for public comment.

Mario Nappa said, as a resident of Leesburg who lives close to this section of road, he would suggest denying this PUD, because it would add to an already overburdened stretch of road. A year and a half ago, he published his first video about the dangers of this one-mile stretch of road, and it has only gotten worse. He took a photo at two o'clock in the afternoon and there were twenty-two cars backed up at the US 27 traffic light. With the other two developments that were approved last year on this road, the three developments together would add another seven hundred and fifty new residences with about fifteen hundred new vehicles and seventy-five hundred car trips per day. In addition, they also approved an apartment complex just east of the Turnpike on CR 470, which will add traffic to this area. Leesburg invited The Villages to build thousands of homes in Leesburg and the city did nothing to facilitate these residents coming into Leesburg and becoming part of a community. A villager posted these exact words in one of his videos about the stretch of road. Thank you for the update and for your efforts to get as much information out as possible. Those of us in Newall Lake Denham, Dabney and, of course, the Enclave, which are all part of The Villages of West Lake, have a vested interest in what will be done with CR 470, especially with access to Leesburg. He told the city manager he needed to get his checkbook ready because he saw an email between County Commissioner, Kirby Smith, and Fred Schneider, Assistant County Manager, that was dated February 4th. In that email it asked if there was anything they could do to make Leesburg redo this road at Leesburg's cost. Kirby Smih wanted to know if Leesburg was taking this road from a "c" grade to an "f" grade and if Leesburg did that, could that trigger something? The widening of this road is on the MPO list, and it is listed on their website. However, in

2024, this project was ranked 13th and this year, in 2025, it dropped to 15th. So, nothing will ever happen on this section of road. He asked the MPO why it dropped to 15th, and they told him they shoved two projects from Sumter County ahead of it. This project is not yet funded and the likelihood of it being funded is in about five years, if we are lucky. We cannot deal with the consequences for that long. The cost of widening this 1.1-mile stretch of road is estimated to be between fifteen and twenty million dollars. He recently learned that CR 470 will be widened to four lanes from The Villages up to Megginson Road and that is being paid for by using transportation impact fee credits. That project has already begun, so there will be more traffic coming into this area. If this is like 466A in Fruitland Park, it will take many years for this expansion to be extended to US 27. At the last MPO meeting it was mentioned that they are $127 million short for the next five-year period versus the last five years. This annexation needs to be delayed until CR 48 can handle it. They should not cause a more dangerous situation. Moreover, the planning commission rejected the annexation four to two. The city commission needs to listen to the people you appoint because, otherwise, what is the purpose of that board? The city needs to do what is right for the existing residents of Leesburg who voted you into office, not what is right for developers. **Mayor Reisman** asked if there were any other public comments. There were none. He closed public comments. He asked if we knew when the county would be upgrading the intersection at CR 48 and CR 33. Is there an estimated timeline for that? **CM Minner** stated it would be the 2026/2027 timeline. The county has been looking at general fund money for that project. It would not be paid for with impact fees. **Mayor Reisman** asked the developer if they would like to state anything?

Michael Rankin of LPG said he was there to represent Holiday Foliage, Inc. With him was Chris Walsh of Walsh Traffic Engineers and Logan Opsahl of Lowdens Law. They were there requesting approval of this project and the city staff's recommendations were for approval. They agreed with the items in the PUD and that there were several items, but due to the length of the meeting, he would be brief with his comments and yield his time to the traffic engineer and their attorney. He concurred that the county sought right of way from the new developments, especially along this corridor, so they could widen that road. However, they need to see additional development along that road.

Logan Opsahl of Lowdens Law wanted to point out a couple of quick things. First, he thanked the applicant team for being there. What is being proposed is an annexation, comprehensive plan, and rezoning. The property is located within the interlocal service boundary areas (ISBA) and the staff recommended approval. This project offers close to 35% open space. They appreciated the city staff because this was a collaborative effort. The planning and zoning director mentioned working with them and the county on the issues that were brought up. They have already redesigned this project to allow for wider lot sizes. However, it was important to note that this would be a mixed-use project. He heard it noted several times, both in public comment from the planning commission and other meetings, as well as from this body the need for commercial development in the city and this area. Well, this development would have six-plus acres of commercial component with residential homes on the back to support that commercial. Again, this was a collaborative effort. This covers seventy-seven acres and about half of it will be developed. They have accounted for open space, green areas, wetlands, things like that. Of the seventy-seven acres, about half of that will be developed. Six-plus acres will be developed for commercial use, which is a needed use within the city. They also have wider lot sizes. He wanted to point those things out, and he would be happy to answer any specific questions.

Commissioner Connell stated if this gets approved, this will be the third development approved on that 1.1-mile stretch of road in the past nine months. He heard a discussion tonight about the county putting a turn lane or two onto CR 33 and CR 48 and the developers are volunteering and giving the county some right of way along the frontage of their property. However, none of that will happen overnight, and the county does not have the right of way down that 1.1-mile stretch to widen the road. Once the improvements have been made to the road, he would absolutely say to bring this project on. However, it

is too premature to bring it online now because this is still a two-lane road that leads to a bad intersection. With commercial development, everyone knows he strongly supports commercial development, but to be honest, this is not a great location for six acres of commercial development because this is an already congested two-lane road. How could we put six acres of commercial development on a two-lane road? That segment of road is already absolutely horrible, and this area is a terrible location for commercial development. However, he does support major commercial development. This project ought to be turned down for annexation until that road system is improved, and it can handle the additional residential lots and six acres of commercial development. If it were developed, it would bring additional traffic to an already existing bad road. **Commissioner Pederson** said in one of the maps from the presentation it looked like this road was scheduled to be widened. He wanted to know if that was an error. He was looking at CR 470 coming across, because on the map it looked like it would go all the way to US 27. From the audience, **Mr. Nappa** replied to his comment. The audible was unclear and could not be heard. **Commissioner Pederson** said he thought he heard someone say this was not in the five-year plan. Then he heard someone say it would be in the 2025 or 2026 timeframe. He wanted to verify that this was on the county's radar. **Mayor Reisman** asked if there were any further comments. There were none.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	No
Commissioner Burry	Yes
Mayor Reisman	Yes

Four yeas, one nay, the Commission adopted the ordinance.

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 real property consisting of approximately 77.5 +/- acres; and being generally located south of CR 33, west of U.S. Highway 27, and north of CR 48, lying in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Leatherleaf LSCP)

ADOPTED ORDINANCE 25-11

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

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

The roll call vote was:

Commissioner Berry	Yes
Commissioner Connell	No
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Reisman	Yes

Four yeas, one nay, the Commission adopted the ordinance.

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 77.5 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for 235 detached single-family residences, 48 paired villas, plus 120,000 square feet of amenities, medical office, office, and retail sales and service, for a property generally located south of CR 33, west of U.S. Highway 27, and north of CR 48, lying in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Leatherleaf PUD)**

ADOPTED ORDINANCE 25-12

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

Mayor Reisman requested comments from the Commission and the audience.

The roll call vote was:

Commissioner Connell	No
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Mayor Reisman	Yes

Four yeas, one nay, the Commission adopted the ordinance.

4. **An Ordinance of the City of Leesburg, Florida, establishing new district boundaries based on the American Census Survey produced by the U.S. Census Bureau and other information, in order to create districts which are reasonably compact and roughly equivalent in population; establishing a schedule for the Election of Commissioners from the various new districts; providing a savings clause; repealing conflicting ordinances; and providing an effective date.**

ADOPTED ORDINANCE 25-19

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

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

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

The roll call vote was:

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

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

B. FIRST READING OF ORDINANCES:

1. An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay) to the existing R-1-A (Single Family Residential) Zoning on approximately 16.22 +/- acres to allow for agricultural uses for a property generally located east of Number Two Road and south of County Road 48, lying in Section 17, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Number Two Road Agriculture PDO)

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

Mayor Reisman stated this was the first reading and this item would lay over until April 28th. He asked the planning and zoning director to provide a quick overview.

PZD Miller stated this was a planned development overlay, which is an overlay that adds a use or two to an existing zoning. This is for 16.2 acres. It is located on the south side of CR 48, and on the east side of Number Two Road. In this particular location and in this particular circumstance, agricultural uses are compatible with the surrounding uses, and it does not cause a detriment or create a nuisance to the surrounding properties. The applicant, John McGee, was present if there were any questions. However, this simply allows a simple agricultural use to grow hay, chickens, fowl, animals, or whatever. There are no problems at the staff level. **Mayor Reisman** asked if there were any questions from the commission and audience. There were none. He stated this item would lay over until April 28th.

C. NON-ROUTINE ITEMS:

1. None

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

A. None

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address this evening.

9. CITY MANAGER ITEMS:

CM Minner had no items to address.

10. ROLL CALL:

Commissioner Pederson had nothing to comment on this evening.

Commissioner Berry said she wanted to provide a summary from the Florida League of Cities from their legislation days. Attending this year's Legislative Action Days was incredibly important for her as a first-term commissioner, especially as she approaches her final year before considering the next election cycle. It is essential to understand the legislative priorities under the new administration and to understand the results of how our community will be impacted. One of the most valuable aspects of her attendance was the opportunity to engage directly with legislators to discuss the potential outcome of these bills. There are several proposals aimed at eliminating critical services that cities rely on. She found it alarming when considering the long-term consequences for our residents. Having these conversations enabled her to advocate for policies that genuinely serve our community and ensure that local governments have the necessary resources to function effectively. Overall, this experience reinforced the importance of staying informed and being involved in the legislative process. It was a privilege to represent this community and work towards solutions that support the well-being of all citizens in Leesburg. She was there to address proposed bills that would greatly affect our area and those were the items we discussed at the last city commission meeting. **Mayor Reisman** thanked her for going up there and representing the city.

Commissioner Connell said there was a statement released in the middle of last week from the city manager concerning the city's stance on the resolution that was proposed and voted on earlier tonight. That stance was to recommend denial. He was not sure why the city manager felt like he needed to weigh in on such a controversial decision in the middle of the week. He spoke with him and the conversation was that he was given a directive from the commission to release a statement. He wanted to know who gave the statement or directive when we did not have a commission meeting. He assumed the city manager polled commissioners and got three votes to go on record to make a public statement which he found to be completely out of line, unprofessional, and borderline unethical. He wanted to know which commissioners he spoke with to get a positive vote to move forward and to release a public statement about the city's stance on the resolution. He asked for a raise of hands by the commissioner's he spoke too about this. **Mayor Reisman** remarked that this comment was a little out of line because the city manager does have discussions with all of them. **Commissioner Burry** agreed. **Commissioner Connell** said the city manager did not include him in that conversation. He asked Commissioner Berry if she had been included. **Commissioner Berry** said she was not sure what he was asking. **Commissioner Connell** asked if the city manager called her last week to ask where she stood on the resolution before releasing a public comment about the city's stance and for him to recommend denial of the vote. **Commissioner Berry** said not that she could remember. **Commissioner Connell** continued to say the city manager did not speak to her or him. However, he did speak to Commissioner Burry, so who else did he speak to about it? **Commissioner Pederson** said he talks to the city manager about a lot of issues, and he does not remember everything they speak about. **Commissioner Connell** wanted to verify that he did not recall. **Commissioner Pederson** said no. He did not recall that conversation. **Commissioner Connell** responded, really, from five days ago. **Commissioner Pederson** mentioned that he talks to the city manager quite a bit about a lot of matters. **Mayor Reisman** informed him that he had personally spoken to the city manager about this multiple times. **Commissioner Connell** continued to say that he spoke with two commissioners, and he was guessing that he had spoken to Commissioner Pederson about it. However, he left himself and Commissioner Berry out of the conversation. He then asked Commissioner Berry again if he had called her last week, inquiring about which way she stood for the resolution. **Commissioner Berry** could not remember if he called her. **Commissioner Connell** then said the city

manager did not call him nor did he call Commissioner Berry, but he called the other three commissioners and formed a consensus to go on record. Now he does not know about Commissioner Berry, but he finds it extremely offensive, unprofessional, and it lacks respect that they were not involved in that conversation. He only consulted three of the five commissioners. He did not involve himself or Commissioner Berry before going on the record. He was not sure why he even felt the need to go on record. However, they ought to take a look at this, because he left both of them out of the conversation. **Commissioner Berry** commented that she was still unsure about what conversation he was referring to, and that was why she was saying no. **Commissioner Connell** stated the city manager went on record and made a statement publicly to the Leesburg Daily News that he was proposing to vote against the resolution. He questioned why he felt the need to go on record to make that statement publicly. The city manager told him that he had been given a directive by the commission. He wanted to know how he was given a directive when there was no meeting. So, he was now polling the commission at a public meeting to find out what commissioners gave him this directive because the city manager did not speak to him, and he guessed that he had not spoken to Commissioner Berry either. However, he spoke to the other three commissioners and left him and Commissioner Berry out of that conversation. As an FYI, he wanted her to know that they are apparently left out of the loop when it comes to decisions that the city manager wants to make because he does not consult with them. **Mayor Reisman** remarked that it was his professional opinion. Plus, he could say the same thing about him, because he asked for the resolution to be put on the table without having any prior discussion with the rest of the commission. **Commissioner Connell** said he did not have to get permission. **Mayor Reisman** agreed, but there should have been some public discussions about this at a workshop. **Commissioner Connell** disagreed. He asked for it to be put on the agenda for discussion and what the city manager did was without discussion. There is a difference. **CM Minner** asked if they would be having this discussion if he had made a recommendation to approve the resolution. **Commissioner Connell** said yes. He strongly believes that before the city manager makes any recommendations, all commissioners should be consulted, especially before going on the record and making a public announcement one way or the other. **CM Minner** indicated that staff provide recommendations on every issue that comes before the city commission. **Commissioner Connell** remarked not on something like this. **CM Minner** pointed out that the planning and zoning department provides a professional recommendation on every one of their items. **Commissioner Connell** commented that the planning and zoning director does not go to the Daily News. **Mayor Reisman** pointed out that he did not want a screaming match. **Commissioner Connell** continued to say that the planning and zoning director does not go to the Daily News to make a statement. He puts out a staff memo. He could have put a staff memo out, but chose to go to the daily news, so that is the difference. **CM Minner** wanted to know when he spoke with the daily news. **Commissioner Connell** said he read it in the daily news on Friday. **CM Minner** then questioned when the staff report came out. **Commissioner Connell** said he did not know. **CM Minner** indicated that he must not have read the agenda packet because the staff report came out on Wednesday in the agenda packet. **Commissioner Connell** said he knew when the packet came out, but he actually emailed the thing out on Friday night, which was thirty minutes after the conversation he had with him. **CM Minner** clarified that he emailed the presentation out on Friday. **Commissioner Connell** agreed. The presentation came out thirty minutes after they had this conversation. **Mayor Reisman** pointed out that the staff recommendation came out on Wednesday. **CM Minner** informed the audience that Commissioner Connell was accusing him of polling the commission, and it needed to be responded to. As the city manager, he has a responsibility to make recommendations on things that are controversial and non-controversial and that is what he did. Now, did he consult with Commissioner Connell prior to making the recommendation? No. Did he talk with Commissioner Connell? Yes, obviously, because he was the one that asked for the resolution to be put on the agenda. Now, as the news came out, each one of the commissioners talked to him about the topic and each of the commissioners expressed their opinions to him about where they stood, and they asked questions about this matter. Two of the commissioners directed him to provide a presentation about data on growth, which he did. He did not poll any of the commissioners. It was not a conduit to the sunshine

he was doing his job. He was sorry that the commissioner did not like how he did his job and he was sorry that the commissioner did not like the recommendation. He found it ironic and would bet that this conversation would not have happened if his recommendation had been the other way. **Commissioner Connell** said he should not assume because we all know what that means. Again, he and Commissioner Berry were not involved or privy to that conversation with the city manager before he did that. He wanted to make sure she knew that they were both left outside the loop. Apparently there are three commissioners running the show, and we are just here for the purpose of a quorum.

Commissioner Burry had no further comment.

Mayor Reisman wanted to make sure everyone was aware of the Chamber Breakfast. It will be on April 24th at 7:00 a.m. Also, obviously, at the end of the month we have Bikefest. It runs from April 25th through April 27th. He gave a huge shout-out to the staff and different departments who were assisting with the setup and aftermath of Bikefest. He also thanked the agencies in and around the county who are coming in and assisting with the event. He greatly appreciates it.

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.

With a motion by Commissioner Burry and a second by Commissioner Pederson, the meeting adjourned at 9:08 p.m.

City of Leesburg
Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: April 28, 2025

From: Corey Goepfert, (Gas Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC, regarding natural gas service to the development known as Banning Ranch – Phase 3A; and providing an effective date.

Staff Recommendation:
Staff recommends accepting and approving the Resolution authorizing the Mayor and City Clerk to execute a gas service agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC.

Analysis:
The City of Leesburg is agreeing to provide natural gas service to Cardiac Dragon 160 AC, LLC, for the development known as Banning Ranch – Phase 3A, located west of County Road 33 and north of Austin Merritt Road. Pursuant to the terms of the Gas Service Agreement, the owner will utilize natural gas in at least 80% of 170 units. A budget adjustment will be made in the amount $500,730.79.

Procurement Analysis:
N/A

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

Fiscal Impact:
The developer will place construction funds totaling $500,730.79 in an escrow account sufficient to fully fund the project. A budget adjustment will be processed to add funds to the current budget.
Account No. 042-0000-223-3100

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A GAS SERVICE AGREEMENT BETWEEN THE CITY OF LEESBURG AND CARDIAC DRAGON 160 AC, LLC, REGARDING NATURAL GAS SERVICE TO THE DEVELOPMENT KNOWN AS BANNING RANCH – PHASE 3A; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Mayor and City Clerk are hereby authorized and directed to execute a Gas Service Agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC, regarding providing natural gas service to the development known as Banning Ranch - Phase 3A.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of April 2025.

_____
Mayor

ATTEST:

_____
City Clerk

GAS SERVICE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2025 by and between the City of Leesburg, Florida, a municipal corporation organized under the laws of the State of Florida, located at 501 W. Meadow Street, Leesburg, Florida, 34748, (hereinafter referred to as "City"), and Cardiac Dragon 160 AC, LLC located at 8210 Cherry Lake Road. Groveland Florida, 34736 (hereinafter jointly referred to as "Owner"), sometimes collectively referred to as "Party" or "Parties".

WITNESSETH:

WHEREAS, Owner is the current owner of the following real property located in Leesburg, Lake County, Florida (the "Property"):

See Schedule "A" attached hereto

Parcel Identification Number(s): 33-20-24-0001-000-00300, 33-20-24-0004-000-00301, 33-20-24-0004-000-00900

WHEREAS, development of the Property has been authorized in accordance with the master plan on file with the City for "Banning Ranch – Phase 3A" (the "Development"); and

WHEREAS, Section 22-7 of the Code of Ordinances of the City of Leesburg, Florida, requires that Owner utilize natural gas in connection with development of the Property; and

WHEREAS, the City has agreed to provide natural gas service to the Property under the terms and conditions set forth below.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, City and Owner do agree as follows:

1. The City shall, subject to the provisions of this Agreement, supply natural gas service which shall include main, service and meter installations, to the Property. Owner shall be responsible for installing and connecting all natural gas appliances to the outlet of City gas meters. A map of the

Development is attached hereto as Exhibit "B" and by reference is made a part hereof. City shall provide such natural gas service from the supply line, including the gas meter.

2. Owner shall ensure that not less than eighty percent (80%) of the planned (170) units within the Development are equipped with:

A. A natural gas water heater, and a natural gas furnace or Hydro-heat; or

B. A natural gas water heater, and natural gas stove, and natural gas dryer.

3. The Parties understand that the City is relying upon the assurances from Owner as the primary consideration for the execution of this Agreement.

4. The Owner is obligated to pay the full cost of the infrastructure required to serve the Property and the cost of the services, meters, appurtenances and installation, which will be performed by the City. The Owner's estimated costs of the infrastructure to be funded by Owner as set forth below, is Five Hundred Thousand Seven Hundred and Thirty dollars and Seventy Nine cents ($500,730.79). Fifteen (15) days prior to construction, Owner shall place in escrow with the City, funds equal to that estimate to be used to pay for the construction as it proceeds. Notwithstanding inclusion of this estimate herein, Owner shall be obligated to pay the full cost of the infrastructure required to serve the Development and Property.

5. The City will contract for, or at its option, have done by in house personnel, the actual installation of the infrastructure. The City will follow all legal requirements for bidding and award of the contract. If at any time the City reasonably anticipates that the cost of construction will exceed the original estimate, it shall notify Owner in writing as soon as practicable. In turn, Owner shall within 15 days of such notice, place into the escrow account an amount sufficient to cover the increased costs of the construction. If Owner fails to place the additional funds into the escrow account, the City at its option may halt construction of the infrastructure until Owner deposits the additional funds, together with any other costs incurred as a result of the cessation of construction, into the escrow account.

6. The City shall both own and maintain the natural gas system on the Property up to and including the natural gas meter. The natural gas system from the outlet of the gas meter to the appliance

utilizing the natural gas shall be maintained by the Owner and Owner's heirs, successors, or assigns. Notwithstanding anything to the contrary contained herein, to the extent the natural gas system owned and maintained by the City or any part thereof is damaged as a result of the acts, conduct, or failure to act of Owner and/or Owner's agents, employees, representatives, members, managers, shareholders, officers, directors, tenants, contractors, laborers, or material suppliers, or in the event of any deviation from standard service to any existing or proposed natural gas infrastructure occurs, then Owner shall be responsible for paying for all costs, charges, and expenses whatsoever associated with any repairs, reconstruction, and replacements to the natural gas system, including but not limited to, all costs of gas loss resulting from the damage.

7. The Owner shall grant to the City all easements needed to install, operate, maintain, repair, and replace the natural gas pipelines on the Property, including minimum five foot (5') side lot easements, and shall dedicate or otherwise convey those easements to the perpetual use of the City and its successors in interest for the purpose of laying, installing, operating, maintaining, repairing and replacing the natural gas pipelines. In addition, the Owner shall provide a location and easement, agreed to by the City for the purpose of installation, maintenance, repair, and replacement of any necessary regulator stations and all associated equipment on the Property.

8. The Owner shall locate natural gas service meters on the side of each building in a manner to allow for two buildings to be serviced by one service line wherever possible. The City may require that these services be located on the same side of the building as the electric or water service.

9. The City shall bear responsibility for installing all gas piping and other gas infrastructure, up to and including the meters, necessary to supply the natural gas service reflected in this Agreement. Owner and City will share trench space, which will be dug by the Owner's water and or electric utility contractor at no charge to the City. Each unit within the Development will be individually metered.

10. The City shall provide, when requested, individual residential unit hookups to the natural gas system within the Development. The City shall ensure that such service is provided at the same rates

and on the same terms as those provided to other natural gas customers of the City within a comparable service area. The Parties understand that any and all hookup fees, meter charges and impact fees shall be paid by the residential customers at the time service is hooked up to the home.

11. Owner agrees to pay any and all costs that City incurs in the collection of any unpaid reimbursement fees from Owner, including reasonable attorney's fees and court costs and any attorney fees and costs for appellate proceedings, efforts to collect any judgment entered in favor of the City, and in any proceedings in receivership, bankruptcy or insolvency.

12. If the developer fails to pay the funds required under this Agreement or otherwise defaults under the terms of this agreement, the City is not obligated to install the natural gas infrastructure in the development, may discontinue installation and may terminate this Agreement. In addition, the City may suspend issuance of any and all permits for construction on the Property or within the Development until such time as Owner has paid the amount due and the natural gas service Agreement has been reinstated.

13. The Parties agree that the laws of the State of Florida shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it. The parties agree that in the event of any litigation arising out of or otherwise related to this Agreement, venue shall lie only in a state court of competent jurisdiction in Lake County, Florida.

14. The Parties understand and agree that this Agreement sets forth the entire understanding between the parties and supersedes and takes precedence over any and all prior negotiations, representations and agreements, oral or written, all of which are deemed to have merged into this Agreement and to have been extinguished thereby, except to the extent they are specifically set forth herein. Each party warrants, for the benefit and reliance of the other, that it has not entered into this Agreement in reliance on or on the basis of any promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument, and the parties mutually waive and disclaim any and all rights, remedies and causes of action which may otherwise exist, based wholly or partly on any such

promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument.

15. This Agreement may be assigned to any successor of the Owner, but only with prior, written consent from the City. However, this Agreement may not be partially assigned, or assigned separately from title to all remaining lots not yet transferred to third parties intending to use the lot for personal residential purposes.

16. The Parties understand and agree that this Agreement may not be amended orally, by implication, by course of conduct, or in any manner other than by way of a written instrument approved by the Leesburg City Commission and duly executed by both parties hereto.

17. This Agreement is binding on and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date herein above written.

CITY OF LEESBURG

BY: _____
Alan Reisman, Mayor

ATTEST:

_____
City Clerk

Approved as to form and content:

_____
City Attorney

BY: _____
Authorized Representative of Developer

Print Name: Andrew Grost

Title: Authorized Person

Schedule "A"

LEGAL DESCRIPTION:

(PER TITLE COMMITMENT)

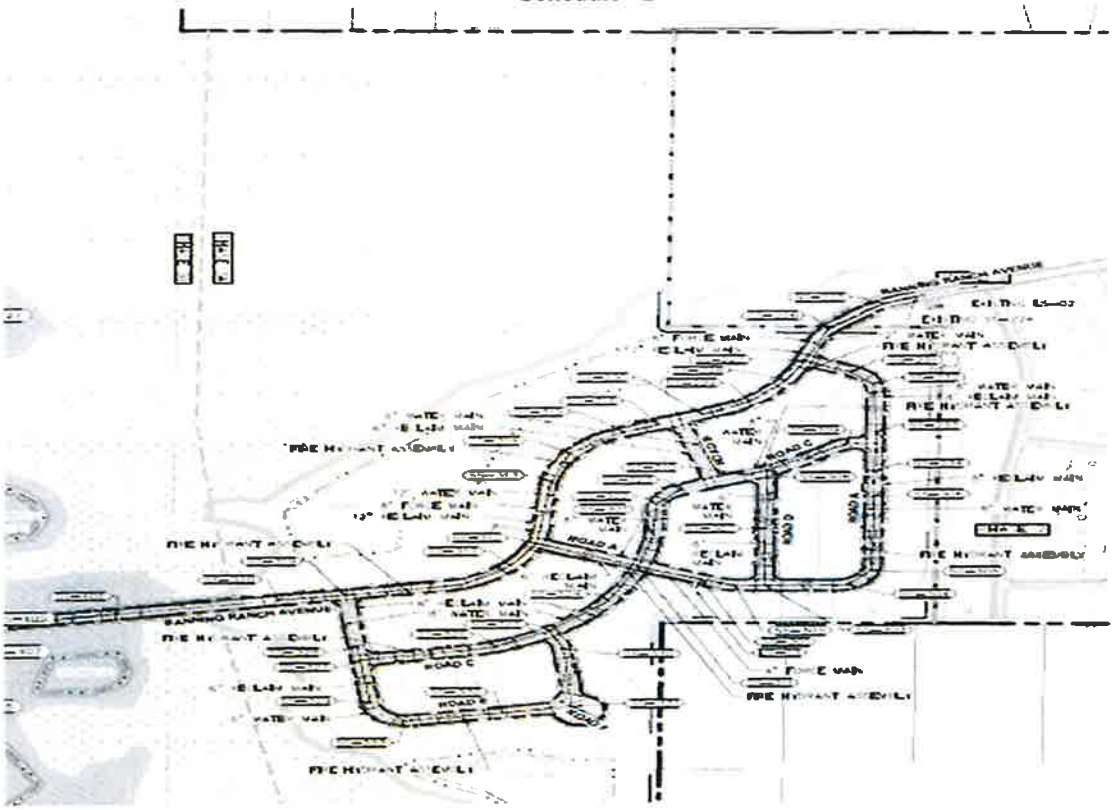
PARCEL 1:
THE EAST 1/2 OF THE SOUTHEAST 1/4 SECTION 32, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 2:
THE WEST 3/4 OF SOUTH 1/2; THE EAST 1/2 OF THE NORTHWEST 1/4; AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 3:
THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE EAST 585 FEET THEREOF.

CONTAINING 463.911 ACRES MORE OR LESS.

Schedule "B"



City of Leesburg
Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: April 28, 2025

From: Corey Goepfert, (Gas Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC, regarding natural gas service to the development known as Banning Ranch – Phase 3B; and providing an effective date.

Staff Recommendation:
Staff recommends accepting and approving the Resolution authorizing the Mayor and City Clerk to execute a gas service agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC.

Analysis:
The City of Leesburg is agreeing to provide natural gas service to Cardiac Dragon 160 AC, LLC, for the development known as Banning Ranch – Phase 3B, located west of County Road 33 and north of Austin Merritt Road. Pursuant to the terms of the Gas Service Agreement, the owner will utilize natural gas in at least 80% of 157 units. A budget adjustment will be made in the amount $424,890.88.

Procurement Analysis:
N/A

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

Fiscal Impact:
The developer will place construction funds totaling $424,890.88 in an escrow account sufficient to fully fund the project. A budget adjustment will be processed to add funds to the current budget.
Account No. 042-0000-223-3100

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A GAS SERVICE AGREEMENT BETWEEN THE CITY OF LEESBURG AND CARDIAC DRAGON 160 AC, LLC, REGARDING NATURAL GAS SERVICE TO THE DEVELOPMENT KNOWN AS BANNING RANCH – PHASE 3B; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Mayor and City Clerk are hereby authorized and directed to execute a Gas Service Agreement between the City of Leesburg and Cardiac Dragon 160 AC, LLC, regarding providing natural gas service to the development known as Banning Ranch - Phase 3B.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of April 2025.

_____
Mayor

ATTEST:

_____
City Clerk

GAS SERVICE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2025 by and between the City of Leesburg, Florida, a municipal corporation organized under the laws of the State of Florida, located at 501 W. Meadow Street, Leesburg, Florida, 34748, (hereinafter referred to as "City"), and Cardiac Dragon 160 AC, LLC located at 8210 Cherry Lake Road. Groveland Florida, 34736 (hereinafter jointly referred to as "Owner"), sometimes collectively referred to as "Party" or "Parties".

WITNESSETH:

WHEREAS, Owner is the current owner of the following real property located in Leesburg, Lake County, Florida (the "Property"):

See Schedule "A" attached hereto

Parcel Identification Number(s): 33-20-24-0001-000-00300, 33-20-24-0004-000-00301, 33-20-24-0004-000-00900

WHEREAS, development of the Property has been authorized in accordance with the master plan on file with the City for "Banning Ranch – Phase 3b" (the "Development"); and

WHEREAS, Section 22-7 of the Code of Ordinances of the City of Leesburg, Florida, requires that Owner utilize natural gas in connection with development of the Property; and

WHEREAS, the City has agreed to provide natural gas service to the Property under the terms and conditions set forth below.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, City and Owner do agree as follows:

1. The City shall, subject to the provisions of this Agreement, supply natural gas service which shall include main, service and meter installations, to the Property. Owner shall be responsible for installing and connecting all natural gas appliances to the outlet of City gas meters. A map of the

Development is attached hereto as Exhibit "B" and by reference is made a part hereof. City shall provide such natural gas service from the supply line, including the gas meter.

2. Owner shall ensure that not less than eighty percent (80%) of the planned (157) units within the Development are equipped with:

A. A natural gas water heater, and a natural gas furnace or Hydro-heat; or

B. A natural gas water heater, and natural gas stove, and natural gas dryer.

3. The Parties understand that the City is relying upon the assurances from Owner as the primary consideration for the execution of this Agreement.

4. The Owner is obligated to pay the full cost of the infrastructure required to serve the Property and the cost of the services, meters, appurtenances and installation, which will be performed by the City. The Owner's estimated costs of the infrastructure to be funded by Owner as set forth below, is Four Hundred and Twenty Four Thousand Eight Hundred and Ninety dollars and Eighty Eight cents ($424,890.88). Fifteen (15) days prior to construction, Owner shall place in escrow with the City, funds equal to that estimate to be used to pay for the construction as it proceeds. Notwithstanding inclusion of this estimate herein, Owner shall be obligated to pay the full cost of the infrastructure required to serve the Development and Property.

5. The City will contract for, or at its option, have done by in house personnel, the actual installation of the infrastructure. The City will follow all legal requirements for bidding and award of the contract. If at any time the City reasonably anticipates that the cost of construction will exceed the original estimate, it shall notify Owner in writing as soon as practicable. In turn, Owner shall within 15 days of such notice, place into the escrow account an amount sufficient to cover the increased costs of the construction. If Owner fails to place the additional funds into the escrow account, the City at its option may halt construction of the infrastructure until Owner deposits the additional funds, together with any other costs incurred as a result of the cessation of construction, into the escrow account.

6. The City shall both own and maintain the natural gas system on the Property up to and including the natural gas meter. The natural gas system from the outlet of the gas meter to the appliance

utilizing the natural gas shall be maintained by the Owner and Owner's heirs, successors, or assigns. Notwithstanding anything to the contrary contained herein, to the extent the natural gas system owned and maintained by the City or any part thereof is damaged as a result of the acts, conduct, or failure to act of Owner and/or Owner's agents, employees, representatives, members, managers, shareholders, officers, directors, tenants, contractors, laborers, or material suppliers, or in the event of any deviation from standard service to any existing or proposed natural gas infrastructure occurs, then Owner shall be responsible for paying for all costs, charges, and expenses whatsoever associated with any repairs, reconstruction, and replacements to the natural gas system, including but not limited to, all costs of gas loss resulting from the damage.

7. The Owner shall grant to the City all easements needed to install, operate, maintain, repair, and replace the natural gas pipelines on the Property, including minimum five foot (5') side lot easements, and shall dedicate or otherwise convey those easements to the perpetual use of the City and its successors in interest for the purpose of laying, installing, operating, maintaining, repairing and replacing the natural gas pipelines. In addition, the Owner shall provide a location and easement, agreed to by the City for the purpose of installation, maintenance, repair, and replacement of any necessary regulator stations and all associated equipment on the Property.

8. The Owner shall locate natural gas service meters on the side of each building in a manner to allow for two buildings to be serviced by one service line wherever possible. The City may require that these services be located on the same side of the building as the electric or water service.

9. The City shall bear responsibility for installing all gas piping and other gas infrastructure, up to and including the meters, necessary to supply the natural gas service reflected in this Agreement. Owner and City will share trench space, which will be dug by the Owner's water and or electric utility contractor at no charge to the City. Each unit within the Development will be individually metered.

10. The City shall provide, when requested, individual residential unit hookups to the natural gas system within the Development. The City shall ensure that such service is provided at the same rates

and on the same terms as those provided to other natural gas customers of the City within a comparable service area. The Parties understand that any and all hookup fees, meter charges and impact fees shall be paid by the residential customers at the time service is hooked up to the home.

11. Owner agrees to pay any and all costs that City incurs in the collection of any unpaid reimbursement fees from Owner, including reasonable attorney's fees and court costs and any attorney fees and costs for appellate proceedings, efforts to collect any judgment entered in favor of the City, and in any proceedings in receivership, bankruptcy or insolvency.

12. If the developer fails to pay the funds required under this Agreement or otherwise defaults under the terms of this agreement, the City is not obligated to install the natural gas infrastructure in the development, may discontinue installation and may terminate this Agreement. In addition, the City may suspend issuance of any and all permits for construction on the Property or within the Development until such time as Owner has paid the amount due and the natural gas service Agreement has been reinstated.

13. The Parties agree that the laws of the State of Florida shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it. The parties agree that in the event of any litigation arising out of or otherwise related to this Agreement, venue shall lie only in a state court of competent jurisdiction in Lake County, Florida.

14. The Parties understand and agree that this Agreement sets forth the entire understanding between the parties and supersedes and takes precedence over any and all prior negotiations, representations and agreements, oral or written, all of which are deemed to have merged into this Agreement and to have been extinguished thereby, except to the extent they are specifically set forth herein. Each party warrants, for the benefit and reliance of the other, that it has not entered into this Agreement in reliance on or on the basis of any promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument, and the parties mutually waive and disclaim any and all rights, remedies and causes of action which may otherwise exist, based wholly or partly on any such

promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument.

15. This Agreement may be assigned to any successor of the Owner, but only with prior, written consent from the City. However, this Agreement may not be partially assigned, or assigned separately from title to all remaining lots not yet transferred to third parties intending to use the lot for personal residential purposes.

16. The Parties understand and agree that this Agreement may not be amended orally, by implication, by course of conduct, or in any manner other than by way of a written instrument approved by the Leesburg City Commission and duly executed by both parties hereto.

17. This Agreement is binding on and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date herein above written.

CITY OF LEESBURG

BY: _____
Alan Reisman, Mayor

ATTEST:

_____
City Clerk

Approved as to form and content:

_____
City Attorney

BY: _____
Authorized Representative of Developer

Print Name: Andrew Orosz

Title: Authorized Person

Schedule "A"

LEGAL DESCRIPTION:

(PER TITLE COMMITMENT)

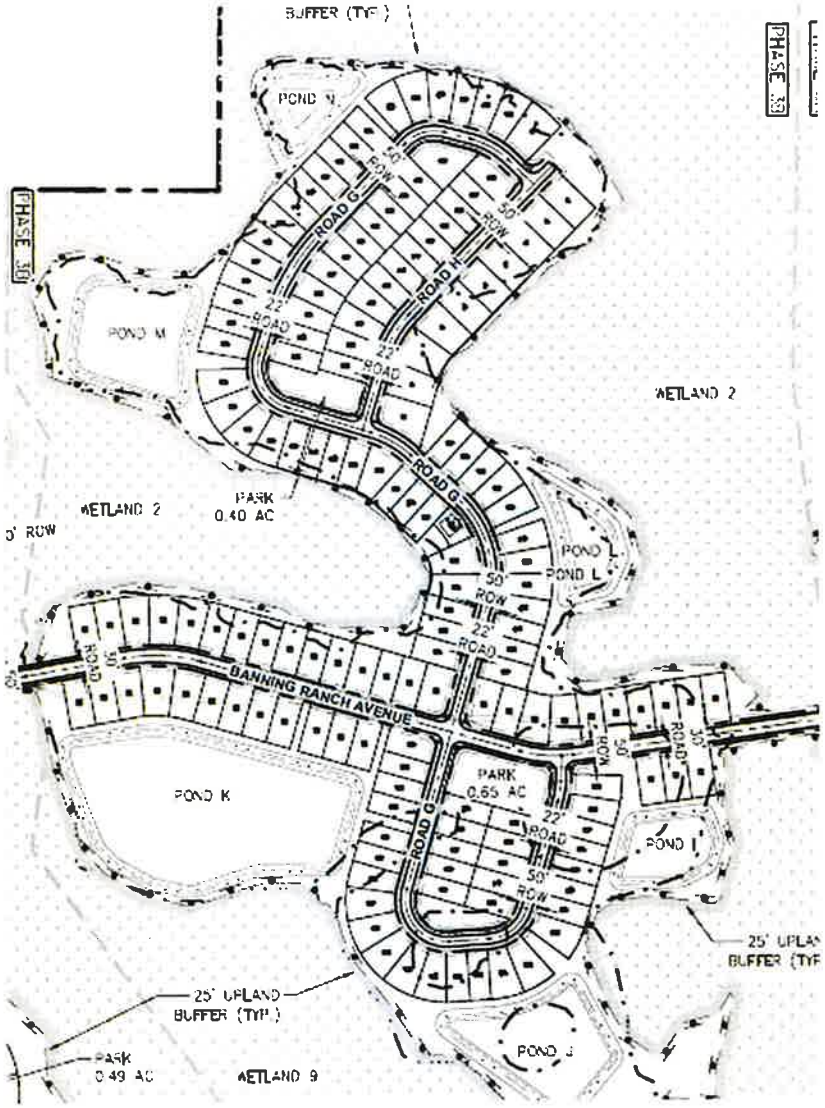
PARCEL 1:
THE EAST 1/2 OF THE SOUTHEAST 1/4 SECTION 32, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 2:
THE WEST 3/4 OF SOUTH 1/2; THE EAST 1/2 OF THE NORTHWEST 1/4; AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA.

PARCEL 3:
THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, LESS THE EAST 585 FEET THEREOF.

CONTAINING 463.911 ACRES MORE OR LESS.

Schedule "B"


BUFFER (TYP.)
PHASE 3B
PHASE 3D
POND N
POND M
ROAD G
ROAD H
50' ROW
22' ROAD
WETLAND 2
PARK 0.40 AC
POND L
BANNING RANCH AVENUE
POND K
PARK 0.65 AC
POND I
25' UPLAND BUFFER (TYP.)
PARK 0.49 AC
WETLAND 9
POND J

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	5.C.3.
Meeting Date:	April 28, 2025
From:	Corey Goepfert, (Gas Director)
Subject:	Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and 48 Land Group LLC, regarding natural gas service to the development known as Blake's Ridge; and providing an effective date.

Staff Recommendation:
Staff recommends accepting and approving the Resolution authorizing the Mayor and City Clerk to execute a gas service agreement between the City of Leesburg and 48 Land Group LLC.

Analysis:
The City of Leesburg is agreeing to provide natural gas service to 48 Land Group LLC, for the development known as Blake's Ridge, located east of County Road 48 and north of North Austin Merritt Road. Pursuant to the terms of the Gas Service Agreement, owner will utilize natural gas in at least 80% of 216 units. A budget adjustment will be made in the amount $566,224.66.

Procurement Analysis:
N/A

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

Fiscal Impact:
The developer will place construction funds totaling $566,244.66 in an escrow account sufficient to fully fund the project. A budget adjustment will be processed to add the funds to the current budget.
Account No. 042-0000-223-3100

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A GAS SERVICE AGREEMENT BETWEEN THE CITY OF LEESBURG AND 48 LAND GROUP LLC, REGARDING NATURAL GAS SERVICE TO THE DEVELOPMENT KNOWN AS BLAKE'S RIDGE; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Mayor and City Clerk are hereby authorized and directed to execute a Gas Service Agreement between the City of Leesburg and 48 Land Group LLC, regarding providing natural gas service to the development known as Blake's Ridge.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of April 2025.

_____
Mayor

ATTEST:

_____
City Clerk

GAS SERVICE AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2025 by and between the City of Leesburg, Florida, a municipal corporation organized under the laws of the State of Florida, located at 501 W. Meadow Street, Leesburg, Florida, 34748, (hereinafter referred to as "City"), and 48 Land Group LLC, 103 Commerce St. Ste. 140, Lake Mary, Florida 32746 (hereinafter jointly referred to as "Owner"), sometimes collectively referred to as "Party" or "Parties".

WITNESSETH:

WHEREAS, Owner is the current owner of the following real property located in Leesburg, Lake County, Florida (the "Property"):

See Schedule "A" attached hereto

Parcel Identification Number(s): 32-20-24-0003-000-00700

WHEREAS, development of the Property has been authorized in accordance with the master plan on file with the City for "Blake's Ridge" (the "Development"); and

WHEREAS, Section 22-7 of the Code of Ordinances of the City of Leesburg, Florida, requires that Owner utilize natural gas in connection with development of the Property; and

WHEREAS, the City has agreed to provide natural gas service to the Property under the terms and conditions set forth below.

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements contained herein, the receipt and sufficiency of which are hereby acknowledged, City and Owner do agree as follows:

1. The City shall, subject to the provisions of this Agreement, supply natural gas service which shall include main, service and meter installations, to the Property. Owner shall be responsible for installing and connecting all natural gas appliances to the outlet of City gas meters. A map of the Development is attached hereto as Exhibit "B" and by reference is made a part hereof. City shall provide such natural gas service from the supply line, including the gas meter.

2. Owner shall ensure that not less than eighty percent (80%) of the planned (216) units within the Development are equipped with:

A. A natural gas water heater, and a natural gas furnace or Hydro-heat; or

B. A natural gas water heater, and natural gas stove, and natural gas dryer.

3. The Parties understand that the City is relying upon the assurances from Owner as the primary consideration for the execution of this Agreement.

4. The Owner is obligated to pay the full cost of the infrastructure required to serve the Property and the cost of the services, meters, appurtenances and installation, which will be performed by the City. The Owner's estimated costs of the infrastructure to be funded by Owner as set forth below, is Five Hundred and Sixty Six Thousand Two Hundred and Twenty Four dollars and Sixty Six cents ($566,224.66). Fifteen (15) days prior to construction, Owner shall place in escrow with the City, funds equal to that estimate to be used to pay for the construction as it proceeds. Notwithstanding inclusion of this estimate herein, Owner shall be obligated to pay the full cost of the infrastructure required to serve the Development and Property.

5. The City will contract for, or at its option, have done by in house personnel, the actual installation of the infrastructure. The City will follow all legal requirements for bidding and award of the contract. If at any time the City reasonably anticipates that the cost of construction will exceed the original estimate, it shall notify Owner in writing as soon as practicable. In turn, Owner shall within 15 days of such notice, place into the escrow account an amount sufficient to cover the increased costs of the construction. If Owner fails to place the additional funds into the escrow account, the City at its option may halt construction of the infrastructure until Owner deposits the additional funds, together with any other costs incurred as a result of the cessation of construction, into the escrow account.

6. The City shall both own and maintain the natural gas system on the Property up to and including the natural gas meter. The natural gas system from the outlet of the gas meter to the appliance utilizing the natural gas shall be maintained by the Owner and Owner's heirs, successors, or assigns. Notwithstanding anything to the contrary contained herein, to the extent the natural gas system owned and

maintained by the City or any part thereof is damaged as a result of the acts, conduct, or failure to act of Owner and/or Owner's agents, employees, representatives, members, managers, shareholders, officers, directors, tenants, contractors, laborers, or material suppliers, or in the event of any deviation from standard service to any existing or proposed natural gas infrastructure occurs, then Owner shall be responsible for paying for all costs, charges, and expenses whatsoever associated with any repairs, reconstruction, and replacements to the natural gas system, including but not limited to, all costs of gas loss resulting from the damage.

7. The Owner shall grant to the City all easements needed to install, operate, maintain, repair, and replace the natural gas pipelines on the Property, including minimum five foot (5') side lot easements, and shall dedicate or otherwise convey those easements to the perpetual use of the City and its successors in interest for the purpose of laying, installing, operating, maintaining, repairing and replacing the natural gas pipelines. In addition, the Owner shall provide a location and easement, agreed to by the City for the purpose of installation, maintenance, repair, and replacement of any necessary regulator stations and all associated equipment on the Property.

8. The Owner shall locate natural gas service meters on the side of each building in a manner to allow for two buildings to be serviced by one service line wherever possible. The City may require that these services be located on the same side of the building as the electric or water service.

9. The City shall bear responsibility for installing all gas piping and other gas infrastructure, up to and including the meters, necessary to supply the natural gas service reflected in this Agreement. Owner and City will share trench space, which will be dug by the Owner's water and or electric utility contractor at no charge to the City. Each unit within the Development will be individually metered.

10. The City shall provide, when requested, individual residential unit hookups to the natural gas system within the Development. The City shall ensure that such service is provided at the same rates and on the same terms as those provided to other natural gas customers of the City within a comparable

service area. The Parties understand that any and all hookup fees, meter charges and impact fees shall be paid by the residential customers at the time service is hooked up to the home.

11. Owner agrees to pay any and all costs that City incurs in the collection of any unpaid reimbursement fees from Owner, including reasonable attorney's fees and court costs and any attorney fees and costs for appellate proceedings, efforts to collect any judgment entered in favor of the City, and in any proceedings in receivership, bankruptcy or insolvency.

12. If the developer fails to pay the funds required under this Agreement or otherwise defaults under the terms of this agreement, the City is not obligated to install the natural gas infrastructure in the development, may discontinue installation and may terminate this Agreement. In addition, the City may suspend issuance of any and all permits for construction on the Property or within the Development until such time as Owner has paid the amount due and the natural gas service Agreement has been reinstated.

13. The Parties agree that the laws of the State of Florida shall govern the validity of this Agreement, its interpretation and performance, and any other claims related to it. The parties agree that in the event of any litigation arising out of or otherwise related to this Agreement, venue shall lie only in a state court of competent jurisdiction in Lake County, Florida.

14. The Parties understand and agree that this Agreement sets forth the entire understanding between the parties and supersedes and takes precedence over any and all prior negotiations, representations and agreements, oral or written, all of which are deemed to have merged into this Agreement and to have been extinguished thereby, except to the extent they are specifically set forth herein. Each party warrants, for the benefit and reliance of the other, that it has not entered into this Agreement in reliance on or on the basis of any promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument, and the parties mutually waive and disclaim any and all rights, remedies and causes of action which may otherwise exist, based wholly or partly on any such

promise, undertaking, representation or agreement of the other party, except as specifically set forth within the four corners of this instrument.

15. This Agreement may be assigned to any successor of the Owner, but only with prior, written consent from the City. However, this Agreement may not be partially assigned, or assigned separately from title to all remaining lots not yet transferred to third parties intending to use the lot for personal residential purposes.

16. The Parties understand and agree that this Agreement may not be amended orally, by implication, by course of conduct, or in any manner other than by way of a written instrument approved by the Leesburg City Commission and duly executed by both parties hereto.

17. This Agreement is binding on and shall inure to the benefit of the parties hereto and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date herein above written.

CITY OF LEESBURG

BY: _____
Alan Reisman, Mayor

ATTEST:

_____
City Clerk

Approved as to form and content:

_____
City Attorney

BY: _____
Authorized Representative of Developer

Print Name: James Picks

Title: Mayor

Schedule "A"

LEGAL DESCRIPTION

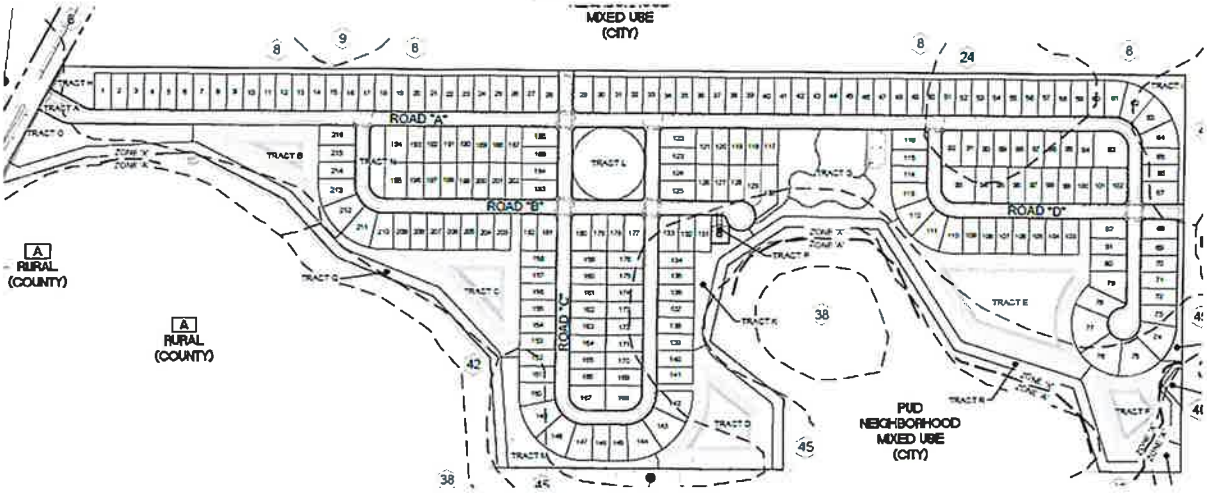
THAT PART OF THE WEST (3/4) OF THE SOUTH (1/4) OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHWEST (1/4) OF THE SOUTHWEST (1/4) OF SAID SECTION 32, AND ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 48 THAT IS 229.47 FEET NORTH 89°16'18" EAST OF THE NORTHWEST CORNER OF SAID QUARTER-QUARTER; NORTH 89°16'18" EAST ALONG THE NORTH LINE OF THE SOUTH (1/4) OF SAID SECTION 32 FOR 3,752.21 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST (1/4) OF THE SOUTHEAST (1/4) OF SAID SECTION 32; THENCE RUN SOUTH 00°49'29" EAST FOR 1,324.21 FEET ALONG THE EAST LINE OF THE LAST DESCRIBED QUARTER-QUARTER TO THE SOUTHEAST CORNER OF SAID QUARTER- QUARTER; THENCE RUN SOUTH 89°15'57" WEST FOR 270.48 FEET ALONG THE SOUTH LINE OF SECTION 32; THENCE NORTH 18°42'13" WEST FOR 292.20 FEET; THENCE NORTH 73°22'03" WEST 417.00 FEET; THENCE NORTH 34°02'03' WEST 481.56 FEET; THENCE NORTH 89°49'13" WEST 304.91 FEET; THENCE SOUTH 55°09'07" WEST 233.72 FEET; THENCE SOUTH 11°39'57" WEST 258.32 FEET; THENCE SOUTH 53°23'53" EAST 312.77 FEET TO A POINT THAT IS ON THE WEST LINE OF THE SOUTHWEST (1/4) OF THE SOUTHEAST (1/4) OF SAID SECTION 32; THENCE SOUTH 00°44'52" EAST 236.97 FEET ALONG SAID LINE TO THE SOUTH QUARTER-CORNER OF SAID SECTION 32; THENCE SOUTH 89°15'57" WEST ALONG THE SOUTH LINE OF SAID SECTION 32 FOR 952.47 FEET; THENCE NORTH 05°16'43" WEST 368.37 FEET; THENCE NORTH 44°46'31" WEST 281.66; THENCE NORTH 68°56'54" WEST 345.16 FEET;, THENCE NORTH 43°50'12" WEST 264.24 FEET; THENCE NORTH 64°05'00" WEST 339.97 FEET; THENCE SOUTH 86°10'02" WEST 353.27 FEET; THENCE SOUTH 72°02'34" WEST 316.65 FEET TO A POINT THAT IS ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 48; THENCE NORTH 27°33'33" EAST 446.43 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

TOGETHER WITH A PERPETUAL EASEMENT FOR ROADWAY AND IRRIGATION PURPOSES GRANTED IN OFFICIAL RECORDS BOOK 9, PAGE 174, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, OVER AND UPON THE FOLLOWING DESCRIBED PARCELS OF LAND, TO-WIT:

WATER AND ROAD EASEMENT NO. 3; BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 24 EAST, THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER HAVING A BEARING OF SOUTH 0°42'50" EAST, RUN SOUTH 28°24'40" EAST FOR 783.80 FEET; THENCE NORTH 34°06'23" EAST 56.36 FEET, THENCE SOUTH 63°16'02" EAST 87.49 FEET, THENCE NORTH 28°24'40" WEST 804.93 FEET; THENCE NORTH 0°42'50" WEST PARALLEL TO AND 100 FEET EAST OF THE WEST LINE OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 24 EAST FOR 932.31 FEET, THENCE SOUTH 72°02'34" WEST FOR 85.85 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 48, THENCE SOUTH 27°33'33" WEST ALONG SAID RIGHT OF WAY 38.02 FEET, MORE OR LESS, TO THE WEST LINE OF SAID SECTION 32, THENCE SOUTH 0°42'50" EAST FOR 898.03 FEET, MORE OR LESS, ALONG WEST LINE OF SAID SECTION 32 TO THE POINT OF BEGINNING

WATER AND ROAD EASEMENT NO. 4; A STRIP OF LAND 100 FEET WIDE, THE CENTERLINE IS DESCRIBED AS FOLLOWS: FROM THE NORTHEAST CORNER OF THE SOUTHEAST (1/4) OF THE SOUTHWEST (1/4) OF SECTION 32, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN SOUTH 0°44'52" EAST ALONG THE EAST LINE OF SAID SOUTHEAST (1/4) OF THE SOUTHWEST (1/4) FOR 514.50 FEET, TO THE POINT OF BEGINNING, RUN THENCE SOUTH 0°44'52" EAST FOR A DISTANCE OF 200 FEET.

Schedule "B"


MIXED USE
(CITY)
ROAD "A"
ROAD "B"
ROAD "C"
ROAD "D"
A
RURAL
(COUNTY)
A
RURAL
(COUNTY)
PUD
NEIGHBORHOOD
MIXED USE
(CITY)

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	5.C.4.
Meeting Date:	April 28, 2025
From:	Brad Chase, (Electric Director)
Subject:	Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement affecting the property described therein from Integra Isles LP, joined by Dwight Capital LLC; and providing an effective date.

Staff Recommendation:
Staff recommends accepting and approving the Resolution accepting a Utility Easement from Integra Isles LP, and Joinder and Consent to Utility Easement from Dwight Capital LLC.

Analysis:
Integra Isles LP is granting a Utility Easement to the City of Leesburg, Florida on the property described in the document. The property owner's lender has signed a joinder and consent to the utility easement.

Procurement Analysis:
N/A

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

Fiscal Impact:
None

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, ACCEPTING A UTILITY EASEMENT AFFECTING THE PROPERTY DESCRIBED THEREIN FROM INTEGRA ISLES LP, JOINED BY DWIGHT CAPITAL LLC; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Utility Easement granted to the City of Leesburg by Integra Isles LP, joined by Dwight Capital LLC, is hereby accepted.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of April 2025.

_____
Mayor

ATTEST:

_____
City Clerk

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

UTILITY EASEMENT

THIS PERMANENT UTILITY EASEMENT (**"Easement"**) on this 26th day of March 2025, is hereby granted by **INTEGRA ISLES LP,** a Florida limited partnership, whose mailing address is 1525 International Pkwy Suite 2001, Lake Mary, Florida 32746 (**"GRANTOR,"**) to **THE CITY OF LEESBURG, FLORIDA**, a Florida municipal corporation, whose mailing address is P.O. Box 490630, Leesburg, Florida 34749-0630, and its successors and assigns (**"GRANTEE"**);

WITNESSETH:

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

SEE EXHIBIT "A" ATTACHED HERETO

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

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

GRANTOR warrants and covenants that **GRANTOR** is lawfully seized and in possession of the real property underlying the Easement Area, and has the right to convey this Easement, and that **GRANTEE**, its successors, successors-in-title and assignees shall have quiet and peaceful possession, use, and enjoyment of this Easement. The rights, privileges, and burden of the Easement granted herein shall

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

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

WITNESSES:

Alyssa Elliott
Signature
Alyssa Elliott
Print
1525 International Pkwy, Ste 2001
Postal Address Lake Mary, FL 32746

Robert P. McDaniel
Signature
ROBERT P. McDANIEL
Printed
1525 INTERNATIONAL Pkwy STE 2001
Postal Address LAKE MARY, FL 32746

GRANTOR:

INTEGRA ISLES LP,
a Florida limited partnership

By: INTEGRA ISLES DEVELOPMENT LLC
a Florida limited liability company,
its General Partner,

By: David G. McDaniel
David G. McDaniel, Manager

STATE OF FLORIDA
COUNTY OF Seminole

The foregoing instrument was acknowledged before me by means of [X] physical presence or [_] online notarization this 26 day of March, 2025, by David G. McDaniel, as Manager of INTEGRA ISLES Development LLC a Florida limited liability company, as the General Partner of INTEGRA ISLES LP., a Florida Limited Partnership, who is [X] personally known to me or [_] who produced the following identification:_____.

Barbara Brannon
Notary Public Signature
BARBARA BRANNON
Notary Public Name

My Commission Number: HH 104685
My Expiration Date: 05/02/2025

(seal)

Notary Public State of Florida
Barbara Brannon
My Commission HH 104685
Expires 05/07/2025

JOINDER AND CONSENT TO UTILITY EASEMENT

DWIGHT CAPITAL LLC, a Delaware limited liability company, whose address is 787 Eleventh Avenue, 10th Floor, New York, New York 10019, hereby certifies that it is the owner and holder of certain mortgages, liens, or other encumbrances upon the property shown and described on Exhibit "A" attached hereto, located in Leesburg, Lake County, Florida, and hereby joins and consents to the Utility Easement between **INTEGRA ISLES LP,** and the **CITY OF LEESBURG**; and agrees that its interest in the property of the Multifamily Mortgage, Assignment of Lease and Rents, and Security Agreement dated November 1, 2024, and recorded on November 26, 2024, in Official Records Book 6437, Page 294, Public Records of Lake County, Florida, shall be subordinated to said Utility Easement.

Signed and sealed in the presence of:
Witnesses:

Printed Name: Benjamin Stoll
Address: saint pete, FL 33716

Printed Name: Shelly Carrel
Address: 450 Carillon Parkway, Suite 100

DWIGHT CAPITAL LLC, a Delaware limited liability company

STATE OF Florida
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me, by means of ☑ physical presence or ☐ online notarization, this 25 day of March, 2025, by Sam Sterling as Asset Manager of Dwight Capital LLC, a Delaware limited liability company who is ___ personally known or produced _____ as identification.

(Seal)

NOTARY PUBLIC

Notary Public State of Florida
Kyra A Lyles
My Commission HH 317151
Expires 10/1/2026

EXHIBIT A

DESCRIPTION OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

LEGAL DESCRIPTION OF A PARCEL OF LAND FOR A NORTH PORTION OF AN EASEMENT OF AN EXISTING ELECTRICAL LINE AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA; BEST DESCRIBE AS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG; THENCE RUN ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 ON A BEARING THAT IS RELATED TO FLORIDA STATE PLANE COORDINATES SYSTEM EAST ZONE, BEING S01°00'40"W, A DISTANCE OF 1,511.63 FEET; THENCE N88°59'11"W, A DISTANCE OF 53.96 FEET TO THE POINT OF BEGINNING; THENCE N03°39'16"E, A DISTANCE OF 10.18 FEET; THENCE N 1d57'59" W 18.60 FEET; THENCE N 30d57'23" W 16.18 FEET; THENCE N 89d10'20" W 46.93 FEET; THENCE N 1d18'22" E 4.59 FEET; THENCE N 89d15'58" W 78.29 FEET; THENCE DUE SOUTH 3.81 FEET; THENCE N 88d41'38" W 25.53 FEET; THENCE N 86d25'17" W 83.96;THENCE N 9d52'19" W 8.27 FEET; THENCE N 0d35'55" E 127.81 FEET; THENCE N 88d11'44" W 47.10 FEET; THENCE N 77d41'35" W 13.16 FEET; THENCE N 3d34'39" E 35.35 FEET;THENCE N 2d39'3" W 63.51 FEET; THENCE S 87d20'57" W 10.00 FEET; THENCE S 2d39'3" E 62.97 FEET; THENCE S 3d34'39" W 33.28 FEET; THENCE N 76d1'17" W 55.09 FEET; THENCE N 89d47'8" W 48.46 FEET; THENCE N 82d52'28" W 29.80 FEET; THENCE N 84d43'36" W 68.94 FEET; THENCE N 89d21'46" W 232.73 FEET; THENCE S 89d53'4" W 23.52 FEET; THENCE S 84d52'56" W 44.04 FEET; THENCE N 89d46'54" W 263.77 FEET; THENCE N 87d5'43" W 90.36 FEE; THENCE DUE WEST 21.81 FEET; THENCE S 81d7'20" W 39.84 FEET; THENCE N 88d26'17" W 9.37 FEET; THENCE S 0d45'19" W 9.95 FEET; THENCE S 81d23'45" E 21.21 FEET; THENCE S 5d59'17" W 125.30 FEET; THENCE N 60d3'2" W 10.98 FEET; THENCE S 0d45'19" W 19.29 FEET; THENCE S 89d2'14" E 18.34 FEET; THENCE N 36d19'52" E 11.40 FEET; THENCE N 81d17'44" E 12.42 FEET; THENCE N 88d15'38" E 20.81 FEET; THENCE S 87d5'43" E 90.19FEET; THENCE S89d46'54" E 264.47 FEET; THENCE N 84d52'56" E 44.07 FEET; THENCE N 89d53'4" E 23.02 FEET; THENCE S 89d11'52" E 231.78 FEET; THENCE S85d18'14" E 69.06 FEET; THENCE S 82d52'28" E 29.98 FEET; THENCE S 89d47'8" E 47.78 FEET; THENCE S 75d7'34" E 34.82 FEET; THENCE S 77d41'35" E 43.63 FEET; THENCE S 88d11'44" E 38.23; THENCE S 0d35'55" W 118.70 FEET; THENCE S 7d14'46" E 14.22 FEET; THENCE S 64d55'52" E 7.85 FEET; THENCE S 86d25'17" E 86.06 FEET; THENCE S 88d41'38" E 35.96 FEET; THENCE DUE NORTH 3.92 FEET; THENCE S 89d15'58" E 58.06 FEET; S 1d18'22" W 4.49 FEET; THENCE S 88d41'38" E 20.82 FEET; THENCE S 2d2'47" W 32.09 FEET; THENCE S 88d59'11" E 35.75 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT.

PARCEL CONTAINING 0.28 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83) AS DETERMINED FROM GLOBAL POSITIONING SYSTEM (GPS).
3. UNLESS OTHERWISE NOTED, PLAT INFORMATION IS EQUAL TO FIELD MEASURED DATA.
4. I HEREBY CERTIFY THAT THE "SKETCH OF DESCRIPTION" OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING CHAPTER 5J-17 REQUIREMENTS.

NOT VALID WITHOUT SHEET 2 OF 2.

REQUEST BY:

SECTION: 25	REVISIONS:
TOWNSHIP: 19 SOUTH	
RANGE: 24 EAST	
COUNTY: LAKE	

CERTIFIED TO:

- Integra Isles LP, a Florida limited partnership
- Old Republic National Title Insurance Company
- Dwight Capital LLC, a Delaware limited liability company
- The Secretary of Housing and Urban Development
- Shutts & Bowen LLP
- Venetian Isle Apartments Holdings LLC, a Florida limited liability company
- Stanley Law Center

JOSE A. CORREA RIVERA LICENSE NUMBER No. 7023 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

Digitally signed by JOSE A CORREA
Date: 2025.03.14 10:26:50 -04'00'

JOSE A. CORREA RIVERA, P.S.M. #7023

PURA VIDA ENGINEERING SERVICES
6457 HAZELTINE NATIONAL DRIVE, SUITE 150A
ORLANDO, FLORIDA 32822
PH (407) 203-3804
MOHAMMED MUZAMMIL, PE 86422

PURA VIDA ENGINEERING SERVICES

PROJECT NO.	J410S
DATE	03/14/25
DRAWN BY	M. LIFE
CHECKED BY	SM
CHECKED BY	SM

PARCEL OF LAND FOR A NORTH PORTION OF AN EASEMENT OF AN EXISTING ELECTRICAL LINE AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA

SHEET 1 of 8

SKETCH OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

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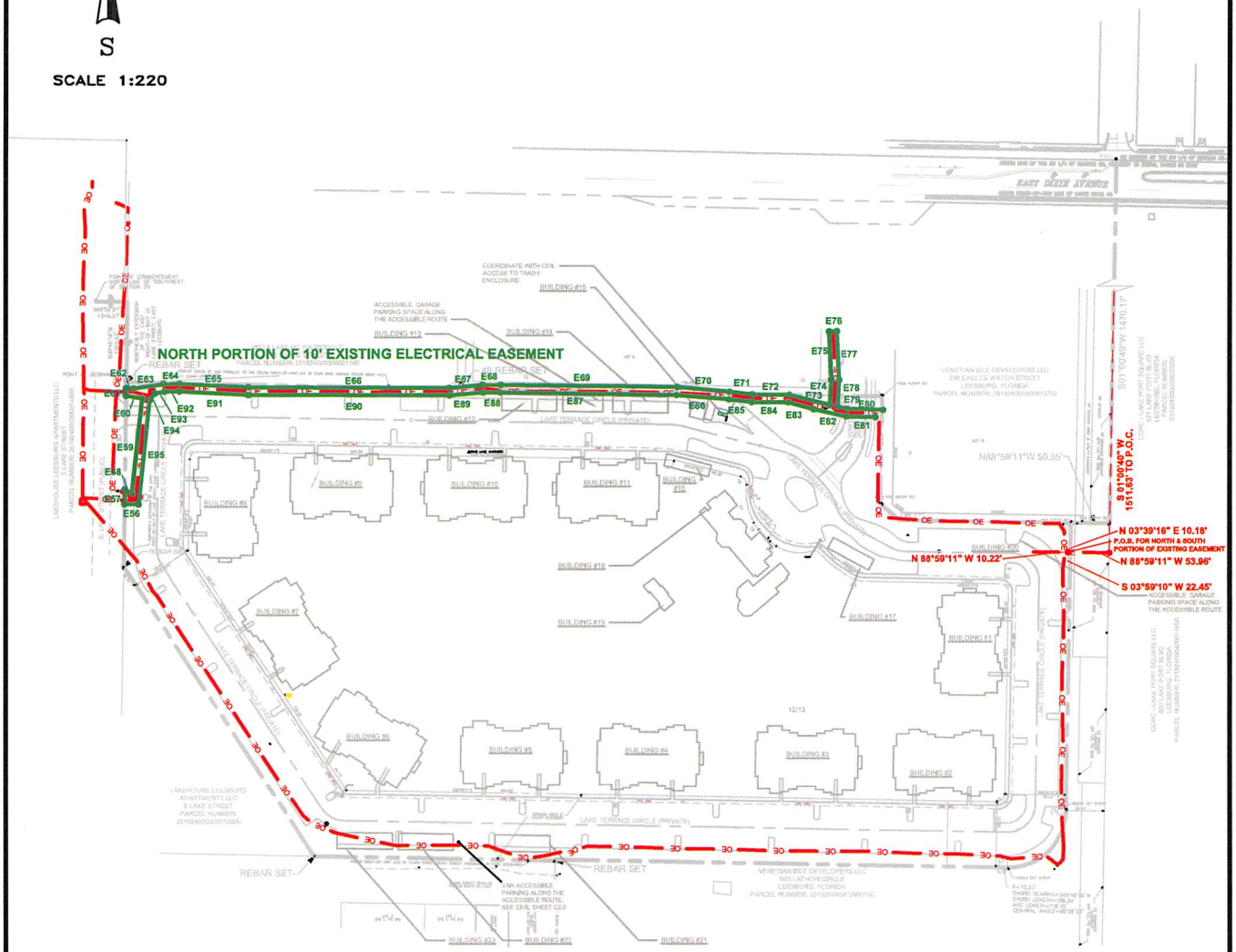
SCALE 1:220



NORTH PORTION OF EASTING EASEMENT		
ELECTRICAL LINE EASMENT NUMBER	BEARING	DISTANCE (FEET)
E56	S84°21'14" E	18.34
E57	S04°51'19" W	19.29
E58	N 90°23'2" W	10.96
E59	S 5°59'17" W	125.30
E60	S41°23'48" E	21.21
E61	S04°51'19" W	1.05
E62	N 90°26'17" W	9.37
E63	S41°27'32" W	39.94
E64	DUEWEST	21.91
E65	N 5°15'43" W	90.36
E66	N 84°46'54" W	262.77
E67	S84°52'39" W	44.04
E68	S84°53'4" W	23.53
E69	N 84°27'48" W	232.75
E70	N 84°43'38" W	68.54
E71	N 52°52'28" W	29.90
E72	N 84°47'8" W	46.46
E73	N 74°41'17" W	55.08
E74	S 34°34'39" W	33.38
E75	S 20°07'3" E	62.01
E76	S 67°28'5" W	10.00
E77	N 20°07'3" W	63.51
E78	N 34°34'39" E	35.35
E79	N 75°41'28" W	13.18
E80	N 88°11'44" W	47.10
E81	S 88°11'44" E	38.23
E82	S 71°41'30" E	43.50
E83	S 75°27'34" E	34.42
E84	S 88°47'2" E	47.13
E85	S 83°52'39" E	29.44
E86	S 85°18'1" E	69.06
E87	S 84°11'32" E	231.76
E88	N 84°53'4" E	23.02
E89	N 84°52'39" E	44.07
E90	S 84°46'54" E	264.47
E91	S 5°15'43" E	90.13
E92	N 84°11'32" E	20.61
E93	N 85°11'44" E	12.42
E94	N 36°19'52" E	11.40
E95	N 5°59'23" E	136.79

LEGEND:

OE — ELECTRICAL LINE

10' EASEMENT FOR EXISTING ELECTRIC LINE

NOTES:

1. SEE SHEET 1 FOR DESCRIPTION.
2. THIS IS NOT A SURVEY.
3. NOT VALID WITHOUT SHEET 1 OF 2.

PURA VIDA ENGINEERING SERVICES

6457 HAZELTINE NATIONAL DRIVE, SUITE 150A
ORLANDO, FLORIDA 32822
PH (407) 203-3804

MOHAMMED MUZAMMIL, PE 86422

PURA VIDA ENGINEERING SERVICES

PROJECT NO.	J410S
DATE	03/14/25
DRAWN BY	M. LIFE
CHECKED BY	SM
CHECKED BY	SM

PARCEL OF LAND FOR A NORTH PORTION OF AN EASEMENT OF AN EXISTING ELECTRICAL LINE AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA

SHEET

2 of 8

DESCRIPTION OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

LEGAL DESCRIPTION OF A PARCEL OF LAND FOR A SOUTH PORTION OF AN EASEMENT OF AN EXISTING ELECTRICAL LINE AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA; BEST DESCRIBE AS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG; THENCE RUN ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 ON A BEARING THAT IS RELATED TO FLORIDA STATE PLANE COORDINATES SYSTEM EAST ZONE, BEING S01°00'38"W, A DISTANCE OF 1,728.01 FEET; THENCE N88°59'11"W, A DISTANCE OF 53.96 FEET TO THE POINT OF BEGINNING; THENCE S03°59'10"W, A DISTANCE OF 22.45 FEET; THENCE S 0d51'05"E 70.46 FEET; THENCE S 01d35'41" W 87.23 FEET; THENCE S00d38'34" E 206.00 FEET; THENCE S 2d04'16" W 17.50 FEET; THENCE S 41d03'55" W 16.83 FEET; THENCE N 53d56'32" W 22.89 FEET; THENCE S 85d41'33" W 45.49 FEET; THENCE N 76d07'27" W 14.97 FEET;THENCE N 87d03'42" W 50.55 FEET; THENCE N 88d49'22" W 488.49 FEET; THENCE S 60d59'37" W 25.62 FEET; THENCE N 89d03'10" W 337.59 FEET; THENCE N 32d19'59" W 406.17 FEET; THENCE N 27d50'25" W 44.58 FEET; THENCE N 40d30'21" W 30.90 FEET; THENCE N 49d29'39" E 10.00 FEET; THENCE S 40d30'21" E 32.01 FEET; THENCE S 27d50'25" E 45.16 FEET; THENCE S 32d23'21" E 400.65 FEET; THENCE S 88d59'59" E 329.19 FEET; THENCE N 61d23'01" E 26.33 FEET; THENCE S 88d49'22" E 490.59 FEET; THENCE S 87d03'42" E 51.66 FEET; THENCE S 76"07'27"E 14.32 FEET; THENCE N 85d41'33" E 47.57 FEET; THENCE S 53d56'32" E 17.41 FEET; THENCE N41d03'55" E 4.13 FEET; THENCE N 02d04'18" E 13.72 FEET; THENCE N 00d38'35" W 205.88 FEET; THENCE N 01d35'35" E 7.29 FEET; THENCE N 00d51'05" W 70.66 FEET; THENCE S03 d53'01" W 22.28 FEET; THENCE S 88d59'11" E 10.22 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT.

PARCEL CONTAINING 0.55 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83) AS DETERMINED FROM GLOBAL POSITIONING SYSTEM (GPS).
3. UNLESS OTHERWISE NOTED, PLAT INFORMATION IS EQUAL TO FIELD MEASURED DATA.
4. I HEREBY CERTIFY THAT THE "SKETCH OF DESCRIPTION" OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING CHAPTER 5J-17 REQUIREMENTS.

NOT VALID WITHOUT SHEET 2 OF 2.

REQUEST BY:

SECTION: 25	REVISIONS:
TOWNSHIP: 19 SOUTH	
RANGE: 24 EAST	
COUNTY: LAKE	

CERTIFIED TO:

- Integra Isles LP, a Florida limited partnership
- Old Republic National Title Insurance Company
- Dwight Capital LLC, a Delaware limited liability company
- The Secretary of Housing and Urban Development
- Shutts & Bowen LLP
- Venetian Isle Apartments Holdings LLC, a Florida limited liability company
- Stanley Law Center

JOSE A. CORREA RIVERA LICENSE NUMBER No. 7023 STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER

Digitally signed by JOSE A CORREA
Date: 2025.03.14 10:26:02 -04'00'

JOSE A. CORREA RIVERA, P.S.M. #7023

PURA VIDA ENGINEERING SERVICES
6457 HAZELTINE NATIONAL DRIVE, SUITE 150A
ORLANDO, FLORIDA 32822
PH (407) 203-3804
MOHAMMED MUZAMMIL, PE 86422

PURA VIDA ENGINEERING SERVICES

PROJECT NO.	J410S
DATE	03/14/25
DRAWN BY	M. LIFE
CHECKED BY	SM
CHECKED BY	SM

PARCEL OF LAND FOR A SOUTH PORTION OF AN EASEMENT OF AN EXISTING ELECTRICAL LINE AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA

SHEET 3 of 8

SKETCH OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

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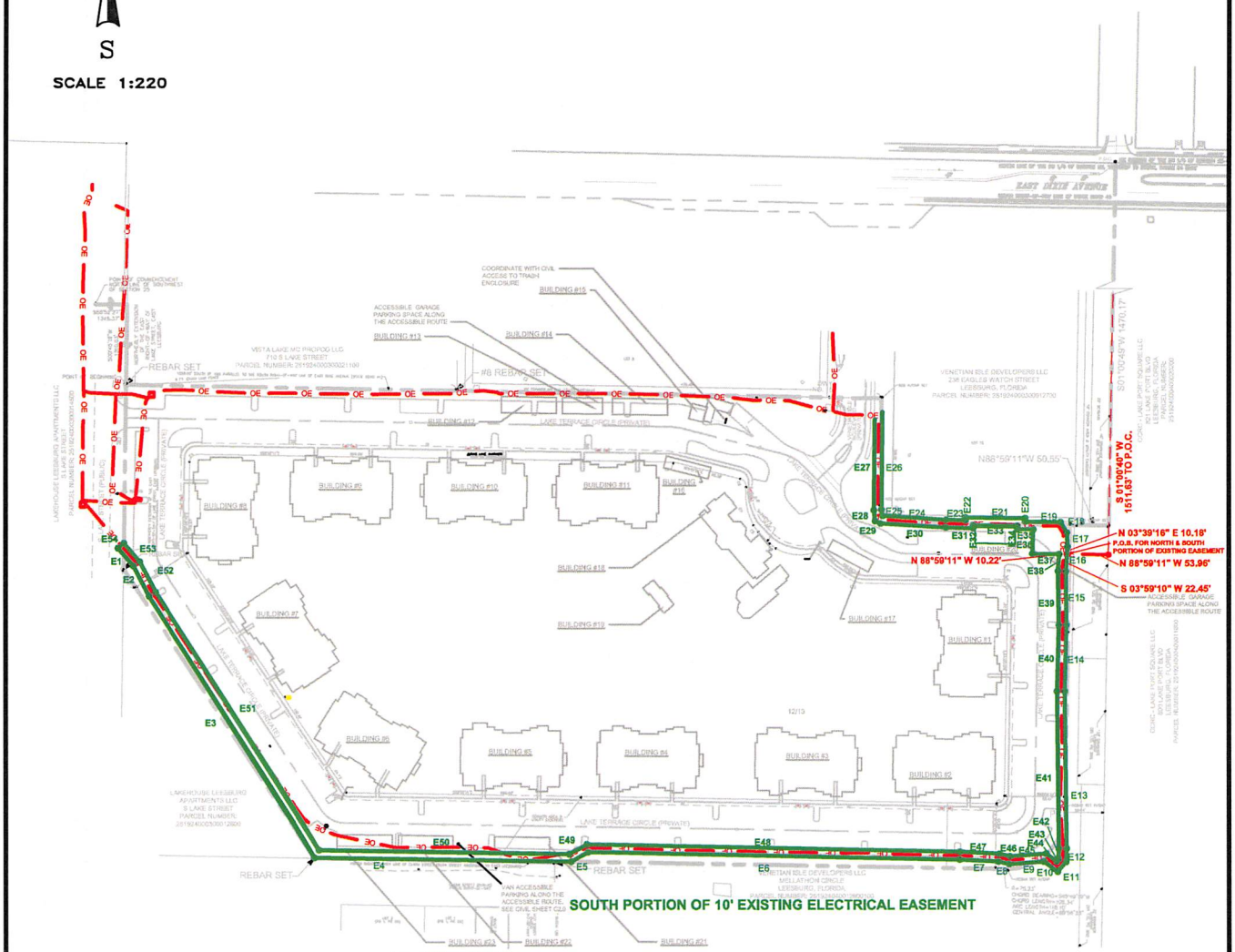
SCALE 1:220



SOUTH PORTION OF EXISTING EASEMENT		
ELECTRICAL LINE SEGMENT NUMBER	BEARING	DISTANCE (FEET)
E1	S41°30'27" E	30.90
E2	S21°30'28" E	44.94
E3	S30°19'58" E	406.17
E4	S46°21'37" E	107.19
E5	N 89°09'37" E	25.02
E6	S89°44'23" E	406.49
E7	S61°37'42" E	20.03
E8	S75°07'27" E	14.37
E9	N 85°41'33" E	45.49
E10	S85°30'18" E	22.68
E11	N 41°37'57" E	18.63
E12	N 3°24'16" E	17.50
E13	N 50°36'34" W	320.30
E14	N 12°33'41" E	87.23
E15	N 50°01'19" W	70.46
E16	N 3°45'13" E	32.38
E17	N 1°55'13" W	18.60
E18	N 30°53'23" W	16.14
E19	N 86°10'23" W	46.83
E20	N 1°01'22" E	4.54
E21	N 86°15'16" W	76.29
E22	DELETEDN	3.91
E23	N 86°41'38" W	25.13
E24	N 86°25'17" W	83.96
E25	N 86°57'16" W	8.27
E26	N 50°35'18" W	127.61
E27	S 50°35'18" W	118.70
E28	S 70°14'46" E	14.22
E29	S 64°05'52" E	7.86
E30	S 86°25'17" E	98.06
E31	S 86°41'38" E	30.96
E32	DELETEDN	3.92
E33	S 86°15'16" E	58.05
E34	S 1°01'22" W	4.46
E35	S 86°41'38" E	30.52
E36	S 24°24'17" W	30.09
E37	S 86°28'17" E	34.75
E38	S 14°53'17" W	22.24
E39	S 50°01'19" E	70.96
E40	S 50°01'19" W	87.29
E41	S 50°36'18" E	205.88
E42	S 3°24'16" W	13.72
E43	S 41°37'57" W	4.13
E44	N 13°41'22" W	17.41
E45	S 85°41'33" W	47.57
E46	N 75°07'27" W	14.32
E47	N 61°37'42" W	51.06
E48	N 89°44'23" W	406.59
E49	S 61°42'21" W	28.33
E50	N 46°21'37" W	329.19
E51	N 30°23'23" W	400.66
E52	N 21°30'28" W	45.16
E53	N 40°53'27" W	32.01
E54	S 41°30'28" W	10.00

LEGEND:

OE — ELECTRICAL LINE

10' EASEMENT FOR EXISTING ELECTRIC LINE

NOTES:

1. SEE SHEET 1 FOR DESCRIPTION.
2. THIS IS NOT A SURVEY.
3. NOT VALID WITHOUT SHEET 1 OF 2.

PURA VIDA ENGINEERING SERVICES

6457 HAZELTINE NATIONAL DRIVE, SUITE 150A
ORLANDO, FLORIDA 32822
PH (407) 203-3804

MOHAMMED MUZAMMIL, PE 86422

PURA VIDA ENGINEERING SERVICES

PROJECT NO.	J410S
DATE	03/14/25
DRAWN BY	M. LIFE
CHECKED BY	SM
CHECKED BY	SM

PARCEL OF LAND FOR A SOUTH PORTION OF AN EASEMENT OF AN EXISTING ELECTRICAL LINE AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA

SHEET

4 of 8

DESCRIPTION OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

LEGAL DESCRIPTION OF THE NORTH PORTION OF THE CENTER LINE OF A 10 FOOT WIDE NEW ELECTRICAL EASEMENT AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA; BEST DESCRIBE AS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG; THENCE RUN ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 ON A BEARING THAT IS RELATED TO FLORIDA STATE PLANE COORDINATES SYSTEM EAST ZONE, BEING S01°00'39"W, A DISTANCE OF 1,426.32 FEET; THENCE DUE WEST, A DISTANCE OF 312.93 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE N50°34'28"W, A DISTANCE OF 111.40 FEET; ; THENCE S44°06'17"W, A DISTANCE OF 106.24 FEET; THENCE N01°58'36"W, A DISTANCE OF 18.35 FEET; THENCE N29°55'46W, A DISTANCE OF 9.29 FEET; THENCE N77°17'06"W, A DISTANCE OF 33.76 FEET; THENCE N12°42'54"E, A DISTANCE OF 8.99 FEET; THENCE N76°11'33"W, A DISTANCE OF 63.96 FEET TO AN INTERSECTION WITH A LEG TO THE RIGHT HAVING A BEARING OF N16°25'20"E, A DISTANCE OF 68.55 FEET, THENCE CONTINUE N76°11'33"W, A DISTANCE OF 20.40 FEET; THENCE S16°42'06"W, A DISTANCE OF 14.10 FEET; THENCE N88°51'23"W, A DISTANCE OF 602.54 FEET; THENCE S60°05'22"W, A DISTANCE OF 15.15 FEET; THENCE S00°42'35"W, A DISTANCE OF 127.68 FEET; THENCE S33°23'43"E, A DISTANCE OF 286.82 FEET TO THE END OF SAID 10 FO2OT WIDE NEW ELECTRICAL EASEMENT.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83) AS DETERMINED FROM GLOBAL POSITIONING SYSTEM (GPS).
3. UNLESS OTHERWISE NOTED, PLAT INFORMATION IS EQUAL TO FIELD MEASURED DATA.
4. I HEREBY CERTIFY THAT THE "SKETCH OF DESCRIPTION" OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING CHAPTER 5J-17 REQUIREMENTS.

NOT VALID WITHOUT SHEET 2 OF 2.

REQUEST BY:

SECTION: 25	REVISIONS:
TOWNSHIP: 19 SOUTH	
RANGE: 24 EAST	
COUNTY: LAKE	

CERTIFIED TO:

- Integra Isles LP, a Florida limited partnership
- Old Republic National Title Insurance Company
- Dwight Capital LLC, a Delaware limited liability company
- The Secretary of Housing and Urban Development
- Shutts & Bowen LLP
- Venetian Isle Apartments Holdings LLC, a Florida limited liability company
- Stanley Law Center

JOSE A CORREA RIVERA LICENSE NUMBER No. 7023 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

Digitally signed by JOSE A CORREA
Date: 2025.03.14 10:27:32 -04'00'

JOSE A. CORREA RIVERA, P.S.M. #7023

PURA VIDA ENGINEERING SERVICES
6457 HAZELTINE NATIONAL DRIVE, SUITE 150A
ORLANDO, FLORIDA 32822
PH (407) 203-3804
MOHAMMED MUZAMMIL, PE 86422

PURA VIDA ENGINEERING SERVICES

PROJECT NO.	J410S
DATE	03/14/25
DRAWN BY	M. LIFE
CHECKED BY	SM
CHECKED BY	SM

THE NORTH PORTION OF THE CENTER LINE OF A 10 FOOT WIDE NEW ELECTRICAL EASEMENT AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA

SHEET 5 of 8

SKETCH OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

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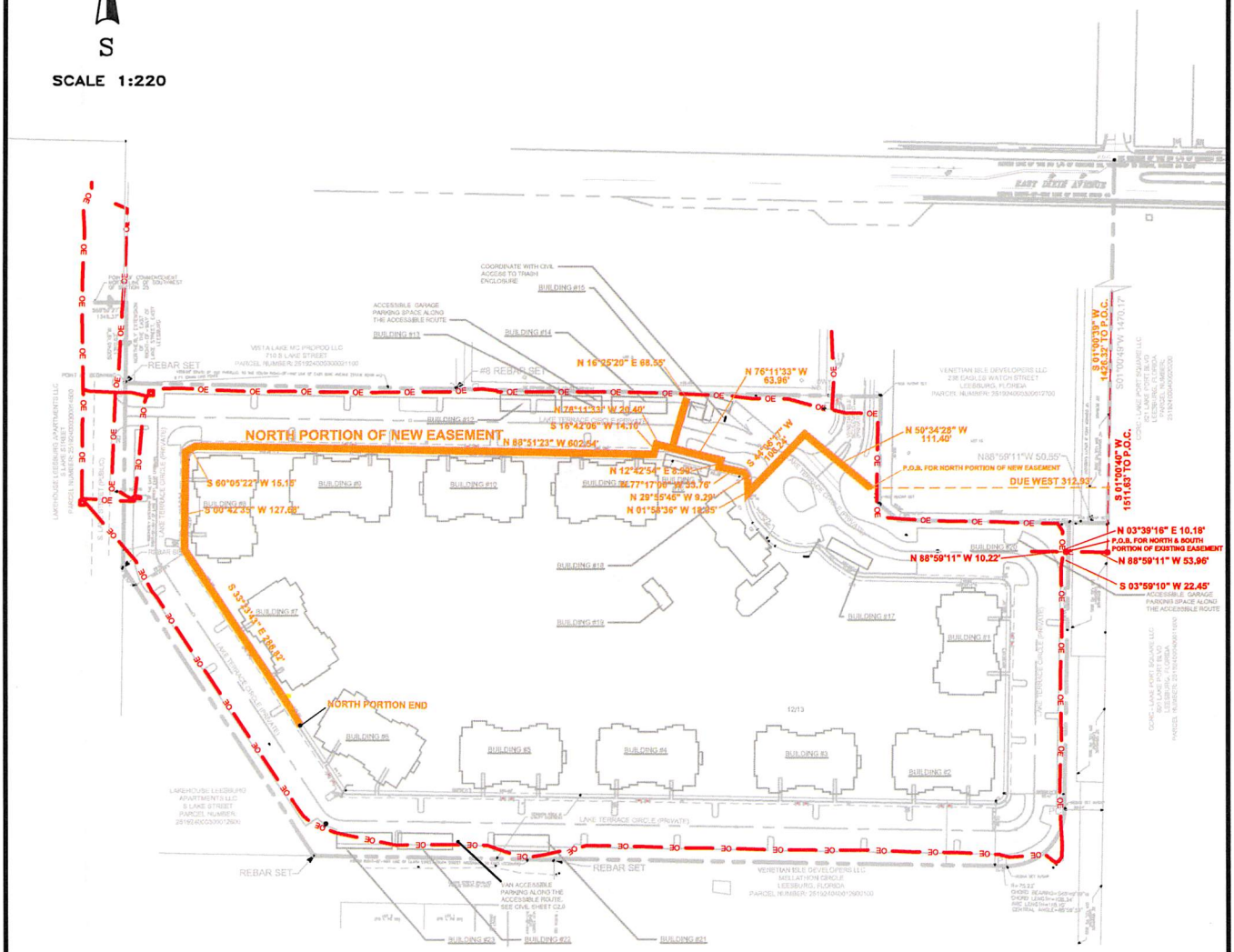
SCALE 1:220



LEGEND:

OE — ELECTRICAL LINE

CITY OF LEESBURG NEW ELECTRICAL 10' EASEMENT

NOTES:

1. SEE SHEET 1 FOR DESCRIPTION.
2. THIS IS NOT A SURVEY.
3. NOT VALID WITHOUT SHEET 1 OF 2.

PURA VIDA ENGINEERING SERVICES 6457 HAZELTINE NATIONAL DRIVE, SUITE 150A ORLANDO, FLORIDA 32822 PH (407) 203-3804 MOHAMMED MUZAMMIL, PE 86422	PROJECT NO. J410S DATE 03/14/25 DRAWN BY M. LIFE CHECKED BY SM CHECKED BY SM	THE NORTH PORTION OF THE CENTER LINE OF A 10 FOOT WIDE NEW ELECTRICAL EASEMENT AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA	SHEET 6 of 8

DESCRIPTION OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

LEGAL DESCRIPTION OF THE SOUTH PORTION OF THE CENTER LINE OF A 10 FOOT WIDE NEW ELECTRICAL EASEMENT AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA; BEST DESCRIBE AS:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG; THENCE RUN ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 ON A BEARING THAT IS RELATED TO FLORIDA STATE PLANE COORDINATES SYSTEM EAST ZONE, BEING S01°00'38"W, A DISTANCE OF 1,728.01 FEET; THENCE N88°59'11"W, A DISTANCE OF 62.58 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE N89°32'57"W, A DISTANCE OF 74.39 FEET; ; THENCE S00°01'48"W, A DISTANCE OF 279.53 FEET; THENCE S58°45"28"W, A DISTANCE OF 21.01 FEET; THENCE N88°56'34W, A DISTANCE OF 848.70 FEET; THENCE N35°16'58"W, A DISTANCE OF 104.37 FEET; THENCE S56°55'12"W, A DISTANCE OF 69.49 FEET; THENCE S31°44'57"E, A DISTANCE OF 149.91 FEET; THENCE S89°02'25"E, A DISTANCE OF 333.56 FEET, THENCE N61°50'05"E, A DISTANCE OF 27.03 FEET TO THE END OF SAID 10 FOOT WIDE NEW ELECTRICAL EASEMENT.

SURVEYOR'S NOTES:

1. THIS SKETCH IS NOT INTENDED TO REPRESENT A BOUNDARY SURVEY. NO CORNERS WERE SET AS A PART OF THIS SKETCH.
2. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83) AS DETERMINED FROM GLOBAL POSITIONING SYSTEM (GPS).
3. UNLESS OTHERWISE NOTED, PLAT INFORMATION IS EQUAL TO FIELD MEASURED DATA.
4. I HEREBY CERTIFY THAT THE "SKETCH OF DESCRIPTION" OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING CHAPTER 5J-17 REQUIREMENTS.

NOT VALID WITHOUT SHEET 2 OF 2.

REQUEST BY:

SECTION: 25	REVISIONS:
TOWNSHIP: 19 SOUTH	
RANGE: 24 EAST	
COUNTY: LAKE	

CERTIFIED TO:

- Integra Isles LP, a Florida limited partnership
- Old Republic National Title Insurance Company
- Dwight Capital LLC, a Delaware limited liability company
- The Secretary of Housing and Urban Development
- Shutts & Bowen LLP
- Venetian Isle Apartments Holdings LLC, a Florida limited liability company
- Stanley Law Center

JOSE A. CORREA RIVERA LICENSE NUMBER No. 7023 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

Digitally signed by JOSE A CORREA
Date: 2025.03.14 10:28:20 -04'00'

JOSE A. CORREA RIVERA, P.S.M. #7023

PURA VIDA ENGINEERING SERVICES
6457 HAZELTINE NATIONAL DRIVE, SUITE 150A
ORLANDO, FLORIDA 32822
PH (407) 203-3804
MOHAMMED MUZAMMIL, PE 86422

PURA VIDA ENGINEERING SERVICES

PROJECT NO.	J410S
DATE	03/14/25
DRAWN BY	M. LIFE
CHECKED BY	SM
CHECKED BY	SM

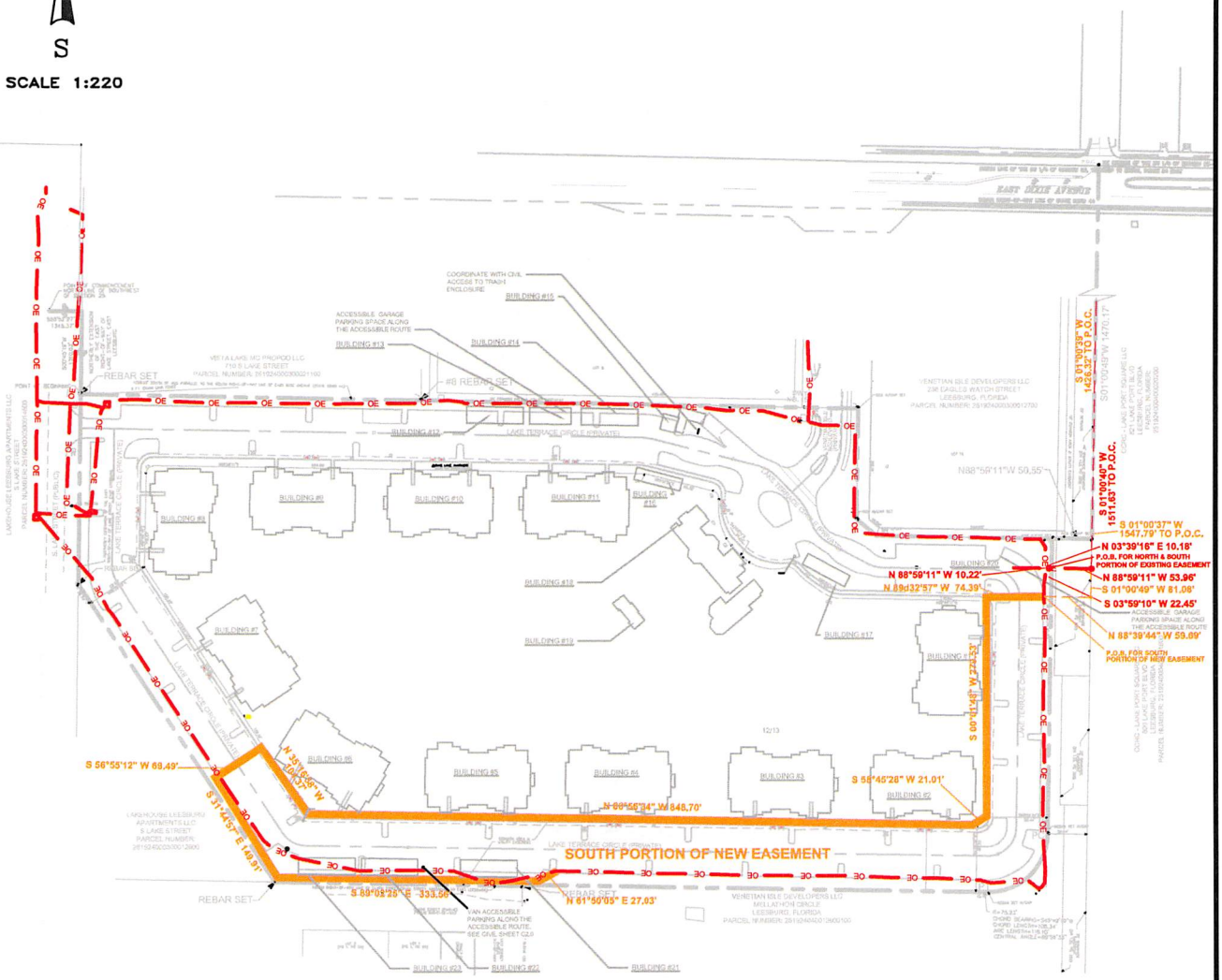
THE SOUTH PORTION OF THE CENTER LINE OF A 10 FOOT WIDE NEW ELECTRICAL EASEMENT AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA

SHEET 7 of 8

SKETCH OF
PROPOSED EASEMENT FOR ELECTRICAL LINES
LAKE TERRACE CIRCLE LEESBURG, FLORIDA

N
W E
S

SCALE 1:220



LEGEND:

— OE — ELECTRICAL LINE

CITY OF LEESBURG NEW ELECTRICAL 10' EASEMENT

NOTES:

1. SEE SHEET 1 FOR DESCRIPTION.
2. THIS IS NOT A SURVEY.
3. NOT VALID WITHOUT SHEET 1 OF 2.

PURA VIDA ENGINEERING SERVICES 6457 HAZELTINE NATIONAL DRIVE, SUITE 150A ORLANDO, FLORIDA 32822 PH (407) 203-3804 MOHAMMED MUZAMMIL, PE 86422	PROJECT NO. J410S DATE 03/14/25 DRAWN BY M. LIFE CHECKED BY SM CHECKED BY SM	THE SOUTH PORTION OF THE CENTER LINE OF A 10 FOOT WIDE NEW ELECTRICAL EASEMENT AT INTEGRA ISLES, LAKE TERRACE CIRCLE, LAKE COUNTY, FLORIDA	SHEET 8 of 8

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	5.C.5.
Meeting Date:	April 28, 2025
From:	Sandra Wilson, (Housing Director)
Subject:	Resolution of the City Commission of the City of Leesburg, Florida Establishing a rent increase for the Mispah Simmons Apartment Complex; and providing an effective date.

Staff Recommendation:
Staff recommends a rent increase for the Mispah Simmons Apartment Complex due to increased maintenance costs.

Analysis:
The City manages a 12-unit apartment complex consisting of six 2-bedroom/1bath and six 3-bedroom/1 bath apartments located on Mispah Avenue and Simmons Street. The City has entered into a Project-Based Voucher (PBV) agreement with Lake County for the tenants that are approved to reside in the complex. Tenants must be income qualified in accordance with the PBV contract which subsidizes the rent based on the tenant's income. The goal of the PBV agreement is to provide rent subsidies and supportive services to the residents to prepare them to become homeowners. The last rent increase was in 2024. The request is to increase the rent effective August 1, 2025, as follows:

- 2-bedroom from $1,100 to $1,250
- 3-bedroom from $1,200 to $1,350

Please note that these rental increases remain well below the allowable rent for the area as shown in the attached Lake County Housing Payment Standards for 2025, which are:

- 2-bedroom - $1,680
- 3-bedroom - $2,130

This increase is being requested due to the increased cost of maintenance for the rental units. It is anticipated that the majority of the increase would be paid by Lake County, if approved.

Procurement Analysis:
N/A

Options:

1) Approve as recommended; or
2) Amend amount of increase; or
3) Leave rent at current amount.

Fiscal Impact:

Revenue for the NSP/Housing Fund will increase as a result of this proposed increase in rent.

Account No. 013-0000-362-1006

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA ESTABLISHING A RENT INCREASE FOR THE MISPAH SIMMONS APARTMENT COMPLEX; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the City Commission hereby approves the rental increase for the Mispah Simmons Apartment Complex as follows:

2-bedroom from $1,100 to $1,250
3-bedroom from $1,200 to $1,350.

THAT this resolution shall become effective August 1, 2025.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of April 2025.

_____
Mayor

ATTEST:

_____
City Clerk

LAKE COUNTY HOUSING AGENCY APPROVED PAYMENT STANDARDS EFFECTIVE 1/1/2025
100% OF HUD PUBLISHED SMALL AREA FAIR MARKET RENT (SAFMR)
- PAYMENT STANDARDS BY ZIP CODE -

Effective Payment Standard: The effective Payment Standard column for the client corresponds to the Lake County voucher size or the actual bedroom size of the unit, whichever is smaller. The effective Payment Standard row corresponds to the Zip Code of the unit.

1) The Asking Rent should always be comparable to the going rent for other unassisted units in the area.

2) In addition, the Total Unit Cost should not exceed the effective Payment Standard in this chart to be considered affordable. The Total Unit Cost is the sum of your "Asking Rent" + any "Estimated Out-of-Pocket Utility and Appliance Costs". To calculate the Total Unit Cost:

a) If all utilities are included in rent and the unit is supplied with a refrigerator and either a microwave or range, the "Estimated Out-of-Pocket Utility and Appliance Costs" would be $0. Therefore, the Total Unit Cost = Asking Rent. The Asking Rent must be at or below the effective Payment Standard in this table to be considered affordable.

b) However, if gas, electric, water, sewer or trash utilities are to be paid by tenant or if the unit is not supplied with a refrigerator and either a microwave or range, these costs would be assumed by the tenant. This increases the total cost of renting the unit and must be taken into account. The Utility Allowance Schedule for the county would then be used to calculate the "Estimated Out-of-Pocket Utility and Appliance Costs".

1) Determine the unit type in question and select the corresponding Utility Allowance Schedule (1 of 6 schedules). Use the Utility Allowance Schedule to determine the "Estimated Out-of-Pocket Utility and Appliance Costs" (remember to refer to the Utility Allowance Schedule column that matches the bedroom size of the unit OR the issued Lake County voucher size, whichever is smaller).

2) Add the total "Estimated Out-of-Pocket Utility and Appliance Costs" to your Asking Rent to get the Total Unit Cost.

3) Compare the Total Unit Cost to the effective Payment Standard in this table (remember to refer to the Utility Allowance Schedule column that matches the bedroom size of the unit OR the issued Lake County voucher size, whichever is smaller). If the Total Unit Cost exceeds the Payment Standard, the unit is not affordable at that price; the asking rent must decrease or utilities must be included in rent to decrease the Total Unit Cost.

UNIT OR VOUCHER SIZE, WHICHEVER IS SMALLER >	EFFICIENCY /STUDIO	ONE BEDROOM	TWO BEDROOM	THREE BEDROOM	FOUR BEDROOM	**FIVE BEDROOM	**SIX BEDROOM
32102	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32158	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
32159	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32702	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32726	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32727	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
32735	$1,670	$1,760	$2,000	$2,540	$3,020	$3,473	$3,926
32736	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32756	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
32757	$1,420	$1,500	$1,700	$2,160	$2,570	$2,956	$3,341
32767	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32776	$1,490	$1,570	$1,780	$2,260	$2,690	$3,094	$3,497
32778	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
32784	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
34705	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
34711	$1,880	$1,980	$2,250	$2,860	$3,400	$3,910	$4,420
34712	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
34713	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
34714	$1,720	$1,810	$2,060	$2,620	$3,120	$3,588	$4,056

(continued on next page)

(continued from previous page)

LAKE COUNTY HOUSING AGENCY APPROVED PAYMENT STANDARDS EFFECTIVE 1/1/2025
100% OF HUD PUBLISHED SMALL AREA FAIR MARKET RENT (SAFMR)
- PAYMENT STANDARDS BY ZIP CODE -

UNIT OR VOUCHER SIZE, WHICHEVER IS SMALLER >	EFFICIENCY /STUDIO	ONE BEDROOM	TWO BEDROOM	THREE BEDROOM	FOUR BEDROOM	**FIVE BEDROOM	**SIX BEDROOM
34715	$1,980	$2,090	$2,370	$3,010	$3,580	$4,117	$4,654
34729	$1,980	$2,090	$2,370	$3,010	$3,580	$4,117	$4,654
34731	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
34736	$1,700	$1,800	$2,040	$2,590	$3,080	$3,542	$4,004
34737	$1,730	$1,830	$2,070	$2,630	$3,130	$3,600	$4,069
34748	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
34749	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
34753	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
34755	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
34756	$1,500	$1,580	$1,790	$2,270	$2,710	$3,117	$3,523
34762	$1,410	$1,480	$1,680	$2,130	$2,570	$2,956	$3,341
34788	$1,450	$1,530	$1,740	$2,210	$2,630	$3,025	$3,419
34789	$1,430	$1,510	$1,710	$2,170	$2,590	$2,979	$3,367
34797	$1,730	$1,830	$2,070	$2,630	$3,130	$3,600	$4,069

***The FMRs for unit sizes larger than four bedrooms are calculated by adding 15 percent to the four bedroom FMR, for each extra bedroom. For example, the FMR for a five bedroom unit is 1.15 times the four bedroom FMR, and the FMR for a six bedroom unit is 1.30 times the four bedroom FMR. FMRs for single-room occupancy units are 0.75 times the zero bedroom (efficiency) FMR.*

Effective Payment Standard: The effective Payment Standard column for the client corresponds to the Lake County voucher size or the actual bedroom size of the unit, whichever is smaller. The effective Payment Standard row corresponds to the Zip Code of the unit.

1) The Asking Rent should always be comparable to the going rent for other unassisted units in the area.

2) In addition, the Total Unit Cost should not exceed the effective Payment Standard in this chart to be considered affordable. The Total Unit Cost is the sum of your "Asking Rent" + any "Estimated Out-of-Pocket Utility and Appliance Costs". To calculate the Total Unit Cost:

a) If all utilities are included in rent and the unit is supplied with a refrigerator and either a microwave or range, the "Estimated Out-of-Pocket Utility and Appliance Costs" would be $0. Therefore, the Total Unit Cost = Asking Rent. The Asking Rent must be at or below the effective Payment Standard in this table to be considered affordable.

b) However, if gas, electric, water, sewer or trash utilities are to be paid by tenant or if the unit is not supplied with a refrigerator and either a microwave or range, these costs would be assumed by the tenant. This increases the total cost of renting the unit and must be taken into account. The Utility Allowance Schedule for the county would then be used to calculate the "Estimated Out-of-Pocket Utility and Appliance Costs".

1) Determine the unit type in question and select the corresponding Utility Allowance Schedule (1 of 6 schedules). Use the Utility Allowance Schedule to determine the "Estimated Out-of-Pocket Utility and Appliance Costs" (remember to refer to the Utility Allowance Schedule column that matches the bedroom size of the unit OR the issued Lake County voucher size, whichever is smaller).

2) Add the total "Estimated Out-of-Pocket Utility and Appliance Costs" to your Asking Rent to get the Total Unit Cost.

3) Compare the Total Unit Cost to the effective Payment Standard in this table (remember to refer to the Utility Allowance Schedule column that matches the bedroom size of the unit OR the issued Lake County voucher size, whichever is smaller). If the Total Unit Cost exceeds the Payment Standard, the unit is not affordable at that price; the asking rent must decrease or utilities must be included in rent to decrease the Total Unit Cost.

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	5.C.6.
Meeting Date:	April 28, 2025
From:	Al Minner, (City Manager)
Subject:	Resolution of the City Commission of the City of Leesburg, Florida, expressing strong opposition for House Bill 1221 related to the use of Local Option Taxes, including Tourist Development Taxes and Discretionary Sale Surtax; and providing an effective date.

Staff Recommendation:
Recommend voting for approval of this resolution.

Analysis:
This Bill seeks to significantly modify revenues for city and county governments, affecting funding roads and capital improvement projects.

Procurement Analysis:
N/A

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

Fiscal Impact:
None

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, EXPRESSING STRONG OPPOSITION FOR HOUSE BILL 1221 RELATED TO THE USE OF LOCAL OPTION TAXES, INCLUDING TOURIST DEVELOPMENT TAXES AND DISCRETIONARY SALE SURTAX; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about February 26, 2025, Representative Monique Miller, District 33 (a portion of Brevard County), filed House Bill (HB) 1221 related to the Special Option Taxes; and

WHEREAS, the originally filed bill sought to impose a reauthorization of all tourist development taxes by referendum held by the local jurisdiction where such taxes were originally imposed; and

WHEREAS, on April 21, 2025, an amendment was filed which seeks to remove all authorized uses for the Tourist Development Tax other than to be used for the purposes of reducing the ad valorem tax levy within each county by the amount of the revenue received by the county from taxes imposed in the prior fiscal year; and

WHEREAS, the filing of the amendment took place less than twenty-four (24) hours before the proposed legislation was scheduled to be considered by the House State of Affairs Committee and the House budget Committee, thereby depriving all local governments the opportunity to attend these committee meetings and formally oppose this legislation on the record; and

WHEREAS, in Fiscal Year 2023-24, Lake County received approximately $5.5 million in Tourist Development Tax revenue; and

WHEREAS, the proposed changes to the allowable uses of the Tourist Development Tax will adversely affect the residents, businesses and visitors of Lake County, Florida.

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

Section 1. Legal Findings of Fact.
The foregoing recitals are hereby adopted as legislative findings of the City of Leesburg and are ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. Opposition to House Bill 1221.
The City hereby expresses its strong opposition to House Bill 1221 which, if passed, would require Lake County to dissolve its Tourist Development Council and repeal its Tourism Plan. The City hereby finds that such actions would adversely and negatively impact the residents, business, and visitors to Lake County, Florida.

Section 3. Clerk to Transmit Copies.
The Clerk is hereby directed to transmit certified copies of this Resolution to the Governor, the Senate President, the House Speaker, the Chair and Member of the Lake County Legislative Delegation, along with the bill sponsor, Representative Monique Miller, District 33.

Section 4. Effective Date.
This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held on the 28th day of April 2025.

_____
Mayor

ATTEST:

_____
City Clerk

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.A.1.
Meeting Date:	April 28, 2025
From:	Dan Miller, (Planning and Zoning Director), Max Vanallen, (Planner)
Subject:	An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 1.22 +/- acres; and being generally located east of U.S. Highway 27 and south of Howard Road, lying in Section 2, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Two Boats Investments ANNX)

Staff Recommendation:
The Planning and Zoning staff recommends approval of the proposed ordinance for annexation of 1.22 +/- acres.

Analysis:
The applicant has submitted a request for annexation of approximately 1.22 +/- acres, generally located east of US Highway 27 and south of Howard Road, as shown on the attached General Location Map. At this time, the property is developed with existing businesses, including a hair salon. The current zoning is Lake County C-1 (Neighborhood Commercial); the proposed zoning is City C-3 (Highway Commercial). The reason for this request is to allow a surveyor's office in the existing structure and the construction of a 3,000-square-foot warehouse for storage of surveying equipment, and to connect to city utilities.

The property is surrounded by Lake County R-6 (Urban Residential District), Lake County C-1 (Neighborhood Commercial); City of Leesburg C-3 (Highway Commercial). Under the requirements, minimum standards, and permitted uses of the C-3 (Highway Commercial) Rezoning 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 Rezoning Application, had recommendations for approval from the staff and Planning Commission at the public hearing held on February 20, 2025.

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 1.22 +/- ACRES; AND BEING GENERALLY LOCATED EAST OF U.S. HIGHWAY 27 AND SOUTH OF HOWARD ROAD, LYING IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE. (TWO BOATS INVESTMENTS ANNX)

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

Section 1.

Based upon the petition of Douglas C. Wade, 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 3;

Section 3.

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

Section 4.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 28th day of April 2025.

THE CITY OF LEESBURG, FLORIDA

_____

Mayor

ATTEST:

_____

City Clerk

DESCRIPTION:

PARCEL 1:

THAT PART OF GOVERNMENT LOT 2 IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE WEST 1/4 CORNER OF SAID SECTION 2, RUN THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1511.25 FEET; THENCE SOUTH 76°00'30" EAST, THE DISTANCE OF 114.25 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION; FROM SAID **POINT OF BEGINNING** CONTINUE SOUTH 76°00'30" EAST, 308.43 FEET, MORE OR LESS, TO THE WESTERLY LINE OF PROPERTY CONVEYED TO WILLIAM M. DANNELLY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 569, PAGE 330, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT HEREBY DESIGNATED **POINT "A"**; RETURN TO THE **POINT OF BEGINNING** AND RUN SOUTHERLY ALONG THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27, A DISTANCE OF 50 FEET TO THE MOST NORTHERLY CORNER OF PROPERTY CONVEYED TO EMERY CORP. BY DEED RECORDED IN OFFICIAL RECORDS BOOK 615, PAGE 1876, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 75°44'17" EAST, ALONG THE NORTHERLY LINE OF SAID EMERY CORP. PROPERTY, 200 FEET; THENCE SOUTH 00°33'16" WEST, ALONG THE EASTERLY LINE OF SAID EMERY CORP. PROPERTY 175 FEET; THENCE SOUTH 75°44'17" EAST, ALONG AN EXTENSION OF THE SOUTH LINE OF SAID EMERY CORP. PROPERTY TO INTERSECT THE WEST LINE OF THE AFOREMENTIONED WILLIAM M. DANNELLY PROPERTY, THENCE NORTH 0°24'52" WEST, ALONG SAID WEST LINE OF SAID WILLIAM M. DANNELLY PROPERTY TO THE ABOVE MENTIONED **POINT "A"**.

LESS AND EXCEPT THE FOLLOWING:

THAT PART CONVEYED TO LAKE COUNTY, BY DEED RECORDED IN OFFICIAL RECORDS BOOK 918, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

FROM THE WEST 1/4 CORNER OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN NORTH ALONG THE WEST LINE OF SECTION 2 FOR 1511.25 FEET; THENCE SOUTH 76°00’30” EAST, 114.25 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27; THENCE SOUTH 00°35’10” WEST, ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 FOR 50 FEET AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION; FROM SAID **POINT OF BEGINNING**, RUN SOUTH 75°44’17” EAST FOR 200 FEET; THENCE SOUTH 00°33’16” WEST, 175 FEET; THENCE NORTH 75°44’17” WEST 200 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27; THENCE RUN NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 FOR 175 FEET TO THE **POINT OF BEGINNING**.

Extended Locator

Planning & Zoning Division

N

0 188 375 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Aerial

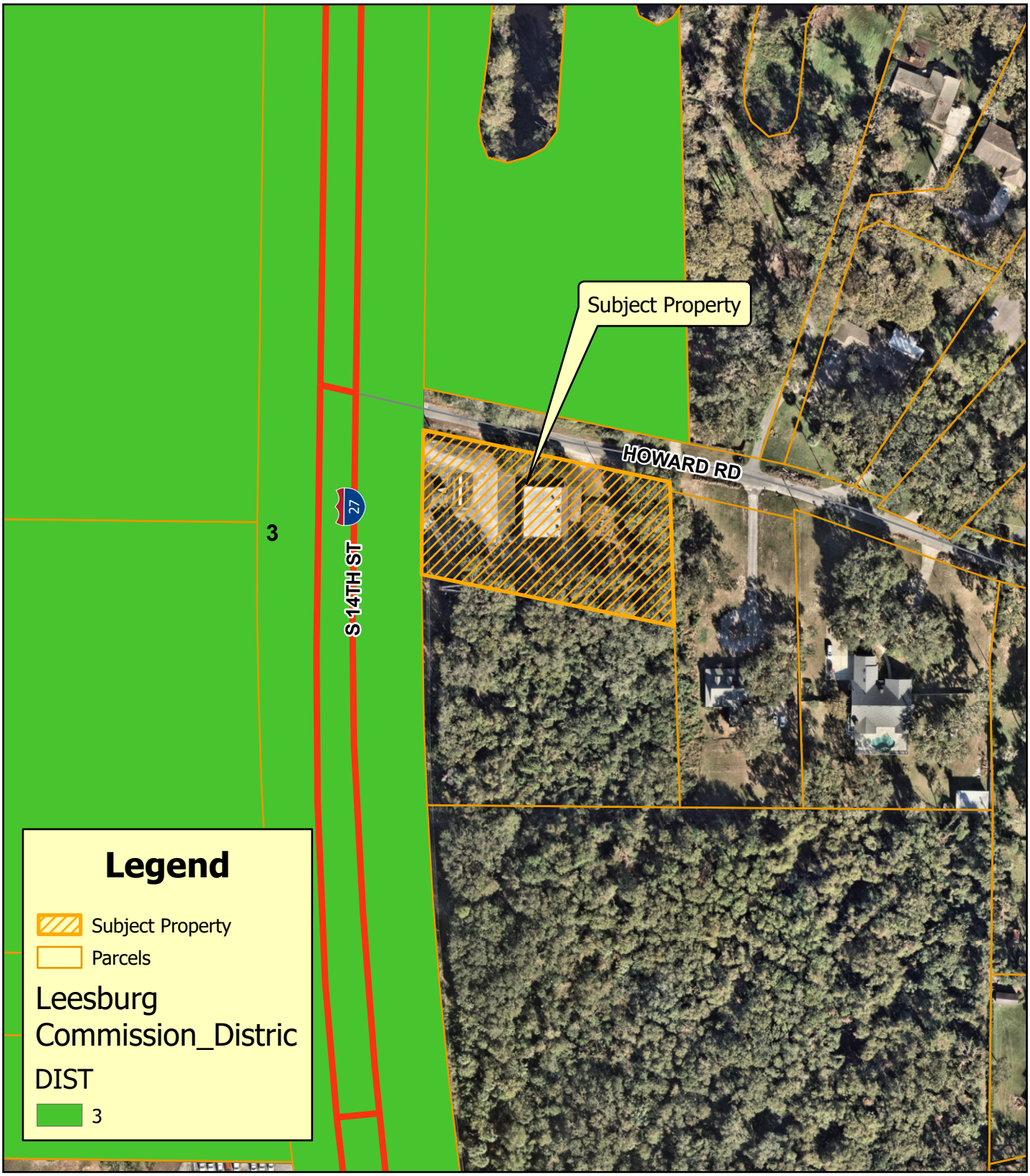
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Commission District



Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.A.2.
Meeting Date:	April 28, 2025
From:	Dan Miller, (Planning and Zoning Director), Max Vanallen, (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 1.22 +/- acres from Lake County Urban Low to City of Leesburg General Commercial, for a property generally located east of U.S. Highway 27 and south of Howard Road, lying in Section 02, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Two Boats Investments SSCP)

Staff Recommendation:
The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed Small-Scale Comprehensive Plan Amendment of the City's Future Land Use Map on 1.22 +/- acres from Lake County Urban Low to City of Leesburg General Commercial.

Analysis:
The project site is approximately 1.22 acres. The property is generally located east of U.S. Highway 27 and south of Howard Road. Currently, the property is existing commercial development, including a hair salon tenant. The proposed use is for office space for Land Surveying Business and 3,000 square foot new construction warehouse. The surrounding Future Land Use Map designations of Lake County Urban Low Density, and City of Leesburg General Commercial are compatible with the proposed future land use designation of City General Commercial. The proposed zoning designation of City C-3 (Highway Commercial) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property, as it is along the existing and developing US Highway 27 Commercial Corridor.

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 February 20, 2025, and recommended approval.

Procurement Analysis:
N/A

Options:

1. Approve the requested large-scale comprehensive plan amendment from Lake County Urban Low Density to City of Leesburg C-3 (Highway Commercial); or,
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

This project will have a small positive fiscal impact based on 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 1.22 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG GENERAL COMMERCIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF U.S. HIGHWAY 27 AND SOUTH OF HOWARD ROAD, LYING IN SECTION 02, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (TWO BOATS INVESTMENTS 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 the amendment of the Comprehensive Plan of the City of Leesburg, and has made recommendations to the City Commission for this amendment to 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 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 November 25, 2024, 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 1.22 acres of land generally located east of US Highway 27 and south of Howard Road from Lake County Urban Low Density to City of Leesburg C-3 (Highway Commercial), as shown on the revised map of said area, lying in Section 02, Township 20 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 the 28th day of April 2025.

THE CITY OF LEESBURG, FLORIDA

_____
Mayor

ATTEST:

_____
City Clerk

Extended Locator

Planning & Zoning Division

N

0 188 375 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Aerial

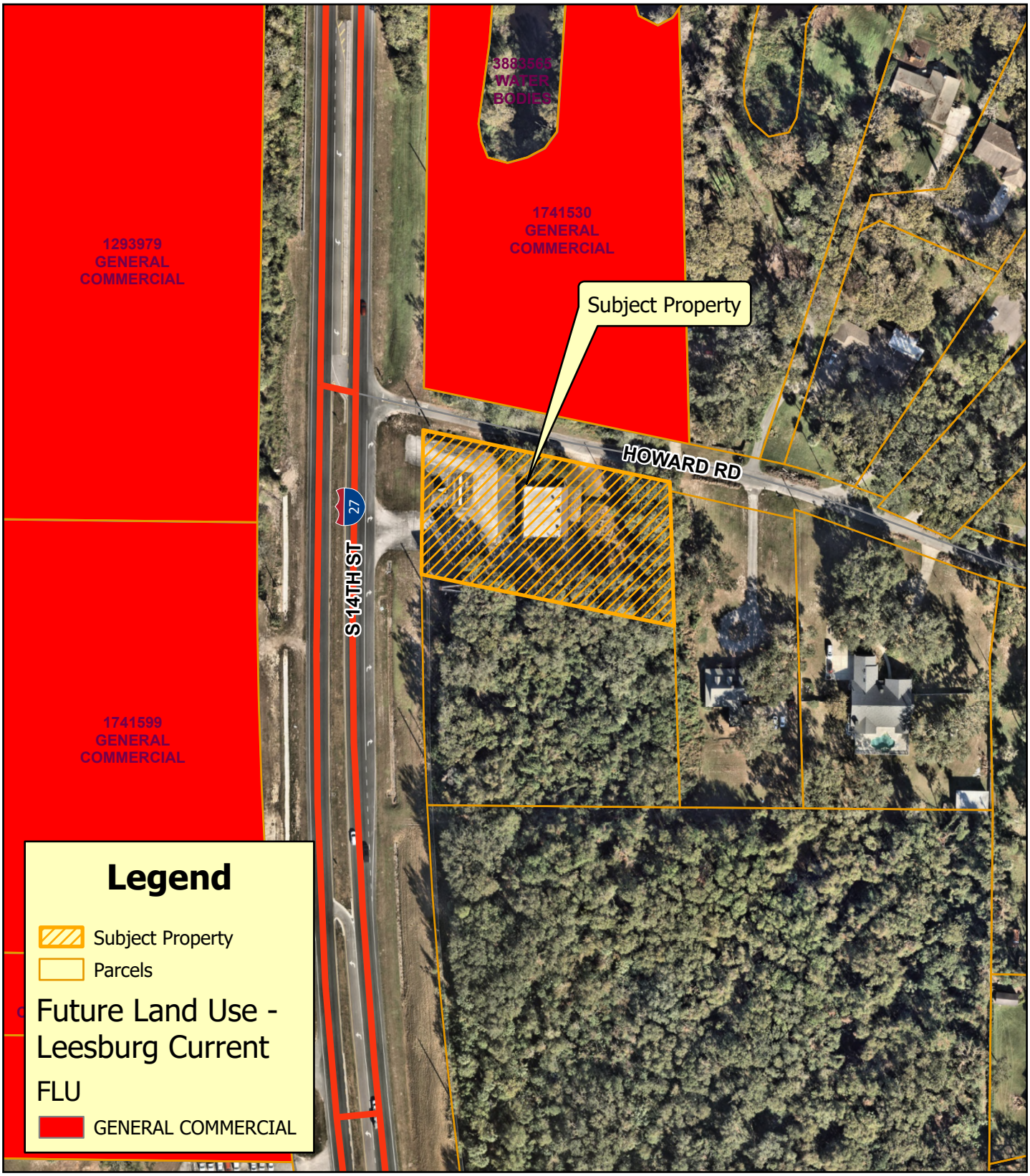
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Future Land Use



Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Lake County Future Land Use

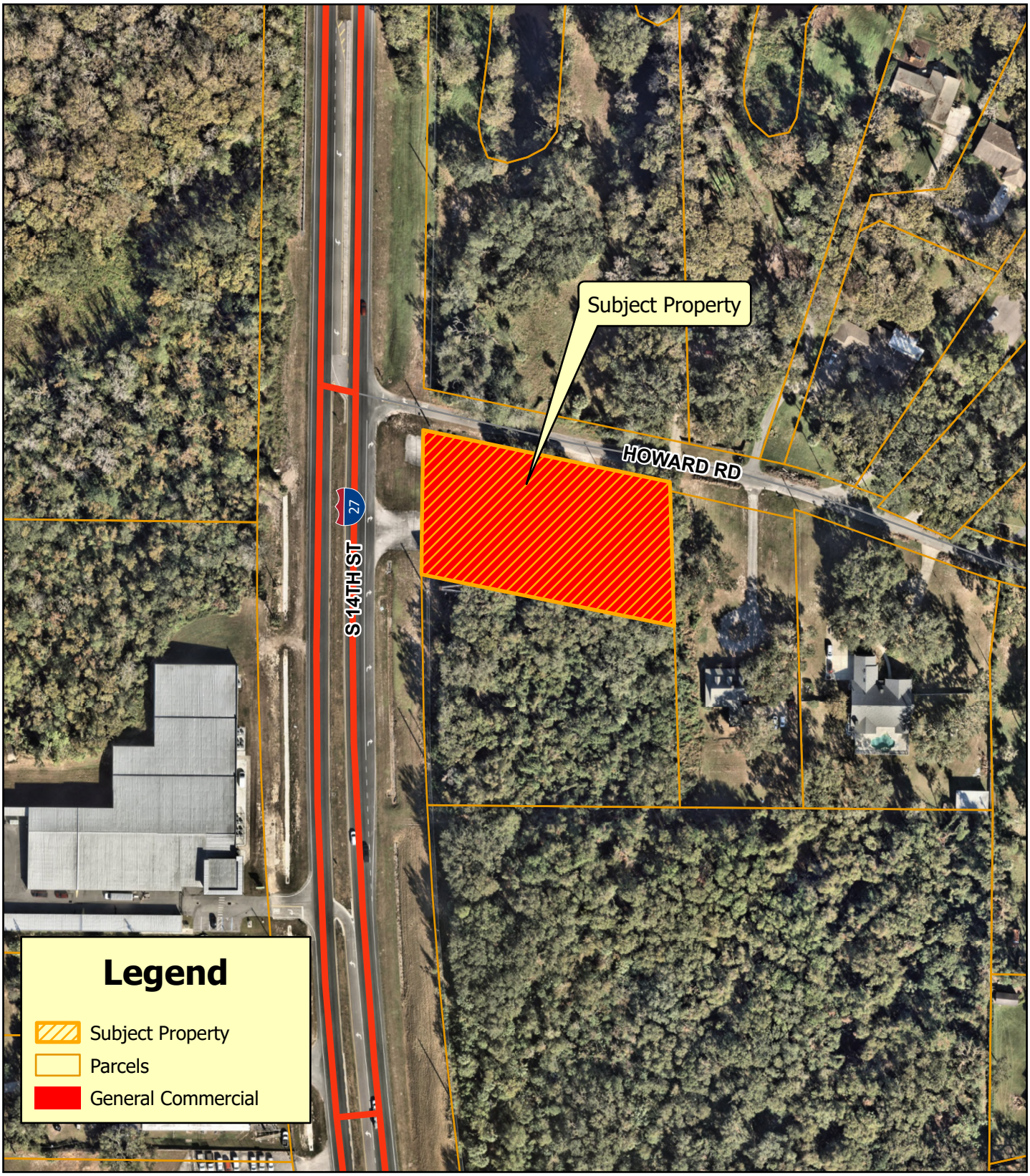
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Proposed Future Land Use



Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

DESCRIPTION:

PARCEL 1:

THAT PART OF GOVERNMENT LOT 2 IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE WEST 1/4 CORNER OF SAID SECTION 2, RUN THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1511.25 FEET; THENCE SOUTH 76°00'30" EAST, THE DISTANCE OF 114.25 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION; FROM SAID **POINT OF BEGINNING** CONTINUE SOUTH 76°00'30" EAST, 308.43 FEET, MORE OR LESS, TO THE WESTERLY LINE OF PROPERTY CONVEYED TO WILLIAM M. DANNELLY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 569, PAGE 330, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT HEREBY DESIGNATED **POINT "A"**; RETURN TO THE **POINT OF BEGINNING** AND RUN SOUTHERLY ALONG THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27, A DISTANCE OF 50 FEET TO THE MOST NORTHERLY CORNER OF PROPERTY CONVEYED TO EMERY CORP. BY DEED RECORDED IN OFFICIAL RECORDS BOOK 615, PAGE 1876, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 75°44'17" EAST, ALONG THE NORTHERLY LINE OF SAID EMERY CORP. PROPERTY, 200 FEET; THENCE SOUTH 00°33'16" WEST, ALONG THE EASTERLY LINE OF SAID EMERY CORP. PROPERTY 175 FEET; THENCE SOUTH 75°44'17" EAST, ALONG AN EXTENSION OF THE SOUTH LINE OF SAID EMERY CORP. PROPERTY TO INTERSECT THE WEST LINE OF THE AFOREMENTIONED WILLIAM M. DANNELLY PROPERTY, THENCE NORTH 0°24'52" WEST, ALONG SAID WEST LINE OF SAID WILLIAM M. DANNELLY PROPERTY TO THE ABOVE MENTIONED **POINT "A"**.

LESS AND EXCEPT THE FOLLOWING:

THAT PART CONVEYED TO LAKE COUNTY, BY DEED RECORDED IN OFFICIAL RECORDS BOOK 918, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

FROM THE WEST 1/4 CORNER OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN NORTH ALONG THE WEST LINE OF SECTION 2 FOR 1511.25 FEET; THENCE SOUTH 76°00’30” EAST, 114.25 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27; THENCE SOUTH 00°35’10” WEST, ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 FOR 50 FEET AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION; FROM SAID **POINT OF BEGINNING**, RUN SOUTH 75°44’17” EAST FOR 200 FEET; THENCE SOUTH 00°33’16” WEST, 175 FEET; THENCE NORTH 75°44’17” WEST 200 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27; THENCE RUN NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 FOR 175 FEET TO THE **POINT OF BEGINNING**.

CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY

DATE: February 20, 2025

OWNER: Two Boats Investments LLC
PETITIONER: Douglas C. Wade
PROJECT: Two Boats Investments
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial) to allow a surveyor's office in existing structure and a new construction 3,000 square foot warehouse.
CASE NO.: *(ANNX-25-425)*; SSCP-25-426; RZ-25-427

GENERAL LOCATION: East of US Highway 27 and south of Howard Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low

SURROUNDING FUTURE LAND USE DESIGNATION:
North – City of Leesburg General Commercial
South – Lake County Urban Low Density
East – Lake County Urban Low Density
West – City of Leesburg General Commercial

PROPOSED FUTURE LAND USE DESIGNATION: City General Commercial

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

SURROUNDING ZONING DESIGNATIONS:
North – Lake County R-6 (Urban Residential District); City of Leesburg C-3 (Highway Commercial)
South – Lake County C-1 (Neighborhood Commercial)
East – Lake County R-1 (Rural Residential District), R-6 (Urban Residential District)
West – City of Leesburg C-3 (Highway Commercial)

PROPOSED ZONING DESIGNATION: City C-3 (Highway Commercial)

EXISTING LAND USE: Existing commercial development, including hair salon.

SURROUNDING LAND USE:
North – Residential; Vacant Commercial; Vacant Government
South – Vacant Commercial
East – Residential
West – Commercial; Vacant Government

PROPOSED LAND USE: Office space for Land Surveying Business and 3,000 square foot new construction warehouse.

CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY

DATE: February 20, 2025
OWNER: Two Boats Investments LLC
PETITIONER: Douglas C. Wade
PROJECT: Two Boats Investments
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial) to allow a surveyor's office in existing structure and a new construction 3,000 square foot warehouse.
CASE NO.: *(ANNX-25-425)*; SSCP-25-426; RZ-25-427

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 2/14/2025.

FIRE

The following contains the Leesburg Fire Department comments:

In reference to Case Number ANNX-25-425; SSCP-25-426; RZ-25-427

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 ANNX-25-425; SSCP-25-426; RZ-25-427 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

- Captain Amanda Stevenson, 1/30/2025

ELECTRIC

Electric has no objections. IF they require a new service for the new building , it will have to be underground and they will need to install to us.. – Steve Davis, 1/30/2025.

GAS

Gas Department- No Comment – Wayne Williams, 1/31/2025.

GIS/ADDRESSING:

GIS has no comments. – Nicholas Tota, 1/30/2025.

BUILDING

No comments received as of 2/14/2025.

PUBLIC WORKS

No comments received as of 2/14/2025.

HOUSING & REDEVELOPMENT

No comments received as of 2/14/2025.

LAKE COUNTY PUBLIC WORKS

Lake County Public Works Department has the following comments based on the proposed C3 rezoning case for Two Boats Investment RZ-25-427.

1. Howard Road is a county maintained paved road. The proposed driveway access from it will require permitting from Lake County Public Works Department.

2. The existing right-of-way for Howard Road and the location of the existing pavement related to the property for the proposed rezoning is very close. There is not sufficient right-of-way for improvements such as the required sidewalk per the city development code along Howard Road. For redevelopment of the property there will need to be additional right-of-way to allow for the road drainage and sidewalk along Howard Road.

- Seth Lynch, 1/30/2025

LAKE COUNTY SCHOOLS

No comments on this commercial project.
– Heather Croney, 1/30/2025

PUBLIC RESPONSES

Approval

Disapproval

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS

DATE:	February 20, 2025
OWNER:	Two Boats Investments LLC
PETITIONER:	Douglas C. Wade
PROJECT:	Two Boats Investments
REQUEST:	Small-scale Comprehensive Plan amendment from Lake County Urban Low to General Commercial.
CASE NO.:	SSCP-25-426

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

<u>APPROVAL</u> 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 is compatible with the surrounding Future Land Use designations of Lake County Urban Low Density and City General Commercial.

3. The proposed request is compatible with the proposed zoning of C-3 (Highway 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** the Small Scale Comprehensive Plan amendment from Lake County Urban Low to City of Leesburg General Commercial, and forward the recommendation to the City Commission for consideration.

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.A.3.
Meeting Date:	April 28, 2025
From:	Dan Miller, (Planning and Zoning Director), Max Vanallen, (Planner)
Subject:	An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 1.22 +/- acres from Lake County C-1 (Neighborhood Commercial) to City of Leesburg C-3 (Highway Commercial) to allow for office and warehouse uses, for a property generally located east of U.S. Highway 27 and south of Howard Road, lying in Section 02, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Two Boats Investments RZ)

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 C-3 (Highway Commercial) to allow for office space for a land surveying office and 3,000 square foot warehouse.

Analysis:
The project site is approximately 1.22 acres, and is generally located east of U.S. Highway 27 and south of Howard Road as shown on the attached maps. At this time, the property is developed with an existing commercial development, including a hair salon. The proposal will allow for office space for land surveying office with a 3,000-square-foot warehouse to be constructed in the future. The existing land uses surrounding the property are Vacant Government, Vacant Commercial, Residential, and Commercial. City of Leesburg utilities are available nearby along U.S. Highway 27.

The Planning Commission held a public hearing on the application on February 20, 2025, and recommended approval.

Procurement Analysis:
N/A

Options:
1. Approve the proposed rezoning to C-3 (Highway Commercial) or;
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:
This action 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 1.22 +/- ACRES FROM LAKE COUNTY C-1 (NEIGHBORHOOD COMMERCIAL) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL) TO ALLOW FOR OFFICE AND WAREHOUSE USES, FOR A PROPERTY GENERALLY LOCATED EAST OF U.S. HIGHWAY 27 AND SOUTH OF HOWARD ROAD, LYING IN SECTION 02, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (TWO BOATS INVESTMENTS RZ)

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

Section 1.

Based upon the petition of Douglas C. Wade (Two Boats Investments LLC, Petitioner) for 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 C-3 (Highway Commercial), to-wit:

(Legal Description)
(See Exhibit A)

Section 2.

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

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 28th day of April 2025.

THE CITY OF LEESBURG, FLORIDA

_____
Mayor

ATTEST:

_____
City Clerk

Extended Locator

Planning & Zoning Division

N

0 188 375 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

DESCRIPTION:

PARCEL 1:

THAT PART OF GOVERNMENT LOT 2 IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE WEST 1/4 CORNER OF SAID SECTION 2, RUN THENCE NORTH ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 1511.25 FEET; THENCE SOUTH 76°00'30" EAST, THE DISTANCE OF 114.25 FEET TO THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION; FROM SAID **POINT OF BEGINNING** CONTINUE SOUTH 76°00'30" EAST, 308.43 FEET, MORE OR LESS, TO THE WESTERLY LINE OF PROPERTY CONVEYED TO WILLIAM M. DANNELLY BY DEED RECORDED IN OFFICIAL RECORDS BOOK 569, PAGE 330, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT HEREBY DESIGNATED **POINT "A"**; RETURN TO THE **POINT OF BEGINNING** AND RUN SOUTHERLY ALONG THE EASTERLY LINE OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27, A DISTANCE OF 50 FEET TO THE MOST NORTHERLY CORNER OF PROPERTY CONVEYED TO EMERY CORP. BY DEED RECORDED IN OFFICIAL RECORDS BOOK 615, PAGE 1876, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN SOUTH 75°44'17" EAST, ALONG THE NORTHERLY LINE OF SAID EMERY CORP. PROPERTY, 200 FEET; THENCE SOUTH 00°33'16" WEST, ALONG THE EASTERLY LINE OF SAID EMERY CORP. PROPERTY 175 FEET; THENCE SOUTH 75°44'17" EAST, ALONG AN EXTENSION OF THE SOUTH LINE OF SAID EMERY CORP. PROPERTY TO INTERSECT THE WEST LINE OF THE AFOREMENTIONED WILLIAM M. DANNELLY PROPERTY, THENCE NORTH 0°24'52" WEST, ALONG SAID WEST LINE OF SAID WILLIAM M. DANNELLY PROPERTY TO THE ABOVE MENTIONED **POINT "A"**.

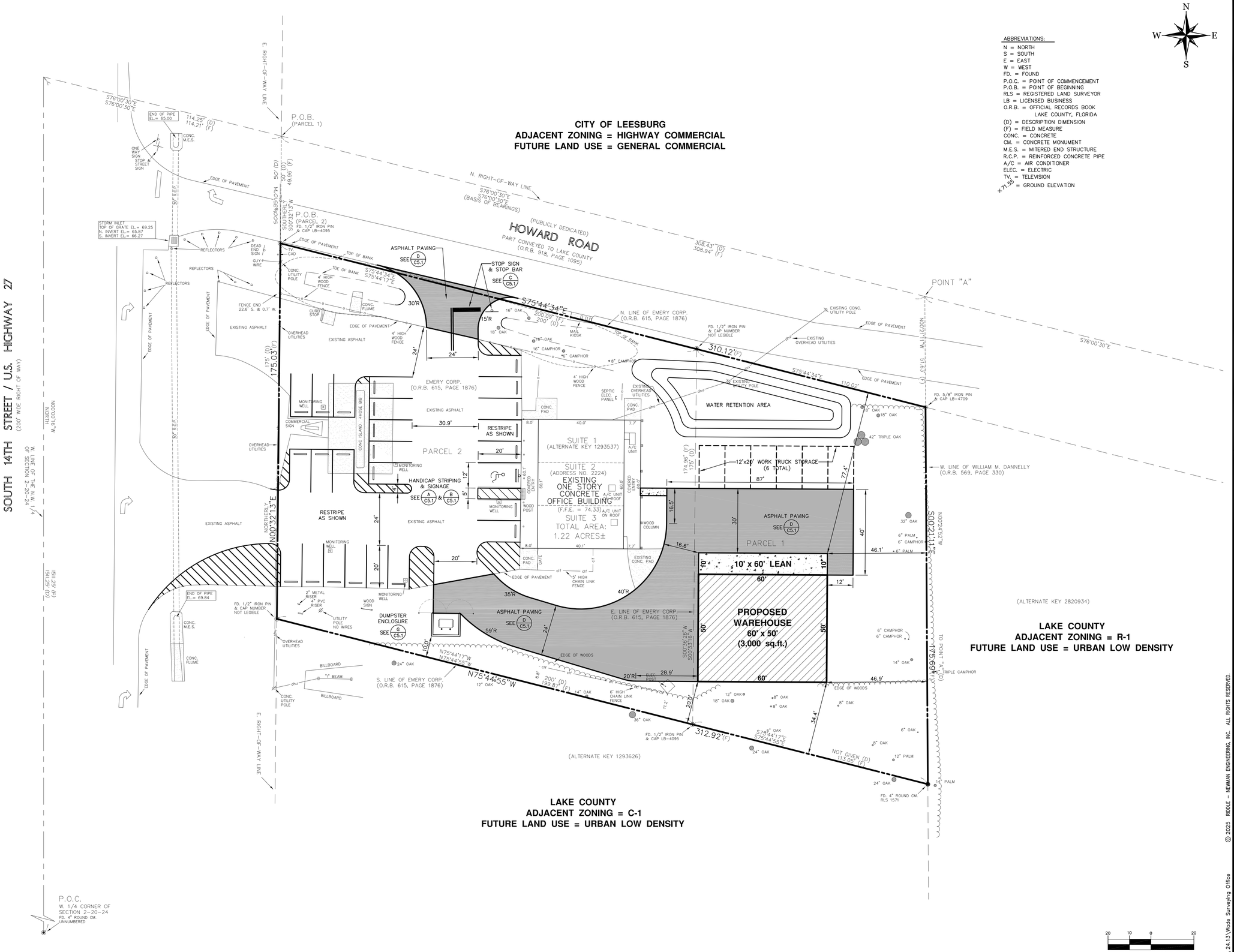
LESS AND EXCEPT THE FOLLOWING:

THAT PART CONVEYED TO LAKE COUNTY, BY DEED RECORDED IN OFFICIAL RECORDS BOOK 918, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

FROM THE WEST 1/4 CORNER OF SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, RUN NORTH ALONG THE WEST LINE OF SECTION 2 FOR 1511.25 FEET; THENCE SOUTH 76°00’30” EAST, 114.25 FEET TO THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27; THENCE SOUTH 00°35’10” WEST, ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 FOR 50 FEET AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION; FROM SAID **POINT OF BEGINNING**, RUN SOUTH 75°44’17” EAST FOR 200 FEET; THENCE SOUTH 00°33’16” WEST, 175 FEET; THENCE NORTH 75°44’17” WEST 200 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27; THENCE RUN NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 27 FOR 175 FEET TO THE **POINT OF BEGINNING**.



ABBREVIATIONS:

N = NORTH
S = SOUTH
E = EAST
W = WEST
FD. = FOUND
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
RLS = REGISTERED LAND SURVEYOR
LB = LICENSED BUSINESS
O.R.B. = OFFICIAL RECORDS BOOK LAKE COUNTY, FLORIDA
(D) = DESCRIPTION DIMENSION
(F) = FIELD MEASURE
CONC. = CONCRETE
CM. = CONCRETE MONUMENT
M.E.S. = MITERED END STRUCTURE
R.C.P. = REINFORCED CONCRETE PIPE
A/C = AIR CONDITIONER
ELEC. = ELECTRIC
TV. = TELEVISION
×71.55 = GROUND ELEVATION

RIDDLE - NEWMAN ENGINEERING, INC.
115 NORTH CANAL STREET
LEESBURG, FLORIDA 34748
PHONE (352) 787-7482
FAX (352) 787-7412
keith@riddlenewman.com
CA# 00002883
RIDDLE NEWMAN ENGINEERING INC.
ESTABLISHED 1991

REV #5	
REV #4	
REV #3	
REV #2	
REV #1	

KEITH E. RIDDLE, P.E.
FLA. REGIS. NO. 38800

DRAWN: R.S.H.
CHECKED: K.E.R.
SCALE: 1"=20'
DATE: 1/13/25
PROJECT NO. 24.13

GEOMETRY PLAN

WADE SURVEYING OFFICE
LAKE COUNTY FLORIDA

SHEET NO.
C2.1

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FILE:\24.13\Wade Surveying Office

CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS

DATE:	February 20, 2025
OWNER:	Two Boats Investments LLC
PETITIONER:	Douglas C. Wade
PROJECT:	Two Boats Investments
REQUEST:	Rezoning from Lake County C-1 (Neighborhood Commercial) to City C-3 (Highway Commercial).
CASE NO.:	RZ-25-427

THE PLANNING & ZONING DIVISION RECOMMENDS:

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

1. The proposed request for a C-3 (Highway Commercial) zoning is compatible with the current surrounding zoning districts, including Lake County R-6 (Urban Residential District), C-1 (Neighborhood Commercial), R-1 (Rural Residential District); and City of Leesburg C-3 (Highway Commercial).

2. The proposed zoning is compatible with the proposed future land use designation amendment to City General Commercial.

3. The site is located near existing City utilities near US Highway 27.

4. The proposed request does not appear to create a detriment to surrounding properties, based on the proximity to US 27, an existing and developing commercial corridor.

Action Requested:

1. Vote to approve the proposed rezoning from Lake County C-1 (Neighborhood Commercial) to City C-3 (Highway Commercial), and forward this recommendation to the City Commission for consideration.

CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY

DATE: February 20, 2025

OWNER: Two Boats Investments LLC
PETITIONER: Douglas C. Wade
PROJECT: Two Boats Investments
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial) to allow a surveyor's office in existing structure and a new construction 3,000 square foot warehouse.
CASE NO.: *(ANNX-25-425)*; SSCP-25-426; RZ-25-427

GENERAL LOCATION: East of US Highway 27 and south of Howard Road.

FUTURE LAND USE DESIGNATION: Lake County Urban Low

SURROUNDING FUTURE LAND USE DESIGNATION:
North – City of Leesburg General Commercial
South – Lake County Urban Low Density
East – Lake County Urban Low Density
West – City of Leesburg General Commercial

PROPOSED FUTURE LAND USE DESIGNATION: City General Commercial

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

SURROUNDING ZONING DESIGNATIONS:
North – Lake County R-6 (Urban Residential District); City of Leesburg C-3 (Highway Commercial)
South – Lake County C-1 (Neighborhood Commercial)
East – Lake County R-1 (Rural Residential District), R-6 (Urban Residential District)
West – City of Leesburg C-3 (Highway Commercial)

PROPOSED ZONING DESIGNATION: City C-3 (Highway Commercial)

EXISTING LAND USE: Existing commercial development, including hair salon.

SURROUNDING LAND USE:
North – Residential; Vacant Commercial; Vacant Government
South – Vacant Commercial
East – Residential
West – Commercial; Vacant Government

PROPOSED LAND USE: Office space for Land Surveying Business and 3,000 square foot new construction warehouse.

CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY

DATE: February 20, 2025
OWNER: Two Boats Investments LLC
PETITIONER: Douglas C. Wade
PROJECT: Two Boats Investments
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial) to allow a surveyor's office in existing structure and a new construction 3,000 square foot warehouse.
CASE NO.: *(ANNX-25-425)*; SSCP-25-426; RZ-25-427

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 2/14/2025.

FIRE

The following contains the Leesburg Fire Department comments:

In reference to Case Number ANNX-25-425; SSCP-25-426; RZ-25-427

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 ANNX-25-425; SSCP-25-426; RZ-25-427 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

- Captain Amanda Stevenson, 1/30/2025

ELECTRIC

Electric has no objections. IF they require a new service for the new building , it will have to be underground and they will need to install to us.. – Steve Davis, 1/30/2025.

GAS

Gas Department- No Comment – Wayne Williams, 1/31/2025.

GIS/ADDRESSING:

GIS has no comments. – Nicholas Tota, 1/30/2025.

BUILDING

No comments received as of 2/14/2025.

PUBLIC WORKS

No comments received as of 2/14/2025.

HOUSING & REDEVELOPMENT

No comments received as of 2/14/2025.

LAKE COUNTY PUBLIC WORKS

Lake County Public Works Department has the following comments based on the proposed C3 rezoning case for Two Boats Investment RZ-25-427.

1. Howard Road is a county maintained paved road. The proposed driveway access from it will require permitting from Lake County Public Works Department.

2. The existing right-of-way for Howard Road and the location of the existing pavement related to the property for the proposed rezoning is very close. There is not sufficient right-of-way for improvements such as the required sidewalk per the city development code along Howard Road. For redevelopment of the property there will need to be additional right-of-way to allow for the road drainage and sidewalk along Howard Road.

- Seth Lynch, 1/30/2025

LAKE COUNTY SCHOOLS

No comments on this commercial project.
– Heather Croney, 1/30/2025

PUBLIC RESPONSES

Approval

Disapproval

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

Aerial

Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Zoning

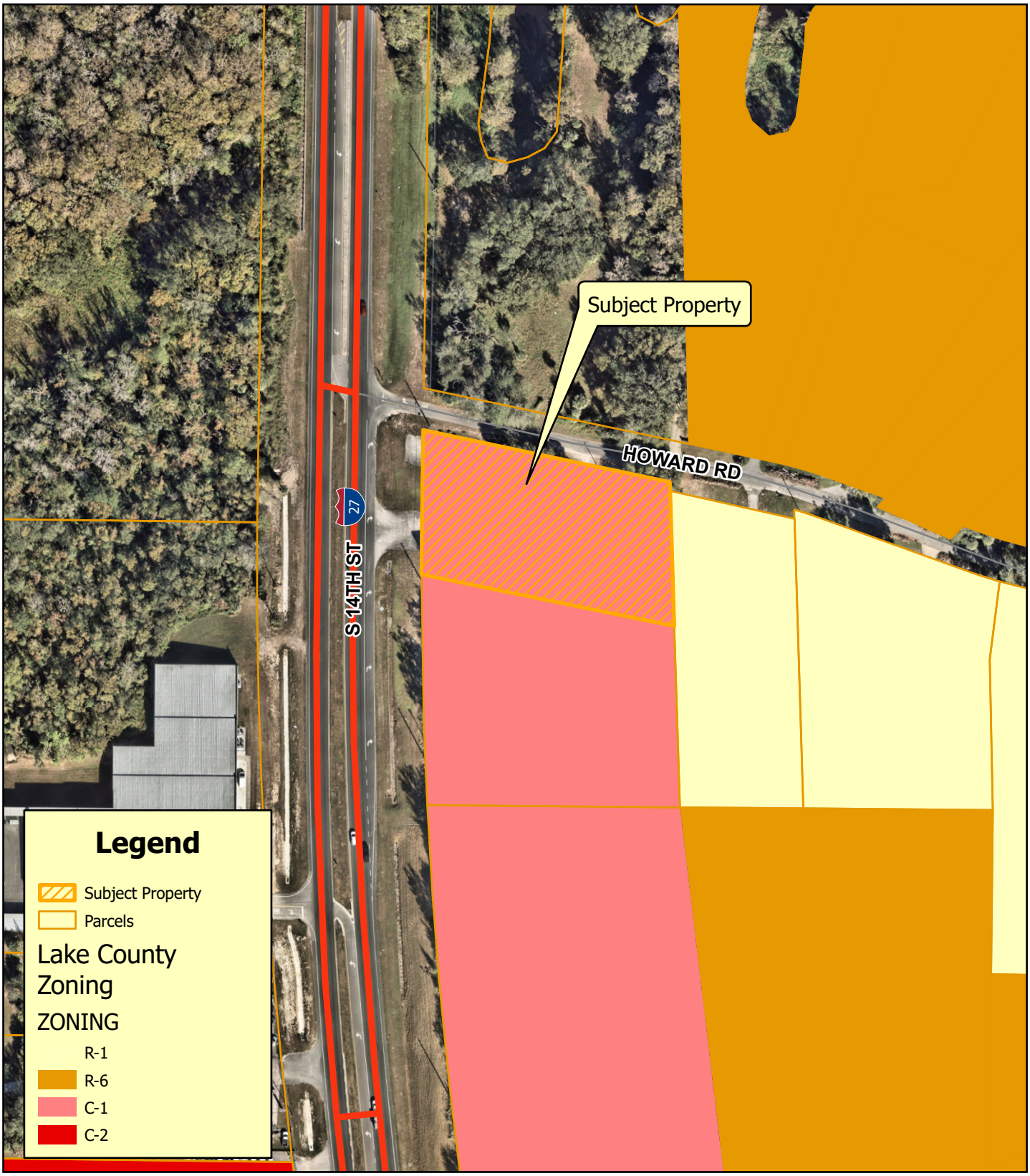
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Lake County Zoning



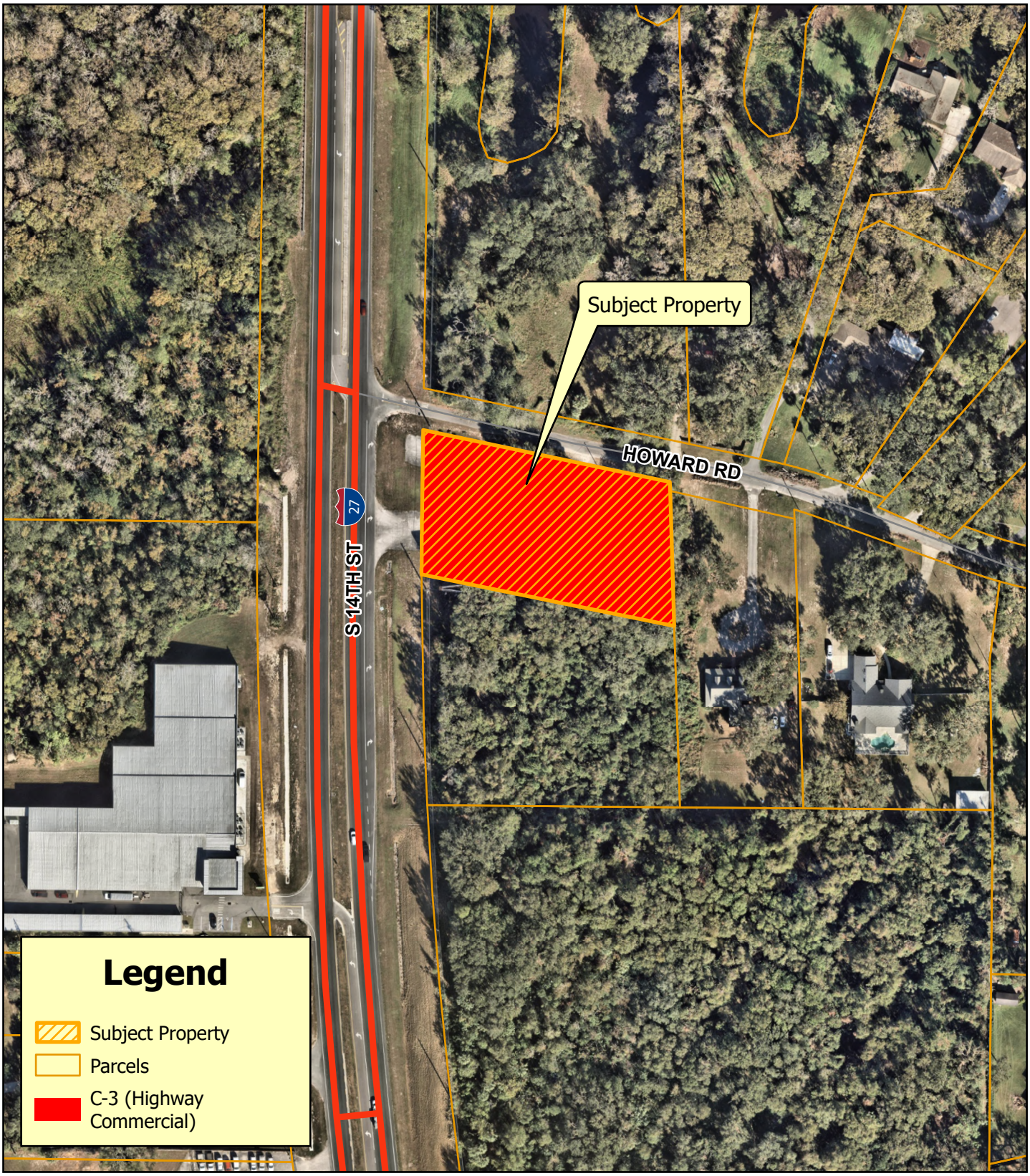
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Proposed Zoning



Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

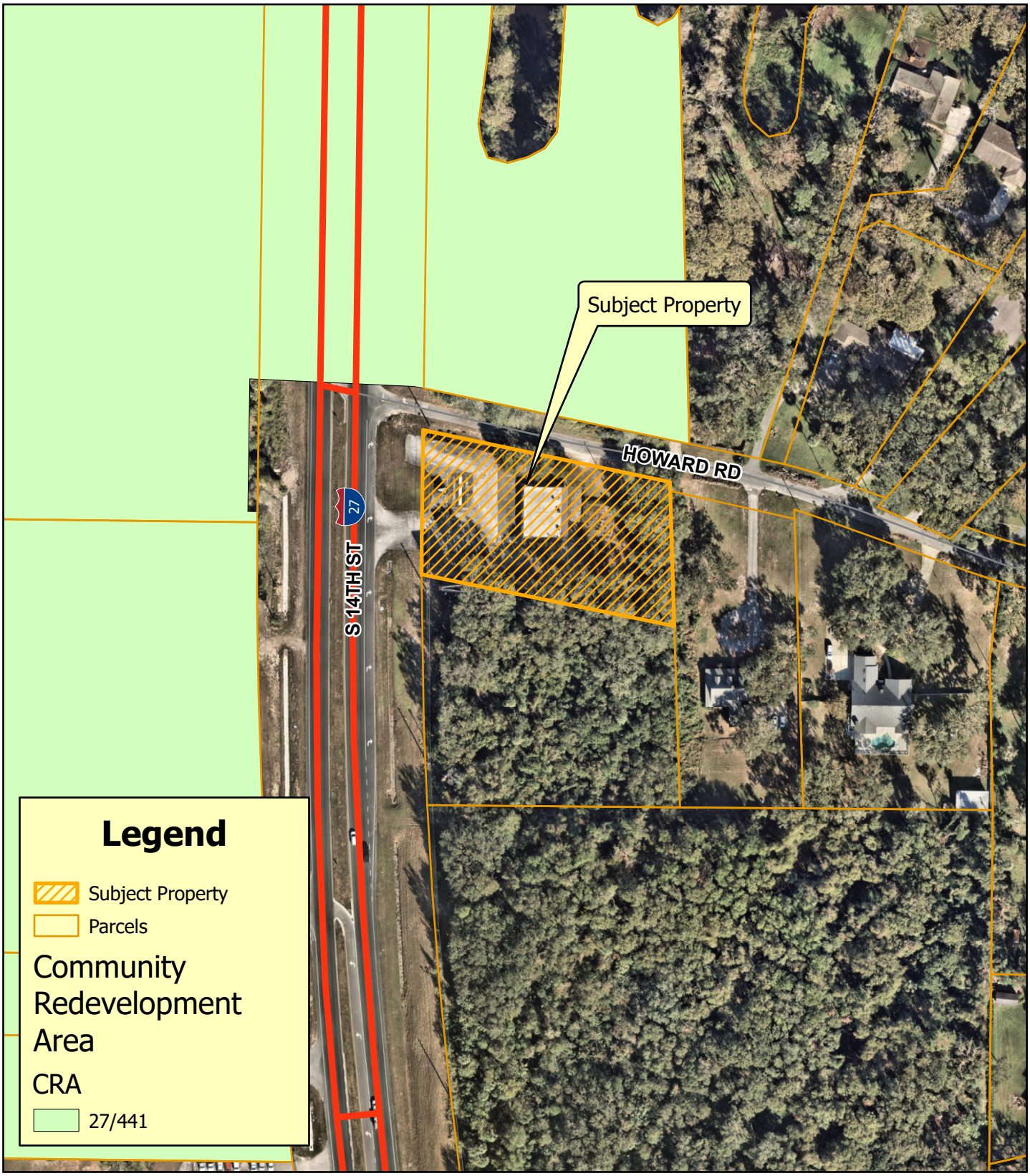
Surrounding Land Uses

Planning & Zoning Division

0 188 375 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Community Redevelopment Area



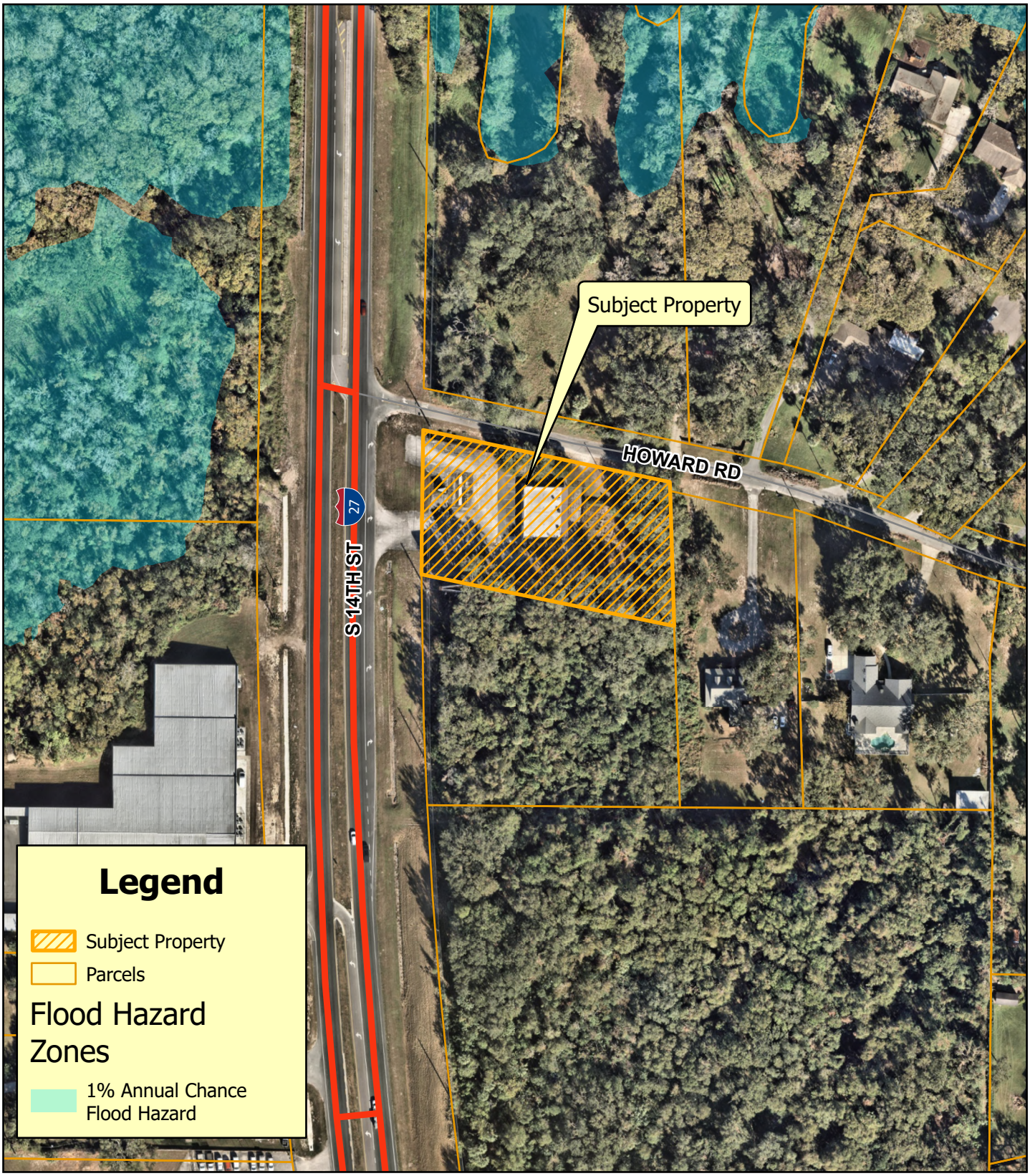
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Flood Zone



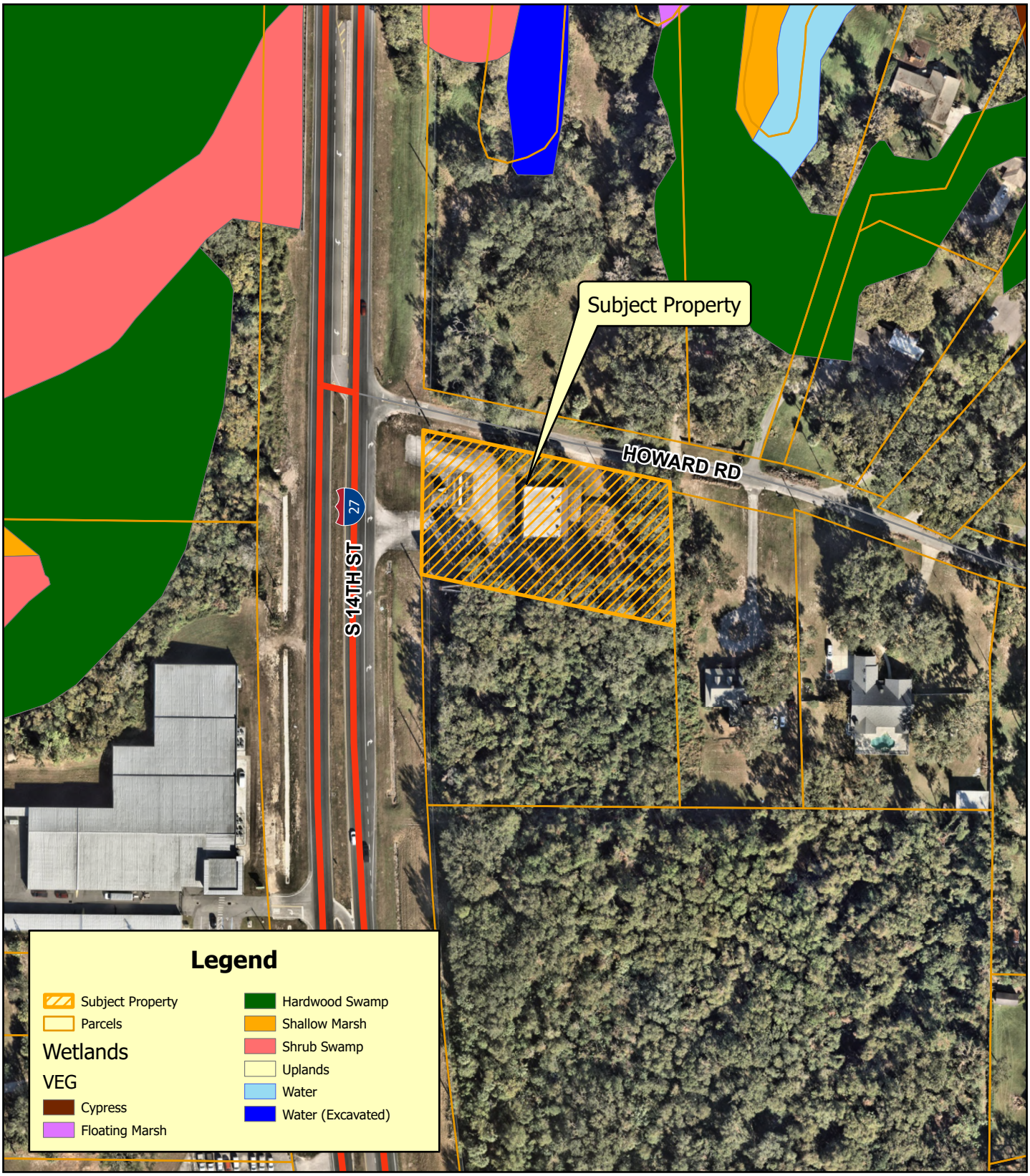
Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Wetlands



Planning & Zoning Division

N

0 63 125 Feet

Two Boats Investments
ANNX-25-425; SSCP-25-426; RZ-25-427
AK #: 1293537
Section 2, Township 20 South, Range 24 East
January 28, 2025

Closeup of Sign on Subject Property from Howard Road.

Looking North across Howard Road from Subject Property.

Looking East along Howard Road from Subject Property.

Looking South across Howard Road onto Subject Property.

Venice at Lake Harris (ANNX-24-381); LSCP-24-382; PUD-24-383
Taken on 12/6/2024

Looking West across US-27 from Howard Road.

Close up of Sign on Property from US 27.

Looking north along US 27 from Subject Property.

Looking east from US 27 onto the Subject Property.

Venice at Lake Harris (ANNX-24-381); LSCP-24-382; PUD-24-383
Taken on 12/6/2024

Looking south along US 27 from the Subject Property.

Looking west across US 27 from the Subject Property.

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.A.4.
Meeting Date:	April 28, 2025
From:	Dan Miller, (Planning and Zoning Director), Max Vanallen, (Planner)
Subject:	An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay) to the existing R-1-A (Single Family Residential) Zoning on approximately 16.22 +/- acres to allow for agricultural uses for a property generally located east of Number Two Road and south of County Road 48, lying in Section 17, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Number Two Road Agriculture PDO)

Staff Recommendation:
Planning and Zoning Staff and Planning Commission recommend approval of the request to add a PDO (Planned Development Overlay) to the existing R-1-A (Single Family Residential) Zoning to allow for agricultural uses.

Analysis:
The project site is approximately 16.22 +/- acres, and is generally located east of Number Two Road and south of County Road 48 as shown on the attached maps. At this time, the property is undeveloped. The proposal will maintain the permitted uses under the existing R-1-A (Single Family Residential) Zoning as well as permit agricultural uses, such as agricultural uses, including cattle and other large farm animal grazing, planted pine, and/or silviculture. The existing land uses surrounding the property are residential and pasture improved acreage. City of Leesburg utilities are available nearby, though no structures or developments are proposed by this request.

The Planning Commission held a public hearing on the application on March 20, 2025, and recommended approval.

Procurement Analysis:
N/A

Options:
1. Approve the proposed PDO (Planned Development Overlay) or,
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Future use 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, ADDING A PDO (PLANNED DEVELOPMENT OVERLAY) TO THE EXISTING R-1-A (SINGLE FAMILY RESIDENTIAL) ZONING ON APPROXIMATELY 16.22 +/- ACRES TO ALLOW FOR AGRICULTURAL USES FOR A PROPERTY GENERALLY LOCATED EAST OF NUMBER TWO ROAD AND SOUTH OF COUNTY ROAD 48, LYING IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (NUMBER TWO ROAD AGRICULTURE PDO)

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

Section 1.
Based upon the petition of John McGee and Yvonne McGee (Petitioners) 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, hereby adding a PDO (Planned Development Overlay) to the existing R-1-A (Single Family 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 _____ 2025.

THE CITY OF LEESBURG, FLORIDA

_____
Mayor

ATTEST:

_____
City Clerk

CASE #: PUD-25-460 (PDO) **EXHIBIT A**

Number Two Road Agriculture PDO
PLANNED DEVELOPMENT OVERLAY ZONING
In an R-1-A (Single-Family Residential) Zoning District
March 20, 2025

These Planned Development Conditions for a PDO (Planned Development Overlay) District are granted by the City of Leesburg, Florida to **McGee Revocable Trust; John McGee and Yvonne McGee**, whose address is **18 Lakeshore Drive, Leesburg, FL 34797, "Permittee"** for the purposes, terms and conditions set forth herein pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 *Planned Development Process* of the City of Leesburg Code of Ordinances, as amended.

PURPOSE

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

BACKGROUND

The "Permittee" has submitted an application to request a PDO (Planned Development Overlay) zoning district on an approximately 16.22-acre site within the City of Leesburg in accordance with their Planned Development Overlay application and supplemental information. The property is currently zoned R-1-A (Single Family Residential), with Future Land Use designations of City Estate Residential and Conservation. The site is currently undeveloped. The purpose is to utilize the property for agricultural uses.

REQUEST

1. Add a Planned Development Overlay (PDO) to a R-1-A (Single Family Residential) zoning to allow agricultural uses.

1. PERMISSION

Permission is hereby granted to the **McGee Revocable Trust; John McGee and Yvonne McGee**, whose address is **18 Lakeshore Drive, Leesburg, FL 34797, "Permittee"** to operate and maintain a PDO (Planned Development Overlay) in and on real property in the City of Leesburg, subject the conditions described in this document. The property is generally located east of Number Two Road and south of County Road 48, and is more particularly described as shown in the attached legal description below.

2. LEGAL DESCRIPTION

See attached legal Exhibit "B"

3. LAND USES

The above-described property shall be used for the R-1-A (Single Family Residential) uses with a PDO (Planned Development Overlay) as limited herein, and pursuant to City of Leesburg development codes and standards.

A. Uses

1) Uses shall be those listed as permitted uses in this document and shall occupy the approximate area within the property boundaries, as shown on the Survey, Exhibit C.

2) Permitted uses:
   a. Uses which are permitted within the R-1-A (Single Family Residential) District
   b. Animal husbandry, for animals such as cattle, goats, llamas, alpacas, sheep, horses, and rabbits.
   c. Fowl husbandry, such as chicken, geese, guinea hens, and ducks.
   d. Silviculture, such as planted pine.
   e. Crops, such as hay, sod, vegetables, and fruits.
   f. Accessory structures, such as shade structures, barns, and storage, subject to requirements under City of Leesburg Code of Ordinances, Section 25-292 (2) *Accessory and temporary structures: minimum yard regulations.*
   g. Any other similar uses which are considered accessory to permitted uses which do not adversely impact the adjoining properties due to traffic, noise, dust, etc.

3) Uses prohibited shall be as follows:
   a. All other uses not specifically approved herein or under the R-1-A (Single Family Residential) zoning district.
   b. On-site retail and sales, including of agricultural products.
   c. On-site slaughtering of animals.
   d. Keeping of pigs and/or hogs.
   e. Any other uses which are considered to adversely impact the adjoining properties due to traffic, noise, dust, etc.

4. SITE ACCESS

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

5. DEVELOPMENT STANDARDS AND OPERATIONS

A. The minimum development standards, including, but not limited to, setbacks, maximum building height, impervious surface, open space, and parking requirements shall be those required for the R-1-A (Single Family Residential) zoning district except as amended by these conditions, which may limit the permitted uses based on site plan and parking requirements.

B. Section 25-292 (2) *Accessory and temporary structures: minimum yard regulations.*
a. Except as provided in this section, unattached accessory or temporary structures such as tube and canvas structures, vendor trailers and vehicles etc. shall not project or be placed into the required front yard(s) in front of the principal structure or encroach into easements, parking areas, drive aisles, buffer areas or other required site plan areas except as permitted in section 25-292(18). Cabanas, outdoor shelters, sheds, work shops and other enclosed and temporary structures may be constructed in a required rear yard. Accessory structures, which are not attached to a principal structure, may be erected in accordance with the following requirements:
   1. An accessory building not exceeding twelve (12) feet in height may occupy not more

than thirty (30) percent of a required rear yard.

2. An accessory building exceeding twelve (12) feet in height may be permitted where an additional two (2) feet of setback is provided for every additional foot of height above twelve (12) feet to a maximum of the height of the principal structure or the height allowed in the district where located, whichever is less.

3. No accessory structure shall be located within five (5) feet of side or rear property lines.

4. No accessory structure shall be located closer to the street than the front yard setback required for a principal structure in the district in which such accessory structure may be located.

5. Corner lots shall be considered to have two (2) front yards.

6. Vehicles including tractor trailers, shipping containers, manufactured housing and mobile homes, shall not be used as permanent storage buildings, utility buildings, or other such uses.

b. When an accessory structure is attached to the principal building, it shall comply in all respects with the yard requirements applicable to the principal building.

c. Tube and canvas structures shall be prohibited in the front and side yards of all districts except for the industrial district where screening from the public right-of-way and adjacent residential properties shall be required. Existing approved tube and canvas structures permitted prior to December 12, 2011 shall comply with all provisions of this chapter by June 1, 2013.

C. All signs placed or constructed on the property shall comply with *Article VI- Sign Regulations, Section 25-424* City of Leesburg Code of Ordinances, as amended.

6. MISCELLANEOUS CONDITIONS

A. The uses of the proposed project shall only be those uses identified in these approved Planned Development Overlay Conditions, or as set forth in the underlying zoning district. Any other proposed use must be specifically authorized through rezoning the property, or in accordance with the Planned Development amendment process.

B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Code of Ordinances.

C. Construction and operation of the proposed use(s) shall at all times comply with City and other governmental agencies rules and regulations.

D. The transfer of ownership or lease of any or all of the property described in this agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this agreement as established herein and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.

E. These Planned Development Overlay Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject

to each and every condition herein set out.

F. The granting of this Planned Development Overlay does not exempt the applicant from any other applicable regulations of the City of Leesburg and other governmental agencies and assessment of impact fees as required by ordinance.

LEGAL DESCRIPTION **EXHIBIT B**
(from Property Record Card)

Parcel ID Altkeys: 3855904

LEGAL DESCRIPTION:

THE WEST 1/2 OF THE NORTH N 1/2 OF GOVERNMENT LOT 4 LYING SOUTHWESTERLY OF STATE ROAD 48, THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTH 1/2 OF GOVERNMENT LOT 4 IN SECTION 17 TOWNSHIP 20 SOUTH RANGE 25 EAST--LESS BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTH 1/2 OF GOVERNMENT LOT 4, RUN EAST 318.87 FEET & POINT A, RETURN TO THE POINT OF BEGINNING, RUN NORTH 31.93 FEET, SOUTHEASTERLY 320.37 FEET TO POINT A & LESS FROM THE WEST 1/4 CORNER OF SAID SECTION 17 RUN SOUTH 00-55-10 WEST 145.40 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 48 FOR THE POINT OF BEGINNING, RUN SOUTH 59-30-40 EAST 31.18 FEET, SOUTH 00-15-01 WEST 295.81 FEET, SOUTH 00-00-39 WEST 59.72 FEET, SOUTH 00-09-16 EAST 951.55 FEET, NORTH 83-32-45 WEST 49.58 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 17, THENCE NORTH 00-55-10 EAST 1317.49 FEET TO THE POINT OF BEGINNING OF ROAD RIGHT OF WAY-- ORB 6277 PG 1091

AERIAL **EXHIBIT C**

CITY OF LEESBURG PLANNING & ZONING DEPARTMENT
STAFF SUMMARY

DATE: March 20, 2025

OWNER: McGee Revocable Trust
PETITIONER: John & Yvonne McGee
PROJECT: Number Two Road Agriculture PDO
REQUEST: Planned Development Overlay to allow agricultural uses including grazing animals and planted pine.
CASE NO.: PUD-25-460

GENERAL LOCATION: East of Number Two Road and south of County Road 48.

FUTURE LAND USE DESIGNATION: City Estate Residential and Conservation.

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Urban Low Density, Rural Transition
South – Lake County Rural Transition; City of Leesburg Estate Residential
East – Lake County Rural Transition
West – Lake County Rural Transition; City of Leesburg Estate Residential

PROPOSED FUTURE LAND USE DESIGNATION: No change proposed.

EXISTING ZONING DESIGNATION: R-1-A (Single Family Residential)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County A (Agriculture), R-1 (Rural Residential District)
South – Lake County R-1 (Rural Residential District), R-2 (Estate Residential District); City of Leesburg PUD (Planned Unit Development), A (Agriculture)
East – Lake County A (Agriculture), R-2 (Estate Residential District)
West – Lake County R-1 (Rural Residential District); City of Leesburg PUD (Planned Unit Development)

PROPOSED ZONING DESIGNATION: R-1-A (Single Family Residential), with a PDO to allow agricultural uses.

EXISTING LAND USE: Undeveloped land.

SURROUNDING LAND USE:

North – Residential; Pasture Improved Hay Acreage
South – Residential; Pasture Improved Hay Acreage
East – Residential; Pasture Improved Hay Acreage
West – Residential

PROPOSED LAND USE: Agricultural uses, including cattle and other large farm animal grazing, planted pine, and/or silviculture.

CITY OF LEESBURG PLANNING & ZONING DEPARTMENT
DEPARTMENTAL REVIEW SUMMARY

DATE: March 20, 2025
OWNER: McGee Revocable Trust
PETITIONER: John & Yvonne McGee
PROJECT: Number Two Road Agriculture PDO
REQUEST: Planned Development Overlay to allow agricultural uses including grazing animals and planted pine.
CASE NO.: PUD-25-460

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 3/14/2025.

FIRE

In reference to Case Number - PUD-25-460 – Number Two Rd Agriculture PDO

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- PUD-25-460 – Number Two Rd Agriculture PDO 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 live 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 base life support (BLS) unit arrived in 240 seconds or less travel time.

– Amanda Stevenson 3/15/2025.

ELECTRIC

Electric has no issues. This is outside of Leesburg Electric Service Territory. – Steve Davis, 2/26/2025.

GAS

Gas Department- No Comment – Wayne Williams, 2/27/2025.

GIS/ADDRESSING:

GIS has no comments. – Nicholas Tota, 2/26/2025.

BUILDING

No comments received as of 3/14/2025.

PUBLIC WORKS

Public Works has no issues with this item. – Cliff Kelsey, 3/3/2025

HOUSING & REDEVELOPMENT

No comments received as of 3/14/2025.

LAKE COUNTY PUBLIC WORKS

I have no comment. – Seth Lynch, 2/28/2025

LAKE COUNTY SCHOOLS

No comments received as of 3/14/2025.

PUBLIC RESPONSES

Approval

Disapproval

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

DRAFT SUMMARY MINUTES OF THE REGULAR MEETING

OF THE PLANNING COMMISSION

CITY COMMISSION CHAMBERS, CITY HALL

THURSDAY, MARCH 20, 2025, 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, March 20, 2025, in the Commission Chambers at City Hall. Commissioner Ted Bowersox called the meeting to order at 4:35 p.m.

The following Commission members were present:

Tim Sennett
Nathaniel Sanders
Ted Bowersox
John O'Kelley
Stewart Kaplan
Ze'Shieca Carter
Ken Simeone

The following Commission members were absent:

Frazier J. Marshall
Darin Akkerman

City staff that was present included Dan Miller, Planning & Zoning Director, Kandi Harper, Deputy Director of Planning, Dianne Yekel, Senior Planner, and Melissa Medders, Planner. City Attorney Jennifer Cotch was also present.

The meeting opened with an invocation given by Commissioner Ted Bowersox and the Pledge of Allegiance to the Flag.

Senior Planner Dianne Yekel swore in staff as well as anyone wishing to speak.

Dan Miller, Planning & Zoning Director, informed the audience of the rules of participation and the need to sign the speaker's registry. He also informed Commissioners and the audience of the City Commission meeting dates tentatively scheduled.

MINUTES OF PLANNING & ZONING COMMISSION MEETING FOR FEBRUARY 20, 2025.

Commissioner Carter moved to APPROVE the minutes from the February 20, 2025 meeting. Commissioner Carter SECONDED the motion, which was PASSED by a vote of 6 to 0.

VEECH ROAD, AS LEGALLY DESCRIBED IN SECTION 20, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(WITHDRAWN BY APPLICANT)**

Commissioner Sanders made a motion to POSTPONE case # PUD-25-463 – HESTER PROPERTY – PLANNED UNIT DEVELOPMENT. Commissioner Carter SECONDED the motion which PASSED by a voice vote of 7 to 0.

3) **PUBLIC HEARING CASE # CUP-25-465 – SKYWAY TOWERS (2021 TALLY ROAD) CUP – CONDITIONAL USE PERMIT**
A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF A COMMUNICATIONS TOWER IN THE EXISTING M-1 (INDUSTRIAL) ZONING DISTRICT ON 15.02 +/- ACRES GENERALLY LOCATED SOUTH OF TALLY ROAD AND EAST OF TALLY BOX ROAD, AS LEGALLY DESCRIBED IN SECTION 15, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION).** (Skyway Towers CUP) **(APPLICANT REQUEST TO POSTPONE UNTIL APRIL 24, 2025)**

Commissioner Sanders made a motion to POSTPONE case # CUP-25-465 – SKYWAY TOWERS (2021 TALLY ROAD) CUP – CONDITIONAL USE PERMIT. Commissioner Bowersox SECONDED the motion which PASSED by a voice vote of 7 to 0.

4) **PUBLIC HEARING CASE # PUD-25-460 – NUMBER TWO RD AGRICULTURE PDO – PLANNED DEVELOPMENT OVERLAY**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA ADDING A PLANNED DEVELOPMENT OVERLAY OVER THE EXISTING R-1-A (SINGLE FAMILY RESIDENTIAL) ZONING ON APPROXIMATELY 16.22 +/- TO ALLOW AGRICULTURAL USES, FOR A PROPERTY GENERALLY LOCATED EAST OF NUMBER TWO ROAD AND SOUTH OF COUNTY ROAD 48, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, APRIL 14TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, APRIL 28TH, 2025)** (Number Two Road Agriculture PDO)

Dan Miller introduced case number # *PUD-25-460 – NUMBER TWO RD AGRICULTURE PDO – PLANNED DEVELOPMENT OVERLAY* into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller said this is a request for a Planned Development Overlay to an existing R-1-A zoning district to allow for agricultural uses on approximately 16.2 acres of land. The property is generally located on the south side of County road 48 and east of Number Two Road.

Deputy Director Kandi Harper presented the maps and photo exhibits demonstrating the area of the proposed site for the case.

Mr. Miller gave some background information on the project. He said that as provided in City of Leesburg Code of Ordinances, Sec. 25-269. - *Establishment of districts* (2), the A (Agricultural) zoning district is inactive and no new lands in the City shall be rezoned to such a designation. However, in this particular location and circumstance, agricultural uses are compatible with the surrounding uses and do not pose or create a detriment to the surrounding properties. Uses such as animal husbandry, fowl husbandry, silviculture, and crops, are appropriate for the property in question. The underlying R-1-A (Single Family Residential) zoning district uses shall remain to allow both the above agricultural uses, and single-family residential uses. In determining a solution to the use of the property in a manner consistent with the area, staff determined that the use of a Planned Development Overlay (PDO) would allow an appropriate use of the currently undeveloped land, and maintain compatibility with the underlying zoning and Sec. 25-269 (2) of the City's Code.

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments or objections received from the departments. When no comments are provided, this indicates that the department has the capacity to serve the proposed development. This project is outside the Leesburg Electric territory. There were no comments from the Lake County School Board or Lake County Public Works. For Public responses, per Florida Statute and City of Leesburg Code of Ordinance notice requirements, the project was legally advertised, posted and letters sent out to the surrounding property owners. There were no public responses received.

The Planning & Zoning staff recommended the approval of the request for the following reasons:

1. The proposed request on the subject property for the addition of a Planned Development Overlay, is compatible with the existing zoning district of R-1-A (Single Family Residential), and the surrounding zoning districts including Lake County A (Agriculture), R-1 (Rural Residential District), R-2 (Estate Residential District); City of Leesburg PUD (Planned Unit Development), and A (Agriculture).

2. There is no change proposed to the Future Land Use designation of Estate Residential and Conservation. The proposed request for the addition of a Planned Development Overlay, is compatible with the current surrounding Future Land Use designations, including Lake County Urban Low Density, Rural Transition; and City of Leesburg Estate Residential.

3. The addition of the proposed Planned Development Overlay will allow for agricultural uses consistent with the surrounding land uses of the surrounding properties, without violating and Sec. 25-269 (2) of the City's Code.

4. The proposed request does not appear to create a detriment to surrounding properties, based on the location and proximity to compatible development, and is consistent with the City of Leesburg Comprehensive Plan, Future Land Use Element, Goal 1, Objective 1.1, a. *Estate Residential,* to permit non-residential uses with a Planned Development zoning.

Action Requested:

1. Vote to **approve** the addition of a Planned Development Overlay on a R-1-A (Single Family Residential), and forward this recommendation to the City Commission for consideration.
   Doug Wade, owner of Two Boats Investments, LLC, owns a surveying business in Lady Lake. They want to move their office closer to Leesburg, which is where him and his wife live. The warehouse will store the work trucks. They will remodel the existing building for an office.

John McGee, 18 Lake Shore Dr, stated that when he bought this property it was to maintain the rural character of the area.

Commissioner O'Kelley made a motion to APPROVE case # PUD-25-460 – NUMBER TWO RD AGRICULTURE PDO – PLANNED DEVELOPMENT OVERLAY. Commissioner Carter SECONDED the motion which, PASSED by a voice vote of 7 to 0.

The roll call vote was:

Commissioner O'Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes
Commissioner Simeone	Yes

Seven yeas, zero nays, the Planning Commission voted to PUD-25-460 – NUMBER TWO RD AGRICULTURE PDO – PLANNED DEVELOPMENT OVERLAY.

5) **PUBLIC HEARING CASE # SSCP-25-451 – BAR KEY II/GRACE GROVES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 39.05 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED NORTH OF EAST DEWEY ROBBINS ROAD AND SOUTH OF DEWEY ROBBINS ROAD, AS LEGALLY DESCRIBED IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Bar Key II/Grace Groves SSCP) **(APPLICANT REQUEST TO POSTPONE UNTIL APRIL 24, 2025)**

Commissioner Kaplan made a motion to POSTPONE case # SSCP-25-451 – BAR KEY II/GRACE GROVES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT. Commissioner Bowersox SECONDED the motion which PASSED by a voice vote of 7 to 0.

6) **PUBLIC HEARING CASE # PUD-25-452 – BAR KEY II/GRACE GROVES – PLANNED UNIT DEVELOPMENT**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 39.05 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED NORTH OF EAST DEWEY ROBBINS ROAD AND SOUTH OF DEWEY ROBBINS ROAD, AS LEGALLY DESCRIBED IN SECTION 25, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Bar Key II/Grace Groves SSCP) **(APPLICANT REQUEST TO POSTPONE UNTIL APRIL 24, 2025)**

Commissioner Sanders made a motion to POSTPONE case # PUD-25-452 – BAR

Extended Aerial

Planning & Zoning Division

N

0 345 690 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Aerial

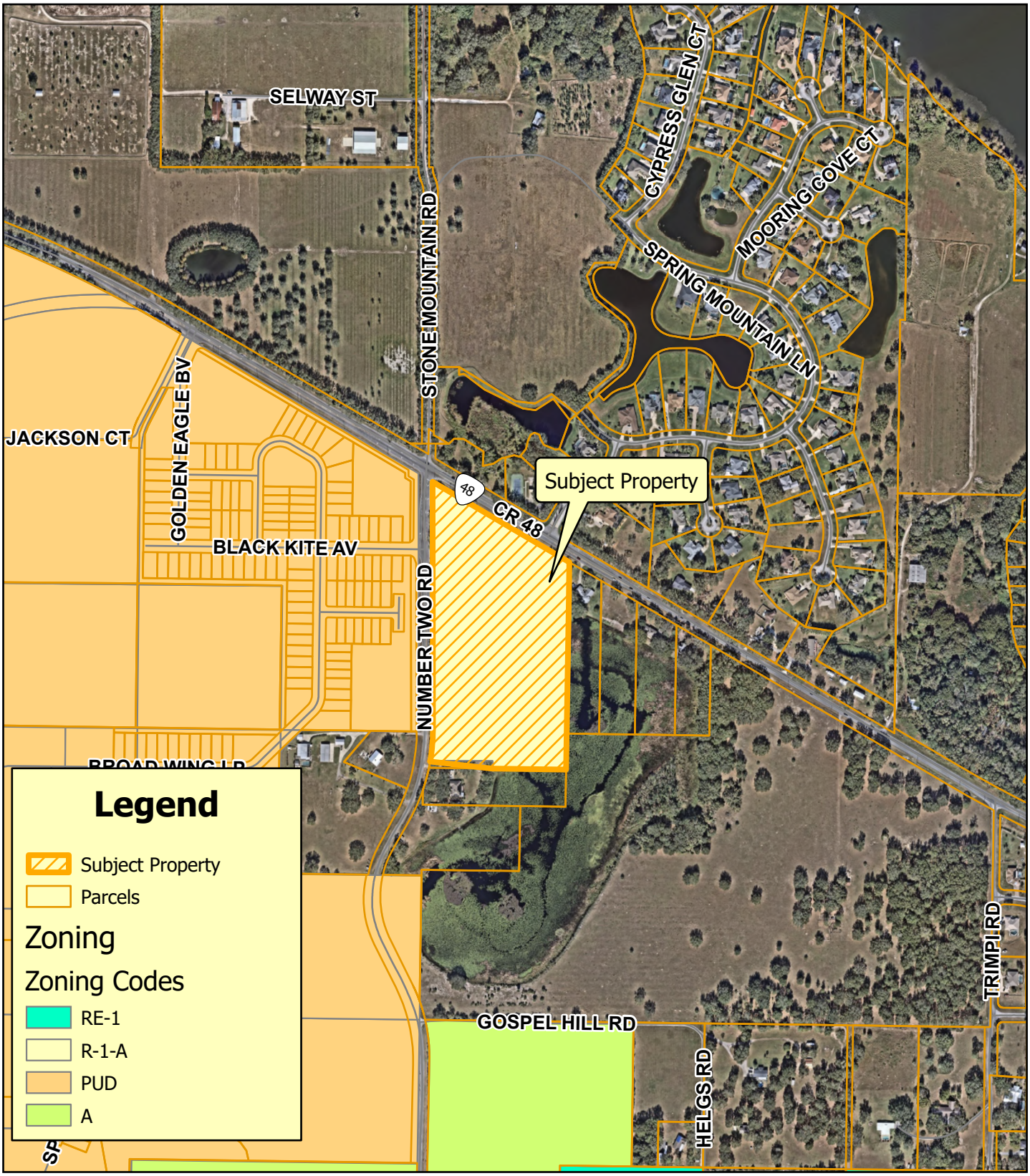
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Zoning



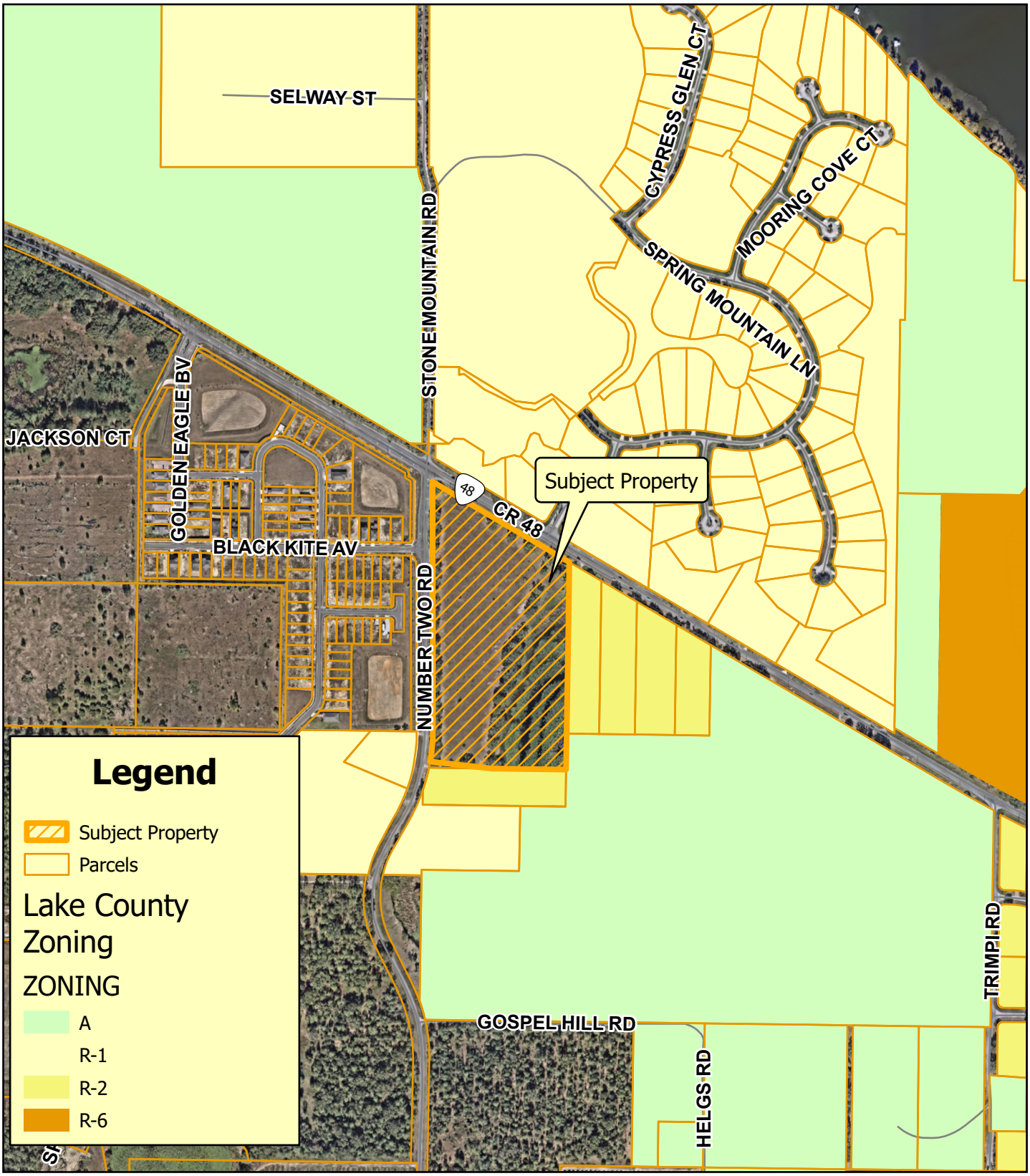
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Lake County Zoning



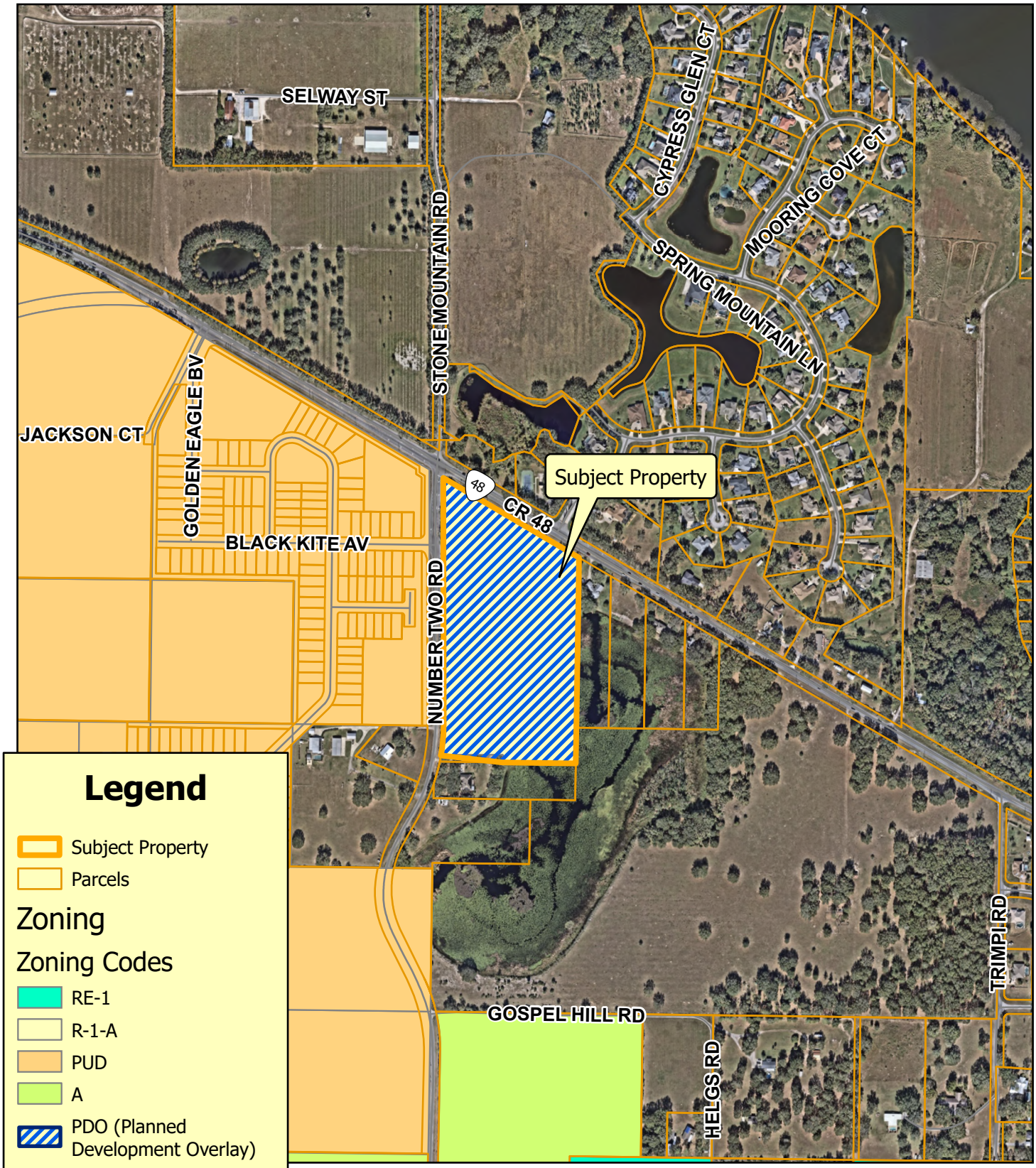
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Proposed Action



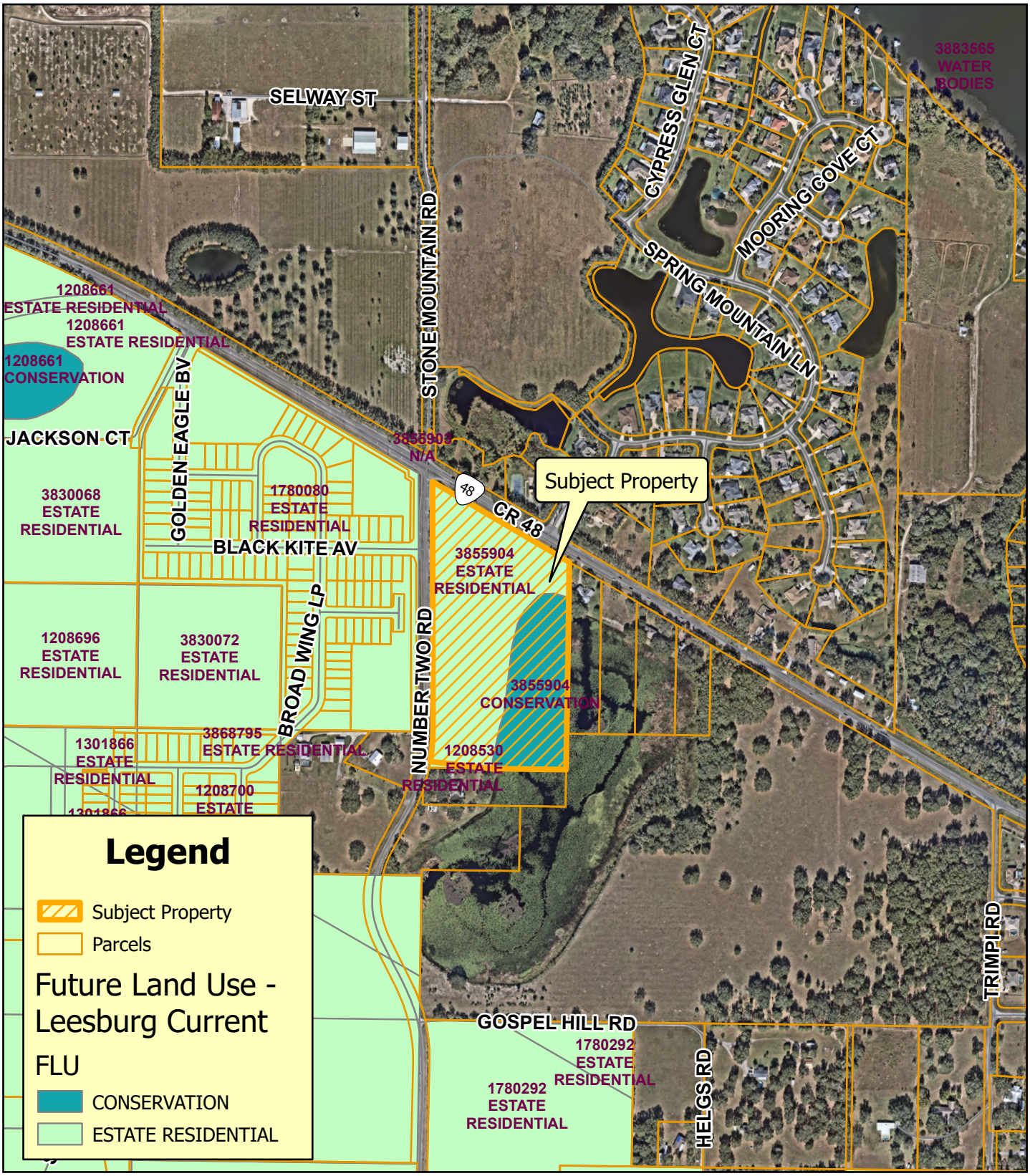
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Future Land Use



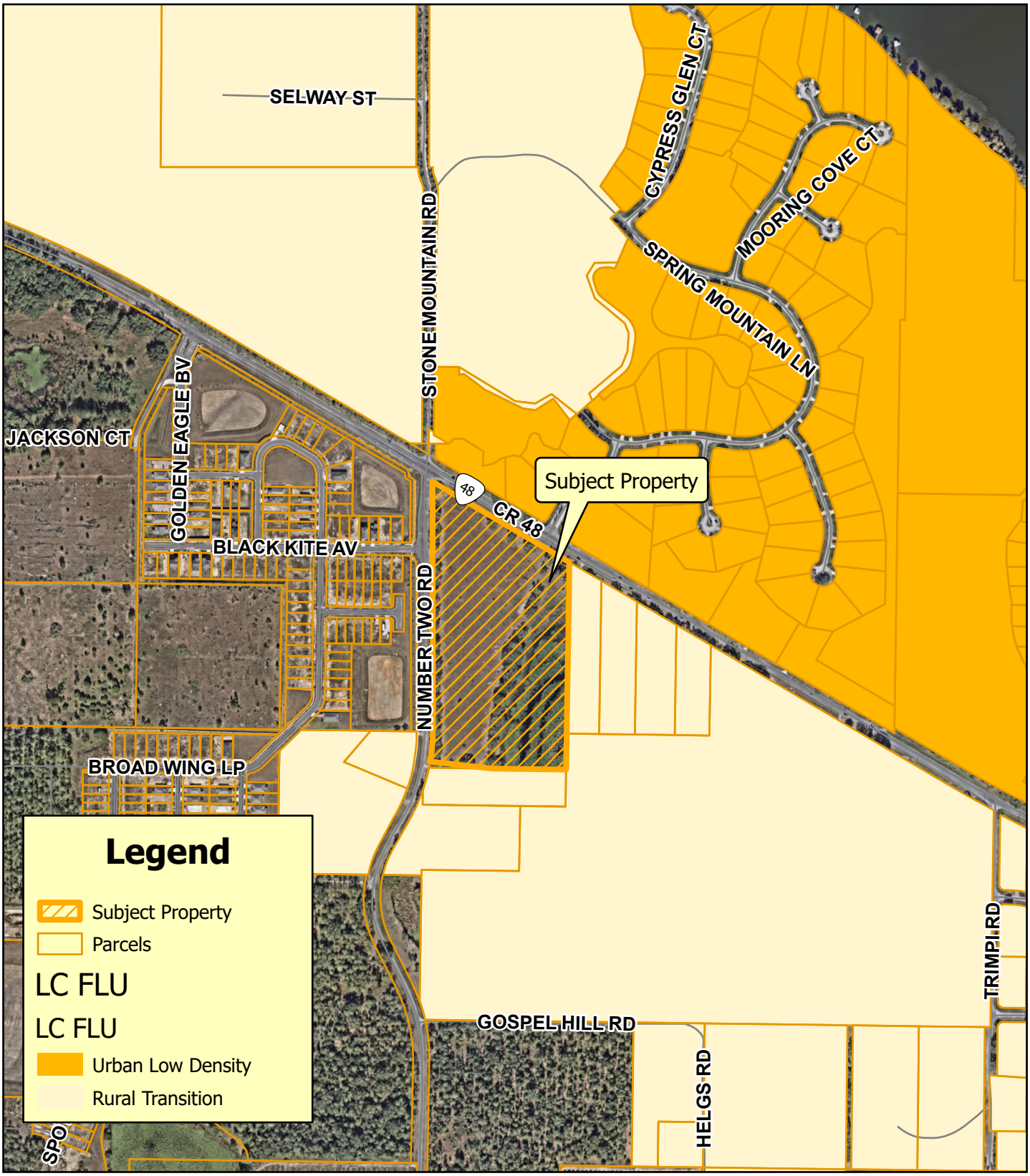
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Lake County Future Land Use



Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Surrounding Land Uses

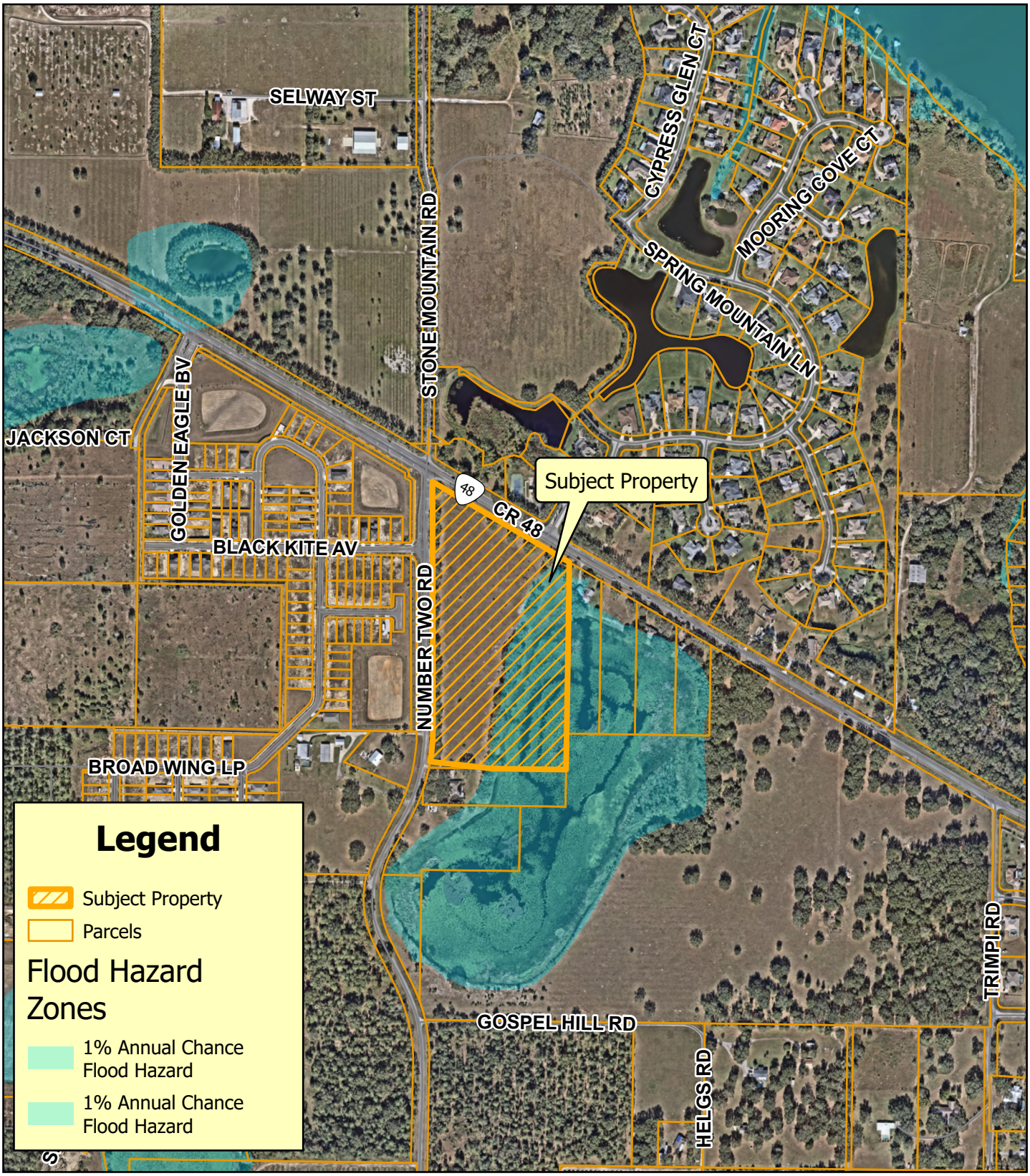
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Flood Zone



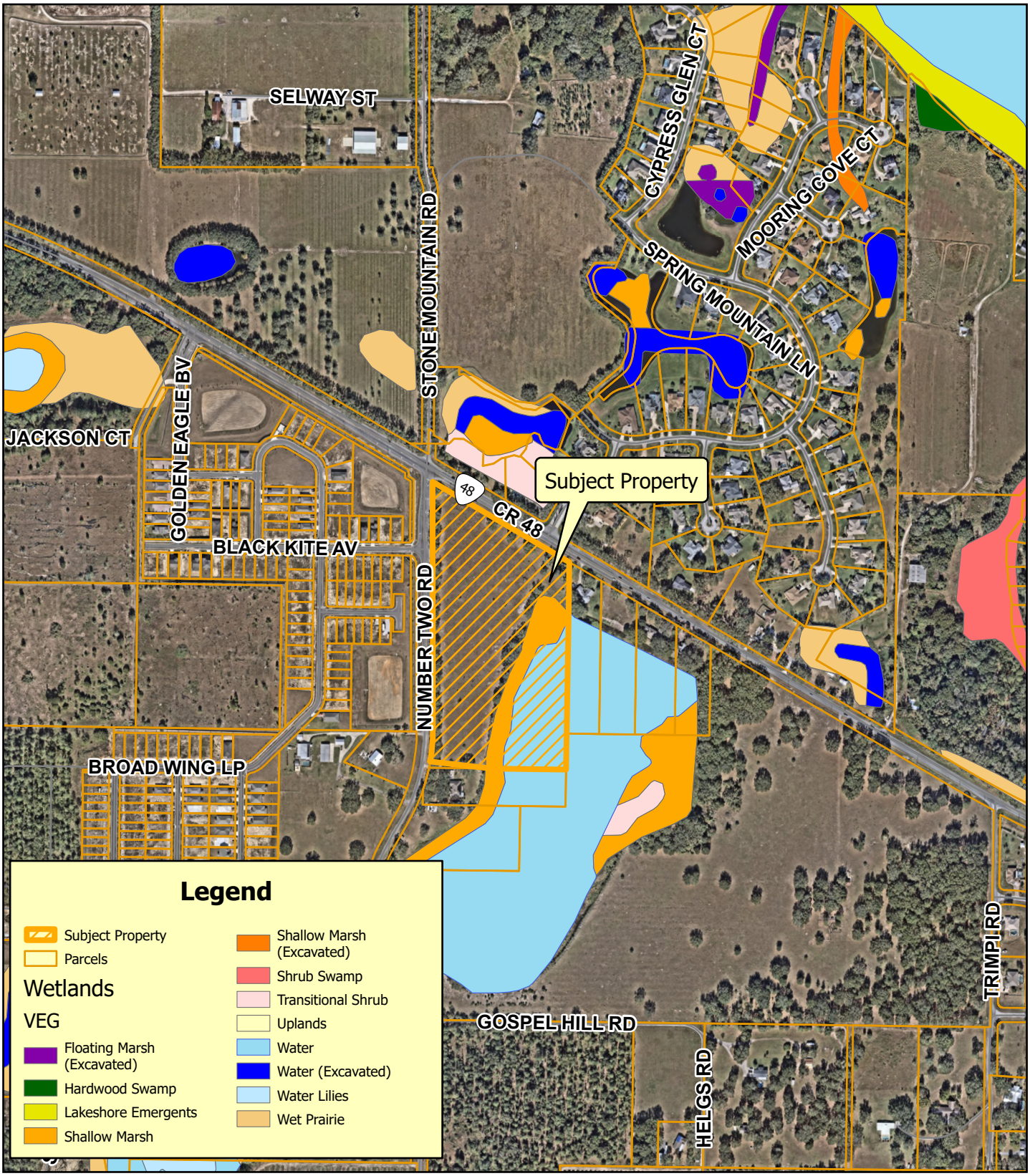
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Wetlands



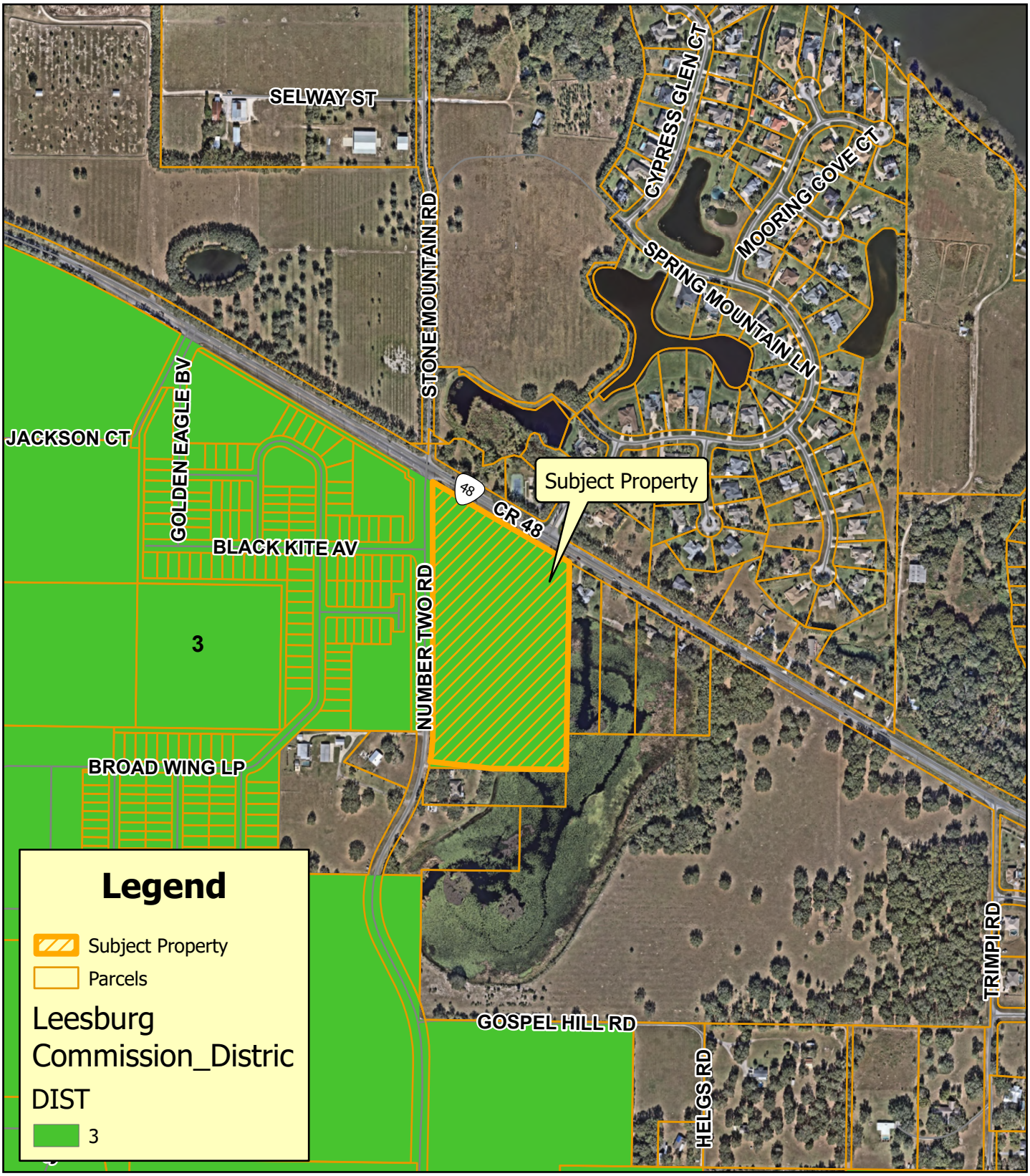
Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Commission District



Planning & Zoning Division

N

0 240 480 Feet

Number Two Road Agriculture PDO
PUD-25-460
Alternate Key(s): 3855904
Section 17, Township 20 South, Range 25 East
February 19, 2025

Closeup of Sign on Subject Property from County Road 48.

Looking North across County Road 48 from Subject Property.

Looking East along County Road 48 from Subject Property.

Looking South onto Subject Property from County Road 48.

Looking West along County Road 48 from Subject Property.

Closeup of Sign on Subject Property on Number Two Road.

Looking North along Number Two Road from Subject Property.

Looking East onto Subject Property from Number Two Road.

Looking South along Number Two Road from Subject Property.

Looking West across Number Two Road from Subject Property.

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.B.1.
Meeting Date:	April 28, 2025
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 37.48 +/- acres; and being generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, 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. (Old Mill Subdivision ANNX)

Staff Recommendation:
The Planning and Zoning staff recommend approval of the proposed ordinance for annexation of 37.48 +/- acres.

Analysis:
The applicant has submitted a request for annexation of approximately 37.48 +/- acres, generally located east of Radio Road and north of U.S. Highway 441, as shown on the attached Extended Aerial Map. At this time, the property is vacant and undeveloped. The current zoning is Lake County A (Agriculture) and R-6 (Urban Residential District); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is for the developer to utilize City utilities and Codes for future development of 32 townhomes and 110 single-family homes.

The property is surrounded by Lake County PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) and City PUD (Planned Unit Development). Under the conditions of the PUD (Planned Unit Development) zoning case, which is also on this agenda, the proposed request is consistent with the existing patterns of development in the Radio Road Area.

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 Planning

Commission at the public hearing held on March 20, 2025.

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 37.48 +/- ACRES; AND BEING GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, LYING IN SECTION 01, 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. (OLD MILL SUBDIVISION ANNX)

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

Section 1
Based upon the petition of Tara L. Tedrow, Esq. on behalf of Village Lake Promenade, "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 the _____ day of _____, 2025.

THE CITY OF LEESBURG, FLORIDA

_____
Mayor

ATTEST:

_____
City Clerk

Old Mill Subdivision (Radio Road / Cannon's Cove)

LEGAL DESCRIPTION:

That part of the South 600 feet of Lot 8, in Block 41, in Silver Lake Estates, a subdivision Lake County, Florida, according to the revised and corrected Plat of Resubdivision of Silver Lake Estates recorded in Plat Book 10, Pages 66 through 69, inclusive of the Public Records of Lake County, Florida, more particularly described as follows:

Begin at a 5"x5" concrete monument at the Southeast corner of said Lot 8, thence N 89°51'31" W along the South line of said Lot 8 for 200.13 feet, thence N 00°01'17" W for 599.99 feet to a point on the North line of the South 600 feet of said Lot 8, thence S 89°52'34" E along said North line for 185.03 feet to a point on the West right-of-way line of Pershing Road, thence S 00°01'59" E along said West right-of-way for 100.00 feet, thence S 89°52'34" E for 14.98 feet to a Point on the East line of said Lot 8, thence S 00°01'59" E along said East line for 500.05 feet to the Point of Beginning.

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 42, according to the Plat of Silver Lake Estates, filed 17 June, 1917, and recorded in Plat Book 3, Page 26, Public Records of Lake County, Florida.

CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY

DATE: January 9, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Small Scale Comprehensive Plan to Leesburg Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-420, PUD-24-421

GENERAL LOCATION: East of Radio Road and North of U.S. Highway 441

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density Residential

SURROUNDING FUTURE LAND USE DESIGNATION:
North – Lake County Urban Medium Density
South – Lake County Urban Medium Density, City of Leesburg General Commercial
East – Lake County Urban Medium Density
West – Lake County Urban Medium Density

PROPOSED FUTURE LAND USE DESIGNATION: City Leesburg Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture) and R-6 (Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:
North – Lake County PUD (Planned Unit Development), A (Agriculture)
South – Lake County PUD (Planned Unit Development), Lake County A (Agriculture), Lake County RMRP (Mobile Home Rental Park District), and City PUD (Planned Unit Development)
East – Lake County RMRP (Mobile Home Rental Park District)
West – Lake County PUD (Planned Unit Development), Lake County A (Agriculture), and Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Vacant Undeveloped

SURROUNDING LAND USE:
North – Single Family, Manufactured Home, Gov't Submerged
South – Manufactured Home Park, Vacant Gov't, Lake Square Mall, Office
East – Single Family Open Storage
West – Single Family

PROPOSED LAND USE: Single-family lots and attached townhomes with amenities

Extended Aerial

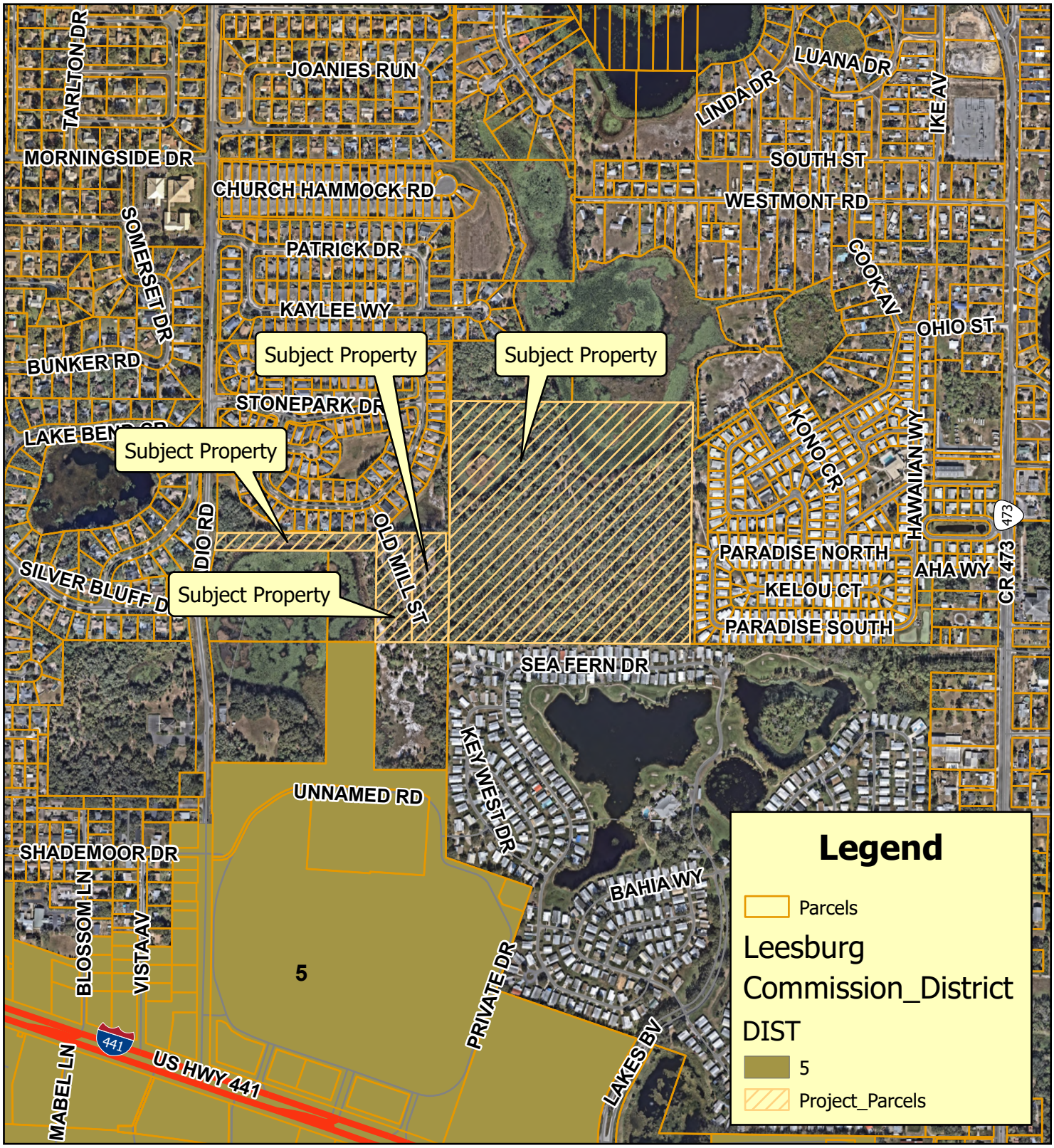
Planning & Zoning Division

N

0 445 890 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Commission District



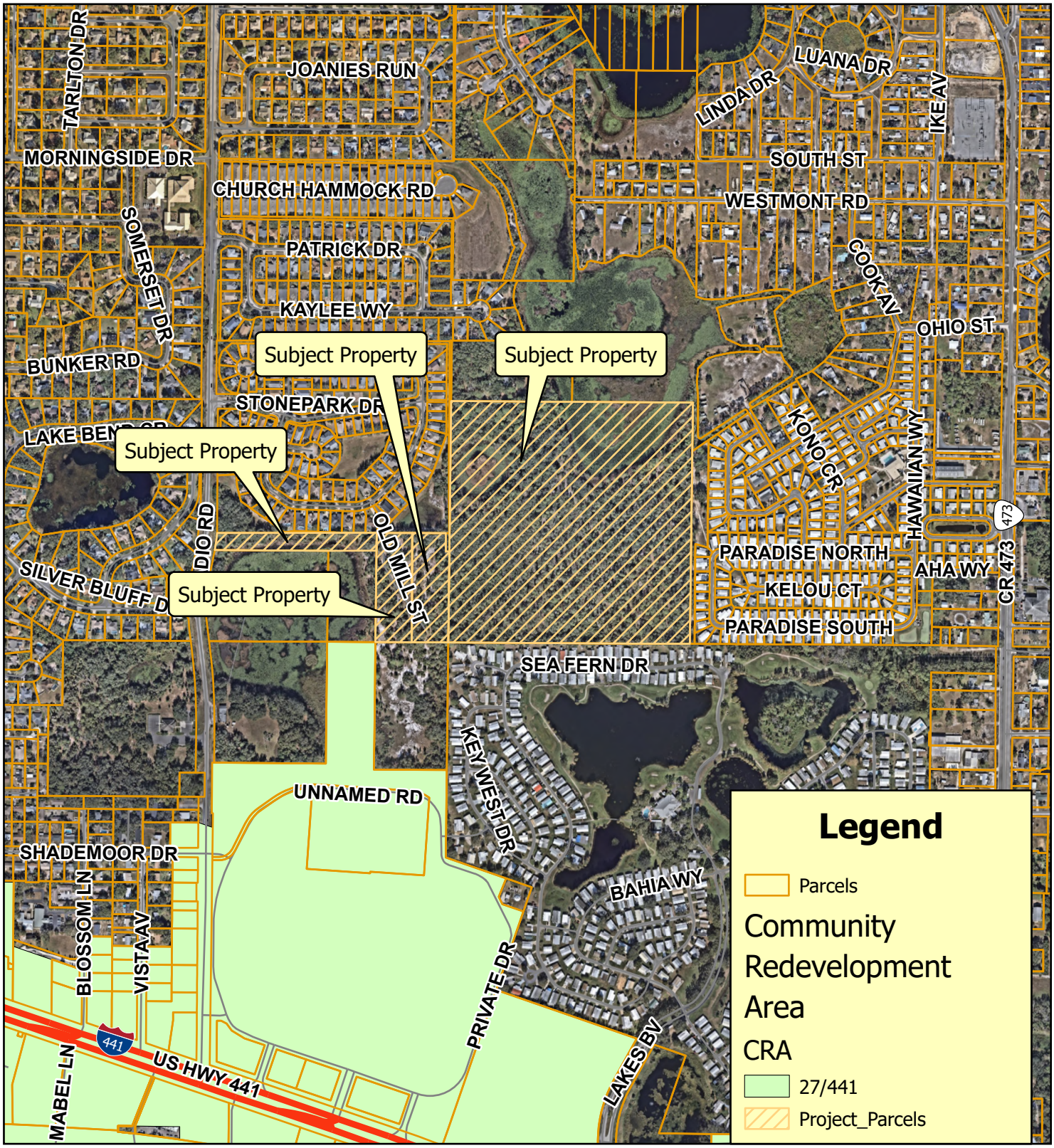
Planning & Zoning Division

N

0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Community Redevelopment Area



Planning & Zoning Division

N

0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.B.2.
Meeting Date:	April 28, 2025
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 real property consisting of approximately 37.48 +/- acres; and being generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Old Mill Subdivision SSCP)

Staff Recommendation:
The Planning & Zoning Staff recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 37.48 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential.

Analysis:
The project site is approximately 37.48 acres. The property is generally located east of Radio Road and north of U.S. Highway 441. Currently, the property is vacant undeveloped. The proposed use is 32 townhomes and 110 single-family homes. The surrounding Future Land Use Map designations of Lake County Urban Medium Density and City of Leesburg General Commercial 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 March 20, 2025, and recommended approval.

Procurement Analysis:
N/A

Options:

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

Fiscal Impact:

Future development of the property will increase this anticipated impact from collection of impact fees, ad valorem taxes and utility charges.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 37.48 +/- ACRES; AND BEING GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, LYING IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (OLD MILL SUBDIVISION SSCP)

WHEREAS, the City Commission has received 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 37.48 +/-acres of land generally located east of Radio Road and north of US Highway 441 from Lake County Urban Low Density to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida;

Section 2.
That this amendment is hereby transmitted to the Florida Department of Commerce as required by the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes;

Section 3.
All ordinances or parts of ordinances in conflict the any of the provisions of this ordinance are hereby repealed;

Section 4.
This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the _____ day of _____ 2025.

THE CITY OF LEESBURG, FLORIDA

_____
Mayor

ATTEST:

_____
City Clerk

Old Mill Subdivision (Radio Road / Cannon's Cove)

LEGAL DESCRIPTION:

That part of the South 600 feet of Lot 8, in Block 41, in Silver Lake Estates, a subdivision Lake County, Florida, according to the revised and corrected Plat of Resubdivision of Silver Lake Estates recorded in Plat Book 10, Pages 66 through 69, inclusive of the Public Records of Lake County, Florida, more particularly described as follows:

Begin at a 5"x5" concrete monument at the Southeast corner of said Lot 8, thence N 89°51'31" W along the South line of said Lot 8 for 200.13 feet, thence N 00°01'17" W for 599.99 feet to a point on the North line of the South 600 feet of said Lot 8, thence S 89°52'34" E along said North line for 185.03 feet to a point on the West right-of-way line of Pershing Road, thence S 00°01'59" E along said West right-of-way for 100.00 feet, thence S 89°52'34" E for 14.98 feet to a Point on the East line of said Lot 8, thence S 00°01'59" E along said East line for 500.05 feet to the Point of Beginning.

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 42, according to the Plat of Silver Lake Estates, filed 17 June, 1917, and recorded in Plat Book 3, Page 26, Public Records of Lake County, Florida.

CITY OF LEESBURG PLANNING & ZONING DEPARTMENT
RECOMMENDATIONS

DATE: March 20, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Small Scale Comprehensive Plan to Leesburg Estate Residential
CASE NO.: SSCP-24-420

THE PLANNING & ZONING DEPARTMENT 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 Medium Density and City of Leesburg General Commercial.

3. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) 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 Medium Density to City of Leesburg Estate Residential and forward this recommendation to the City Commission for consideration.

CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY

DATE: January 9, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Small Scale Comprehensive Plan to Leesburg Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-420, PUD-24-421

GENERAL LOCATION: East of Radio Road and North of U.S. Highway 441

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density Residential

SURROUNDING FUTURE LAND USE DESIGNATION:
North – Lake County Urban Medium Density
South – Lake County Urban Medium Density, City of Leesburg General Commercial
East – Lake County Urban Medium Density
West – Lake County Urban Medium Density

PROPOSED FUTURE LAND USE DESIGNATION: City Leesburg Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture) and R-6 (Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:
North – Lake County PUD (Planned Unit Development), A (Agriculture)
South – Lake County PUD (Planned Unit Development), Lake County A (Agriculture), Lake County RMRP (Mobile Home Rental Park District), and City PUD (Planned Unit Development)
East – Lake County RMRP (Mobile Home Rental Park District)
West – Lake County PUD (Planned Unit Development), Lake County A (Agriculture), and Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Vacant Undeveloped

SURROUNDING LAND USE:
North – Single Family, Manufactured Home, Gov't Submerged
South – Manufactured Home Park, Vacant Gov't, Lake Square Mall, Office
East – Single Family Open Storage
West – Single Family

PROPOSED LAND USE: Single-family lots and attached townhomes with amenities

CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY

DATE: May 22, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Small Scale Comprehensive Plan to Leesburg Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-420, PUD-24-421

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 02/14/2025

FIRE

The following contains comments from Leesburg Fire Department:

In reference to Case Number SSCP-24-420; PUD-24-421

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-24-420; PUD-24-421 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 live 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 base life support (BLS) unit arrived in 240 seconds or less travel time.

Amanda Stevenson 01/30/2025

ELECTRIC

"Electric has no issues. This will be serviced by Leesburg Electric and will fall under our subdivision provisions for costs." – Steve Davis 01/30/2025

GAS

"No comment." – Wayne Williams 01/31/2025

GIS

GIS has no comments. – Nicholas Tota 01/30/2025

BUILDING

No comments received as of 02/14/2025

PUBLIC WORKS

Please see attached letter.

ADDRESSING

No comments received as of 02/14/2025

ECONOMIC DEVELOPMENT

No comments received as of 02/14/2025

LAKE COUNTY PUBLIC WORKS

No comments received as of 02/14/2025

LAKE COUNTY SCHOOLS

"The Old Mill Subdivision (142 DU) is subject to school concurrency review. The applicant can reach out to myself or Helen LaValley (lavalleyh@lake.k12.fl.us) for more information on the process." – Helen LaValley - 01/30/2025

PUBLIC RESPONSES

General Comments

Questions of concern:
1-If or when has the developer held a meeting to gather information and public interest comments?
2-Requesting documentation for the Environmental Impact Studies/information for the project.
3-Documentation of Code requirements of Urban Low Density and City Estate Residential?
4-Documents of the Traffic Impact Study.
You can send these documents to my email-bringingbalance@icloud.com
Thank you in advance and see you at the hearing on Thursday @4:30
Respectfully,
Rebecca Bierwirth

******

My name is Jim Weesies at 190 Paradise N Leesburg.
This is regarding the change of use of land behind our Molokai. I would expect the plans to include a 8 foot high concrete wall to cut down the noise from the new development. Thank you.
Sincerely Jim Weesies 352-343-3978

Approval

No comments received as of 02/14/2025

Disapproval

Planning and Zoning, and to whom it concerns:

I am emailing your department to voice my concern about a proposed development (Old Mill Subdivision) that will adversely affect my residence and neighbors in the *Stonegate Subdivision* on Irongate Drive.

Although I respect the developer's property rights and have no issue with development in general, I was absolutely taken aback by the proposed access road that will run through a wetland area directly in the backyard of all of the pre-existing homes in the 3300 block of Irongate Drive. I can't believe this would even be a consideration with the wetland area and residential property lines immediately abutting the proposed roadway.

In reviewing universal building codes, specifically for *Access Road feasibility*, I found the feasibility of constructing access roads shall be analyzed from the nature of the existing adjacent Land Use; e.g., commercial tracts with short front setbacks that may not be able to accommodate an access road. Other conditions that may make Access Roads unfeasible are, but are not limited to, roadside areas with Lakes, Wetlands, Utility Corridors, and Existing Buildings, which would certainly make this access road unviable for this proposed project.

The artist's rendering of the road also displays added trees flanking both sides of the roadway. This would be a concern for all of the properties that have an elevated barrier wall on their rear property lines, as the root systems would undoubtedly encroach subterraneous to the existing elevated barrier wall, and most of the homes have inground pools which would create further concern for ground failure and collapse.

I'm not aware of the required setback requirements for access roads, but this ingress/egress road would literally be within 30 feet of my bedroom window, and fifteen feet from the back edge of my pool. Having said that, the noise, light from road illumination, stormwater runoff, vibration, and other negative impacts of two hundred cars accessing the 110-unit development would be unreasonable and likely unbearable for the people who have lived on Irongate Drive for at least two decades.

In closing, please reconsider the viability of the proposed access road for this project. Two adjacent properties would be much better suited for access to the property in question. One is the Lake Square Mall itself, which already shares an access road with the *Lakes at Leesburg* community, and the other is the closed radio station that I believe is currently for sale and provides a larger swath of land width for a two-lane road to access the proposed subdivision.

Thank you for your consideration in this matter.

Christine Iozzi
33132 Irongate Drive
Leesburg, Fl 34788

Christine V. Iozzi
Senior Paralegal for Brent C. Miller, Esquire
Law Offices of Brent C. Miller, P.A.
205 East Burleigh Boulevard
Tavares, Florida 32778
Telephone: 352-343-7400
Writer's Direct Fax: 352-253-1227
Christine@bcmillerlaw.com

Planning and Zoning Members, Commissioners, and to whom it concerns;

I am emailing your department to voice my concern with the proposed development (Old Mill Subdivision) that will adversely affect my residence and neighbors in the Stonegate Subdivision on Irongate Drive.

Although I respect the developer's property rights and have no issue with development in general, I was taken aback by the proposed access road that will run through a wetland area directly in the backyard of all of the pre-existing homes in the 3300 block of Irongate Drive. I can't believe this would even be a consideration with the wetland area and residential property lines immediately abutting the proposed roadway.

In reviewing universal building codes, specifically for Access Road feasibility, I found the feasibility of constructing access roads shall be analyzed from the nature of the existing adjacent land use. The language in the code specifically states "conditions that may make Access Roads unfeasible are, but are not limited to, roadside areas with Lakes, Wetlands, Utility Corridors, and Existing Buildings", which would certainly make this access road inviable for this proposed project.

In closing, please reconsider the viability of the proposed access road for this project. The two adjacent properties to the south, which are already owned by the Petitioner (Village Lake Promenade) would be much better suited for access to the property in question (see attached map). One is the Lake Square Mall property itself, at Via Entertainment/Village Lake Promenade (Entrance Option #1), which already shares an access road with the Lakes at Leesburg community and already has a controlled access point/traffic light on Radio Road. The other option (Entrance Option #2) is to enter from Radio Road along the elevated berm of the pre-existing dry retention area and make a 90-degree turn where Entrance Option #1 is suggested. Either of these options has a lesser impact on the wetland area, and neither of those options would draw opposition from the property owners in the Stonegate Subdivision.

As previously stated, we respect the rights of property owners to develop their property, however, we would ask that they reflect the same respect toward their neighbors.

To the Planning and Zoning Board Members; If you decide to approve this project, we would respectfully request that the proposed access road directly behind our homes be removed from consideration and that one of the two suggested proposals be added to the plan instead.

Thank you for considering this matter.
Respectfully,
Christine Iozzi

Christine V. Iozzi
Senior Paralegal for Brent C. Miller, Esquire
Law Offices of Brent C. Miller, P.A.
205 East Burleigh Boulevard
Tavares, Florida 32778
Telephone: 352-343-7400
Writer's Direct Fax: 352-253-1227
Christine@bcmillerlaw.com

RAISED RETENTION WALL
WATER
3810207
3810206
3810205
3810204
3810203
3810202
3810201
3810200
3810277
1274168
1274176

Village Lake Promenade
1274168
3889883
1274184
1274176
Village Lake Promenade
OLD MILL ST
1703751
1183626
1301238
Entrance Option
#2
Village Lake Promenade
1703751
1703751
PRIVATE DR
Entrance Option
#1
3363086

****

Good evening,

My name is David Chambliss and I have lived in the community of Stonegate at Silver Lake over **15 years**. Like many of my neighbors, I chose to buy my home here because of the **peaceful environment, the beautiful scenery, and the natural wetland that serves as a backdrop to our lives**. This land has remained undisturbed for as long as we've lived here, and the idea of a road being placed behind our homes is deeply concerning for many reasons.

1. We Bought Our Homes for the Scenery & Privacy

One of the main reasons we, and many others, moved here was because of the **natural beauty surrounding our community**. This wetland has provided a quiet retreat, a habitat for wildlife, and a **natural buffer** that protects our privacy and quality of life. If this road is built, we will lose:

- The **scenic views** that have made our homes so enjoyable.
- The **privacy** that the wetland provides, replaced with a roadway, headlights, and traffic.
- The **quiet atmosphere** that makes this community feel like home.

We have enjoyed **15 years of peace and nature**, and it's difficult to accept that this could be taken away by development that does not benefit the existing residents.

2. Property Value & Security in Our Gated Community

We live in a **gated community**, which means security and exclusivity are key reasons why people choose to live here. A road behind our homes:

- **Decreases our home values** due to increased traffic, noise, and loss of privacy.
- **Compromises security**, as roads provide easier access to areas that were once secluded.
- **Changes the character of our neighborhood**, making it feel less like a private, peaceful community and more like a cut-through for traffic.

For most of us, our home is our biggest investment. This road does not **benefit** us—it **takes away value, security, and privacy** from the people who already live here.

3. Environmental & Flooding Concerns

The wetland behind our homes is **a thriving ecosystem**. Over the years, we have seen **birds, gophers, bobcats, wild hogs, and even bears** live and move through this space. This road will **destroy their habitat**, forcing them into our neighborhoods, which could lead to increased encounters and safety risks for both animals and residents.

Additionally, wetlands **protect against flooding** by naturally absorbing rainwater. Right now, the water is already **only 40 feet from our property walls**. Based on the aerial photos the developer is using...those are old photos and the water is much higher than what is being shown. I have attached photos to show the water level and also where the survey marker is locates 100ft off the retaining wall. Paving a road through this area will:

- **Alter drainage patterns**, making our homes more vulnerable to flooding.
- **Create excess runoff**, which can lead to **erosion and property damage**.
- **Cause long-term problems**, requiring costly infrastructure to correct the damage.

This road is not just about convenience—it could have real, **negative consequences** for homeowners and the environment.

4. A Need for Responsible Planning

We are not against progress, but **this is not the right place for a road**. There must be **alternative solutions** that do not:

- Destroy a **natural wetland** that has been undisturbed for decades.
- Lower the **value and security** of our **gated community**.
- Disrupt the **privacy and quality of life** we have enjoyed for over **15 years**.

We are asking the developers and city planners to **respect the community that is already here**. We urge you to **reconsider this proposal** and work with us to find a solution that protects both homeowners and the environment.

Thank you for your time.
David Chambliss
33144 Irongate drive
Leesburg Fl. 34788

To: Planning and Zoning

planzone@leesburgflorida.gov

Subject: road behind Stonegate Subdivision.

February 16, 2025

To whom it may concern,

I am writing this letter to express my strong opposition to the proposed construction of a road behind my property in Stonegate subdivision; I am deeply concerned about the potential negative impact this road could have on our neighborhood, specifically my property.

My primary concerns are as follows:

1-** Increased traffic** the new road is likely to lead to increased traffic flowing through our already congested area, posing safety risks to our residents. I am worried about the potential hazards this could create for our community.

2-** Noise and Privacy** The proposed road could significantly alter the serene and peaceful environment that currently exists in our neighborhood. Increased construction noise during the development process, and potential noise from additional use disrupting our daily lives and our privacy.

3-**Property Values** My concern is the road could negatively impact property values in our neighborhood. Homeowners have invested in this area that is primary residential, and a road behind our property could have an adverse effect on our investments.

4-**Alternative Solutions** I believe there are more suitable locations in the area where such a road could be built without compromising the existing quality of life for residents in our neighborhood. I urge the City to explore alternative options that better align with the community needs and concerns.

In light of the above concerns, I kindly request that the City reconsider the approval of this road in its current proposed location.

Thank you for taking the time to review my concerns. I hope that the City will carefully consider the potential implications of the road on our community well-being and choose a course of action that best serves the interests of all residents.

Sincerely,

Edgar & Arlene Morales

My name is Suzanne (Sue) Beckley, and I and my husband, Brent Beckley, live at 33226 Irongate Dr, Leesburg, FL 34788. Our back lawn fence abuts the project zone.

I am writing today to inform you that I have read the environmental impact statement conducted for this project and have more information for you, including pictures. At least one mating pair of Sandhill Cranes nest by the water/pond/wetland directly behind our property and have done so since we moved here in December of 2021. We have photographs of them dating back to 2021, hear them fly from their nesting site every day over our house at least several times per day, have witnessed them walking in-between our fence and the neighboring property coming from the wetland to the property and then continuing on into our community (Stonegate at Silver Lake) to forage for food. They eat right from our lawn and others. On May 25th, 2025, I photographed this mating pair on my front lawn with their two colts and posted these on FaceBook (see attached photos to this email).

Having a road constructed directly behind our community will most certainly disrupt this mating pair and damage their nesting area if allowed to proceed, not to mention there are a number of Gopher Tortoise dens that are directly behind my fence and on the property of my aforementioned neighbor. We also have pictures of a Bald Eagle that landed on our fence! I cannot attest to where its nest is, however, we have witnessed it flying directly over our house and over the wetlands behind us. We have found several smaller bird remains in our yard, which indicates the raptors are feeding from very near our property.

We strongly request you to disallow the property directly behind us to be turned into a roadway for a new busy community. It will totally disrupt, if not endanger. the wildlife here, protected species and other species alike. Not to mention what all of that construction will do to our peaceful and serene community. The peace and serene environment that our community enjoys is the PRIMARY reason we bought our home in 2021. It is one of the reasons our properties are valued at the high level that they are. If this project is allowed to happen, especially the roadway inserted directly behind us, our property values will most certainly go down as will our quality of life. Many of us have lanais that we sit out in every day (some have pools). What will we be looking at every day if you allow the trees to be taken out and the wetlands to be fettered with? Cars and trucks driving daily? That is not an improvement, it is destruction. The trees mitigate the hurricanes! Leesburg is listed as the "safest city" in all of Florida for weather. It won't be if all these older yet vital trees are removed. We absolutely love living in Leesburg! I understand the need for development, but please don't turn Leesburg into The Villages or Miami.

Finally, I appeal to your consideration that there are many unused properties in Leesburg that do not have a wetland that will be destroyed. The project that is happening directly across from The Cracker Barrel on State Highway 441 by Lowes and the Fire Station for example. Please do not allow this Old Mill project, or at the very least, do not allow a road to be built from Radio Road behind us. It will harm the wildlife and ruin our beautiful community's quality of life.
Please feel free to call us or come to our property to witness these animals. We are available for any impact studies you may wish to conduct, and will permit use of our property to that end. Someone can install wildlife cameras on our property!

Thank you sincerely,
Sue Beckley
607-238-6740

Sue Beckley
May 24, 2024 ·

The neighborhood Sand Hill Cranes have TWO colts this year. We think these little (big) chickens are adorable. (pics taken from inside the house with a telephoto lens which compromised the quality, but not the cuteness 😊)

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

February 3, 2025

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

RE: PROJECT: Old Mill Subdivision / Planned Unit Development - Mixed Use Planned Use Development
CASE NO.: PUD-24-421

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.

Major comments for Radio Road

- **Turn Lanes are required on Radio Road at the development's proposed access.**
- **Additional right-of-way may be required for Radio Road.**
- **A sidewalk along the development road frontage for Radio Road will need to be accommodated.**
- **A traffic impact analysis is recommended to be provided and reviewed prior to the PUD hearing.**

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

Lake County Department of Public Works recommended requirements for the Old Mill Subdivision PUD impacts to roadways and drainage systems:

Radio Road:

- Access to the development off Radio Road will require both left and right turn lanes.
- Sidewalk will need to be provided along road frontage to meet city and county requirements from Stone Park Dr to the southern boundary along Radio Road.
- The traffic impact analysis for the site will need to analysis the storage queue for the existing turn lanes and a signal warrant analysis for the intersection.
- Additional right-of-way may be required to accommodate the right and left turn lanes, and sidewalk while maintaining roadside swale drainage.
- Additional right-of-way for Radio Road may be required to meet the minimum requirements for a collector roadway and to accommodate the offsite road improvements while maintaining the road drainage. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc. The adopted minimum right-of-way widths for County Collector Road is 100-ft (50-ft from centerline of pavement).
- Radio Road is defined with a functional road classification of 'urban collector' by the Lake County Comprehensive Plan and adopted Lake-Sumter Metropolitan Planning Organization (LSMPO) Plan.

Traffic:

- A Traffic Impact Analysis (TIA) will be required of this development for review by the Lake-Sumter MPO and Lake County Public Works Department. The TIA will need to follow the Lake-Sumter MPO Traffic Impact Analysis Methodology and Guideline the methodology will need to be worked out prior to TIA submittal.
- The TIA is highly recommended to be provided for review by City of Leesburg's traffic engineering consultant, Lake-Sumter MPO, and Lake County prior to public hearings for the PUD.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to Radio Road
- The cul-de-sac that is shown on the concept plan on the north side of the development should be setup for the undeveloped property north of this one to be able to interconnect and access from it. A reservation of right-of-way extension may allow for this to achieved.

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 or onto county roads.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

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 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.

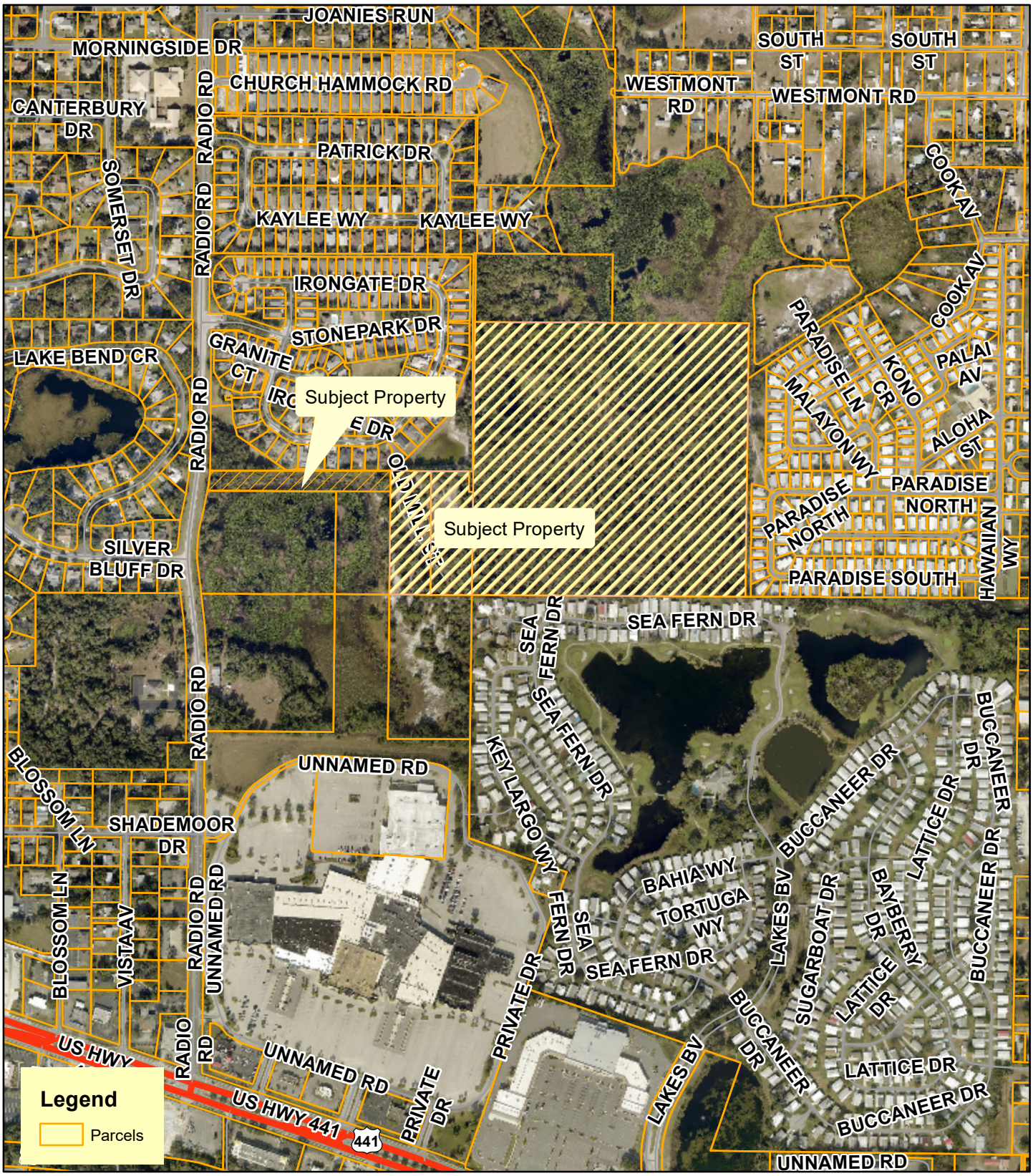
Sincerely,

Seth Lynch

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, Chief Planner for Lake County
Dan Miller, Planning Manager for City of Leesburg

Aerial



Planning & Zoning Division

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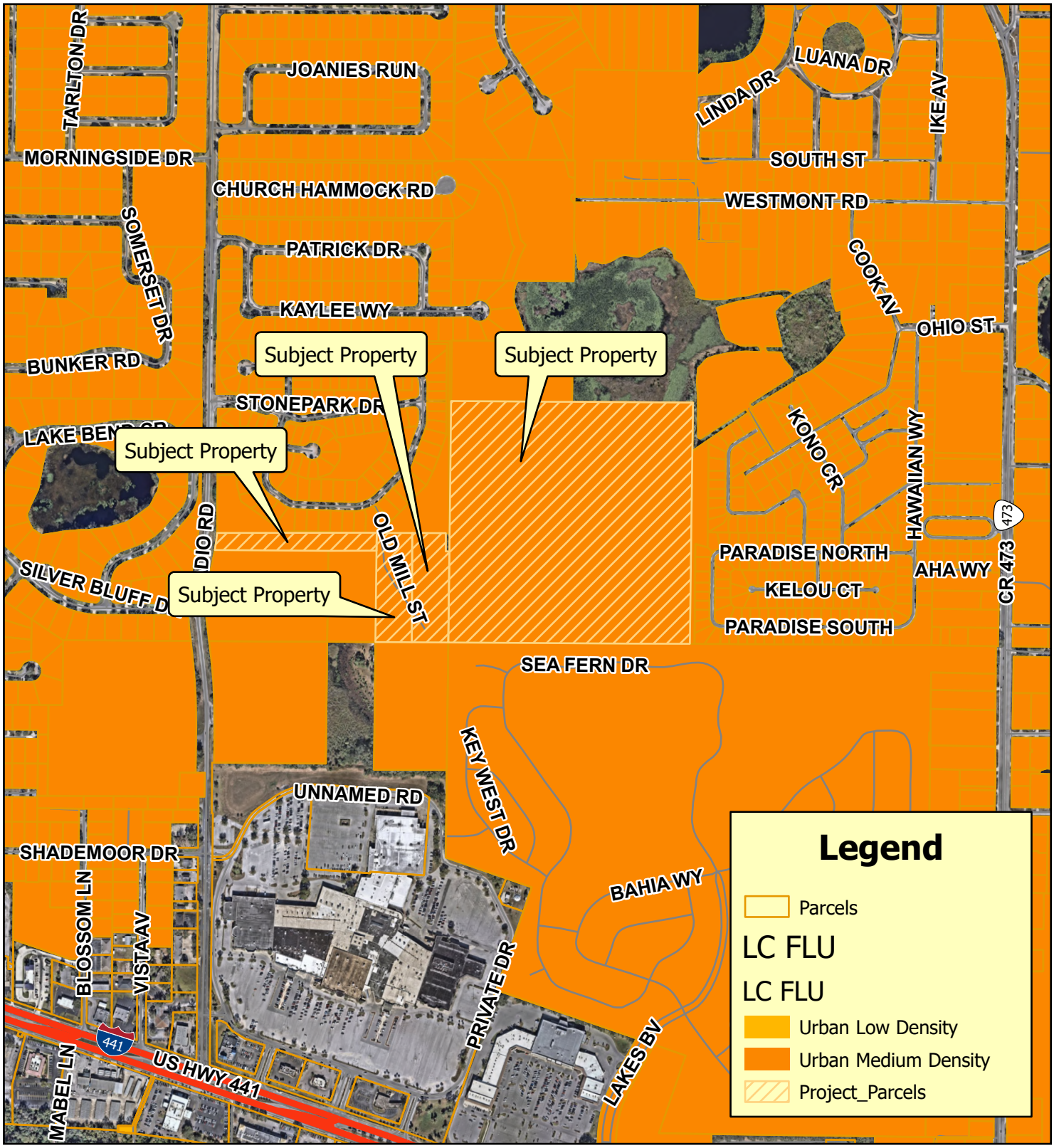
0 150 300 450 600
Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Lake County Future Land Use



Planning & Zoning Division

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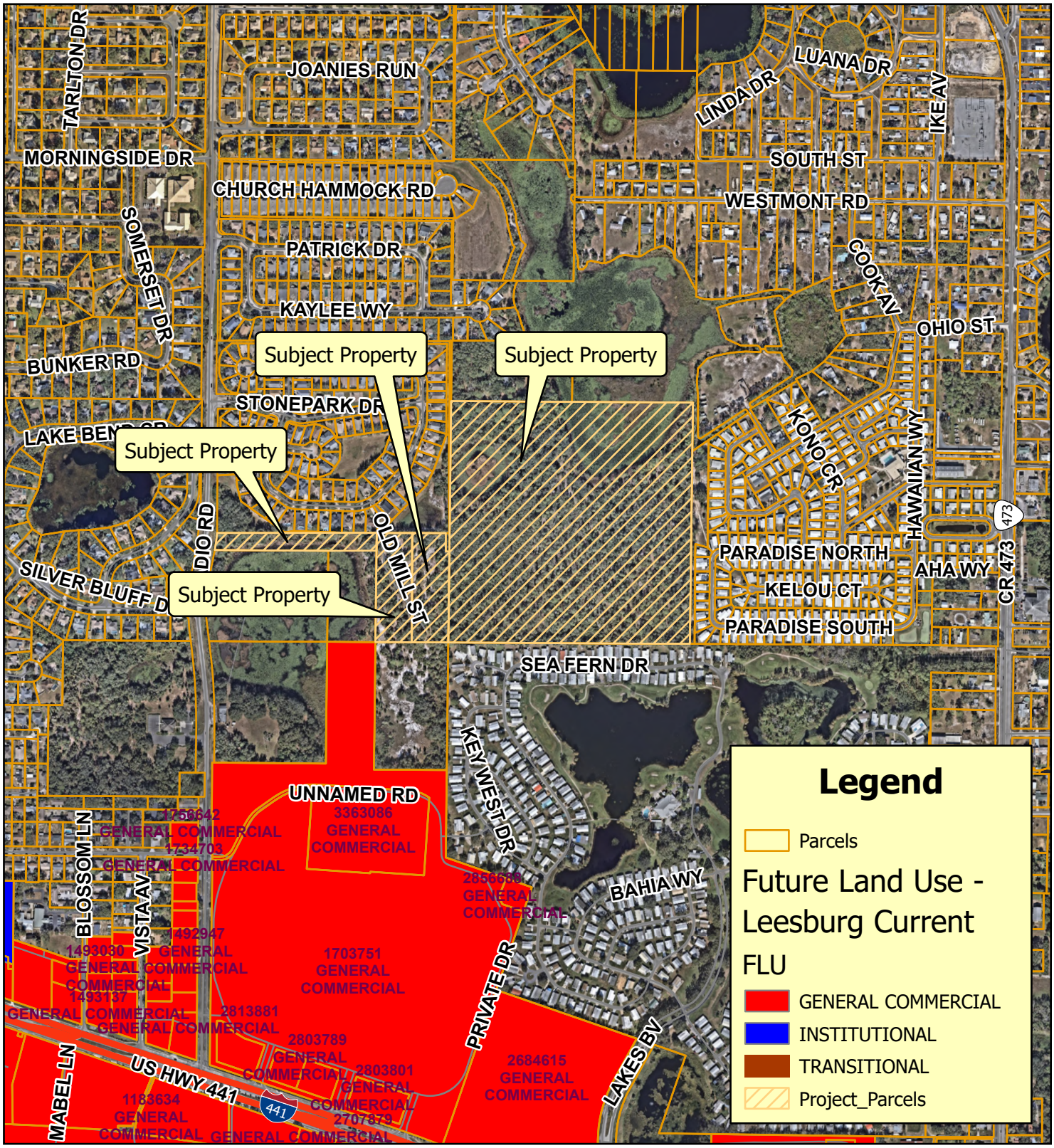
0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Future Land Use



Planning & Zoning Division

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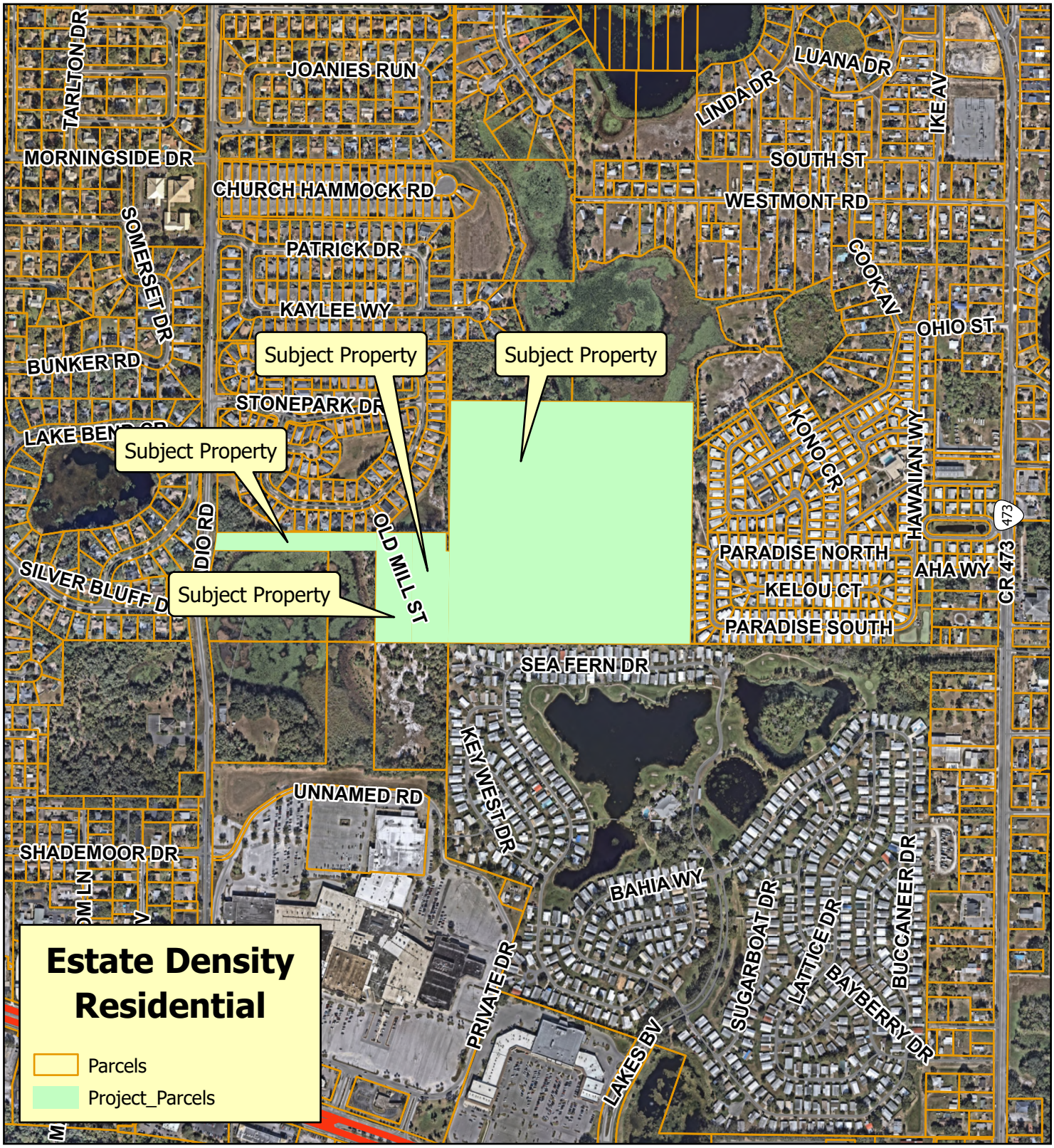
0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Proposed Future Land Use



Planning & Zoning Division

N

0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

DRAFT SUMMARY MINUTES OF THE REGULAR MEETING

OF THE PLANNING COMMISSION

CITY COMMISSION CHAMBERS, CITY HALL

THURSDAY, MARCH 20, 2025, 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, March 20, 2025, in the Commission Chambers at City Hall. Commissioner Ted Bowersox called the meeting to order at 4:35 p.m.

The following Commission members were present:

Tim Sennett
Nathaniel Sanders
Ted Bowersox
John O'Kelley
Stewart Kaplan
Ze'Shieca Carter
Ken Simeone

The following Commission members were absent:

Frazier J. Marshall
Darin Akkerman

City staff that was present included Dan Miller, Planning & Zoning Director, Kandi Harper, Deputy Director of Planning, Dianne Yekel, Senior Planner, and Melissa Medders, Planner. City Attorney Jennifer Cotch was also present.

The meeting opened with an invocation given by Commissioner Ted Bowersox and the Pledge of Allegiance to the Flag.

Senior Planner Dianne Yekel swore in staff as well as anyone wishing to speak.

Dan Miller, Planning & Zoning Director, informed the audience of the rules of participation and the need to sign the speaker's registry. He also informed Commissioners and the audience of the City Commission meeting dates tentatively scheduled.

MINUTES OF PLANNING & ZONING COMMISSION MEETING FOR FEBRUARY 20, 2025.

Commissioner Carter moved to APPROVE the minutes from the February 20, 2025 meeting. Commissioner Carter SECONDED the motion, which was PASSED by a vote of 6 to 0.

OLD BUSINESS

1) **<u>PUBLIC HEARING CASE # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT</u>**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 37.48 +/- ACRES FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, AS LEGALLY DESCRIBED IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, APRIL 28TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 9TH, 2025)** (Old Mill SSCP)

Dan Miller introduced case number # *SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT* and *PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT* into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave some background information on the project. He said that the property consists of 37.48 +/- acres, generally located east of Radio Road and north of US Highway 441. This request is for an annexation, small scale comprehensive plan and rezoning. The future land use will go from Lake County Urban Low Density to City of Leesburg Estate. The zoning will go from Lake County A (Agriculture) and R-6 (Urban Residential) to City PUD (Planned Unit Development). Currently, the site is 37.5 +/- undeveloped acres. The request is for future development of 142 single family units, both attached (townhouses) and detached, as seen in the conceptual site plan.

Deputy Director Kandi Harper presented the maps and photo exhibits demonstrating the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments or objections received from the departments. When no comments are provided, this indicates that the department has the capacity to serve the proposed development. Regarding the School Board, this project will be subject to school concurrency review, and will likely be subject to a mitigation agreement to provide adequate stations within the school system. Lake County Public Works will require additional right and left turn lanes on Radio Road, along with the necessary additional right-of-way as needed by the County to accommodate any off-site improvements. They will also require a sidewalk along Radio Road. Right-of-way donation will be as needed and permitting will be done through the Lake County Public Works Department for their access points.

For Public responses, per Florida Statute and City of Leesburg Code of Ordinance notice requirements, the project was legally advertised, posted and letters sent out to the surrounding property owners. The neighbors did express significant concerns regarding access to the site, the wetlands to the south, and wish to provide comments today. In summarizing the comments, they are concerned about the proposed roadway on the plan which lies within the 100-foot-wide strip on the subject property which is immediately south of the Stonegate Subdivision. There were also concerns

for the wildlife, wetlands, flooding, noise, privacy, property value, security, and quality of life. Upon receipt of these comments, staff did ask the applicant to set up a neighborhood meeting

Mr. Miller also highlighted the PUD requirements stating that this proposal would consist of 110 single-family detached, and 32 single-family attached (townhouse units) for a total of 142 units. There is a two-floor maximum height. There are two lot sizes, 67 lots at 50 x 120 feet for 6,000 square foot per lot, and 43 lots at 60 x 120 feet for 7,200 square feet per lot. The proposal for the house sizes are 1,700 square feet for the 50-foot lots and 1,800 for the 60-foot lots. The front setback will be 25 feet and the rear setback will be 18 feet. The townhouse units will be 20 feet in width with 1,400 square feet house sizes. There will be a minimum of 2 off-street parking spaces for each unit in the development, plus extra spaces are provided in the conceptual plan for the attached units. 35% of the property must be in open space, and dark sky lighting is required. A split rail fence is required where development is adjacent to the subject property (4-feet) on the area where houses will be constructed. Access point will be from Radio Road in a boulevard style entry way. In addition, the applicant is offering a wall, which will need to be written into the PUD.

The Planning & Zoning staff recommended the approval of the request for the following reasons:

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 Medium Density and City of Leesburg General Commercial.

3. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) 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 Medium Density to City of Leesburg Estate Residential and forward this recommendation to the City Commission for consideration.

Attorney Logan Opsahl gave a presentation summarizing the applicant's requests for the three applications. He went over the conceptual plan, including the direct access to the development. Attorney Opsahl gave a recap of the two community meetings that were held with the neighbors at Stone Gate. The first meeting was held on March 5th, 2025 to discuss the project with the adjacent property owners. Chuck Hiott walked the property after this meeting with the neighbors. The second meeting was held on March 14th, 2025. The following are concerns & commitments to the neighbors:

- 6' fencing along shared residential boundaries
- 6' pre cast wall plus landscaping and removed of one sidewalk along entrance road

- Willing to remove current legal access rights through Stonegate's subdivision

Attorney Opsalh stated that the development team did look at the option of accessing the property through the mall parcel, which is south of the subject property. Acquiring this access is not an option. Regarding the **second** option through the northern neighborhood, Attorney Opsalh stated that there currently exists a 10' wide platted access. It is considered to be an easement by necessity, which is a common law right, afforded to a property owner when it is landlocked. You can petition a court to grant access, which previously the subject property was granted this access through the Stonegate community for emergency services. The applicant opted to remove that platted access as a secondary access location to serve the project. Absent the access being provided in the conceptual plan, the property owner would need to petition a court for access to their property. There is no clear-cut test for what a court will look at, but there are factors that the court will consider such as what has been granted with historical access. A **third** option is purchasing the Radio Road parcel (alternate key 1183626). After discussion, the owner is not interested in selling their parcel or granting an easement for access. Alternate Key 1301238, which belongs to the County would also have to be purchased. The County has already confirmed in writing that this option is not available. The **fourth** option is to move the access further south. The applicant currently does not have control over this portion of the parcel and cannot get control over it.

Attorney Opsalh showed conceptual renderings of the entrance road, including the landscape buffer and the proposed 8' masonry wall.

Chairman Sennett said that he concerned about the entry road, stating that it is completely in the wetlands. Dan Miller answered that it needs to be determined by a wetland delineation line done by a wetland engineer. Mr. Miller stated that there are property rights that go with the property. The only two options are to go through the 100-foot-wide strip, or come up from another direction. If there is any wetlands mitigation that needs to occur, and there are different types of wetlands, they are a state level issue that is determined by environmental engineers and water management district. Attorney Opsalh stated that they are aware of the state permitting that is required.

Christine Iozzi, 33132 Irongate Drive, read her e-mail dated March 18, 2025 into the record that was sent to the Planning & Zoning Department.

Angela Chambliss, 33144 Irongate Drive, stated that she does not oppose development, but wanted to ask for a fair and reasonable solution. One that does not come at the expense of the privacy, security, and home values. The proposed rezoning would place the road and sidewalk 30-feet away from their back patio. Because of the wetlands, the road and sidewalk must be built up at least 3-feet, which means both will be level with the backyard walls. Instead of having a quiet, private space, they will be forced to live with a road carrying over 200 cars, a sidewalk where pedestrians will be walking eye-level with their pools, and streetlights that shine directly into their windows at night. She feels they are being asked that they very thing that makes their home valuable is being taken away.

Rebecca Bierwirth, 33202 Irongate Drive, just bought their home 8-months ago to be near their grandchildren. She stated that her house has the smallest amount of retention wall. She said that she doesn't want people looking at their pools and her grandchildren while they are in the backyard.

Greg Stanfield, 33324 Irongate Drive, inquired about the access for this property. Chairman Sennett pointed the access from Radio Road.

Attorney Opsahl stated that he appreciates the feedback. The easement does still exist through the neighborhood, and is for emergency access only. It is one they would look to give up and not utilize. Absent their entrance, it is one that would need to be looked to for potential access, though not preferable.

Commissioner Carter asked if he was willing to consider that, right now, the emergency entrance be through Stonegate, but give other concessions being made, he is willing to vacate that access. Attorney Opsahl answered that absent the proposed access, they would be landlocked. So they would have to petition a court for access to their property. A judge will look to historical access and what has been granted. What is being proposed is much more favorable because they wouldn't have to change the existing easement from emergency access to full access.
City Attorney Jennifer Cotch said that the emergency access that was issued would go away because they would have actual access. Commissioner Carter stated that sometimes we ask them to have that second access.

Chairman Sennett that he would have a hard time approving this knowing that they may still go through this neighborhood. Attorney Opsahl stated that it was an easement by necessity, so given access they would no longer need it.

Commissioner Carter stated that they should do what they can to not go through that neighborhood. Attorney Opsahl stated that they do not own the other options.

Commissioner O'Kelley stated that they Old Mill emergency access might have been developed for Stonegate for their emergency access.

Commissioner Bowersox inquired about who would maintain the property between the retention wall and the masonry wall. Attorney Opsahl stated that they would maintain everything up to their boundary line.

Milton Androde, Vice President of Land Highland Homes, stated that the goal would be to put the precast wall as close as possible to the northern property line, and put it within a common area tract so it can be maintained by the Old Mill HOA.

Commissioner Carter also brought up speed tables, home values in the neighborhood, and building up the wall in Stonegate.

Commissioner O'Kelley asked who gives approval for filling in wetlands. Dan Miller replied that it goes up to the state level with St. John's, FDEP, and sometimes Core of Engineers. There is a significant amount of work that needs to be done before wetlands can be mitigated. If the wetland issue is not resolvable to the state satisfaction, the project would stop.

City Attorney Cotch added that the placement of the road is intentional because St. John's River Water Management District is going to require that the road impact the wetlands as minimally as possible. Mr. Miller stated that the PUD is written so that access will come off of Radio Road, but it is not meant to be interpreted as the access coming from the one point. The subject property can be accessed anywhere off of Radio Road.

Commissioner Sanders made a motion to APPROVE case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT with the condition of having a speed table, wall and sidewalk on the south side.

The motion died for lack of a second.

Commissioner Bowersox made a motion to DENY case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT. Commissioner Kaplan SECONDED the motion which was DENIED by a voice vote of 4 to 3.

The roll call vote was:

Commissioner Sanders	No
Commissioner Bowersox	Yes
Chairman Sennett	No
Commissioner Carter	No
Commissioner O'Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Simeone	No

Three yeas, four nays, the Planning Commission voted to DENIED case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

Commissioner Sanders made a motion to APPROVE case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT with the condition of having the access road be as far south as possible, a speed table, the walls and sidewalk on the south side. Commissioner Bowersox SECONDED the motion which PASSED by a voice vote of 6 to 1.

The roll call vote was:

Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes
Commissioner O'Kelley	Yes
Commissioner Kaplan	No
Commissioner Simeone	Yes

Six yeas, one nay, the Planning Commission voted to APPROVE case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

2) **PUBLIC HEARING CASE # PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 37.48 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, AS LEGALLY DESCRIBED IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, APRIL 28TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 9TH, 2025)** (Old Mill PUD)

The Planning & Zoning staff recommended the approval of the request for the following reasons:

1. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) 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 Medium Density and City of Leesburg General Commercial.

3. The proposed request is consistent with the existing patterns of development in the Radio Road area.

Action Requested:

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

Commissioner Kaplan made a motion to APPROVE case # PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT with the condition of having the access road be as far south as possible, a speed table, the walls and sidewalk on the south side. Commissioner Carter SECONDED the motion which PASSED by a voice vote of 6 to 0.

The roll call vote was:

Commissioner Carter	Yes
Commissioner O'Kelley	Yes
Commissioner Kaplan	No
Commissioner Simeone	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes

Six yeas, one nay, the Planning Commission voted to APPROVE case # PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT.

DISCUSSION ITEM

ANNOUNCEMENTS

The next scheduled meeting date is March 20, 2025.

The meeting adjourned at 5:25pm

_____

Nathaniel Sanders, Vice-Chair

_____

Dianne Yekel, Senior Planner

City of Leesburg
Lake Front City

Agenda Memorandum

Item No:	6.B.3.
Meeting Date:	April 28, 2025
From:	Dan Miller, (Planning and Zoning Director), Dianne Yekel, (Senior Planner)
Subject:	An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 37.48 +/- acres from Lake County A (Agriculture) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for 32 townhomes and 110 single-family homes, for a property generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Old Mill Subdivision PUD)

Staff Recommendation:
Planning and Zoning Staff recommend approval of the request to rezone the subject property from Lake County A (Agriculture) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for 32 townhomes and 110 single-family homes.

Analysis:
The project site is approximately 37.48 +/- acres, and is generally located east of Radio Road and north of U.S. Highway 441 as shown on the attached maps. At this time, the property is vacant and undeveloped. The proposal will allow for 32 townhomes and 110 single-family homes. The existing land uses surrounding the property are Single Family, Manufactured Home Park, Gov't Submerged, Vacant Gov't Lake Square Mall, Office, and Open Storage. Connection to City of Leesburg utilities shall be the responsibility of the developer at the time of development.

The Planning Commission held a public hearing on the application on March 20, 2025, 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 on this site will create a positive fiscal impact on the City of Leesburg, in the form of impact and utility fees, plus ad valorem taxes.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 37.48 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR 32 TOWNHOMES AND 110 SINGLE-FAMILY HOMES, FOR A PROPERTY GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, LYING IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (OLD MILL SUBDIVISION PUD)

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

Section 1.
Based upon the petition of Tara L. Tedrow, Esq. on behalf of Village Lake Promenade, "Permittee" of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County A (Agriculture) 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 _____ 2025.

THE CITY OF LEESBURG, FLORIDA

_____
Mayor

ATTEST:

_____
City Clerk

Old Mill Subdivision (Radio Road / Cannon's Cove)

LEGAL DESCRIPTION:

That part of the South 600 feet of Lot 8, in Block 41, in Silver Lake Estates, a subdivision Lake County, Florida, according to the revised and corrected Plat of Resubdivision of Silver Lake Estates recorded in Plat Book 10, Pages 66 through 69, inclusive of the Public Records of Lake County, Florida, more particularly described as follows:

Begin at a 5"x5" concrete monument at the Southeast corner of said Lot 8, thence N 89°51'31" W along the South line of said Lot 8 for 200.13 feet, thence N 00°01'17" W for 599.99 feet to a point on the North line of the South 600 feet of said Lot 8, thence S 89°52'34" E along said North line for 185.03 feet to a point on the West right-of-way line of Pershing Road, thence S 00°01'59" E along said West right-of-way for 100.00 feet, thence S 89°52'34" E for 14.98 feet to a Point on the East line of said Lot 8, thence S 00°01'59" E along said East line for 500.05 feet to the Point of Beginning.

LEGAL DESCRIPTION:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 42, according to the Plat of Silver Lake Estates, filed 17 June, 1917, and recorded in Plat Book 3, Page 26, Public Records of Lake County, Florida.

OLD MILL SUBDIVISION
PUD (Planned Unit Development) Conditions
City of Leesburg, Florida
March 20, 2025

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 **Village Lake Promenade, LLC, 2183 N. Powerline Road, Ste. 1, Pompano Beach, FL 33069 as "Permittee" (Lowndes c/o Tara L. Tedrow, Esq. 215 N. Eola Dr., Orlando, FL 32801, 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 32 total townhome units and 110 total single-family homes on approximately 37.48 acres, generally located east of Radio Road and north of U.S. Highway 441, 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 **Village Lake Promenade, LLC, 2183 N. Powerline Road, Ste. 1, Pompano Beach, FL 33069 as "Permittee" (Lowndes c/o Tara L. Tedrow, Esq. 215 N. Eola Dr., Orlando, FL 32801, Petitioner), t**o 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 32 total townhome units and 110 total single-family homes on approximately 37.48 acres, and consisting of 50 and 60-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) Attached single family residential units
   3) 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

Townhome lots =	**32**
50' x 120' lots =	**67**
60' x 120' lots =	**43**
Total =	**142**

4. DEVELOPMENT STANDARDS

A. The project shall consist of 32 total townhome units and 110 total single-family homes on approximately 37.48 acres, at a gross density not to exceed 3.78 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 (20, 50 and 60-foot-wide lots), as shown on the 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: 1,700 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 – 5 feet;
      Corner Side – 15 feet.
      Porch – 14 feet (porch must be a minimum width of 6 feet).

3) For Townhomes:
   a) Minimum house size: 1,400 square feet, (under roof)
   b) Minimum lot size shall be 1,800 square feet.
   c) Minimum width 20 feet
   d) Minimum depth 90 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 ten (10) 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 lots drain to the side of the property, if structures are less than 15 feet apart. If the lots drain from the front to the back of the property, then no gutters are required.

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. Parking shall consist of a minimum of two (2) off-street spaces per unit.

B. Towhouse development shall contain additional off-street parking as shown on the conceptual site plan dated 7-1-2024 in Exhibit "C".

C. 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

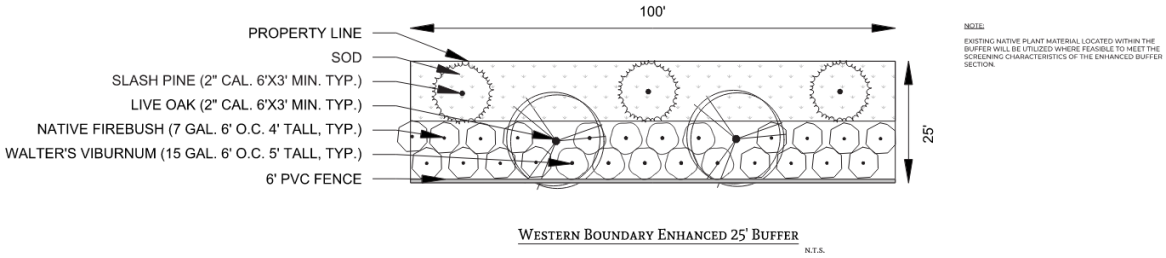
A. A master landscape plan shall be submitted for review by City staff for all landscaping, buffer and boundary areas, parking lots, access roads, entry ways and new construction. This plan shall be reviewed for consistency with this PUD document and the Conceptual Site Plan **(Exhibit C),** and City 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) 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 and south 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. Along the eastern boundary adjacent to existing residential development, a 6' PVC fence shall be installed – some homes have a 16' buffer width but an average of 25' buffer shall be achieved along the east.

E. The access road from Radio Road to the developed lots shall be placed as far as possible to the south area of the parcel. Staff can approve modifications to a typical roadway cross section to reduce the width of the roadway.



F. A split rail fence, of either wood or vinyl/synthetic construction, shall be installed along the boundaries on the north, south, east, and west sides of the property where there are single-family homes present or adjacent to the subject property. The split rail fence shall be installed at a minimum height of four (4) feet. All fences on common property 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 along the east and northwest sides of the property adjacent to existing single-family homes. Along the entrance road, a six (6) foot pre-cast wall shall be installed along the northern property boundary adjacent to the single-family homes.

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. Staff is able to approve modifications to the landscaping requirements in the event that root systems of tree plantings would negatively impact adjacent neighbors' existing fencing.

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.

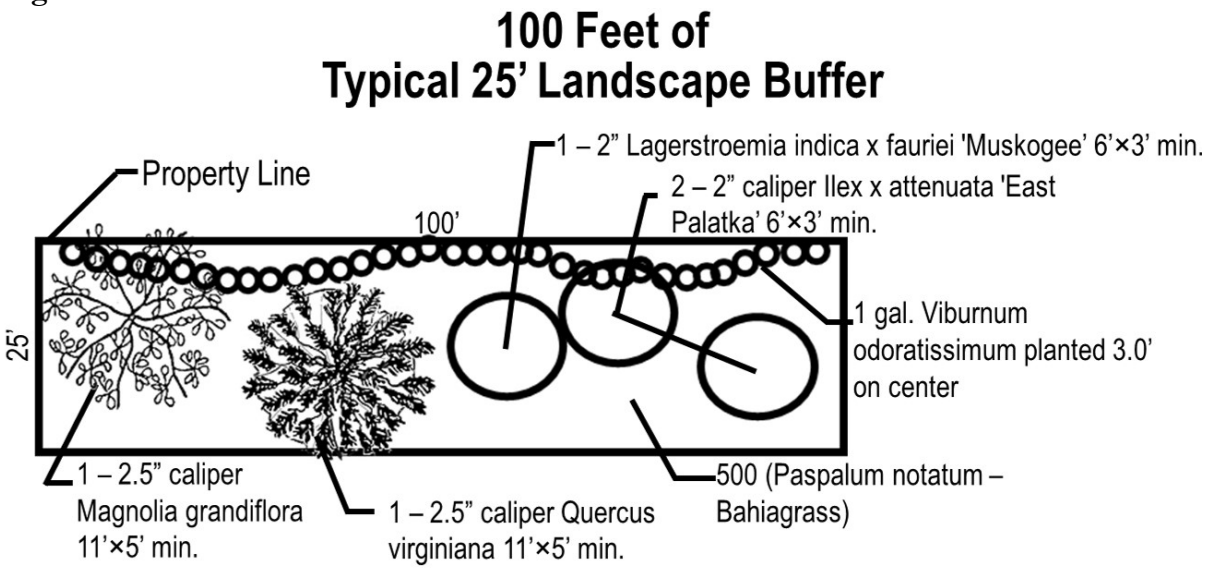
K. In addition to the requirements herein, all landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below:

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



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 Radio Road and one (1) regular emergency access point.
B. Boulevard requirements: One main access to the property shall be a boulevard type (divided roadway with landscaped median) for the first 200-feet from west to east.
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. Only one sidewalk shall be provided on the access road off Radio Road into property. 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*- The main 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.

H. All wet stormwater ponds greater than 0.5 acres in size shall have a minimum of one (1) functioning fountain/aerator for the purpose of aesthetic and public health considerations. Such fountains/aerators shall be owned and maintained by a Homeowner's or Property Owners Association as applicable.

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 28,400 square feet (0.65 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.
D. Lighting along the entrance road into the project shall be required to meet the above standards except that such lighting shall be incorporated into the wall to minimize light and glare.

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**

Alt Key 1274168

SILVER LAKE ESTATES S 100 FT OF N 160 FT OF LOTS 5, 6 BLK 41--LESS W 50 FT FOR RD R/W--S 600 FT OF W 264.30 FT OF LOT 7 BLK 41, N 1/2 OF VACATED RANSOM AVE LYING S OF W 264.30 FT OF LOT 7 BLK 41 BEING IN SEC 14-19-25 PB 10 PGS 66-69 ORB 5018 PG 821

Alt Key 1274184

SILVER LAKE ESTATES 14-19-25 FROM SE COR OF LOT 8 BLK 41 RUN N 89-51-31 W ALONG S LINE OF SAID LOT 8 A DIST OF 200.13 FT FOR POB, CONT N 89-51-31 W 200.13 FT TO A POINT ON W LINE OF E 70 FT OF LOT 7 BLK 41, N 0-0-35 W 599.93 FT TO N LINE OF S 600 FT OF SAID LOTS 7 & 8 BLK 41, S 89-52-34 E 200.01 FT, S 0-01-17 E 599.99 FT TO POB, BEING PART OF LOTS 7 & 8 BLK 41 PB 10 PGS 66-69 ORB 4802 PG 1084

Alt Key 1734801

SILVER LAKE ESTATES LOTS 1 TO 8 INCL, BLK 42, BEING IN SEC 14-19-25 PB 10 PGS 66-69 ORB 1370 PGS 1966, 1970

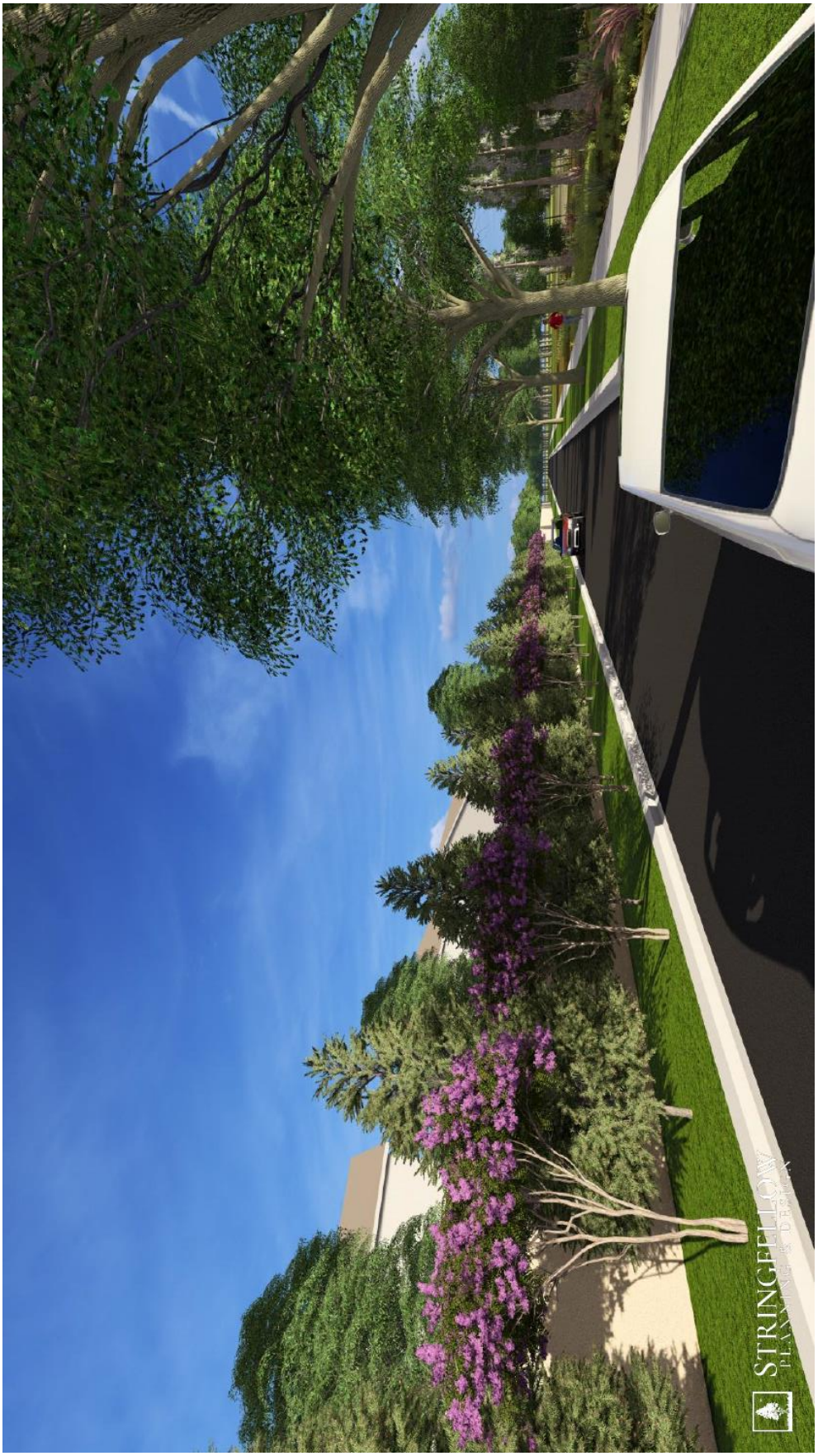
Alt Key 3889883

SILVER LAKE ESTATES 14-19-25 BEG AT SE COR OF LOT 8 BLK 41, RUN N 89-51-31 W ALONG S LINE OF SAID LOT 8 A DIST OF 200.13 FT, N 0-01-17 W 599.99 FT TO A POINT ON N LINE OF S 600 FT OF SAID LOT 8, S 89-52-34 E ALONG SAID N LINE OF S 600 FT OF LOT 8 A DIST OF 185.03 FT TO A POINT ON W R/W LINE OF PERSHING RD, S 0-01-59 E ALONG SAID W R/W LINE 100 FT, S 89-52-34 E 14.98 FT TO A POINT ON E LINE OF SAID LOT 8, S 0-01-59 E 500.05 FT TO POB, BEING PART OF LOT 8 BLK 41 PB 10 PG 66-69 ORB 4238 PG 1485 ORG 4387 PG 703

EXHIBIT C **CONCEPTUAL SITE PLAN**

EXHIBIT D **SAMPLE FACADES**

STRINGFELLOW
PLANNING & DESIGN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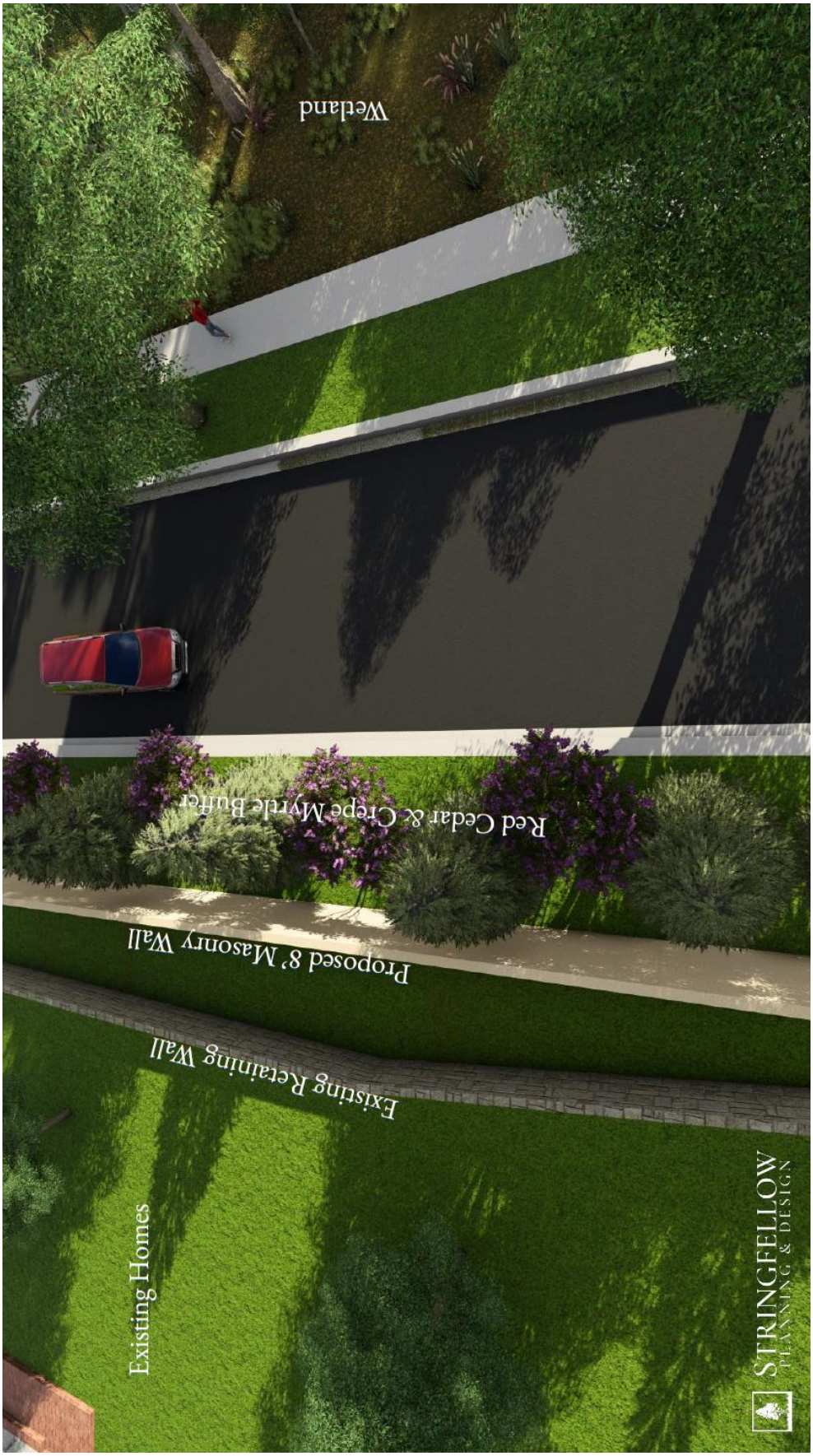
STRINGFELLOW
PLANNING & DESIGN


Existing Homes
Existing Retaining Wall
Proposed 8' Masonry Wall
Red Cedar & Crepe Myrtle Buffer
Wetland
STRINGFELLOW
PLANNING & DESIGN

Wetland
Red Cedar & Crepe Myrtle Buffer
Proposed 8' Masonry Wall
Existing Retaining Wall
STRINGFELLOW
PLANNING & DESIGN

Wetland
Proposed 8' Masonry Wall
2nd Floor View
STRINGFELLOW
PLANNING & DESIGN

Examples of Acceptable / Unacceptable Lighting Fixtures

RADIO ROAD ILLUSTRATIVE PLAN

Legend

- Wetlands
- Stormwater
- Open Space
- Townhomes - 32 Units
- 50' x 120' SF Homes - 67 Units
- 60' x 120' SF Homes - 43 Units

UNIT COUNT:
Proposed Townhomes: 32 Units
Proposed Single Family: 110 Units
Total Proposed: 142 Units

0' 50' 100' 200' 300'

N

CONTACT INFO:
Alex Stringfellow
alex@stringfellowplanning.com
(352) 217-7710

STRINGFELLOW PLANNING & DESIGN

CITY OF LEESBURG PLANNING & ZONING DEPARTMENT

RECOMMENDATIONS

DATE: March 20, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Rezoning to PUD (Planned Unit Development)
CASE NO.: PUD-24-421

THE PLANNING & ZONING DEPARTMENT 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 PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) 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 Medium Density and City of Leesburg General Commercial.

3. The proposed request is consistent with the existing patterns of development in the Radio Road area.

Action Requested:

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

CITY OF LEESBURG PLANNING & ZONING DIVISION
STAFF SUMMARY

DATE: January 9, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Small Scale Comprehensive Plan to Leesburg Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-420, PUD-24-421

GENERAL LOCATION: East of Radio Road and North of U.S. Highway 441

FUTURE LAND USE DESIGNATION: Lake County Urban Low Density Residential

SURROUNDING FUTURE LAND USE DESIGNATION:
North – Lake County Urban Medium Density
South – Lake County Urban Medium Density, City of Leesburg General Commercial
East – Lake County Urban Medium Density
West – Lake County Urban Medium Density

PROPOSED FUTURE LAND USE DESIGNATION: City Leesburg Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture) and R-6 (Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:
North – Lake County PUD (Planned Unit Development), A (Agriculture)
South – Lake County PUD (Planned Unit Development), Lake County A (Agriculture), Lake County RMRP (Mobile Home Rental Park District), and City PUD (Planned Unit Development)
East – Lake County RMRP (Mobile Home Rental Park District)
West – Lake County PUD (Planned Unit Development), Lake County A (Agriculture), and Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: PUD (Planned Unit Development)

EXISTING LAND USE: Vacant Undeveloped

SURROUNDING LAND USE:
North – Single Family, Manufactured Home, Gov't Submerged
South – Manufactured Home Park, Vacant Gov't, Lake Square Mall, Office
East – Single Family Open Storage
West – Single Family

PROPOSED LAND USE: Single-family lots and attached townhomes with amenities

CITY OF LEESBURG PLANNING & ZONING DIVISION
DEPARTMENTAL REVIEW SUMMARY

DATE: May 22, 2025
OWNER: Village Lake Promenade, LLC
PETITIONER: Lowndes
PROJECT: Old Mill Subdivision
REQUEST: Small Scale Comprehensive Plan to Leesburg Estate Residential and Rezoning to PUD (Planned Unit Development)
CASE NO.: SSCP-24-420, PUD-24-421

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 02/14/2025

FIRE

The following contains comments from Leesburg Fire Department:

In reference to Case Number SSCP-24-420; PUD-24-421

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-24-420; PUD-24-421 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 live 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 base life support (BLS) unit arrived in 240 seconds or less travel time.

Amanda Stevenson 01/30/2025

ELECTRIC

"Electric has no issues. This will be serviced by Leesburg Electric and will fall under our subdivision provisions for costs." – Steve Davis 01/30/2025

GAS

"No comment." – Wayne Williams 01/31/2025

GIS

GIS has no comments. – Nicholas Tota 01/30/2025

BUILDING

No comments received as of 02/14/2025

PUBLIC WORKS

Please see attached letter.

ADDRESSING

No comments received as of 02/14/2025

ECONOMIC DEVELOPMENT

No comments received as of 02/14/2025

LAKE COUNTY PUBLIC WORKS

No comments received as of 02/14/2025

LAKE COUNTY SCHOOLS

"The Old Mill Subdivision (142 DU) is subject to school concurrency review. The applicant can reach out to myself or Helen LaValley (lavalleyh@lake.k12.fl.us) for more information on the process." – Helen LaValley - 01/30/2025

PUBLIC RESPONSES

General Comments

Questions of concern:
1-If or when has the developer held a meeting to gather information and public interest comments?
2-Requesting documentation for the Environmental Impact Studies/information for the project.
3-Documentation of Code requirements of Urban Low Density and City Estate Residential?
4-Documents of the Traffic Impact Study.
You can send these documents to my email-bringingbalance@icloud.com
Thank you in advance and see you at the hearing on Thursday @4:30
Respectfully,
Rebecca Bierwirth

******

My name is Jim Weesies at 190 Paradise N Leesburg.
This is regarding the change of use of land behind our Molokai. I would expect the plans to include a 8 foot high concrete wall to cut down the noise from the new development. Thank you.
Sincerely Jim Weesies 352-343-3978

Approval

No comments received as of 02/14/2025

Disapproval

Planning and Zoning, and to whom it concerns:

I am emailing your department to voice my concern about a proposed development (Old Mill Subdivision) that will adversely affect my residence and neighbors in the *Stonegate Subdivision* on Irongate Drive.

Although I respect the developer's property rights and have no issue with development in general, I was absolutely taken aback by the proposed access road that will run through a wetland area directly in the backyard of all of the pre-existing homes in the 3300 block of Irongate Drive. I can't believe this would even be a consideration with the wetland area and residential property lines immediately abutting the proposed roadway.

In reviewing universal building codes, specifically for *Access Road feasibility*, I found the feasibility of constructing access roads shall be analyzed from the nature of the existing adjacent Land Use; e.g., commercial tracts with short front setbacks that may not be able to accommodate an access road. Other conditions that may make Access Roads unfeasible are, but are not limited to, roadside areas with Lakes, Wetlands, Utility Corridors, and Existing Buildings, which would certainly make this access road unviable for this proposed project.

The artist's rendering of the road also displays added trees flanking both sides of the roadway. This would be a concern for all of the properties that have an elevated barrier wall on their rear property lines, as the root systems would undoubtedly encroach subterraneous to the existing elevated barrier wall, and most of the homes have inground pools which would create further concern for ground failure and collapse.

I'm not aware of the required setback requirements for access roads, but this ingress/egress road would literally be within 30 feet of my bedroom window, and fifteen feet from the back edge of my pool. Having said that, the noise, light from road illumination, stormwater runoff, vibration, and other negative impacts of two hundred cars accessing the 110-unit development would be unreasonable and likely unbearable for the people who have lived on Irongate Drive for at least two decades.

In closing, please reconsider the viability of the proposed access road for this project. Two adjacent properties would be much better suited for access to the property in question. One is the Lake Square Mall itself, which already shares an access road with the *Lakes at Leesburg* community, and the other is the closed radio station that I believe is currently for sale and provides a larger swath of land width for a two-lane road to access the proposed subdivision.

Thank you for your consideration in this matter.

Christine Iozzi
33132 Irongate Drive
Leesburg, Fl 34788

Christine V. Iozzi
Senior Paralegal for Brent C. Miller, Esquire
Law Offices of Brent C. Miller, P.A.
205 East Burleigh Boulevard
Tavares, Florida 32778
Telephone: 352-343-7400
Writer's Direct Fax: 352-253-1227
Christine@bcmillerlaw.com

Planning and Zoning Members, Commissioners, and to whom it concerns;

I am emailing your department to voice my concern with the proposed development (Old Mill Subdivision) that will adversely affect my residence and neighbors in the Stonegate Subdivision on Irongate Drive.

Although I respect the developer's property rights and have no issue with development in general, I was taken aback by the proposed access road that will run through a wetland area directly in the backyard of all of the pre-existing homes in the 3300 block of Irongate Drive. I can't believe this would even be a consideration with the wetland area and residential property lines immediately abutting the proposed roadway.

In reviewing universal building codes, specifically for Access Road feasibility, I found the feasibility of constructing access roads shall be analyzed from the nature of the existing adjacent land use. The language in the code specifically states "conditions that may make Access Roads unfeasible are, but are not limited to, roadside areas with Lakes, Wetlands, Utility Corridors, and Existing Buildings", which would certainly make this access road inviable for this proposed project.

In closing, please reconsider the viability of the proposed access road for this project. The two adjacent properties to the south, which are already owned by the Petitioner (Village Lake Promenade) would be much better suited for access to the property in question (see attached map). One is the Lake Square Mall property itself, at Via Entertainment/Village Lake Promenade (Entrance Option #1), which already shares an access road with the Lakes at Leesburg community and already has a controlled access point/traffic light on Radio Road. The other option (Entrance Option #2) is to enter from Radio Road along the elevated berm of the pre-existing dry retention area and make a 90-degree turn where Entrance Option #1 is suggested. Either of these options has a lesser impact on the wetland area, and neither of those options would draw opposition from the property owners in the Stonegate Subdivision.

As previously stated, we respect the rights of property owners to develop their property, however, we would ask that they reflect the same respect toward their neighbors.

To the Planning and Zoning Board Members; If you decide to approve this project, we would respectfully request that the proposed access road directly behind our homes be removed from consideration and that one of the two suggested proposals be added to the plan instead.

Thank you for considering this matter.
Respectfully,
Christine Iozzi

Christine V. Iozzi
Senior Paralegal for Brent C. Miller, Esquire
Law Offices of Brent C. Miller, P.A.
205 East Burleigh Boulevard
Tavares, Florida 32778
Telephone: 352-343-7400
Writer's Direct Fax: 352-253-1227
Christine@bcmillerlaw.com

RAISED RETENTION WALL
WATER
3810207
3810206
3810205
3810204
3810203
3810202
3810201
3810200
3810277
1274168
1274176

Village Lake Promenade
1274168
3889883
1274184
1274176
Village Lake Promenade
OLD MILL ST
1703751
1183626
1301238
Entrance Option
#2
Village Lake Promenade
1703751
1703751
PRIVATE DR
Entrance Option
#1
3363086

****

Good evening,

My name is David Chambliss and I have lived in the community of Stonegate at Silver Lake over **15 years**. Like many of my neighbors, I chose to buy my home here because of the **peaceful environment, the beautiful scenery, and the natural wetland that serves as a backdrop to our lives**. This land has remained undisturbed for as long as we've lived here, and the idea of a road being placed behind our homes is deeply concerning for many reasons.

1. We Bought Our Homes for the Scenery & Privacy

One of the main reasons we, and many others, moved here was because of the **natural beauty surrounding our community**. This wetland has provided a quiet retreat, a habitat for wildlife, and a **natural buffer** that protects our privacy and quality of life. If this road is built, we will lose:

- The **scenic views** that have made our homes so enjoyable.
- The **privacy** that the wetland provides, replaced with a roadway, headlights, and traffic.
- The **quiet atmosphere** that makes this community feel like home.

We have enjoyed **15 years of peace and nature**, and it's difficult to accept that this could be taken away by development that does not benefit the existing residents.

2. Property Value & Security in Our Gated Community

We live in a **gated community**, which means security and exclusivity are key reasons why people choose to live here. A road behind our homes:

- **Decreases our home values** due to increased traffic, noise, and loss of privacy.
- **Compromises security**, as roads provide easier access to areas that were once secluded.
- **Changes the character of our neighborhood**, making it feel less like a private, peaceful community and more like a cut-through for traffic.

For most of us, our home is our biggest investment. This road does not **benefit** us—it **takes away value, security, and privacy** from the people who already live here.

3. Environmental & Flooding Concerns

The wetland behind our homes is **a thriving ecosystem**. Over the years, we have seen **birds, gophers, bobcats, wild hogs, and even bears** live and move through this space. This road will **destroy their habitat**, forcing them into our neighborhoods, which could lead to increased encounters and safety risks for both animals and residents.

Additionally, wetlands **protect against flooding** by naturally absorbing rainwater. Right now, the water is already **only 40 feet from our property walls**. Based on the aerial photos the developer is using...those are old photos and the water is much higher than what is being shown. I have attached photos to show the water level and also where the survey marker is locates 100ft off the retaining wall. Paving a road through this area will:

- **Alter drainage patterns**, making our homes more vulnerable to flooding.
- **Create excess runoff**, which can lead to **erosion and property damage**.
- **Cause long-term problems**, requiring costly infrastructure to correct the damage.

This road is not just about convenience—it could have real, **negative consequences** for homeowners and the environment.

4. A Need for Responsible Planning

We are not against progress, but **this is not the right place for a road**. There must be **alternative solutions** that do not:

- Destroy a **natural wetland** that has been undisturbed for decades.
- Lower the **value and security** of our **gated community**.
- Disrupt the **privacy and quality of life** we have enjoyed for over **15 years**.

We are asking the developers and city planners to **respect the community that is already here**. We urge you to **reconsider this proposal** and work with us to find a solution that protects both homeowners and the environment.

Thank you for your time.
David Chambliss
33144 Irongate drive
Leesburg Fl. 34788

To: Planning and Zoning

planzone@leesburgflorida.gov

Subject: road behind Stonegate Subdivision.

February 16, 2025

To whom it may concern,

I am writing this letter to express my strong opposition to the proposed construction of a road behind my property in Stonegate subdivision; I am deeply concerned about the potential negative impact this road could have on our neighborhood, specifically my property.

My primary concerns are as follows:

1-** Increased traffic** the new road is likely to lead to increased traffic flowing through our already congested area, posing safety risks to our residents. I am worried about the potential hazards this could create for our community.

2-** Noise and Privacy** The proposed road could significantly alter the serene and peaceful environment that currently exists in our neighborhood. Increased construction noise during the development process, and potential noise from additional use disrupting our daily lives and our privacy.

3-**Property Values** My concern is the road could negatively impact property values in our neighborhood. Homeowners have invested in this area that is primary residential, and a road behind our property could have an adverse effect on our investments.

4-**Alternative Solutions** I believe there are more suitable locations in the area where such a road could be built without compromising the existing quality of life for residents in our neighborhood. I urge the City to explore alternative options that better align with the community needs and concerns.

In light of the above concerns, I kindly request that the City reconsider the approval of this road in its current proposed location.

Thank you for taking the time to review my concerns. I hope that the City will carefully consider the potential implications of the road on our community well-being and choose a course of action that best serves the interests of all residents.

Sincerely,

Edgar & Arlene Morales

My name is Suzanne (Sue) Beckley, and I and my husband, Brent Beckley, live at 33226 Irongate Dr, Leesburg, FL 34788. Our back lawn fence abuts the project zone.

I am writing today to inform you that I have read the environmental impact statement conducted for this project and have more information for you, including pictures. At least one mating pair of Sandhill Cranes nest by the water/pond/wetland directly behind our property and have done so since we moved here in December of 2021. We have photographs of them dating back to 2021, hear them fly from their nesting site every day over our house at least several times per day, have witnessed them walking in-between our fence and the neighboring property coming from the wetland to the property and then continuing on into our community (Stonegate at Silver Lake) to forage for food. They eat right from our lawn and others. On May 25th, 2025, I photographed this mating pair on my front lawn with their two colts and posted these on FaceBook (see attached photos to this email).

Having a road constructed directly behind our community will most certainly disrupt this mating pair and damage their nesting area if allowed to proceed, not to mention there are a number of Gopher Tortoise dens that are directly behind my fence and on the property of my aforementioned neighbor. We also have pictures of a Bald Eagle that landed on our fence! I cannot attest to where its nest is, however, we have witnessed it flying directly over our house and over the wetlands behind us. We have found several smaller bird remains in our yard, which indicates the raptors are feeding from very near our property.

We strongly request you to disallow the property directly behind us to be turned into a roadway for a new busy community. It will totally disrupt, if not endanger. the wildlife here, protected species and other species alike. Not to mention what all of that construction will do to our peaceful and serene community. The peace and serene environment that our community enjoys is the PRIMARY reason we bought our home in 2021. It is one of the reasons our properties are valued at the high level that they are. If this project is allowed to happen, especially the roadway inserted directly behind us, our property values will most certainly go down as will our quality of life. Many of us have lanais that we sit out in every day (some have pools). What will we be looking at every day if you allow the trees to be taken out and the wetlands to be fettered with? Cars and trucks driving daily? That is not an improvement, it is destruction. The trees mitigate the hurricanes! Leesburg is listed as the "safest city" in all of Florida for weather. It won't be if all these older yet vital trees are removed. We absolutely love living in Leesburg! I understand the need for development, but please don't turn Leesburg into The Villages or Miami.

Finally, I appeal to your consideration that there are many unused properties in Leesburg that do not have a wetland that will be destroyed. The project that is happening directly across from The Cracker Barrel on State Highway 441 by Lowes and the Fire Station for example. Please do not allow this Old Mill project, or at the very least, do not allow a road to be built from Radio Road behind us. It will harm the wildlife and ruin our beautiful community's quality of life.
Please feel free to call us or come to our property to witness these animals. We are available for any impact studies you may wish to conduct, and will permit use of our property to that end. Someone can install wildlife cameras on our property!

Thank you sincerely,
Sue Beckley
607-238-6740

Sue Beckley
May 24, 2024 ·

The neighborhood Sand Hill Cranes have TWO colts this year. We think these little (big) chickens are adorable. (pics taken from inside the house with a telephoto lens which compromised the quality, but not the cuteness 😊)

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

February 3, 2025

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

RE: PROJECT: Old Mill Subdivision / Planned Unit Development - Mixed Use Planned Use Development
CASE NO.: PUD-24-421

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.

Major comments for Radio Road

- **Turn Lanes are required on Radio Road at the development's proposed access.**
- **Additional right-of-way may be required for Radio Road.**
- **A sidewalk along the development road frontage for Radio Road will need to be accommodated.**
- **A traffic impact analysis is recommended to be provided and reviewed prior to the PUD hearing.**

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

Lake County Department of Public Works recommended requirements for the Old Mill Subdivision PUD impacts to roadways and drainage systems:

Radio Road:

- Access to the development off Radio Road will require both left and right turn lanes.
- Sidewalk will need to be provided along road frontage to meet city and county requirements from Stone Park Dr to the southern boundary along Radio Road.
- The traffic impact analysis for the site will need to analysis the storage queue for the existing turn lanes and a signal warrant analysis for the intersection.
- Additional right-of-way may be required to accommodate the right and left turn lanes, and sidewalk while maintaining roadside swale drainage.
- Additional right-of-way for Radio Road may be required to meet the minimum requirements for a collector roadway and to accommodate the offsite road improvements while maintaining the road drainage. Further evaluation will be performed with subdivision plans based on impacts due to drainage, sidewalk, turn lanes, shoulders, etc. The adopted minimum right-of-way widths for County Collector Road is 100-ft (50-ft from centerline of pavement).
- Radio Road is defined with a functional road classification of 'urban collector' by the Lake County Comprehensive Plan and adopted Lake-Sumter Metropolitan Planning Organization (LSMPO) Plan.

Traffic:

- A Traffic Impact Analysis (TIA) will be required of this development for review by the Lake-Sumter MPO and Lake County Public Works Department. The TIA will need to follow the Lake-Sumter MPO Traffic Impact Analysis Methodology and Guideline the methodology will need to be worked out prior to TIA submittal.
- The TIA is highly recommended to be provided for review by City of Leesburg's traffic engineering consultant, Lake-Sumter MPO, and Lake County prior to public hearings for the PUD.

Internal connectivity:

- The development is recommended to have internal pedestrian and bicycle connectivity throughout the development and to Radio Road
- The cul-de-sac that is shown on the concept plan on the north side of the development should be setup for the undeveloped property north of this one to be able to interconnect and access from it. A reservation of right-of-way extension may allow for this to achieved.

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 or onto county roads.

Flood Study:

- Development will be responsible for a drainage and flood study to determine the flood zones within and partially crossing into the development area. The flood study will require review by both the city and county. The study will evaluate downstream impacts from stormwater outfall from this site.

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 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.

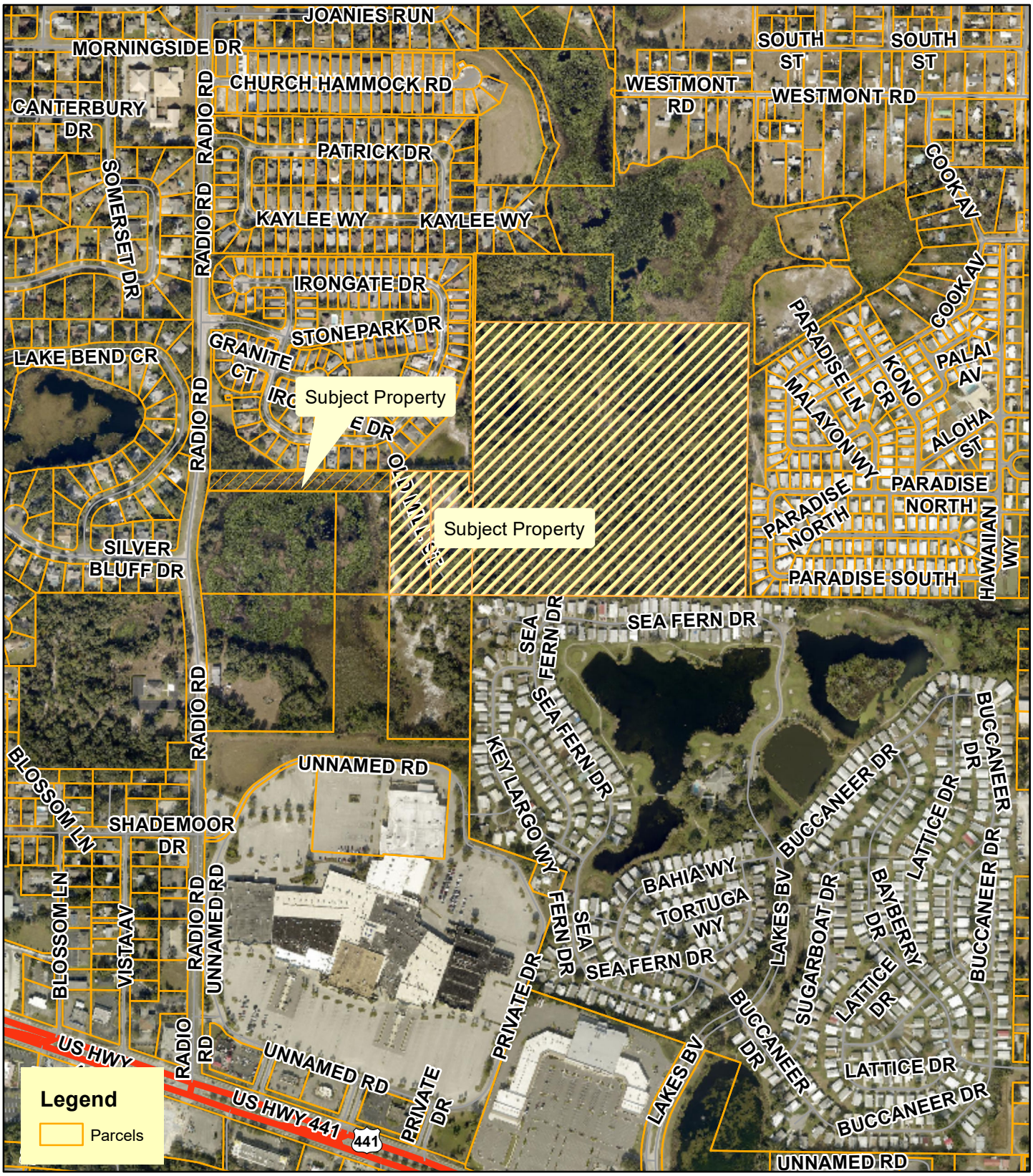
Sincerely,

Seth Lynch

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, Chief Planner for Lake County
Dan Miller, Planning Manager for City of Leesburg

Aerial



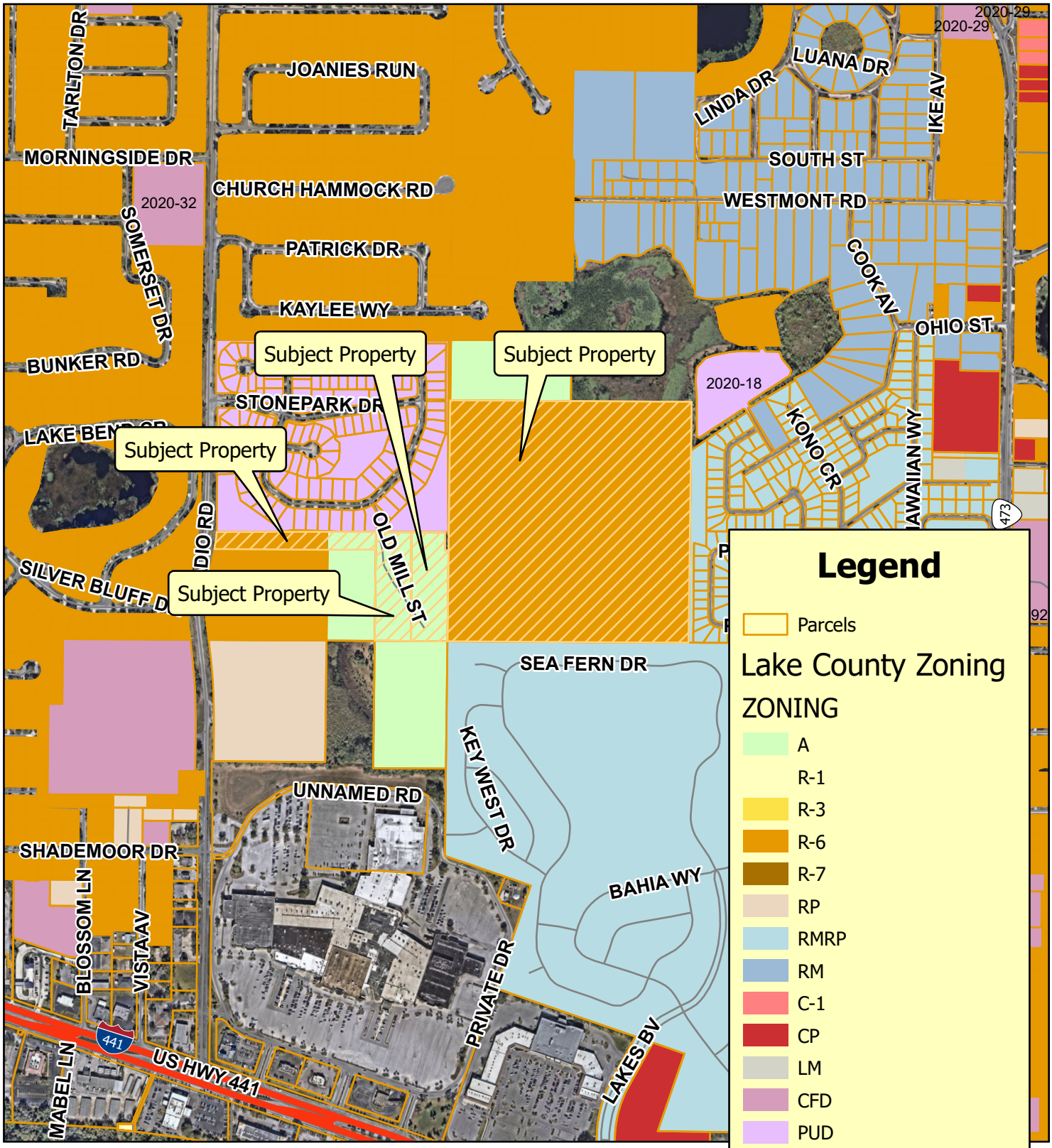
Planning & Zoning Division

N
W E
S

0 150 300 450 600
Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Lake County Zoning



Planning & Zoning Division

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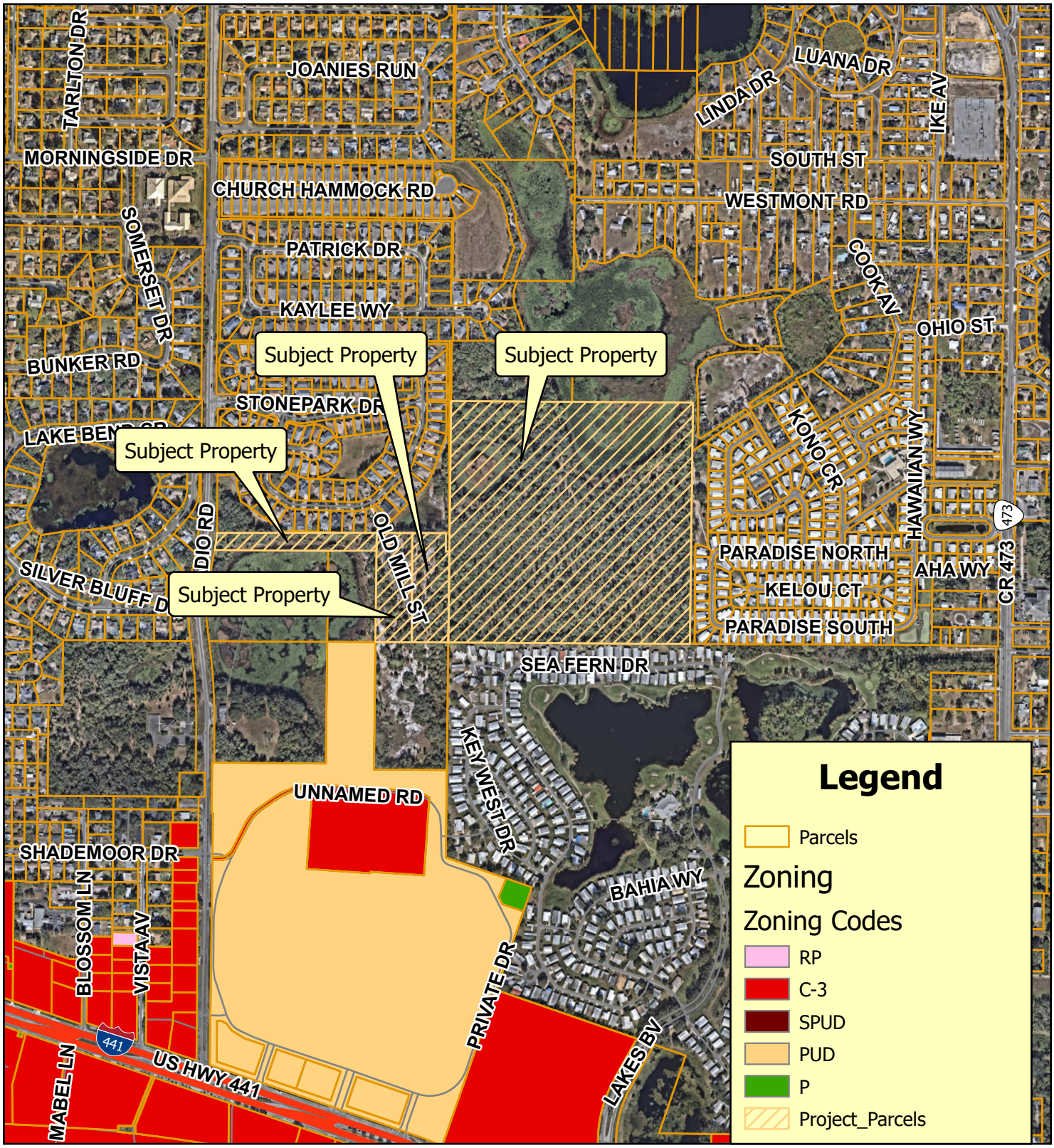
0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Zoning



Planning & Zoning Division

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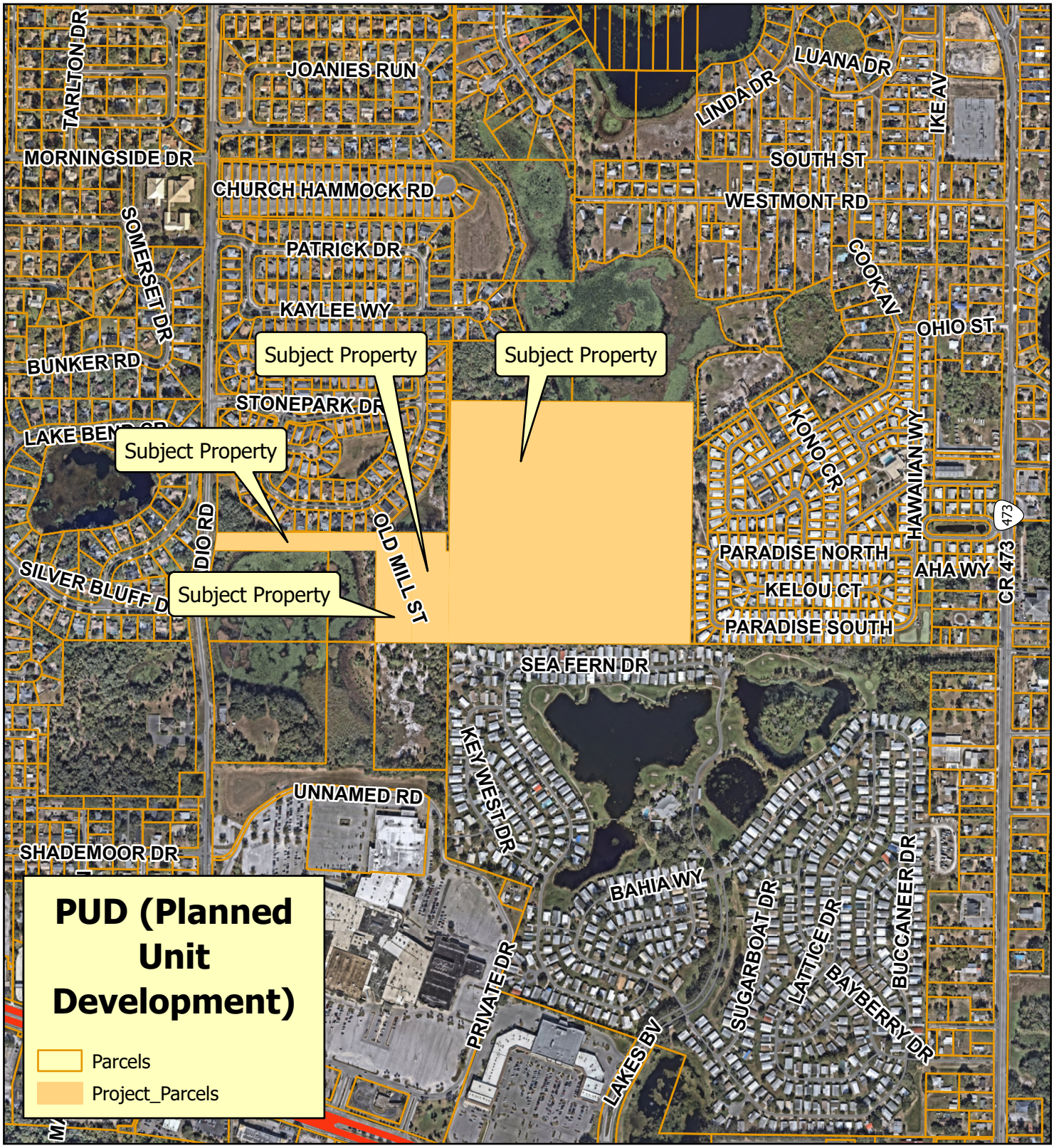
0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Proposed Zoning



Planning & Zoning Division

N

0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Surrounding Land Use

Planning & Zoning Division

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0 150 300 450 600
Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

Wetlands & Flood Zone

Planning & Zoning Division

N

0 285 570 Feet

Old Mill Subdivision
ANNX-24-419, SSCP-24-420, PUD-24-421
AK#s 1274168, 1274184, 3889883, 1734801
Section 01, Township 19, Range 25 East
January 8, 2025

STRINGFELLOW
PLANNING & DESIGN

STRINGFELLOW
PLANNING & DESIGN

STRINGFELLOW
PLANNING & DESIGN

Existing Homes
Existing Retaining Wall
Proposed 8' Masonry Wall
Red Cedar & Crepe Myrtle Buffer
Wetland
STRINGFELLOW
PLANNING & DESIGN

Wetland
Red Cedar & Crepe Myrtle Buffer
Proposed 8’ Masonry Wall
Existing Retaining Wall
STRINGFELLOW
PLANNING & DESIGN

STRINGFELLOW
PLANNING & DESIGN

2nd Floor View

DRAFT SUMMARY MINUTES OF THE REGULAR MEETING

OF THE PLANNING COMMISSION

CITY COMMISSION CHAMBERS, CITY HALL

THURSDAY, MARCH 20, 2025, 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, March 20, 2025, in the Commission Chambers at City Hall. Commissioner Ted Bowersox called the meeting to order at 4:35 p.m.

The following Commission members were present:

Tim Sennett
Nathaniel Sanders
Ted Bowersox
John O'Kelley
Stewart Kaplan
Ze'Shieca Carter
Ken Simeone

The following Commission members were absent:

Frazier J. Marshall
Darin Akkerman

City staff that was present included Dan Miller, Planning & Zoning Director, Kandi Harper, Deputy Director of Planning, Dianne Yekel, Senior Planner, and Melissa Medders, Planner. City Attorney Jennifer Cotch was also present.

The meeting opened with an invocation given by Commissioner Ted Bowersox and the Pledge of Allegiance to the Flag.

Senior Planner Dianne Yekel swore in staff as well as anyone wishing to speak.

Dan Miller, Planning & Zoning Director, informed the audience of the rules of participation and the need to sign the speaker's registry. He also informed Commissioners and the audience of the City Commission meeting dates tentatively scheduled.

MINUTES OF PLANNING & ZONING COMMISSION MEETING FOR FEBRUARY 20, 2025.

Commissioner Carter moved to APPROVE the minutes from the February 20, 2025 meeting. Commissioner Carter SECONDED the motion, which was PASSED by a vote of 6 to 0.

OLD BUSINESS

1) **<u>PUBLIC HEARING CASE # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT</u>**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 37.48 +/- ACRES FROM LAKE COUNTY URBAN LOW DENSITY TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, AS LEGALLY DESCRIBED IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, APRIL 28TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 9TH, 2025)** (Old Mill SSCP)

Dan Miller introduced case number # *SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT* and *PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT* into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave some background information on the project. He said that the property consists of 37.48 +/- acres, generally located east of Radio Road and north of US Highway 441. This request is for an annexation, small scale comprehensive plan and rezoning. The future land use will go from Lake County Urban Low Density to City of Leesburg Estate. The zoning will go from Lake County A (Agriculture) and R-6 (Urban Residential) to City PUD (Planned Unit Development). Currently, the site is 37.5 +/- undeveloped acres. The request is for future development of 142 single family units, both attached (townhouses) and detached, as seen in the conceptual site plan.

Deputy Director Kandi Harper presented the maps and photo exhibits demonstrating the area of the proposed site for both cases.

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments or objections received from the departments. When no comments are provided, this indicates that the department has the capacity to serve the proposed development. Regarding the School Board, this project will be subject to school concurrency review, and will likely be subject to a mitigation agreement to provide adequate stations within the school system. Lake County Public Works will require additional right and left turn lanes on Radio Road, along with the necessary additional right-of-way as needed by the County to accommodate any off-site improvements. They will also require a sidewalk along Radio Road. Right-of-way donation will be as needed and permitting will be done through the Lake County Public Works Department for their access points.

For Public responses, per Florida Statute and City of Leesburg Code of Ordinance notice requirements, the project was legally advertised, posted and letters sent out to the surrounding property owners. The neighbors did express significant concerns regarding access to the site, the wetlands to the south, and wish to provide comments today. In summarizing the comments, they are concerned about the proposed roadway on the plan which lies within the 100-foot-wide strip on the subject property which is immediately south of the Stonegate Subdivision. There were also concerns

for the wildlife, wetlands, flooding, noise, privacy, property value, security, and quality of life. Upon receipt of these comments, staff did ask the applicant to set up a neighborhood meeting

Mr. Miller also highlighted the PUD requirements stating that this proposal would consist of 110 single-family detached, and 32 single-family attached (townhouse units) for a total of 142 units. There is a two-floor maximum height. There are two lot sizes, 67 lots at 50 x 120 feet for 6,000 square foot per lot, and 43 lots at 60 x 120 feet for 7,200 square feet per lot. The proposal for the house sizes are 1,700 square feet for the 50-foot lots and 1,800 for the 60-foot lots. The front setback will be 25 feet and the rear setback will be 18 feet. The townhouse units will be 20 feet in width with 1,400 square feet house sizes. There will be a minimum of 2 off-street parking spaces for each unit in the development, plus extra spaces are provided in the conceptual plan for the attached units. 35% of the property must be in open space, and dark sky lighting is required. A split rail fence is required where development is adjacent to the subject property (4-feet) on the area where houses will be constructed. Access point will be from Radio Road in a boulevard style entry way. In addition, the applicant is offering a wall, which will need to be written into the PUD.

The Planning & Zoning staff recommended the approval of the request for the following reasons:

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 Medium Density and City of Leesburg General Commercial.

3. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) 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 Medium Density to City of Leesburg Estate Residential and forward this recommendation to the City Commission for consideration.

Attorney Logan Opsahl gave a presentation summarizing the applicant's requests for the three applications. He went over the conceptual plan, including the direct access to the development. Attorney Opsahl gave a recap of the two community meetings that were held with the neighbors at Stone Gate. The first meeting was held on March 5th, 2025 to discuss the project with the adjacent property owners. Chuck Hiott walked the property after this meeting with the neighbors. The second meeting was held on March 14th, 2025. The following are concerns & commitments to the neighbors:

- 6' fencing along shared residential boundaries
- 6' pre cast wall plus landscaping and removed of one sidewalk along entrance road

- Willing to remove current legal access rights through Stonegate's subdivision

Attorney Opsalh stated that the development team did look at the option of accessing the property through the mall parcel, which is south of the subject property. Acquiring this access is not an option. Regarding the **second** option through the northern neighborhood, Attorney Opsalh stated that there currently exists a 10' wide platted access. It is considered to be an easement by necessity, which is a common law right, afforded to a property owner when it is landlocked. You can petition a court to grant access, which previously the subject property was granted this access through the Stonegate community for emergency services. The applicant opted to remove that platted access as a secondary access location to serve the project. Absent the access being provided in the conceptual plan, the property owner would need to petition a court for access to their property. There is no clear-cut test for what a court will look at, but there are factors that the court will consider such as what has been granted with historical access. A **third** option is purchasing the Radio Road parcel (alternate key 1183626). After discussion, the owner is not interested in selling their parcel or granting an easement for access. Alternate Key 1301238, which belongs to the County would also have to be purchased. The County has already confirmed in writing that this option is not available. The **fourth** option is to move the access further south. The applicant currently does not have control over this portion of the parcel and cannot get control over it.

Attorney Opsalh showed conceptual renderings of the entrance road, including the landscape buffer and the proposed 8' masonry wall.

Chairman Sennett said that he concerned about the entry road, stating that it is completely in the wetlands. Dan Miller answered that it needs to be determined by a wetland delineation line done by a wetland engineer. Mr. Miller stated that there are property rights that go with the property. The only two options are to go through the 100-foot-wide strip, or come up from another direction. If there is any wetlands mitigation that needs to occur, and there are different types of wetlands, they are a state level issue that is determined by environmental engineers and water management district. Attorney Opsalh stated that they are aware of the state permitting that is required.

Christine Iozzi, 33132 Irongate Drive, read her e-mail dated March 18, 2025 into the record that was sent to the Planning & Zoning Department.

Angela Chambliss, 33144 Irongate Drive, stated that she does not oppose development, but wanted to ask for a fair and reasonable solution. One that does not come at the expense of the privacy, security, and home values. The proposed rezoning would place the road and sidewalk 30-feet away from their back patio. Because of the wetlands, the road and sidewalk must be built up at least 3-feet, which means both will be level with the backyard walls. Instead of having a quiet, private space, they will be forced to live with a road carrying over 200 cars, a sidewalk where pedestrians will be walking eye-level with their pools, and streetlights that shine directly into their windows at night. She feels they are being asked that they very thing that makes their home valuable is being taken away.

Rebecca Bierwirth, 33202 Irongate Drive, just bought their home 8-months ago to be near their grandchildren. She stated that her house has the smallest amount of retention wall. She said that she doesn't want people looking at their pools and her grandchildren while they are in the backyard.

Greg Stanfield, 33324 Irongate Drive, inquired about the access for this property. Chairman Sennett pointed the access from Radio Road.

Attorney Opsahl stated that he appreciates the feedback. The easement does still exist through the neighborhood, and is for emergency access only. It is one they would look to give up and not utilize. Absent their entrance, it is one that would need to be looked to for potential access, though not preferable.

Commissioner Carter asked if he was willing to consider that, right now, the emergency entrance be through Stonegate, but give other concessions being made, he is willing to vacate that access. Attorney Opsahl answered that absent the proposed access, they would be landlocked. So they would have to petition a court for access to their property. A judge will look to historical access and what has been granted. What is being proposed is much more favorable because they wouldn't have to change the existing easement from emergency access to full access.
City Attorney Jennifer Cotch said that the emergency access that was issued would go away because they would have actual access. Commissioner Carter stated that sometimes we ask them to have that second access.

Chairman Sennett that he would have a hard time approving this knowing that they may still go through this neighborhood. Attorney Opsahl stated that it was an easement by necessity, so given access they would no longer need it.

Commissioner Carter stated that they should do what they can to not go through that neighborhood. Attorney Opsahl stated that they do not own the other options.

Commissioner O'Kelley stated that they Old Mill emergency access might have been developed for Stonegate for their emergency access.

Commissioner Bowersox inquired about who would maintain the property between the retention wall and the masonry wall. Attorney Opsahl stated that they would maintain everything up to their boundary line.

Milton Androde, Vice President of Land Highland Homes, stated that the goal would be to put the precast wall as close as possible to the northern property line, and put it within a common area tract so it can be maintained by the Old Mill HOA.

Commissioner Carter also brought up speed tables, home values in the neighborhood, and building up the wall in Stonegate.

Commissioner O'Kelley asked who gives approval for filling in wetlands. Dan Miller replied that it goes up to the state level with St. John's, FDEP, and sometimes Core of Engineers. There is a significant amount of work that needs to be done before wetlands can be mitigated. If the wetland issue is not resolvable to the state satisfaction, the project would stop.

City Attorney Cotch added that the placement of the road is intentional because St. John's River Water Management District is going to require that the road impact the wetlands as minimally as possible. Mr. Miller stated that the PUD is written so that access will come off of Radio Road, but it is not meant to be interpreted as the access coming from the one point. The subject property can be accessed anywhere off of Radio Road.

Commissioner Sanders made a motion to APPROVE case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT with the condition of having a speed table, wall and sidewalk on the south side.

The motion died for lack of a second.

Commissioner Bowersox made a motion to DENY case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT. Commissioner Kaplan SECONDED the motion which was DENIED by a voice vote of 4 to 3.

The roll call vote was:

Commissioner Sanders	No
Commissioner Bowersox	Yes
Chairman Sennett	No
Commissioner Carter	No
Commissioner O'Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Simeone	No

Three yeas, four nays, the Planning Commission voted to DENIED case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

Commissioner Sanders made a motion to APPROVE case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT with the condition of having the access road be as far south as possible, a speed table, the walls and sidewalk on the south side. Commissioner Bowersox SECONDED the motion which PASSED by a voice vote of 6 to 1.

The roll call vote was:

Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes
Commissioner O'Kelley	Yes
Commissioner Kaplan	No
Commissioner Simeone	Yes

Six yeas, one nay, the Planning Commission voted to APPROVE case # SSCP-24-420 – OLD MILL SUBDIVISION – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

2) **PUBLIC HEARING CASE # PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 37.48 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED EAST OF RADIO ROAD AND NORTH OF U.S. HIGHWAY 441, AS LEGALLY DESCRIBED IN SECTION 01, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, APRIL 28TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 9TH, 2025)** (Old Mill PUD)

The Planning & Zoning staff recommended the approval of the request for the following reasons:

1. The proposed zoning classification of PUD (Planned Unit Development) is compatible, as conditioned, with the current surrounding zoning districts of Lake County PUD (Planned Unit Development), A (Agriculture), RMRP (Mobile Home Rental Park District), R-6 (Urban Residential District) 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 Medium Density and City of Leesburg General Commercial.

3. The proposed request is consistent with the existing patterns of development in the Radio Road area.

Action Requested:

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

Commissioner Kaplan made a motion to APPROVE case # PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT with the condition of having the access road be as far south as possible, a speed table, the walls and sidewalk on the south side. Commissioner Carter SECONDED the motion which PASSED by a voice vote of 6 to 0.

The roll call vote was:

Commissioner Carter	Yes
Commissioner O'Kelley	Yes
Commissioner Kaplan	No
Commissioner Simeone	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes

Six yeas, one nay, the Planning Commission voted to APPROVE case # PUD-24-421 – OLD MILL SUBDIVISION – PLANNED UNIT DEVELOPMENT.

DISCUSSION ITEM

ANNOUNCEMENTS

The next scheduled meeting date is March 20, 2025.

The meeting adjourned at 5:25pm

_____

Nathaniel Sanders, Vice-Chair

_____

Dianne Yekel, Senior Planner

Miscellaneous Accounts Receivable Customers With Unpaid Balances

Prepared by Finance

February 28, 2025

CURRENTLY WORKED BY PROVIDING DEPARTMENT OR FINANCE

001 Fund

Jam Entertainment	Making $100 payments monthly	Security for Nov 18,2023	295.00
Jennings, Matthew	Sent to Attorney for collection	Marina Rent	711.99
Mosley, Karissa	Sent to Attorney for collection	Security for Mar 16, 2025	782.50
			1,789.49

041 Fund

Pea, Marquise	Sent to Attorney for collection	Damages to City Property	4,163.64
Towler, Ethan	Sent to Attorney for collection	Apprenticeship Reimbursement	12,561.91
			16,725.55
		Total	**18,515.04**

001 FUND TOTAL	**$**	**1,789.49**
042 FUND TOTAL	**$**	**16,725.55**
	$	**18,515.04**

Expected write offs as of Feb 28, 2025

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
2023-2024				
2022-2023	457,750			
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 2024 - Month by Month
10/01/23- 09/30/24

Month	Amount Written Off	Number of Accounts Commercial	Number of Accounts Residential	Average Account Balance Commercial	Average Account Balance Residential
October	$ 37,620	4	70	2,165.43	410.84
November	48,177	3	104	532.52	458.07
December	40,391	2	79	705.93	493.40
January	51,778	2	108	277.11	474.28
February	79,343	11	89	3,413.69	469.57
March	26,916	3	78	410.39	329.29
April	21,640	2	59	92.21	363.64
May	30,631	7	65	526.33	414.55
June	21,116	0	65	0.00	324.86
July	16,335	0	50	0.00	326.70
August	19,742	4	62	315.16	298.09
September	24,913	2	68	267.91	358.48
Accounts to be written off*	$ 418,602	40	897		
Prior Yr to Date	$ 159,374	39	956		
difference - () negative	$ (259,228)	(1)	59		

Projected
Fiscal year 2025- Month by Month
10/01/24- 09/30/25

Month	Amount Written Off	Number of Accounts Commercia	Number of Accounts Residential	Average Account Balance Commercial	Average Account Balance Residential
October	$ 24,587	3	62	472.28	373.71
November	29,713	4	79	813.97	334.90
December	30,263	0	76	0.00	398.20
January	44,737	9	81	219.20	527.94
February	40,176	7	89	486.42	413.16
March					
April					
May					
June					
July					
August					
September					
Accounts to be writte	$ 169,477	23	387		
Prior Yr to Date	$ 257,309	22	450		
difference - () negative	$ 87,832	(1)	63		

CITY OF LEESBURG
CASH AND INVESTMENTS BY FUND
2/28/2025

POOLED CASH & INVESTMENTS	TOTAL	GENERAL FUND	SPECIAL REVENUE FUNDS GROUP	DEBT SERVICE FUNDS	CAPITAL PROJECTS FUND	ELECTRIC UTILITY FUND	GAS UTILITY FUND	WATER UTILITY FUND	WASTEWATER TREATMENT FUND	COMMUNICATION FUND	SANITATION SERVICES FUND	STORM WATER FUND	AIRPORT FUND	BUILDING PERMITS FUND	INTERNAL SERVICE FUNDS GROUP
OPERATING CASH	$88,323,205.75	$20,124,146.97	$7,102,766.59	$ 621,906.36	$ 98.87	$10,851,151.27	$ 7,360,168.71	$ 7,661,454.70	$ 15,505,902.40		$ 584,353.09	$4,467,191.97	$7,139,761.30	$ 939,925.29	$ 5,964,378.23
RESTRICTED CASH															
CUSTOMER DEPOSITS	7.135.469.92					4.997.360.94	1.409.770.71	717.133.27	1.550.00		9.655.00				
RENEWL & REPLCMNT	17,332,206.39	680,920.15	36,965.45			854,914.98	971,392.46	5,866,986.61	7,348,988.71		850,000.00				722,038.03
BOND/NOTE SINKING FUND	4.264.528.11		409.741.99			1.640.636.49	54.524.83	472.687.06	1.686.937.74						
INFRASTRUCTURE DEVELOPMENT															
SIGN GRANT & HUD SHIP	172,707.11		172,707.11												
HWY 441/27 CRA - Restricted Surplus	6,679,000.00		600,000.00		6,079,000.00										
IMPACT FEES	5,529,024.91							1,803,155.10	3,725,869.81						
OTHER RESTRICTED CASH	9,386,402.07	184,218.61	77,517.29		8,923,893.17										
DEVELOPER CONTRIBUTIONS	301.718.92					296.589.52	5.129.40								
RATE STABILIZATION	3,426,663.00					3,426,663.00									
SUBTOTAL OF RESTRICTED CASH	54,227,720.43	865,138.76	1,296,931.84		15,002,893.17	11,216,164.93	2,440,817.40	8,859,962.04	12,763,346.26		859,655.00				722,038.03
TOTAL POOLED CASH	$142,550,926.18	$ 20,989,285.73	$ 8,399,698.43	$ 621,906.36	$ 15,002,992.04	$ 22,067,316.20	$ 9,800,986.11	$ 16,521,416.74	$ 28,269,248.66	$ -	$ 1,444,008.09	$ 4,467,191.97	$ 7,139,761.30	$ 939,925.29	$ 6,686,416.26
NON-POOLED RESTRICTED CASH															
CASH WITH FISCAL AGENT	1.296.145.51			679.032.73			103.517.22	215.251.02	298.344.54						
DEPOSITORY TRUST ACCOUNT															
DEP-WELLS FARGO															
SUBTOTAL NON-POOLED CASH	1,296,145.51			679,032.73			103,517.22	215,251.02	298,344.54						
TOTAL POOLED CASH AND INVEST	$143,847,071.69	$20,989,285.73	$ 8,399,698.43	$1,300,939.09	$15,002,992.04	$22,067,316.20	$9,904,503.33	$16,736,667.76	$28,567,593.20		$1,444,008.09	$4,467,191.97	$7,139,761.30	$939,925.29	$6,686,416.26

INDIVIDUAL SPECIAL REVENUE FUNDS

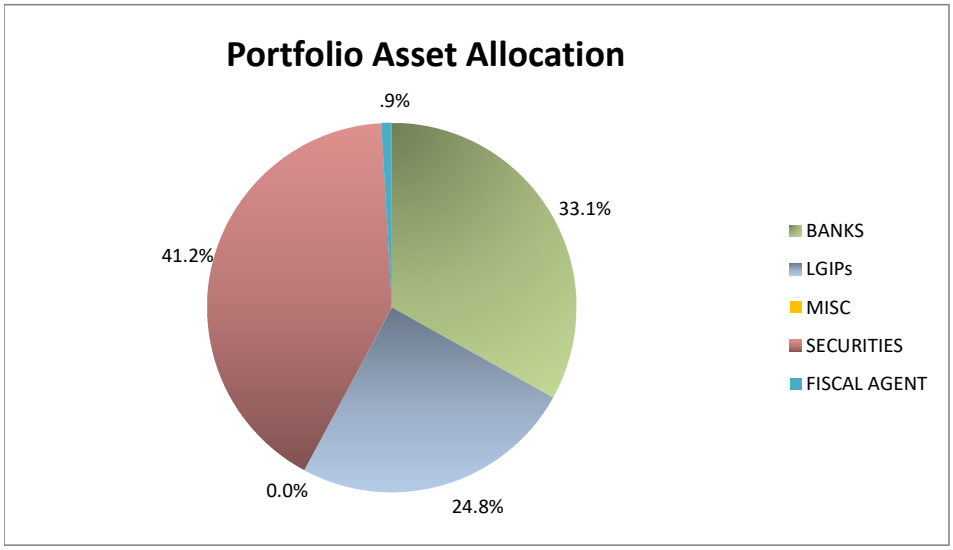
POOLED CASH & INVESTMENTS	SPECIAL REVENUE FUNDS TOTAL	HOUSING ASSISTANCE FUND	GREATER LEESBURG CRA FUND	CARVER HEIGHTS CRA FUND	HIGHWAY 441/27 CRA FUND	POLICE FORFEITURE FUND	POLICE EDUCATION FUND	DISCRETIONARY SALES TAX FUND	GAS TAX FUND	POLICE IMPACT FUND	FIRE IMPACT FUND	RECREATION IMPACT FUND
OPERATING CASH	$ 7.102.766.59	$ 191.887.86	$ 616.279.15	$ 1.265.525.77	$ 1.239.053.60	$ 134.185.75	$ 7.262.04	$ 2.044.796.86	$ (132.800.82)	$ 1.182.221.59	$ 383.876.39	$ 170.478.40
RESTRICTED CASH												
HUD SHIP PROGRAM & $HOUSE PROCEEDS	77,517.29	77,517.29										
BOND/NOTE SINKING FUND	409,741.99		42,373.85		367,368.14							
SIGN GRANT	172,707.11		23,475.77	43,869.20	105,362.14							
R&R / OTHER RESTRICTED	36,965.45	36,965.45										
CUSTOMER DEPOSITS	600,000.00				600,000.00							
SUBTOTAL OF RESTRICTED CASH	$ 1,296,931.84	$ 114,482.74	$ 65,849.62	$ 43,869.20	$ 1,072,730.28	$ -	$ -	$ -	$ -	$ -	$ -	$ -
TOTAL POOLED CASH	$ 8,399,698.43	$ 306,370.60	$ 682,128.77	$ 1,309,394.97	$ 2,311,783.88	$ 134,185.75	$ 7,262.04	$ 2,044,796.86	$ (132,800.82)	$ 1,182,221.59	$ 383,876.39	$ 170,478.40
NON-POOLED RESTRICTED CASH												
DEP-WELLS FARGO	-											
SUBTOTAL NON-POOLED CASH	$ -											
TOTAL POOLED CASH AND INVEST	$ 8,399,698.43	$ 306,370.60	$ 682,128.77	$ 1,309,394.97	$ 2,311,783.88	$ 134,185.75	$ 7,262.04	$ 2,044,796.86	$ (132,800.82)	$ 1,182,221.59	$ 383,876.39	$ 170,478.40

INTERNAL SERVICE FUNDS

POOLED CASH & INVESTMENTS	INTERNAL SERVICE FUNDS TOTAL	HEALTH INSURANCE FUND	WORKERS' COMPENSATION FUND	RISK MANAGEMENT FUND	FLEET MAINTENANCE FUND
OPERATING CASH	$ 5,964,378.23	$ 1,085,364.11	$ 2,742,843.95	$ -	$ 2,136,170.17
RESTRICTED CASH	722,038.03				722,038.03
SUBTOTAL OF RESTRICTED CASH	$ 722,038.03	$ -	$ -	$ -	$ 722,038.03
TOTAL POOLED CASH	$ 6,686,416.26	$ 1,085,364.11	$ 2,742,843.95	$ -	$ 2,858,208.20
TOTAL POOLED CASH AND INVESTMENTS	$ 6,686,416.26	$ 1,085,364.11	$ 2,742,843.95	$ -	$ 2,858,208.20

CITY OF LEESBURG
INVESTMENT REPORT
2/28/2025

DESCRIPTION		BALANCE 2/28/2025
BANK OPERATING AND SAVINGS ACCOUNTS		
Truist Bank - Disbursement	$25,900,751	
	-	
Southstate Bank - Savings	11,475	
Southstate Bank - CD	2,159,280	
JP Morgan - CD	5,464,657	
Southstate Bank - CD	5,363,516	
TD Bank - CD	4,197,759	
Seaside Bank	4,409,264	
		$47,506,703
LOCAL GOVERNMENT INVESTMENT POOLS		
FLSAFE	8,823,574	
FLCLASS	11,189,276	
FLPRIME	15,530,193	
		35,543,043
U S TREASURY MONEY MARKET FUND (FGU Deposit)		0
US BANK (Fiscal Agent)		1,296,146
CHANDLER ASSET MANAGEMENT (SECURITIES)	59,212,413	
		59,212,413
TOTAL INVESTMENTS		143,558,305
MARKET ADJUSTMENT		120,882
TOTAL VALUE OF INVESTMENTS		**$143,679,186**



City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of February 1, 2025- February 28, 2025 or 43%

	REVENUES				
	CURRENT YEAR			LAST YEAR	
Fund Name	FY 25 Adjusted Budget	FY 25 Revenue	FY 25 Percentage	FY 24 Revenue	FY 24 Percentage
General Fund	37,671,503	20,814,065	55%	17,884,793	52%
Special Revenue Fund					
Housing Assistance	162,750	60,074	37%	52,005	44%
Debt Service Fund	1,728,299	1,728,299	100%	1,720,523	100%
Capital Projects Fund	12,133,766	9,054,210	75%	2,039,137	27%
Discretionary Sales Tax	3,640,000	1,169,379	32%	1,144,786	37%
Police Forfeiture Fund	-	2,050	0%	2,374	0%
Police Education Fund	-	1,937	0%	1,776	0%
Gas Tax	962,500	334,594	35%	313,289	35%
Police Impact Fees	-	94,209	0%	161,161	0%
Fire Impact Fees	-	81,839	0%	45,718	0%
Recreation Impact Fees	-	128,144	0%	57,207	0%
Building Fund	1,031,000	467,049	45%	543,000	51%
Community Redevelopment Agencies					
Greater Leesburg CRA fund	1,087,613	1,016,929	94%	943,035	102%
Carver Heights CRA fund	1,125,385	979,213	87%	764,395	83%
Highway 27/441 CRA fund	3,076,700	3,030,858	99%	2,360,492	102%
Enterprise Funds					
Stormwater Utility Fund	2,324,873	825,508	36%	795,458	34%
Electric Utility Fund	72,917,175	31,361,338	43%	26,420,289	30%
Gas Utility Fund	14,092,832	6,639,910	47%	5,286,305	40%
Water Utility Fund	12,123,381	5,298,858	44%	4,918,994	43%
Wastewater Utility Fund	18,658,395	7,368,268	39%	7,161,424	43%
Solid Waste Utility Fund	5,589,302	2,270,010	41%	2,128,539	41%
Airport Fund	11,199,909	3,772,445	34%	821,136	9%
Internal Services Fund					
Health Insurance Fund	7,668,154	2,843,554	37%	2,637,892	33%
Workers Comp Insurance Fund	1,375,902	894,136	65%	554,733	44%
Fleet Maintenance Fund	4,606,801	1,561,933	34%	1,280,654	32%
Pension Trust Funds					
Police Retirement Trust Fund	2,908,643	1,044,268	36%	3,046,355	116%
Fire Retirement Trust Fund	2,076,988	1,326,158	64%	3,386,184	182%
General Employees Trust Fund	3,350,000	1,440,078	43%	4,568,745	143%
Use of Fund Balance (Various funds)	50,972,976				
Total All Funds	272,484,847	105,609,314	48%	91,040,399	41%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of February **1, 2025- February 28, 2025** or **43%**

	EXPENSES				
	CURRENT YEAR			LAST YEAR	
Fund Name	FY 25 Adjusted Budget	FY 25 Expenses	FY 25 Percentage	FY 24 Expenses	FY 24 Percentage
General Fund	39,343,442	17,078,928	43%	13,803,152	39%
Special Revenue Fund					
Housing Assistance	162,750	46,437	29%	47,285	33%
Debt Service Fund	1,728,299	1,379,693	80%	1,349,102	78%
Capital Projects Fund	16,061,427	480,089	3%	1,332,801	10%
Discretionary Sales Tax	4,084,186	2,141,099	52%	1,506,126	47%
Police Forfeiture Fund	96,979	-	0%	36,571	0%
Police Education Fund	-	-	0%	-	0%
Gas Tax	1,161,873	797,235	69%	372,619	41%
Police Impact Fees	1,284,500	414,269	32%	-	0%
Fire Impact Fees	-	-	0%	-	0%
Recreaton Impact Fees	500,000	500,000	100%	-	0%
Building Fund	1,736,090	643,536	37%	642,455	35%
Community Redevelopment Agencies					
Greater Leesburg CRA fund	1,112,826	750,783	67%	659,015	60%
Carver Heights CRA fund	1,479,257	457,652	31%	118,466	11%
Highway 27/441 CRA fund	7,261,062	6,205,979	85%	155,634	6%
Enterprise Funds					
Stormwater Utility Fund	3,510,823	656,665	19%	572,067	17%
Electric Utility Fund	77,416,446	28,086,896	36%	26,349,555	29%
Gas Utility Fund	15,225,173	4,983,056	33%	4,026,127	27%
Water Utility Fund	18,835,650	4,101,749	22%	3,932,096	20%
Wastewater Utility Fund	39,744,576	6,181,686	16%	5,634,447	8%
Solid Waste Utility Fund	5,595,202	2,984,891	53%	2,133,275	41%
Airport Fund	12,685,140	1,460,374	12%	1,514,390	14%
Internal Services Fund					
Health Insurance Fund	7,668,154	3,543,520	46%	2,738,338	34%
Workers Comp Insurance Fund	1,375,902	334,004	24%	395,616	31%
Fleet Maintenance Fund	6,079,459	1,617,508	27%	1,421,722	27%
Pension Trust Funds					
Police Retirement Trust Fund	2,908,643	767,742	26%	638,962	24%
Fire Retirement Trust Fund	2,076,988	766,485	37%	638,821	34%
General Employees Trust Fund	3,350,000	1,355,733	40%	1,322,660	41%
Total All Funds	272,484,847	87,736,010	32%	71,341,302	24%

City of Leesburg, Florida
Report of **REVENUES** by Fund
For Period Beginning of January 1, 2025- January 31, 2025 or 33%

	REVENUES				
	CURRENT YEAR			LAST YEAR	
Fund Name	FY 25 Adjusted Budget	FY 25 Revenue	FY 25 Percentage	FY 24 Revenue	FY 24 Percentage
General Fund	37,671,503	18,431,685	49%	15,625,136	46%
Special Revenue Fund					
Housing Assistance	162,750	47,508	29%	41,606	35%
Debt Service Fund	1,728,299	1,728,299	100%	1,720,523	100%
Capital Projects Fund	12,133,766	5,143,281	42%	2,162,495	29%
Discretionary Sales Tax	3,640,000	690,079	19%	689,305	22%
Police Forfeiture Fund	-	1,755	0%	2,039	0%
Police Education Fund	-	1,375	0%	1,243	0%
Gas Tax	962,500	249,442	26%	212,340	23%
Police Impact Fees	-	86,872	0%	151,350	0%
Fire Impact Fees	-	76,708	0%	38,276	0%
Recreation Impact Fees	-	121,656	0%	45,022	0%
Building Fund	1,031,000	371,245	36%	426,065	40%
Community Redevelopment Agencies					
Greater Leesburg CRA fund	1,087,613	1,013,152	93%	941,014	102%
Carver Heights CRA fund	1,125,385	975,732	87%	761,437	83%
Highway 27/441 CRA fund	3,076,700	3,021,362	98%	2,347,806	101%
Enterprise Funds					
Stormwater Utility Fund	2,324,873	664,312	29%	638,979	28%
Electric Utility Fund	72,917,175	24,820,333	34%	21,336,277	24%
Gas Utility Fund	14,092,832	4,694,736	33%	3,864,724	30%
Water Utility Fund	12,123,381	4,358,794	36%	4,056,352	36%
Wastewater Utility Fund	18,658,395	6,095,484	33%	5,725,184	34%
Solid Waste Utility Fund	5,589,302	1,811,042	32%	1,704,363	33%
Airport Fund	11,199,909	663,852	6%	706,801	8%
Internal Services Fund					
Health Insurance Fund	7,668,154	2,358,975	31%	2,161,331	27%
Workers Comp Insurance Fund	1,375,902	729,372	53%	450,159	36%
Fleet Maintenance Fund	4,606,801	1,283,839	28%	1,039,808	26%
Pension Trust Funds					
Police Retirement Trust Fund	2,908,643	989,574	34%	2,284,779	87%
Fire Retirement Trust Fund	2,076,988	301,350	15%	2,610,549	141%
General Employees Trust Fund	3,350,000	1,475,821	44%	3,500,498	110%
Use of Fund Balance (Various funds)	50,972,976				
Total All Funds	272,484,847	82,207,635	37%	75,245,461	34%

City of Leesburg, Florida
Report of **EXPENSES** by Fund
For Period Beginning of January **1, 2025- January 31, 2025** or **33%**

	EXPENSES				
	CURRENT YEAR			LAST YEAR	
Fund Name	FY 25 Adjusted Budget	FY 25 Expenses	FY 25 Percentage	FY 24 Expenses	FY 24 Percentage
General Fund	39,343,442	13,645,814	35%	11,318,859	32%
Special Revenue Fund					
Housing Assistance	162,750	40,063	25%	40,295	28%
Debt Service Fund	1,728,299	1,378,576	80%	1,347,984	78%
Capital Projects Fund	16,061,427	444,047	3%	1,201,727	9%
Discretionary Sales Tax	4,084,186	2,537,743	62%	1,488,926	47%
Police Forfeiture Fund	96,979	-	0%	36,571	0%
Police Education Fund	-	-	0%	-	0%
Gas Tax	1,161,873	713,343	61%	372,619	41%
Police Impact Fees	1,284,500	213,943	17%	-	0%
Fire Impact Fees	-	-	0%	-	0%
Recreaton Impact Fees	500,000	500,000	100%	-	0%
Building Fund	1,736,090	537,388	31%	524,787	29%
Community Redevelopment Agencies					
Greater Leesburg CRA fund	1,112,826	725,118	65%	634,673	58%
Carver Heights CRA fund	1,479,257	101,290	7%	91,850	9%
Highway 27/441 CRA fund	7,261,062	2,121,646	29%	155,634	6%
Enterprise Funds					
Stormwater Utility Fund	3,510,823	534,255	15%	470,298	14%
Electric Utility Fund	77,416,446	22,975,821	30%	21,442,686	24%
Gas Utility Fund	15,225,173	3,826,945	25%	3,199,025	22%
Water Utility Fund	18,835,650	3,331,949	18%	3,195,027	16%
Wastewater Utility Fund	39,744,576	4,965,930	12%	4,566,766	7%
Solid Waste Utility Fund	5,595,202	2,581,353	46%	1,728,995	33%
Airport Fund	12,685,140	1,185,541	9%	1,248,617	12%
Internal Services Fund					
Health Insurance Fund	7,668,154	2,787,925	36%	2,080,495	26%
Workers Comp Insurance Fund	1,375,902	293,283	21%	334,062	27%
Fleet Maintenance Fund	6,079,459	1,333,369	22%	1,149,415	22%
Pension Trust Funds					
Police Retirement Trust Fund	2,908,643	611,546	21%	518,824	20%
Fire Retirement Trust Fund	2,076,988	451,790	22%	496,136	27%
General Employees Trust Fund	3,350,000	1,105,142	33%	1,088,154	34%
Total All Funds	272,484,847	68,943,820	25%	58,732,425	20%