

**AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, MAY 12, 2025 5:30 PM**

1. CALL TO ORDER

INVOCATION

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

2. PROCLAMATIONS:

A. Lupus Awareness Month

B. Water Reuse Week

3. PRESENTATIONS:

A. Presentation of the Florida American Water Works Association 2025 Outstanding Class C Water Treatment Plant to the City of Leesburg for the Highland Lakes Water Treatment Facility

B. Auditor Presentation - Fiscal Year ending September 30, 2024 - by Joel Knopp, CPA

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 28, 2025

B. PURCHASING ITEMS:

1. Request for purchase and installation of one (1) new 20 Ton Carrier HVAC unit for the LMSC Building from Garden City Westbrook Holdco, LLC.
2. Request for ratification of Change Order for Blanket Purchase Order No. 539296 to increase the total authorized amount by \$600,000.00. This change will bring the revised total value of the Blanket Purchase Order to \$1,175,000.00.

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida, appointing one alternate member to the Lake County Library Advisory Board to fill an unexpired term ending February 28, 2028; and providing an effective date.
2. Resolution of the City Commission of the City of Leesburg, Florida, approving a Proportionate Share Mitigation Agreement entered into by and between the School Board of Lake County, Florida, Bellaviva at Whispering Hills, LLC, and the City of Leesburg, Florida to allow for payment of Lake County School Impact Fees; and providing an effective date. (Whispering Hills)
3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lease Agreement with The Last House on the Block of Lake County, Inc.; and provide an effective date.
4. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the City Manager to engage in services to compile a Tax Study Survey with Lake 100 for an expense amount up to \$15,000; and providing an effective date.
5. Resolution of the City Commission of the City of Leesburg, Florida authorizing staff to submit a grant application to Lake County for Community Development Block Grant (CDBG) Funding for sidewalk construction and/or replacement projects in the CDBG target areas; and providing an effective date.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES:

1. None

B. FIRST READING OF ORDINANCES:

1. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 8.77 +/- acres; and being generally located east of US Highway 27 and north of Magnolia Avenue, 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. (Venice at Lake Harris 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 8.77 +/- acres from Lake County Urban Low to City of Leesburg Low Density Residential, for a property generally located east of US Highway 27 and north of Magnolia Avenue, lying in Section 2, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Venice at Lake Harris SSCP)**
3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 8.77 +/- acres from Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District) to City of Leesburg SPUD (Small Planned Unit Development) to allow for commercial and attached single family residential uses for a property generally located east of US Highway 27 and north of Magnolia Avenue, lying in Section 2, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Venice at Lake Harris SPUD)**
4. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 39.05 +/- acres; and being generally located north of East Dewey Robbins Road and south of Dewey Robbins Road, lying in Section 5, Township 21 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 3; and providing an effective date. (Bar Key II/Grace Groves ANNEX)

5. **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 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, lying in Section 5, Township 21 South, Range 25 East, Lake County, Florida; and providing an effective date. (Bar Key II SSCP)**
6. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 39.05 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for residential for a property generally located north of East Dewey Robbins Road and south of Dewey Robbins Road, lying in Section 5, Township 21 South, Range 25 East, Lake County, Florida; and providing an effective date. (Bar Key II PUD)**
7. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.81 +/- acres; and being generally located west of Richey Road and south of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 2; and providing an effective date. (Richey Road Storage ANNEX)**
8. **An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 0.81 +/- acres from Lake County Urban Medium to City of Leesburg General Commercial, for a property generally located west of Richey Road and South of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Richey Road Storage SSCP)**
9. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.81 +/- acres from Lake County R-6 (Urban Residential) to City of Leesburg C-3 (Highway Commercial) to allow for commercial uses for a property generally located west of Richey Road and South of W Main**

Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Richey Road RZ)

- 10. An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay) to the C-3 (Highway Commercial) Zoning on approximately 0.81 +/- acres to allow for outdoor storage uses for a property generally located west of Richey Road and South of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Richey Road PDO)**

C. NON-ROUTINE ITEMS:

- 1. None**

7. INFORMATIONAL REPORTS:

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

- A. None**

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

11. ADJOURN:

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

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

Forvis Mazars Report to the City Commission

City of Leesburg, Florida

Results of the 2024 Financial Statement Audit, Including Required Communications

April 30, 2025

Required Communications Regarding Our Audit Strategy & Approach (AU-C 260)

Overview & Responsibilities

Matter	Discussion
Scope of Our Audit	This report covers audit results related to your financial statements and supplementary information: - As of and for the year ended September 30, 2024 - Conducted in accordance with our contract dated December 2, 2024
Our Responsibilities	Forvis Mazars is responsible for forming and expressing an opinion about whether the financial statements that have been prepared by management, with the oversight of those charged with governance, are prepared in accordance with accounting principles generally accepted in the United States of America (GAAP).
Audit Scope & Inherent Limitations to Reasonable Assurance	An audit performed in accordance with auditing standards generally accepted in the United States of America (GAAS), <i>Government Auditing Standards</i> issued by the Comptroller General of the United States (GAGAS) is designed to obtain reasonable, rather than absolute, assurance about the financial statements. The scope of our audit tests was established in relation to the opinion unit being audited and did not include a detailed audit of all transactions.
Extent of Our Communication	In addition to areas of interest and noting prior communications made during other phases of the engagement, this report includes communications required in accordance with GAAS that are relevant to the responsibilities of those charged with governance in overseeing the financial reporting process, including audit approach, results, and internal control. The standards do not require the auditor to design procedures for the purpose of identifying other matters to be communicated with those charged with governance.
Independence	The engagement team, others in our firm, as appropriate, and our firm, have complied with all relevant ethical requirements regarding independence.
Your Responsibilities	Our audit does not relieve management or those charged with governance of your responsibilities. Your responsibilities and ours are further referenced in our contract.



Matter	Discussion
Distribution Restriction	This communication is intended solely for the information and use of the following and is not intended to be, and should not be, used by anyone other than these specified parties: • The Honorable Mayor and Members of the City Commission and Management • Others within the Entity <i>Forvis Mazars, LLP</i> Orlando, Florida April 30, 2025

Government Auditing Standards

Matter	Discussion
Additional GAGAS Reporting	We also provided reports as of September 30, 2024, on the following as required by GAGAS: • Internal control over financial reporting and on compliance and other matters based on an audit of the financial statements performed in accordance with GAGAS
Reporting Limitations	Our consideration of internal control over financial reporting and our tests of compliance were not designed with an objective of forming an opinion on the effectiveness of internal control or on compliance, and accordingly, we do not express such an opinion.

Uniform Guidance Overview & Responsibilities

Matter	Discussion
Scope of Our Audit	We also provided reports as of September 30, 2024, on the following as required by U.S. Office of Management and Budget (OMB) Uniform Guidance: • Opinion on compliance for each major federal program • Report on internal control over compliance • Schedule of Expenditures of Federal Awards
Audit Scope & Inherent Limitations to Reasonable Assurance	A compliance audit performed in accordance with OMB Uniform Guidance is designed to obtain reasonable, rather than absolute, assurance about whether noncompliance with the types of compliance requirements described in the OMB Compliance Supplement that could have a direct and material effect on a major federal award program occurred.

Qualitative Aspects of Significant Accounting Policies & Practices

Significant Accounting Policies

Significant accounting policies are described in Note 1 of the audited financial statements.

With respect to new accounting standards adopted during the year, we call to your attention the following topics detailed in the following pages:

- No matters are reportable.

Unusual Policies or Methods

With respect to significant unusual accounting policies or accounting methods used for significant unusual transactions (significant transactions outside the normal course of business or that otherwise appear to be unusual due to their timing, size, or nature), we noted the following:

- No matters are reportable.

Alternative Accounting Treatments

We had discussions with management regarding alternative accounting treatments within GAAP for policies and practices for material items, including recognition, measurement, and disclosure considerations related to the accounting for specific transactions as well as general accounting policies, as follows:

- No matters are reportable.

Management Judgments & Accounting Estimates

Accounting estimates are an integral part of financial statement preparation by management, based on its judgments. Significant areas of such estimates for which we are prepared to discuss management's estimation process and our procedures for testing the reasonableness of those estimates include:

- Investment Valuations
- Useful lives of Capital Assets
- Self-Insurance Liability
- Compensated Absences
- Leases
- SBITAs
- Net Pension Liability
- Other Postemployment Benefits (OPEB)

Financial Statement Disclosures

The following areas involve particularly sensitive financial statement disclosures for which we are prepared to discuss the issues involved and related judgments made in formulating those disclosures:

- Note 4 – Deposits and Investments
- Note 6 – Capital Assets
- Note 8 – Long-Term Liabilities
- Note 12 – Defined Benefit Pension Plans
- Note 14 – Other Postemployment Benefits (OPEB)

Our Judgment About the Quality of the Entity's Accounting Principles

During the course of the audit, we made the following observations regarding the Entity's application of accounting principles:

- No matters are reportable.

Adjustments Identified by Audit

During the course of any audit, an auditor may propose adjustments to financial statement amounts. Management evaluates our proposals and records those adjustments that, in its judgment, are required to prevent the financial statements from being materially misstated.

A misstatement is a difference between the amount, classification, presentation, or disclosure of a reported financial statement item and that which is required for the item to be presented fairly in accordance with the applicable financial reporting framework.

Proposed & Recorded Adjustments

Auditor-proposed and management-recorded entries include the following:

- No matters are reportable.

Uncorrected Misstatements

Current-Period Uncorrected Misstatements

- No matters are reportable.

Prior-Period Uncorrected Misstatements

- No matters are reportable.

Other Required Communications

Disagreements with Management

The following matters involved disagreements which if not satisfactorily resolved would have caused a modified auditor's opinion on the financial statements:

- No matters are reportable.

Consultation with Individuals Outside of the Engagement Team

During our audit, we encountered the following matters, for which we consulted the views of individuals outside of the engagement team:

- No matters are reportable.

Consultation with Other Accountants

During our audit, we became aware that management had consulted with other accountants about the following auditing or accounting matters:

- No matters are reportable.

Significant Issues Discussed with Management

Prior to Retention

During our discussion with management prior to our engagement, the following issues regarding application of accounting principles or auditing standards were discussed:

- No matters are reportable.

During the Audit Process

During the audit process, the following issues were discussed or were the subject of correspondence with management:

- No matters are reportable.

Difficulties Encountered in Performing the Audit

Our audit requires cooperative effort between management and the audit team. During our audit, we found significant difficulties in working effectively on the following matters:

- No matters are reportable.

Other Material Communications

Listed below are other material communications between management and us related to the audit:

- Management representation letter (see Attachment A)

Attachments

Management Representation Letter

As a material communication with management, included herein is a copy of the representation letter provided by management at the conclusion of our engagement.

Attachment A

Management Representation Letter



PO Box 490630 • Leesburg, Florida 34749-0630
Ph 352-728-9720 • Fx 352-326-6632
www.leesburgflorida.gov

Representation of:
City of Leesburg, Florida
501 West Meadow Street
Leesburg, FL 34748

Provided to:
Forvis Mazars, LLP
Certified Public Accountants
255 S. Orange Avenue, Suite 600
Orlando, FL 32801

The undersigned ("We") are providing this letter in connection with Forvis Mazars' audit of our financial statements as of and for the year ended September 30, 2024

We are also providing this letter in connection with:

- Your audit of our compliance with requirements applicable to each of our major federal awards programs as of and for the year ended September 30, 2024

Our representations are current and effective as of the date of Forvis Mazars' report: **April 30, 2025**

Our engagement with Forvis Mazars is based on our contract for services dated: December 2, 2024

Our Responsibility & Consideration of Material Matters

We confirm that we are responsible for the fair presentation of the financial statements subject to Forvis Mazars' report in conformity with accounting principles generally accepted in the United States of America.

We are also responsible for adopting sound accounting policies; establishing and maintaining effective internal control over financial reporting, operations, and compliance; and preventing and detecting fraud.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

Confirmation of Matters Specific to the Subject Matter of Forvis Mazars' Report

We confirm, to the best of our knowledge and belief, the following:

Broad Matters

1. We have fulfilled our responsibilities, as set out in the terms of our contract, for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America.
2. We acknowledge our responsibility for the design, implementation, and maintenance of:
 - a. Internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
 - b. Internal control to prevent and detect fraud.
3. We have provided you with:
 - a. Access to all information of which we are aware that is relevant to the preparation and fair presentation of the financial statements, such as financial records and related data, documentation, and other matters.
 - b. Additional information that you have requested from us for the purpose of the audit.
 - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - d. All minutes of the City Commission meetings held through the date of this letter or summaries of actions of recent meetings for which minutes have not yet been prepared. All unsigned copies of minutes provided to you are copies of our original minutes approved by the City Commission, if applicable, and maintained as part of our records.
 - e. All significant contracts and grants.
4. We have responded fully and truthfully to all your inquiries.

Government Auditing Standards

5. We acknowledge that we are responsible for compliance with applicable laws, regulations, and provisions of contracts and grant agreements.
6. We have identified and disclosed to you all laws, regulations, and provisions of contracts and grant agreements that have a direct and material effect on the determination of amounts in our financial statements or other financial data significant to the audit objectives.
7. We have identified and disclosed to you any violations or possible violations of laws, regulations, including those pertaining to adopting, approving, and amending budgets, and provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for recognition and/or disclosure in the financial statements or for your reporting on noncompliance.
8. We have taken or will take timely and appropriate steps to remedy any fraud, abuse, illegal acts, or violations of provisions of contracts or grant agreements that you or other auditors report.
9. We have a process to track the status of audit findings and recommendations.
10. We have identified to you any previous financial audits, attestation engagements, performance audits, or other studies related to the objectives of your audit and the corrective actions taken to

address any significant findings and recommendations made in such audits, attestation engagements, or other studies.

11. We have provided our views on any findings, conclusions, and recommendations, as well as our planned corrective actions with respect thereto, to you for inclusion in the findings and recommendations referred to in your report on internal control over financial reporting and on compliance and other matters based on your audit of the financial statements performed in accordance with *Government Auditing Standards*.

Federal Awards Programs (Uniform Guidance)

12. We have identified in the schedule of expenditures of federal awards all assistance provided (either directly or passed through other entities) by federal agencies in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, interest subsidies, commodities, insurance, direct appropriations, or in any other form.
13. We have disclosed to you all contracts or other agreements with service organizations, and we have disclosed to you all communications from the service organizations relating to noncompliance at the service organizations.
14. We have reconciled the schedule of expenditures of federal awards (SEFA) to the financial statements.
15. Federal awards-related revenues and expenditures are fairly presented, both in form and content, in accordance with the applicable criteria in the entity's financial statements.
16. We have evaluated all recipient organizations that received federal funding and have correctly identified all subrecipients on the schedule of expenditures of federal awards.
17. We have identified the types of compliance requirements described in the *U.S. Office of Management and Budget (OMB) Compliance Supplement* regarding activities allowed or unallowed; allowable costs/cost principles; cash management; eligibility; equipment and real property management; matching, level of effort, earmarking; period of performance of federal funds; procurement and suspension and debarment; program income; reporting; subrecipient monitoring; and special tests and provisions that are applicable to each of our federal awards programs. We have identified to you our interpretation of any applicable compliance requirements subject to varying interpretations.
18. We are responsible for complying, and have complied, with the requirements of Uniform Guidance.
19. We are responsible to understand and comply with the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal awards programs and have disclosed to you any and all instances of noncompliance with those requirements occurring during the period of your audit or subsequent thereto to the date of this letter of which we are aware. Except for any instances of noncompliance we have disclosed to you, we believe the entity has complied with all applicable compliance requirements.
20. We are responsible for the design, implementation, and maintenance of internal controls over compliance that provide reasonable assurance we have administered each of our federal awards programs in compliance with federal statutes, regulations, and the terms and conditions of the federal awards.
21. We have made available to you all federal awards (including amendments, if any) and any other correspondence or documentation relevant to each of our federal awards programs and to our compliance with applicable requirements of those programs.

22. The information presented in federal awards program financial reports and claims for advances and reimbursements is supported by the books and records from which our financial statements have been prepared.
23. The costs charged to federal awards are in accordance with applicable cost principles.
24. The reports provided to you related to federal awards programs are true copies of reports submitted or electronically transmitted to the federal awarding agency, the applicable payment system, or pass-through entity in the case of a subrecipient.
25. Amounts claimed or used for matching were determined in accordance with Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) regarding cost principles.
26. We have monitored any subrecipients to determine that they have expended federal awards in accordance with federal statutes, regulations, and the terms and conditions of the subaward and have met the audit and other requirements of the Uniform Guidance.
27. We have taken appropriate corrective action on a timely basis after receipt of any subrecipient's auditor's report that identified findings and questioned costs pertaining to federal awards programs passed through to the subrecipient by us.
28. We have considered the results of any subrecipient's audits received and made any necessary adjustments to our books and records.
29. We have disclosed to you any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the applicable compliance requirements for each of our federal awards programs, including any communications received from the end of the period of your audit through the date of this letter.
30. We have identified to you any previous compliance audits, attestation engagements, and internal or external monitoring related to the objectives of your compliance audit, including findings received and corrective actions taken to address any significant findings and recommendations made in such audits, attestation engagements, or other monitoring.
31. Except as described in the schedule of findings and questioned costs, we are in agreement with the findings contained therein and our views regarding any disagreements with such findings are consistent, as of the date of this letter, with the description thereof in that schedule.
32. We are responsible for taking corrective action on any audit findings and have developed a corrective action plan that meets the requirements of Uniform Guidance.
33. The summary schedule of prior audit findings correctly states the status of all audit findings of the prior audit's schedule of findings and questioned costs and any uncorrected open findings included in the prior audit's summary schedule of prior audit findings as of the date of this letter.
34. The reporting package does not contain any protected personally identifiable information.
35. No changes have been made in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies or material weaknesses in internal control over compliance subsequent to the period covered by the auditor's report.

Misappropriation, Misstatements, & Fraud

36. We have informed you of all current risks of a material amount that are not adequately prevented or detected by our procedures with respect to:
 - a. Misappropriation of assets.
 - b. Misrepresented or misstated assets, deferred outflows of resources, liabilities, deferred inflows of resources, net position or fund balance.
37. We have no knowledge of fraud or suspected fraud affecting the entity involving:
 - a. Management or employees who have significant roles in internal control over financial reporting, or
 - b. Others when the fraud could have a material effect on the financial statements.
38. We understand that the term "fraud" includes misstatements arising from fraudulent financial reporting and misstatements arising from misappropriation of assets. Misstatements arising from fraudulent financial reporting are intentional misstatements, or omissions of amounts or disclosures in financial statements to deceive financial statement users. Misstatements arising from misappropriation of assets involve the theft of an entity's assets where the effect of the theft causes the financial statements not to be presented in conformity with accounting principles generally accepted in the United States of America.
39. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, customers, analysts, SEC or other regulators, citizens, suppliers, or others.
40. We have assessed the risk that the financial statements may be materially misstated as a result of fraud and disclosed to you any such risk identified.

Ongoing Operations

We acknowledge that you have no responsibility for future changes caused by the current economic environment and the resulting impact on the entity's financial statements. Further, management and governance are solely responsible for all aspects of managing the entity, including questioning the quality and valuation of investments, inventory, and other assets, evaluating assumptions regarding defined benefit pension plan obligations, reviewing allowances for uncollectible amounts; evaluating capital needs and liquidity plans; etc..

Related Parties

41. We have disclosed to you the identity of all of the entity's related parties and all the related-party relationships of which we are aware.

In addition, we have disclosed to you all related-party transactions and amounts receivable from or payable to related parties of which we are aware, including any modifications during the year that were made to related-party transaction agreements which existed prior to the beginning of the year under audit, as well as new related-party transaction agreements that were executed during the year under audit.

Related-party relationships and transactions have been appropriately accounted for and disclosed in accordance with accounting principles generally accepted in the United States of America.

42. We understand that the term related party refers to:

- Affiliates
- Entities for which investments are accounted for by the equity method
- Trusts for the benefits of employees, such as pension and profit-sharing trusts that are managed by or under the trusteeship of management
- Principal owners and members of their immediate families
- Management and members of their immediate families
- Any other party with which the entity may deal if one party can significantly influence the management or operating policies of the other to an extent that one of the transacting parties might be prevented from fully pursuing its own separate interests.

Another party is also a related party if it can significantly influence the management or operating policies of the transacting parties or if it has an ownership interest in one of the transacting parties and can significantly influence the other to an extent that one or more of the transacting parties might be prevented from fully pursuing its own separate interests.

The term affiliate refers to a party that directly or indirectly controls, or is controlled by, or is under common control with, the entity.

Litigation, Laws, Rulings, & Regulations

43. We have disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with accounting principles generally accepted in the United States of America.
44. We have no knowledge of communications, other than those specifically disclosed, from regulatory agencies, governmental representatives, employees, or others concerning investigations or allegations of noncompliance with laws and regulations, deficiencies in financial reporting practices, or other matters that could have a material adverse effect on the financial statements.
45. We have disclosed to you all known instances of violations or noncompliance or possible violations or suspected noncompliance with laws and regulations whose effects should be considered when preparing financial statements or as a basis for recording a loss contingency.
46. We have not been designated as a potentially responsible party (PRP or equivalent status) by the Environmental Protection Agency (EPA) or other cognizant regulatory agency with authority to enforce environmental laws and regulations.

Financial Statements & Reports

47. With regard to supplementary information:

- a. We acknowledge our responsibility for the presentation of the supplementary information in accordance with the applicable criteria.
- b. We believe the supplementary information is fairly presented, both in form and content, in accordance with the applicable criteria.

- c. The methods of measurement and presentation of the supplementary information are unchanged from those used in the prior and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
 - d. We believe the significant assumptions or interpretations underlying the measurement and/or presentation of the supplementary information are reasonable and appropriate.
- 48. With regard to other information that is presented in the form of our annual report:
 - a. We confirm that the ACFR comprises the annual report for the entity.
 - b. We have provided you with the final draft of the annual report.

Transactions, Records, & Adjustments

- 49. All transactions have been recorded in the accounting records and are reflected in the financial statements.
- 50. The entity has appropriately reconciled its general ledger accounts to their related supporting information. All related reconciling items considered to be material were identified and included on the reconciliations and were appropriately adjusted in the financial statements. All intracompany (and intercompany) accounts have been eliminated or appropriately measured and considered for disclosure in the financial statements.
- 51. We have everything we need to keep our books and records.
- 52. We have disclosed any significant unusual transactions the entity has entered into during the period, including the nature, terms, and business purpose of those transactions.

Governmental Accounting & Disclosure Matters

- 53. Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- 54. With regard to deposit and investment activities:
 - a. All deposit, repurchase and reverse repurchase agreements, and investment transactions have been made in accordance with legal and contractual requirements.
 - b. Investments, derivative instrument transactions, and land and other real estate held by endowments are properly valued.
 - c. Disclosures of deposit and investment balances and risks in the financial statements are consistent with our understanding of the applicable laws regarding enforceability of any pledges of collateral.
 - d. We understand that your audit does not represent an opinion regarding the enforceability of any collateral pledges.
- 55. The financial statements include all component units, appropriately present majority equity interests in legally separate organizations and joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.

56. We have identified and evaluated all potential fiduciary activities. The financial statements include all fiduciary activities required by GASB Statement No. 84, *Fiduciary Activities*, as amended.
57. Components of net position (net investment in capital assets, restricted, and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
58. Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
59. We have appropriately disclosed the entity's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position/fund balance is available and have determined that net position is properly recognized under the policy.
60. The entity has properly separated information in debt disclosures related to direct borrowings and direct placements of debt from other debt and disclosed any unused lines of credit, collateral pledged to secure debt, terms in debt agreements related to significant default or termination events with finance-related consequences, and significant subjective acceleration clauses in accordance with GASB Statement No. 88.
61. We have identified and evaluated all potential tax abatements, and we believe there are no material tax abatements other than those that have been disclosed in the notes to the financial statements.
62. The entity's ability to continue as a going concern was evaluated and that appropriate disclosures are made in the financial statements as necessary under GASB requirements.
63. The supplementary information required by the Governmental Accounting Standards Board, consisting of management's discussion and analysis, pension, and other postemployment benefit information], has been prepared and is measured and presented in conformity with the applicable GASB pronouncements, and we acknowledge our responsibility for the information. The information contained therein is based on all facts, decisions, and conditions currently known to us and is measured using the same methods and assumptions as were used in the preparation of the financial statements. We believe the significant assumptions underlying the measurement and/or presentation of the information are reasonable and appropriate. There has been no change from the preceding period in the methods of measurement and presentation.
64. With regard to pension and other postretirement benefits (OPEB):
 - a. We believe that the actuarial assumptions and methods used to measure Pension and OPEB liabilities and costs for financial accounting purposes are appropriate in the circumstances.
 - b. We have provided you with the entity's most current Pension and OPEB plan instrument for the audit period, including all plan amendments.
 - c. The participant data provided to you related to Pension and OPEB plans are true copies of the data submitted or electronically transmitted to the plan's actuary.
 - d. The participant data that we provided the plan's actuary for the purposes of determining the actuarial present value of accumulated plan benefits and other actuarially determined amounts in the financial statements were complete.

General Government Matters

65. The financial statements properly classify all funds and activities in accordance with GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, as amended.
66. All funds that meet the quantitative criteria in GASB Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, as amended, and No. 37, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments: Omnibus—an Amendment of GASB Statements No. 21 and No. 34*, for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
67. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
68. Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
69. We have appropriately disclosed that the entity is following either its established accounting policy regarding which governmental fund resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available or is following paragraph 18 of GASB Statement No. 54 to determine the fund balance classifications for financial reporting purposes and have determined that fund balance is properly recognized under the policy.
70. We have exercised due care in the preparation of the introductory and statistical sections included in our annual comprehensive financial report (ACFR) and are not aware of any information contained therein that is inconsistent with the information contained in our basic financial statements.

Accounting & Disclosure

71. All transactions entered into by the entity are final. We are not aware of any unrecorded transactions, side agreements, or other arrangements (either written or oral) that are in place.
72. Except as reflected in the financial statements, there are no:
 - a. Plans or intentions that may materially affect carrying values or classifications of assets, deferred outflows of resources, liabilities, deferred inflows of resources, net position, or fund balance.
 - b. Material transactions omitted or improperly recorded in the financial records.
 - c. Material unasserted claims or assessments that are probable of assertion or other gain/loss contingencies requiring accrual or disclosure, including those arising from environmental remediation obligations.
 - d. Events occurring subsequent to the balance sheet/statement of net position date through the date of this letter, which is the date the financial statements were available to be issued, requiring adjustment or disclosure in the financial statements.
 - e. Agreements to purchase assets previously sold.

- f. Arrangements with financial institutions involving compensating balances or other arrangements involving restrictions on cash balances, lines of credit, or similar arrangements.
 - g. Guarantees, whether written or oral, under which the entity is contingently liable.
 - h. Known or anticipated asset retirement obligations.
- 73. Except as disclosed in the financial statements, the entity has:
 - a. Satisfactory title to all recorded assets, and those assets are not subject to any liens, pledges, or other encumbrances.
 - b. Complied with all aspects of contractual and grant agreements, for which noncompliance would materially affect the financial statements
- 74. We agree with the findings of specialists in evaluating the Pension/OBEB Liability and Self Insurance Liabilities and have adequately considered the qualification of the specialists in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to the specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had impact on the independence or objectivity of the specialists.

Revenue, Accounts Receivable, & Inventory

- 75. Adequate provisions and allowances have been accrued for any material losses from:
 - a. Uncollectible receivables.
 - b. Excess or obsolete inventories.
 - c. Sales commitments, including those unable to be fulfilled.
 - d. Purchase commitments in excess of normal requirements or at prices in excess of prevailing market prices.

Estimates

- 76. We have identified all accounting estimates that could be material to the financial statements, and we confirm the appropriateness of the methods and the consistency in their application, the accuracy and completeness of data, and the reasonableness of significant assumptions used by us in making the accounting estimates, including those measured at fair value reported in the financial statements.
- 77. Significant estimates that may be subject to a material change in the near term have been properly disclosed in the financial statements. We understand that "near term" means the period within one year of the date of the financial statements. In addition, we have no knowledge of concentrations, which refer to a lack of diversity related to employers, industries, inflows of resources, workforce covered by collective bargaining agreements, providers of financial resources, or suppliers of material, labor or services loans, investments, or deposits, or constraints, which refer to a limitation imposed by an external party or by formal action of a government's highest level of decision-making authority related to limitations on raising revenue, limitations on spending, limitations on the incurrence of debt, or mandated spending, existing at the date of the financial statements that would make the entity vulnerable to the risk of severe impact in the near term that have not been properly disclosed in the financial statements.

Fair Value

78. With respect to the fair value measurements of financial and nonfinancial assets and liabilities, if any, recognized in the financial statements or disclosed in the notes thereto:
- a. The underlying assumptions are reasonable and they appropriately reflect management's intent and ability to carry out its stated course of action.
 - b. The measurement methods and significant assumptions used in determining fair value are appropriate in the circumstances for financial statement measurement and disclosure purposes and have been consistently applied.
 - c. The significant assumptions appropriately reflect market participant assumptions.
 - d. The disclosures related to fair values are complete, adequate, and in conformity with accounting principles generally accepted in the United States of America.
 - e. There are no subsequent events that require adjustments to the fair value measurements and disclosures included in the financial statements.



Al Minner, City Manager



Paul Austin, Finance Director



City of Leesburg, Florida

REQUIRED AUDITOR COMMUNICATIONS FISCAL YEAR ENDED SEPTEMBER 30, 2024

Joel Knopp, CPA – Partner

Required Communications to Governing Board (Separate letter provided)

Those communications include:

- Auditor Responsibilities
- Management Responsibilities
- Management Representations
- Audit Adjustments Identified (none)
- Significant Issues Discussed with Management (none)
- Difficulties Encountered (none)

Services and Deliverables

- **Independent Auditor's Report on Financial Statements (Pages 14-16)**
 - Unmodified opinion
- **Report on Internal Control over Financial Reporting and on Compliance (Pages 225-226)**
 - No internal control findings and no compliance findings related to financial reporting
- **Report on Compliance for Each Major Federal Program and Major State Project and on Internal Control over Compliance (Pages 227-229)**
 - No compliance findings and no internal control findings related to major federal grants

Services and Deliverables *(Cont.)*

- **Examination Report on Investment Compliance (Page 232)**
 - No compliance findings related to investment policy
- **Management Letter (Pages 233-235)**
 - No management letter comments

Financial Highlights



City-Wide Analysis

	Governmental Activities 2024	Governmental Activities 2023	Business-type Activities 2024	Business-type Activities 2023
Current Ratio	3.6	2.6	4.1	4.0
Total Assets & Deferred Outflows	\$137.5M	\$140.8M	\$453.8M	\$441.7M
Total Liabilities & Deferred Inflows	\$64.3M	\$79.5M	\$150.1M	\$155.3M
Total Net Position:				
Net Investment in Capital Assets	\$60.0M	\$55.5M	\$217.3M	\$207.5M
Restricted	\$14.4M	\$11.9M	\$5.4M	\$6.8M
Unrestricted	\$(1.2M)	\$(6.1M)	\$81.0M	\$72.1M
Unrestricted NP as a % of Total Expenses	(3.0%)	(16.3%)	80.5%	66.4%
Change in Net Position	\$12.0M	\$3.9M	\$17.3M	\$11.8M

General Fund (Pages 42 and 46)

	2024	2023
Total Assets	\$20.5M	\$19.0M
Total Liabilities and Deferred Inflows	\$3.3M	\$2.5M
Fund Balance:		
Nonspendable	\$0.7M	\$0.7M
Restricted	0.2M	0.2M
Committed	0.0M	0.0M
Assigned	0.8M	1.3M
Unassigned	<u>15.5M</u>	<u>14.3M</u>
Total Fund Balance	\$17.2M	\$16.5M
Unassigned FB as a % of Total Expenditures and Transfers Out	42.6%	43.0%
Net Change in Fund Balance	\$0.7M	\$1.4M

General Fund Budget (Page 125)

	2024 Budget	2024 Actual	Positive (Negative)
Resources:			
Beginning Fund Balance	\$16.5M	\$16.5M	
Total Revenues & Transfers In	<u>34.4M</u>	<u>37.0M</u>	\$2.6M
Total Resources	50.9M	53.5M	
Total Expenditures & Transfers Out	<u>37.3M</u>	<u>36.3M</u>	<u>1.0M</u>
Ending Fund Balance	\$13.6M	\$17.2M	
Net Change in Fund Balance	(\$2.9M)	\$0.7M	\$3.6M

Contact

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Partner

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

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, April 28, 2025, at Leesburg City Hall. Mayor Reisman called the meeting to order at 5:31 p.m. with the following members present:

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

Commissioner Jimmy Burry was absent. 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. PROCLAMATIONS:

A. Child Abuse Prevention Month

Mayor Reisman read a proclamation proclaiming April 2025 as "Child Abuse Prevention Month" in the City of Leesburg and called upon all citizens of Leesburg to become involved in helping families raise their children in secure and positive surroundings.

Lucille Dipasquale accepted the proclamation and showed a pinwheel that many states, like Texas, use to decorate public buildings in recognition of Child Abuse Prevention Month. Pinwheels are used throughout many different cities. It was her hope that everyone could spread the word throughout the state of Florida. There are currently only six counties in the state of Florida that are part of this program. There were three involved, and she provided the agency information to the city clerk. It was her hope and dedication to get all three counties that The Villages covers involved. Those include Marion, Sumter, and Lake County. She would like to have all three counties represented in the great state of Florida. It is an upward battle, and there are many ways to prevent child abuse. She has had many commissioners from different places ask about what they can do. Again, she left information with the clerk showing what had been published from the state of Florida and the city could apply for help from the state of Florida. She

appreciated the warm welcome from the City. It is a wonderful city with so many beautiful resources.

B. Leesburg High School Boys Weightlifting State Championship

Mayor Reisman read a proclamation proclaiming the outstanding sportsmanship and historic achievements of the 2024-25 Leesburg High School Boys Weightlifting Team, applauding their three-peat State Championship, urging all citizens of Leesburg to celebrate their extraordinary season and wishing them continued success. Go Jackets! Coach Josh Boyer accepted the proclamation on behalf of the Boys Weightlifting Team.

C. Municipal Clerks Week

Mayor Reisman read a proclamation proclaiming the week of May 4-10, 2025 as Municipal Clerks Week, and further extended appreciation to our Municipal Clerks, J. Andi Purvis and Anna Rottermond, and to all Municipal Clerks, for the vital services they perform and their exemplary dedication to our community. City Clerk, Andi Purvis, accepted the proclamation.

3. PRESENTATIONS:

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

Lake County Commissioner, Timothy Morris of District Five, said he resided at 605 Silver Lake Drive. He has been visiting all the cities he represents to introduce himself. He wanted to inform the commission that he was available. He believes everyone but Commissioner Connell had his personal phone number. **Commissioner Connell** pointed out that he had it now. Continuing, **County Commissioner Morris** said he wanted to thank the commission for the lively meeting two Mondays ago. He sat in the back of the room and listened to most of it. In his opinion, he believed it to be a very positive meeting because facts were provided from all sides. We all see what it costs to run and operate, whether it be a city or a county. We are seeing the same type of problems because we all have infrastructure and growth problems. The county is asking that each municipality provide their future land use maps, because the county has Kimley-Horn working on their 2050 Comprehensive Plan. Once they have all the future land-use maps from each municipality, they could all sit down and have a discussion. He believed having that discussion would be very positive because they could see where growth needed to go. Leesburg's city manager is great with numbers, and he knows how to work them. The county and all the other municipalities have great staff and very smart people working for them too. He wanted to get everyone around the table to deal with growth and infrastructure issues. He thanked the commission for allowing him to speak. **Mayor Reisman** thanked him for coming out.

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!

Melissa McCracken of McCracken's Irish Pub said she resides at 1350 Selman Road, Unincorporated Leesburg. She was asked by the mayor to come and speak about how she felt Bikefest went this past weekend. She had nothing but positive things to say, and this event has had a lot of growth. She was so busy that her entire team was exhausted. She had six call-outs today, which was why she was in a cook's uniform. She had to be the cook today. All of her employees were tired they could not make it in. She also talked to four businesses, and they all saw a 20-25% growth in sales over last year, so that was very positive. Last year, her restaurant did not go into wait times, but they did this year. Her restaurant is located near the end of the event near 9th Street, and they had two-hour wait times for several hours. It was a great turnout. They have been seeing positive growth since covid. The advertising that was done on the radio stations by the special events division along with other stuff really helped. It benefited all the businesses downtown. **Mayor Reisman** thanked her for coming in and providing feedback.

5. CONSENT AGENDA:

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

Items pulled for discussion:

5.C.6 - Expressing strong opposition to House Bill 1221 related to the use of Local Option Taxes, including Tourist Development Taxes and Discretionary Sale Surtax.

Commissioner Pederson moved to adopt the Consent Agenda except for 5.C.6, and Commissioner Berry seconded the motion.

The roll call vote was:

Commissioner Connell	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 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.**

ADOPTED RESOLUTION 12,024

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.**

ADOPTED RESOLUTION 12,025

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.**

ADOPTED RESOLUTION 12,026

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.**

ADOPTED RESOLUTION 12,027

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.**

ADOPTED RESOLUTION 12,028

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.**

ADOPTED RESOLUTION 12,029

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

by title only.

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

Mayor Reisman requested comments from the Commission and the audience.

Mayor Reisman stated he pulled this item to allow the city manager to give a brief rundown of this bill because this bill would be detrimental to not only our city but the county. We will not be able to do any other capital project again if this bill goes through. **CM Minner** explained that previously we made a couple of resolutions and voted on them in reference to some of the ongoing legislation coming out of Tallahassee. This bill was missed because it was brought to the table later in the game. However, it is equally obnoxious and it points at local government. House Bill 1221 seeks to limit local option taxes, and local option taxes are really significant for both political subdivisions and municipal corporations throughout the state of Florida. They concern the penny sales tax, which we use a good deal of, and it concerns the local option gas tax, which we also use a good deal of. We receive DST monies and local option gas tax monies and the state promulgates that in two ways. Our method is not the statutory method because we have an interlocal agreement with the county where we split that revenue and those revenues are significant for our capital improvement projects. The most pointed one in this legislation goes to the tourist development dollars (TDC), which is commonly known as the head in beds tax. Whereby when you stay at a hotel, there is a tax and that tax ultimately comes back to the political subdivision, the county. That money is then distributed by the TDC committee or the Board of County Commissioners. We have been lucky in Leesburg because we received this money on a few occasions. One occasion was for the walkways at Ski Beach and another was Susan Street. So, TDCs are significant dollars that go towards capital improvement projects, which in turn help bring in tourists and those types of things. With the state looking to eliminate or shift how these are done, it will definitely have an impact on local government. This is another resolution he encouraged the commission to approve. They would send the resolution to the governor and the state legislature along with our local delegation.

Commissioner Berry wanted to know if there were any updates from the morning session. **CM Minner** responded that he did not have an update. He did have a conversation with our lobbyist, Ryan Matthews, and he thinks it is gaining some steam as far as some type of passage, but we will know more shortly. The best thing we can do is pass this resolution and get it up to the state and the state legislators. He gave a shout-out to Representative Nancy Cobb because when we passed the resolutions in opposition to a few other actions, she worked tirelessly to maintain communication with him as far as how stuff was progressing through committees and that kind of stuff. They can rest assured that our representative has been looking out for us while she is up there. **Commissioner Berry** wanted to know if he knew anything about the twelve missing votes that were counted on the 25th. **CM Minner** replied there were some missing votes, but he did not have the details of that, but there was some interest in how the bill walked in late in the game. Some of the resolutions have some lines in the "whereas clauses" that speak to how it quickly got on the agenda and swiftly moved through some committees. Part of it referenced some of the talk from the governor's office about trying to recreate Ad Valorem revenues while trying to shift around different local option taxes to subsidize differently than how property taxes go. In all honesty, he thought the legislative session of about two years ago was bad when they started talking about the creation of authorities that would really affect our transfers of enterprise funds, but this legislative session has been the worst that he has seen in a long time. They could not end this session soon enough as far as he was concerned. **Commissioner Berry** asked if they really had to just wait? Is there anything else they can do other than the resolution? **CM Minner** answered the resolution is good, but they can make personal calls to the representatives. Hopefully, everyone has Senator Truenow and Representative Cobb's phone numbers. Call them and let them know how this would affect our city. That is the best thing we can do.

Commissioner Berry wanted to know if they should encourage the constituents to call as well. **CM Minner** replied absolutely. **Commissioner Pederson** pointed out that it seems everything coming out of this session is an attack on municipalities. He knew about the ad valorem tax, but he did not know it had any traction. What are local municipalities supposed to do because they are trying to strip revenue away everywhere? **CM Minner** agreed. It has been a rough session, that is for sure. The way this one is ending, it looks like it will pick up next year and be equally brutal. **Commissioner Berry** wanted to know if the budget had not taken place at that meeting. What happens? Do they push it back further or does it go past the actual date of the budget process? She understands that it has not taken place at all. **CM Minner** said with reference to property taxes he was not sure. However, this house bill, along with everything else, would become effective October 1st. They are gearing up for the start of the fiscal year. If they did something crazy, like remove ad valorem revenues, he would sure hope the state gives more than the summer to deal with that. We just have to wait and see. **Mayor Reisman** asked if there was any other discussion. There was none.

The roll call vote was:

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

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

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES:

- 1. An Ordinance of the City of Leesburg, Florida, 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)**

ADOPTED ORDINANCE 25-20

Mayor Reisman asked the city attorney to perform the swearing-in. **CA Watson** asked anyone wishing to speak on second reading item 6.A.3, Two Boats Investment Rezoning, or first reading item 6.B.3, Old Mill Subdivision rezoning to stand and raise their right hand. He swore everyone 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 Berry seconded the motion.

Mayor Reisman requested comments from the Commission and the audience.

Planning and Zoning Director (PZD) Dan Miller stated the overall proposal consists of 1.2 plus or minus acres. It is generally located east of US Highway 27 and south of Howard Road. The request is for an annexation, a small-scale comprehensive plan amendment, and rezoning. The future land use request would go from Lake County Urban Low to City of Leesburg General Commercial. The zoning would go from Lake County C-1, Neighborhood Commercial, to City of Leesburg C-3, Highway Commercial. The land use request is for the future development of a 3,000-square-foot warehouse. Currently, the site includes a small parking area and a three-suite office building, which houses small businesses and a hair salon is currently located there. This would be a straight rezoning to C-3 Highway Commercial. There are no specific conditions; it is a basic standard rezoning. There will be a standard review once they come in for the site plan, building permits, retention and so forth. Doug Wade is the property owner, and he was present to represent the property. **Mayor Reisman** asked if there were any questions from the commission and the public. There were none.

The roll call vote was:

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

Four yeas, no nays, 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 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)**

ADOPTED ORDINANCE 25-21

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

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

The roll call vote was:

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

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

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)**

ADOPTED ORDINANCE 25-22

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

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

The roll call vote was:

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

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

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)**

ADOPTED ORDINANCE 25-23

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 Berry seconded the motion.

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller stated the overall proposal was a request for a planned development overlay (PDO) to an existing R-1A zoning district to allow for agricultural uses on approximately 16.2 acres of land. The property is generally located on the south side of CR 48 and on the east side of Number Two Road. In this particular location and circumstance, agricultural uses would be compatible with surrounding uses. The City of Leesburg does not currently have an agricultural district. We have two or three properties left that are zoned agriculture, but that is an inactive district. We cannot zone into agriculture, we have to zone out of it. In this case, we would allow the use and time to take place. Eventually, the property will

be developed, but at this point, it is better off to let the owner use it for agricultural purposes and the use is fine with city staff. They reviewed it and found no negative impacts on surrounding properties. **Mayor Reisman** asked if there were any questions from the commission. There were none. He asked the applicant if he would like to say something.

John McGee of 18 Lakeshore Drive, Yalaha, said he could not vote for the commissioners because he does not live in the City of Leesburg. However, this piece of property is in the City of Leesburg. When he purchased the property, the intent was to keep some of the rural areas of Lake County rural. When they found out the city did not have a rural use, he went in and talked to the planning and zoning department. They came up with a plan to do the PDO which would allow them to use the property for agriculture. They do not intend to build anything on the property. He is eighty years old, so he did not believe anything would be built during his lifetime. They would like to leave it rural on that corner. He asked that the commission approve his application. **Mayor Reisman** asked if there were any other commission or public comments. There were none.

The roll call vote was:

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

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

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 ANNEX)**

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

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller said this project was known as the Old Mill Subdivision. The overall proposal for the property consists of approximately 37.12 acres. It is generally located east of Radio Road and north of US Highway 441. It is a request for annexation, small-scale comprehensive plan amendment, and rezoning. Under the future land use, it would go from Lake County Urban Low to the City of Leesburg Estate, which are of equivalent densities. Under the rezoning, it would go from Lake County Agriculture and R-6 Urban Residential to City of Leesburg Planned Unit Development (PUD). The request is for the future development of 142 single-family units in the form of both attached single-family town homes and

detached single-family homes. Under the PUD requirements, there would be 110 detached single-family units and 32 attached single-family town houses for a total of 142 units. There is a two-floor maximum height and no other uses are permitted. The lot sizes consist of sixty-seven lots at 50x120, which is 6,000 square feet, and forty-three lots at 60x120, which is 7,200 square feet. The house sizes would be 1,700 and 1,800 square feet respectively. The front setbacks are a standard twenty-five feet in the front and eighteen feet in the rear. The townhouse units would be twenty feet in width with a 1,400-square-foot house size. All homes have a minimum of two off-street parking spaces in the development and there are extra spaces provided in the concept plan for the attached units. Under the design and architectural standards, the standard PUD architectural requirements apply. There is a list in each PUD that gives them an option of selections, and they must take five items from that list. There is a requirement for 35% of the property to be open space and dark sky lighting is required. There is a split rail fence requirement where the development is adjacent to subject property and on the area where houses will be constructed. Of course, Bahia or Bermuda grass is to be used instead of St. Augustine and two trees are required in each single-family detached lot. The signage will be a decorative entryway feature consisting of concrete, brick, or stucco. The access point will be from Radio Road in a boulevard-style entryway. The applicants have offered a wall and that needs to be written into the PUD. Under recreational requirements, there is a minimum of 28,400 square feet, which will be devoted to a separate recreation area. That area will be set aside for amenities such as a children's playground, dog park, trails and pavilions. In terms of trails, there are walking trails required to be provided around the retention ponds and wetlands near the houses on the interior of the project. They included the phasing clause that requires the development to move forward with substantial commencement within four years, or it will revert to the RE-1, which is one acre per unit. The Lake County Public Works department came back with some comments about needing additional left and right turn lanes on Radio Road along with additional right of way. Plus, there would be additional permitting required by Lake County. There was some significant public response to this project. The residents had significant concerns about access to the site and the wetlands immediately to the south. Their concerns regarded the 100-foot-wide strip of land which is the area the applicants are looking to use as the entry to the development. The residents were concerned about noise, flooding, privacy, property values, security, and quality of life. There was a neighborhood meeting held by the applicant and both the applicant and neighbors had presentations and comments that they wished to provide the commission. Logan Opsahl of Lowndes Law was in attendance to represent the project. **Mayor Reisman** asked if there were any questions for the planning and zoning director.

Commissioner Connell questioned the width of the townhouses. **PZD Miller** responded those would be twenty feet. **Commissioner Connell** wanted to know if they would have garages. **PZD Miller** replied yes. They would have garages. **Commissioner Connell** asked if the width of the townhouse was twenty feet and if that included a garage? **PZD Miller** responded that the width of the garage is twenty feet and the depth of the garage could be twelve feet. **Commissioner Connell** said he understands that, but was he talking about the width facing the road? **PZD Miller** answered yes. It would be twenty feet. **Commissioner Connell** wanted to verify that these would only be single-car garages. **PZD Miller** agreed. He did not know the exact width of the garage because they can make them any size. **Commissioner Connell** pointed out that the garage needs to be eight to ten feet in order to get a car in there. **Commissioner Berry** asked if he could give her more history of the planning commission meeting. She wanted to be clear about the vote. **PZD Miller** answered that he believed it was the March meeting. It was a long meeting because the applicants gave their presentations and residents also provided their input. The residents' biggest concern was with the one-hundred-foot-wide strip. That one-hundred-foot-wide strip has been there for many years, but most of it is wetlands. In order to gain access to the property, they have to either come down that one-hundred-foot-wide strip or they have to come up from the south somewhere. It is a very difficult problem to be in because, no matter which way they come from, they have to do some mitigation of the wetlands. The planning commission did eventually vote to approve it, but that was after a very lengthy discussion. One planning commission member noted

that they would have to mitigate in order to get through there one way or another. City staff did not have a problem with it if they were able to come up from the south. He knows they contacted the owners of the other two properties. One owner is Lake County and the other owner is the mall, but the applicant has been in contact with them. **Mayor Reisman** wanted to know if the owner of that property was the owner of Via Port at the mall. **PZD Miller** responded that he did not know that answer off the top of his head. However, he heard someone from the audience say yes. **Mayor Reisman** mentioned that he had visited this site and walked through this property. When walking, he could see over the Stonegate wall, and he could see the homes right up on the wall. He was given renderings by someone who lives in Stonegate, and they showed multiple other options for an entrance. He could not support coming through that wetland with these homes being right up against that wall. **PZD Miller** said he understood. **Mayor Reisman** pointed out that the only other community in the city with a single entrance is Lake Denham Estates, and that is a nightmare. He receives tons of calls about that development. However, that was approved back in 2005. This would be another long stretch of road, and speeding would be a concern. There would need to be speed humps or something through there. However, that may cause more noise for the residents in Stonegate. He constantly receives calls about speeding in Lake Denham. If this were to be approved, he would like to see speed tables or another form of speed control in that area. **PZD Miller** commented that if they were to approve this, it would need to be added to the motion. **Mayor Reisman** asked if there were any other commission comments. **Commissioner Pederson** said he has been vocal about walls and fences in a few developments. He would much rather see landscaped buffers over walls or fences. With this particular development there are two walls up against each other. There has to be a better way of working through this if that road has to be used. He would welcome the residents' input, but if he was in their shoes, he would rather see landscaping as opposed to a wall. That money could be spent on a bigger landscape buffer versus two walls with a five-to-six-foot gap between them. It does not look right. **Mayor Reisman** asked if the developer had any comments.

Logan Opsahl of Lowndes, Drosdick, Doster, Kantor & Reed PA, 215 North Yola Drive, Orlando, said he had a PowerPoint presentation prepared. He said he would be brief with his presentation because he knew there was another shot of going through this. Plus, the planning and zoning director did a great job on his overview. Referring to the slides, he said the property is currently within the urban medium future land use designation of the county. He heard the planning and zoning director say urban low, but they are urban medium along with the surrounding area. From the Lake County zoning classifications, agriculture picks up the wetland areas, but they are within R-6. Under Lake County, that future land use allows up to seven dwelling units an acre and R-6 brings it down to six. The proposed PUD would cap it at four units an acre. The site plan shows a mix of units. It would include both detached and attached single-family units. There is a small portion of attached units. There will be thirty-two units, and they will be located on the southern portion of the property. Referring to a chart, he showed the development of four dwelling units an acre as opposed to seven in the county. Again, that is under urban medium and the R-6 zoning would bring it down to six dwelling units an acre. The next slides provide background on the access points because the residents' points have been well taken from the community meeting. Along with what the mayor saw when he walked the site. They performed several site walks, and it is a bit of a flag lot which provides that access road. We heard the concerns when we had a meeting with the neighborhood. We have also corresponded with some of the residents. They have pursued other options, but, unfortunately, where they stand right now, they only have the one-hundred-foot piece of property under ownership. They have had discussions about the wall, and they have heard and fielded those concerns. There are some different preferences as it relates to the wall, because they could have landscaping or other types of fencing. **Commissioner Pederson** clarified that he was not trying to tell him what to do. He was only providing his thoughts. **Mr. Opsahl** continued to say that it was a good thought, because they have entertained multiple options, and they are happy to further review that. Continuing, he said it was important to show a rendering of the platted access area to this site. The areas shown in yellow are old platted access roads, but they were vacated by the county, so they are now gone and there are no legal

mechanisms to bring them back or resurrect them. The old platted access rights of way were vacated. They also looked at and researched alternative access points. There were other areas proposed along the southern portion of the property, which ran east and west and then north and south up to the property, and those areas would still impact the wetlands. When they looked at the different properties for potential access there were two major issues. First, with either property, they would still impact the wetlands. They ran the figures and compared them, and they found that the other area would impact about 1.2 acres of wetlands as opposed to .635 acres for the proposed access point. Secondly, they do not own that property, and the owners are not interested in selling or granting access over that area. Currently, there is an existing access point but, of course, that is the least desired by the neighborhood. That access point was part of their proposal, and they do need legal access. They talked about it during the planning commission meeting because the only avenue outside what was proposed by virtue of the PUD is that they would have to seek a judicial remedy to allow for an easement by necessity, which is common law and a statutory right in Florida. They would need some form of judicial remedy to gain access to the site. He wanted to make it clear that they looked at everything with eyes wide open. They communicated with the residents that they would not be seeking that by virtue of this project. He wanted to point that out, but that was not a preferred method by anybody. He showed the alternative location, and it would go through Lake County property. He had email confirmation from the county that they would not surpass the area, and they would not provide access to the Lake County portion of that wetland. The proposed access point is the one they talked about the most at the planning commission because it provided the ability and flexibility to move the access road north or south, and it would provide a little distance. It was noted by the city attorney that they were fine with that condition, but it still needs to go through extensive review by the water management district and other jurisdictions. During that extensive review, they will tell them where the access point needs to go, and it will need to be permitted. However, with flexibility to move north and south, they will work with the city to give a little separation. Also, the wall that is proposed will be eight-feet. By removing the sidewalk on that portion of the property, they would be able to provide more landscaping. He showed a rendering of what it would look like looking down at the street. There is an existing retaining wall, and they are proposing an 8-foot masonry wall and the gap would be maintained by the HOA. They would work with the HOA to the extent that they may want to keep it natural, if they are required to maintain it and if they want a distance between the walls. With the entrance, they want to work with the residents because they are aware that this is not the most preferable access parcel to a property, but this is what they are left with. They are hoping to work with the residents on the options. He showed a rendering of what it would look like from behind the wall. It was an example of what it would look like through a potential second story window. It would look over the proposed 8-foot masonry wall and the view shed would still pick up the wetlands and landscaping. Again, they offered several things and this seemed to be the one that took the consensus, because it added a bit more screening, it blocked more of the road, it provided some security and it would prevent some noise. He asked the commission to approve their request as it was in line with city staff recommendation. Other representatives of the project team were in the audience to answer any other questions. **Mayor Reisman** asked if there were any questions for the applicants.

Commissioner Pederson wanted to verify if they created more of a buffer with the wall/fence. Would that push them further south, and would it create more for wetland mitigation? **Mr. Opsahl** replied that he was not sure he understood the question. **Commissioner Pederson** said he appreciated them working with the residents, but it looks like they are moving the road further south. So, in an effort to buffer the wall and find a compromise that both saves and reduces wetlands mitigation, could they shift the road to the north and keep residents happy with the wall and/or landscaping? **Mr. Opsahl** responded that they would provide adequate room on both sides of the equation to allow for landscaping and the removal of the sidewalk would help a lot. What they were trying to do for the planning commission was show flexibility within their property line if the water management district or any other permitting agency wanted them to push it south. That condition came out of the planning commission. **Commissioner**

Pederson remarked that he was trying to help them stay out of wetlands within reason. **Mr. Opsahl** commented that it was a balancing act. **Mayor Reisman** asked if there were any other commission comments. There were none. He opened the floor for public comments.

Angela Chambliss of 33144 Irongate Drive, Leesburg, said the developers should provide an accurate drawing of what it would look like for them, because the developers do not live in a two-story home. The residents are not going to be able to overlook anything. The drawings provided were inaccurate because they show the road built at ground level and that is inaccurate due to the one-hundred-year flood rule. They are required to build that road up by sixty-one inches and the back of their homes is at sixty-one inches. They have to build that road up by sixty-one inches. It does not matter if they have a wall, and it does not matter if they have a buffer. That wall will sit right on their back patios and pool decks. The drawings were inaccurate at the planning commission meeting and they are still inaccurate today. She has been a lifelong resident and her children went to school here. She had invested in her home, and she really thought this was to be her forever home. To have it rezoned would decrease her house/property value. It would take a huge hit. If she wanted to sell her home today, she could not due to the potential of this coming in. She was not saying no to the homes because that would be hypocritical, but the same people that own the area directly behind their homes are the same people, and they have not listened to any of the residents' concerns. The only thing they did was put in a wall. The residents do not want a wall and the residents do not want a road right behind their houses. If they want to put a wall in, they should put it in the driest area, because when hurricanes come through that water is thirty feet off the back wall. It is not just a little bit of water either. If they go out there they will sink knee-deep into it. They are asking them to push the entrance further towards the mall because there are two viable areas where it could come in. They could build the road there. The petitioners have not heard any of the residents' concerns because they do not want them directly behind their wall. That wall would be literally thirty feet off of their wall. There are two viable options and the same people that own that area behind their homes own the entire property. They have not done anything to mitigate that or hear their concerns. The residents do not want it, and it is not what they asked for. At the meeting they just blew smoke up their skirts. She owned a pageant system here for a long time. She has invested in the city, and she is a friend to the city. She hoped the city would be their friend today.

Alan Chen of 8010 Treasure Island Road, Leesburg, said he brought in a couple of pictures. The first picture showed a little yellow sliver of property that appears to be owned by someone else. The blue area on the left appears to be owned by someone else too. According to Lake County, that owner was the Village Lake Promenade. He was not sure if that would require its own annexation since it was not owned by the owner of the Old Mill Subdivision. There are significant amounts of wetlands in the area. They have worked with Lake County on wetlands. They went through this process with Treasure Trove because there was a significant amount of wetlands. This project is very similar to the Treasure Trove project and Lake County does not allow wetlands to be filled in. If this were approved, this would counter what Lake County likes to do regarding wetlands. He understands there are credits that can be used to fill in the property, but that does not help protect the environment or the neighbors. It can cause issues for the adjoining properties. The elevation map from the county shows the subject property to be higher than the adjoining properties to the south and east. The whole property is currently wooded, which takes in quite a bit of the runoff. Obviously, with all the developments, they clear-cut every tree. So, once they clear-cut all the trees it will most likely impact the adjoining properties despite how they do their water mitigation systems and hydrology simulations. They know that from the Silver Lake Point project, and they will see similar issues because of the wetlands and runoff. There are properties that do not have wetlands and those are better for development as opposed to these types of properties. There will be flooding issues with the adjoining developments. He provided a semi-proposal, which suggested they minimize the impacts and put a one-hundred-foot buffer all the way around. It could be a tree buffer or vegetative buffer, but it should be something that helps protect against runoff. Finalizing his comment, he

said he was against this annexation.

Louise Chen of 8010 Treasure Island Road said the lot has existing trees. It has had existing trees since 2004. The flood map was done in 2012, so if this were to be completely clear-cut, this would significantly change that flood zone. Referring to a drawing, one area is at seventy feet and another is at seventy-five feet. She was uncertain if the contractor would come in and raise the whole thing up. However, this could have a catastrophic effect on the neighbors. She was very afraid that the neighbors would be affected. The commission needs to remember these are the residents' forever homes.

Ray Hayden of 14 Buccaneer Drive, Leesburg, said the previous speakers had already covered his concern, which was the runoff. They are higher and water goes downhill, so it will happen. Buccaneer Drive is part of Lakes of Leesburg, and he owns the unit at 14 Buccaneer Drive. That area had been flooded previously. However, it has not flooded lately due to the dry spell. There have been issues with flooding in the mobile home park. This is wetlands and everything down where the road needs to go is wetland. They showed in the presentation the protection and preservation of the wetlands with their water retention systems and things of that nature. Some of that may be done well, but the difference in land elevation or height above ground the water tables will be a problem. The property is also landlocked. So, yes, a judicial remedy by necessity to get into the property will happen and no one will be happy, including the other landowners, because they cannot have landlocked property. There will be some form of forcible entry into that property. With the two-wall system along the top end of that property, that will be a problem too, because trees and vegetation grow. That will cause a growth problem. He has seen trees push over fences, it does happen. There will be trees and growth happening between those two walls. It will happen, so who will be maintaining that? He advised the commission to be careful with this, because if the city annexes this property, it will be Leesburg's property going down the road.

John Schneider of 33136 Irongate Drive said he moved into his house back in 2004. At that time, he was told the wetlands could never be built upon and, since then, he has enjoyed the beauty of them. He was concerned about the wetlands because the pictures shown, although they were beautiful except for the existing wall, it all sits on wetlands. Who is protecting the wetlands? There is grass, trees and fertilization being put in there that could contaminate the water of the wetlands. If this goes through, they will have to look at asphalt, and oil will run off on the road. He was not against them building houses, he was against the access road and the damage it would cause. If this goes on, they will continue to chip away at the wetlands and that is a slippery slope. He was concerned about the pollution that this would cause to the wetlands. He asked the commission to be stewards not only for the community, but for the people in the community and the wetlands. He was against the access road as it is currently planned.

Edgar Morales of 33128 Irongate Drive said it would be a disgrace if they put that road right behind the Stonegate subdivision. First, the road would be developed in a wetland area, and it would be way too close to their houses and backyards. There would be a lack of privacy and security. They would see an increase in traffic, which in turn would destroy the support of the wall they currently have. It could also cause damage to the foundation of the pools of every house. If that happens, who will pay for that? There will be an increase in noise from vehicles, trucks and buses. With the wetland, Section 404 of the Clean Water Act, says St. Johns Water Management District identifies wetlands by considering the water level, soil, saturation and type of vegetation in that area. The wetlands would damage the concrete/retaining wall from east to west. However, the most important reason to not have that road is because it will decrease the value of their properties. His daughter experienced the same situation. She saw a twenty-five percent decrease in her house value. The only reasonable solution for this project is to move the road south closer to Radio Road. Lot number 1703751 is owned by the Village Lake Promenade. They could use that area to enter the subdivision. He urged the commission to explore alternative solutions that better align with the community's needs. In light of the previous approval of the road by planning and zoning,

he kindly requested the commission to reject the project based on the road being too close to the Stonegate subdivision.

Peter Kehde of 33148 Irongate Drive said St John's Water Management District will either allow or deny the permit for a road to be put there. He was recently told that they had to permit it because there was no other access. They have nothing against the proposed subdivision, but they will need access to Radio Road. Referring to a slide, he showed the wetlands. If they moved the road south a little more, there would be more wetlands impacted. The wetland runs across and goes down. It then comes along a little line. He showed an area that was dry along with another area that was dry, so there were a couple of dry areas. They could run the road by the mall and go right across and up another strip of property to get into this development. The amount of wetlands impacted would not be very much compared to what they would do here. They could run the road further south. All they have to do is get the property, or they could run the road right across onto a private road. That way they would have a light to get out. The Lakes of Leesburg already has an inlet to this road, so there would be no problem with it coming down that way. **Mayor Reisman** asked if there were any other public comments. There were none. He asked the applicant if he had any other comments.

Mr. Opsahl clarified that they know there are challenges, and they were readily identified. Mr. Kehde made a good point because there are alternatives that would make the residents a lot happier and make this project easier. However, the fact of the matter is they only own this property. One thing they looked at which they would request as a condition of the approval, would be that they work through the site plan and final engineering to diligently pursue alternative access points. One way or the other, whether it be resolution of necessity, which does not give anyone much certainty or control over where it goes or finding an alternative piece of property to acquire which they are diligently pursuing. To allow that to be administratively implemented following the adoption of the PUD would be something they would like to obtain. Currently, they are left with this subject property and that condition would give them the ability to provide things like walls or extended landscaping if that was preferred. They could find alternatives if they were unable to acquire alternative access. They have been diligently pursuing other access points, but right now, this is the only access they have to the property. When it comes to a resolution of necessity, they are presently looking for alternatives that would help some of the comments they heard tonight, but most of the case law out there shows straight shot being the easiest access with fewer impacts to wetlands. Although Mr. Kehde makes a good point about there being some dry spots out there. They ran the wetland analysis, and that was something they already looked at. Moving the access area does equate to more wetland impacts, and they were told they would not have that property. They have pursued the options as outlined in the presentation, and what has been presented is the property under their ownership with the most concessions possible to the residents. He finished by saying they will continue to hear the residents' concerns. If the wall is not preferred, they should at least know there will be piping underneath to allow flow. If they would like additional landscaping, they could do that. They will work with the residents on that. **Mayor Reisman** informed the public that this item would lay over until the June 9th city commission meeting.

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

Mayor Reisman asked if there were any questions or comments on the financial reports. There were none.

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address this evening.

9. CITY MANAGER ITEMS:

CM Minner stated that Bikefest was a super great event, and we had great weather for it. He gave a shout-out to the special events division because they did an awesome job coordinating everything. At least from his end, it was pretty seamless. At this time, he did not have any numbers available, but hopefully they would be good. He would provide that report to them as soon as he gets it.

10. ROLL CALL:

Commissioner Connell had nothing to comment on.

Commissioner Pederson had no further comment.

Commissioner Berry had nothing to comment on this evening.

Mayor Reisman thanked Lake County Commissioner Morris for coming to the meeting and speaking to them. With Bikefest he was there all weekend helping out. He gave huge kudos to the special events team along with the public works department. He believes he saw people from every department around the city, including IT and finance. There were a lot of staff members helping. It was a joint effort and that made it a huge success. Without Maggie and her brains behind Bikefest, it would not have been as huge

of a success. He thanked everyone who came out and helped. Last, the public works department along with our city beautification board held an Arbor Day event where we gave away trees. That was one of the most shared events on our social media. It was a great turnout. The police had been called in because traffic was backing up on Dixie. There were a lot of people wanting trees. He gave huge kudos to the public works department. He was looking forward to growing that event next year and making it bigger.

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 Berry and a second by Commissioner Pederson, the meeting adjourned at 6:50 p.m.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.1.

Meeting Date: May 12, 2025

From: Robert Hicks, (Deputy City Manager)

Subject: Request for purchase and installation of one (1) new 20 Ton Carrier HVAC unit for the LMSC Building from Garden City Westbrook Holdco, LLC.

Staff Recommendation:

Staff recommends awarding approval of the purchase and installation of one (1) new 20 Ton Carrier HVAC unit for the LMSC Building.

Analysis:

The LMSC Building has three different heating and cooling zones. The HVAC units are all well past their life cycle and are in need of replacement. One of the HVAC zones has failed and the repair cost exceeds the cost-benefit analysis of replacement. Replacing the failed unit will provide the LMSC with a working unit that will provide another 10-15 years of service life.

Procurement Analysis:

The City is utilizing an existing Agreement (Piggyback) from the City of Clermont, Florida, solicitation RFP 23-075, to purchase one (1) new 20 Ton Carrier HVAC unit for the LMSC Building. Staff obtained a quote from Garden City Westbrook Holdco, LLC in accordance with the City of Clermont contract for a total of \$58,271.70. The City Manager authorized the procurement of the replacement unit following the failure of the existing equipment, which had become inoperable. Due to the critical nature of the situation and the necessity to maintain uninterrupted essential government services, the purchase was designated as an emergency purchase.

Options:

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

Fiscal Impact:

Funds are available in the current Public Works Facilities budget.

Account No. 001-5193-519-6410
Project No. GFASST
WF No. WF163712/1
Requisition 57507

Budget	\$58,272
Available	\$58,272



Project Agreement

Date: 4/1/25
Proposal Number: SR 325-11c

By and Between

Westbrook Service Company, LLC

Leesburg Municiple Services Center

1411 South Orange Blossom Trail

204 N 5th Street

Orlando, FL 32805

Leesburg, FL 34748

Phone # (407) 841-3310

(203) 257-8114

Fax # (407) 425-9934

Services will be provided at the following location(s):

Leesburg Municiple Services Center

204 N 5th Street

Leesburg, FL 34748

Westbrook Service Company, LLC shall perform according to the terms and conditions on the pages attached hereinafter referred to as the "Project Agreement"

Type of Service: Replace Existing 20 Ton Lennox Rooftop AC with 20 Ton Carrier Rooftop AC.

PRICE: \$58,271.70 (TAX AND FREIGHT INCLUDED FOR ALL MATERIAL AND EQUIPMENT)

Invoicing and Payment Terms: Progressive billing

This proposal is valid for 30 days

This proposal and the pages attached shall become a contract only upon signature below in space titled "Approved for Westbrook Service Corporation and upon continuance of credit approval by Westbrook Service Corporation. No waiver, change, or modification of any terms or conditions on this agreement shall be binding on Westbrook Service Corporation unless made in writing and signed by an officer or authorized manager of Westbrook Service Corporation.

Westbrook Service Company, LLC

Leesburg Municiple Services Center

By: Steve Robinson

By: _____

Title: Account Executive

Title: _____

Date: 4/1/2025

Date: _____

Approved for Westbrook Service Company, LLC

Signature: _____



Project Agreement

Date:

4/1/25

Proposal Number:

SR 325-11c

SCOPE OF WORK

1. Recover refrigerant and dispose of according to EPA guidelines.
2. Disconnect electrical, gas, drain and ductwork from existing unit.
3. Remove existing 20 ton Lennox unit with crane setup in street on E side of building.
4. Set curb adapter on existing curb adapter and secure to meet code.
5. Set new 20 Ton Carrier unit on curb adapter with same crane.
6. Connect existing electrical, gas, drain and ductwork to new unit.
7. Install motorized outside air hood on new unit.
8. Startup system per manufacturer specifications and check for proper operation.
9. Clean up all debris and remove from site.

* 1 year warranty on materials and workmanship provided by Westbrook.

** 5 year warranty on compressor parts provided by Manufacturer; Carrier.

*** Priced using FIRST shift hours Monday-Friday; holidays and weekends excluded

**** Should Materials and/or Equipment prices increase due to tariffs, we may need to adjust pricing to reflect these increased costs.

Exclusions:

- Engineering drawings of any kind
- Repairs for any existing code violations (added cost to be submitted at later date if found by AHJ)
- DDC controls
- Roof patching and/or waterproofing
- Drywall patch and/or repair
- Removal, replacement, repair, and/or reinstallation of ceiling systems
- Clearing, snaking, and/or jetting of plumbing systems (unless otherwise noted above)
- Breaker, conduit, circuit or wire
- Alarm work: fire, smoke, and/or burglar
- Fire suppression
- Stucco, concrete or block work
- Replacement of any utilities or system components unless otherwise stated above
- Consequential, liquidated, and/or punitive damages

**Please note, an additional fee of 3% will be added to the total bid price if credit card payment is requested to be used at the completion of scope of work noted above.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.2.

Meeting Date: May 12, 2025

From:

Subject: Request for ratification of Change Order for Blanket Purchase Order No. 539296 to increase the total authorized amount by \$600,000.00. This change will bring the revised total value of the Blanket Purchase Order to \$1,175,000.00.

Staff Recommendation:

Staff recommends approving the ratification request. As the City continues to grow, the demand for gas meters has increased significantly. This initiative is a major project for the Gas Department and is essential for supporting the City's expansion. To ensure the successful execution of this project, additional funding must be added to the original Blanket Purchase Order.

Analysis:

On October 23, 2023, the City of Leesburg entered into a contract with Precision Meter Repair (PMR) in response to Request for Proposal (RFP) 230902. The purpose of this solicitation was to engage a qualified and experienced contractor to perform natural gas utility piping installation, abandonment, and related services.

The City's Natural Gas Utility has utilized this contractor on an as-needed basis to support ongoing installation activities. Due to the significant volume of development occurring within the City's service area, it has been necessary to supplement City resources with contractor support for the installation and abandonment of gas distribution and service lines.

On September 24, 2024, a new Blanket Purchase Order was created in the amount of \$575,000.00 to cover expenditures for the new fiscal year which has been expended in the first half of the fiscal year. The Natural Gas Utility requested an additional \$600,000.00 as a change order to the original Purchase Order to keep projects moving forward.

Procurement Analysis:

Allocation of Additional Funds

Below is a summary of how the additional \$600,000.00 will be allocated:

- \$305,000 is designated for the Gas Mains project- 6" Robuck to Haines Creek, which involves a 6-inch main extension on County Road 44. This amount is already included in the current Gas

Capital Projects budget.

- The remaining \$295,000 will be utilized for various miscellaneous projects, all of which are also included in the current Gas budget. While specific projects have yet to be identified, the anticipated uses of these funds may include service removals, new service installations, and the installation of mains and regulator stations in new developments.

Options:

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

Fiscal Impact:

The current Gas Budget has adequate funds to cover these additional expenses.

Account No.	042-xxxx-532-xxxx
Requisition	57519
Budget	\$600,000.00
Available	\$600,000.00



BPO Change Order Request
Purchasing Division

The following information is required to proceed with your BPO Change Order Request.
Kindly provide the requested details and return at your earliest convenience.

GAS Department

- Date of Request: May 1st, 2025
- Old PO Number: 539296
- Name or Number of the Vendor: Precision Meter Repair (1618027)
- Original BPO Amount: \$575,000.00
- New Amount Requested, Not to Exceed: \$600,000.00
- New BPO Amount, Not to Exceed: \$1,175,000.00
- Type of Commodity or Service: Contract Labor

Corey Goepfert

Corey Goepfert (May 1, 2025, 11:14 AM)

Department Director Approval

Brandy McDaniel

Budget Director Approval

Please return at your earliest convenience.

ELECTRIC BPO CHANGE REQUEST

Final Audit Report

2025-05-05

Created:	2025-05-01
By:	Maria Hritz (maria.hritz@leesburgflorida.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAABbZ1U9XWMPuAgXAbPq8TwnbTnle-y2kw

"ELECTRIC BPO CHANGE REQUEST" History

-  Document created by Maria Hritz (maria.hritz@leesburgflorida.gov)
2025-05-01 - 8:12:57 PM GMT
-  Document emailed to Corey Goepfert (corey.goepfert@leesburgflorida.gov) for signature
2025-05-01 - 8:13:01 PM GMT
-  Email viewed by Corey Goepfert (corey.goepfert@leesburgflorida.gov)
2025-05-02 - 5:18:59 PM GMT
-  Document e-signed by Corey Goepfert (corey.goepfert@leesburgflorida.gov)
Signature Date: 2025-05-02 - 5:19:17 PM GMT - Time Source: server
-  Document emailed to Brandy Mcdaniel (brandy.mcdaniel@leesburgflorida.gov) for signature
2025-05-02 - 5:19:19 PM GMT
-  Email viewed by Brandy Mcdaniel (brandy.mcdaniel@leesburgflorida.gov)
2025-05-02 - 5:25:12 PM GMT
-  Document e-signed by Brandy Mcdaniel (brandy.mcdaniel@leesburgflorida.gov)
Signature Date: 2025-05-05 - 4:48:30 PM GMT - Time Source: server
-  Agreement completed.
2025-05-05 - 4:48:30 PM GMT



Adobe Acrobat Sign

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: May 12, 2025

From: Dusty Matthews, (Library Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, appointing one alternate member to the Lake County Library Advisory Board to fill an unexpired term ending February 28, 2028; and providing an effective date.

Staff Recommendation:

Staff recommends the designation of one individual to fill one unexpired term as an alternate member to the Lake County Library Advisory Board, who shall serve in the member's absence.

Analysis:

The current member representing the City of Leesburg on the Lake County Library Advisory Board is Bob Glockler. An alternate member is needed immediately to fill the unexpired term, vacated by Debra Wanza Dabney, to serve in member Bob Glockler's absence. Two applications for the alternate member position were submitted.

Applicant Susan Fetter's experience includes: Board Member, Lake County Conservation Council; Supervisor, Lake Soil and Water Conservation District; and Lake County Advisory Board Member, Keep Lake Beautiful.

Applicant Donald Wenz's experience includes: President, Lebanon College; Provost / Dean - Hawthorne College; Faculty - Colby Sawyer College - NH, Huron University - Tokyo, Senzoku Gauken University - Kawasaki; Lebanon College and Hawthorne College, Development and Building Committees.

Applications are attached for review. Public notices for this alternate member position were advertised on the City of Leesburg's website and social media, and in the *Daily Commercial* on March 26, 2025, and March 30, 2025.

Procurement Analysis:

N/A

Options:

1. Designate one Alternate Member representing the City of Leesburg to the Lake County Library

- Advisory Board, to fill an unexpired term beginning immediately and ending February 28, 2028; or
2. Seek other candidates of the Commission's choosing; or
 3. Seek alternative action as the Commission may deem appropriate.

Fiscal Impact:

There is no fiscal impact.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA, APPOINTING ONE ALTERNATE MEMBER TO THE LAKE
COUNTY LIBRARY ADVISORY BOARD TO FILL AN UNEXPIRED TERM
ENDING FEBRUARY 28, 2028; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT the City Commission of the City of Leesburg, Florida, finds that there is a designation to be made to the Lake County Library Advisory Board for an alternate member to represent the City of Leesburg; the designated individual to be appointed by the Lake County Board of County Commissioners, in keeping with Section 12-37 of the Lake County Ordinances relating to the Library Advisory Board.

THAT the City Commission hereby designates _____ to serve the unfilled four-year term as an alternate member, term to expire February 28, 2028.

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 12th day of May 2025.

Mayor

ATTEST:

City Clerk

City of Leesburg

Appointed Boards & Commission Application

Date: 04/09/2025

Name: Susan Fetter Home Phone: (352)530-6576

Mailing Address:
11745 Ocklawaha Dr Leesburg FL 34788

Home Address:
11745 Ocklawaha Dr Leesburg FL 34788

Business Name & Type:
Simplicity: A Real Estate Brokerage Company

Business Address:
960 Aragon Ave Winter Park FL 32789

Business telephone number: (352)530-6576 ext.

Position: Licensed Real Estate Agent

Education, Training or Experience related to the activities of the Advisory Body
to which appointment is sought:

BA Liberal Studies, UCF; Non Profit Board Member, Lake County Conservation Council; Supervisor,
Lake Soil and Water Conservation District; Lake County Advisory Board Member, Keep Lake
Beautiful.

Technical background to include software engineering, training, team management, and consulting.

Professional Organizations/Memberships:
National Association of Realtors

Have you served on a city board or committee in the past? No

If yes, Dates Served

Name of Board or committee:

☒ Library Board ☐ Historic Preservation Board ☐ Planning Commission

☐ Greater Leesburg CRA ☐ Carver Heights & Vicinity CRA

☐ Fire Department Pension Board of Trustees ☐ General Employees Retirement Board of Trustees

☐ Police Department Pension Board of Trustees ☐ Other(Specify):

I will attend meetings in accordance with the adopted policies of the City of Leesburg. If at any time my
business or professional interests conflict with the interests of the Advisory Body, I will not participate in such
deliberations.

Susan Fetter

04/09/2025

Signature of Applicant

Date



120%



Show Errors

RECEIVED
MAR 31 2025BY: 

City of Leesburg Appointed Boards & Commission Application

Date: 03/29/2025Name: Donald WenzHome Phone: 603 252 8491

Mailing Address:

1023 Eagles Landing Leesburg, FLA 34748

Home Address:

1023 Eagles Landing Leesburg, FLA 34748

Business Name & Type:

N/A

Business Address:

Business telephone number: _____ ext. _____

Position: _____

Education, Training or Experience related to the activities of the Advisory Body
to which appointment is sought:City Library

Professional Organizations/Memberships:

Have you served on a city board or committee in the past? No ▼

If yes, Dates Served _____

Name of Board or committee:

☐ Library Board ☐ Historic Preservation Board ☐ Planning Commission☐ Greater Leesburg CRA ☐ Carver Heights & Vicinity CRA☐ Fire Department Pension Board of Trustees ☐ General Employees Retirement Board of Trustees☐ Police Department Pension Board of Trustees ☐ Other(Specify):L/C Library City Alternate Rep -

I will attend meetings in accordance with the adopted policies of the City of Leesburg. If at any time my business or professional interests conflict with the interests of the Advisory Body, I will not participate in such deliberations.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: May 12, 2025

From: Dan Miller, (Planning and Zoning Director), Andi Purvis, (City Clerk)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, approving a Proportionate Share Mitigation Agreement entered into by and between the School Board of Lake County, Florida, Bellaviva at Whispering Hills, LLC, and the City of Leesburg, Florida to allow for payment of Lake County School Impact Fees; and providing an effective date. (Whispering Hills)

Staff Recommendation:

Staff recommends approval of the attached Proportionate Share Mitigation Agreement.

Analysis:

A proportionate share mitigation agreement is a method of paying for student station costs to assist in future funding of additional student stations created by a new development. This proportionate share mitigation agreement requires a payment of \$4,162,949.00, payable to the Lake County School Board, prior to recording the plat for each phase of the property in the Public Records of Lake County. This agreement runs with the land, and shall therefore be binding on all successors and assigns of the Applicant/Contract Purchaser. The City of Leesburg does not assume duties under this agreement, nor does it undertake any liability. It joins as a party only in its capacity as the local government having jurisdiction over the development.

Procurement Analysis:

N/A

Options:

1. Approve the attached Proportionate Share Mitigation Agreement as presented; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

No fiscal impact to the City of Leesburg is anticipated as a result of this agreement.

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, APPROVING A PROPORTIONATE SHARE MITIGATION AGREEMENT ENTERED INTO BY AND BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA, BELLAVIVA AT WHISPERING HILLS, LLC, AND THE CITY OF LEESBURG, FLORIDA TO ALLOW FOR PAYMENT OF LAKE COUNTY SCHOOL IMPACT FEES; AND PROVIDING AN EFFECTIVE DATE. (WHISPERING HILLS)

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

THAT the Mayor and City Clerk are hereby authorized to execute a Proportionate Share Mitigation Agreement, under Lake County School Concurrence Case Number 2024-23, for the Project known as Whispering Hills, as attached hereto, between the Lake County School Board, whose address is 201 West Burliegh Avenue, Tavares, Florida 32778, and Bellaviva at Whispering Hills, LLC, a Limited Liability Company, whose address is 10524 Moss Park Road, Suite 204-754, Orlando, Florida 32832, and the City of Leesburg, whose address is 501 West Meadow Street, Leesburg, Florida 34748.

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 12th day of May 2025.

Mayor

ATTEST:

City Clerk

Return to:

Lake County Schools – Growth Planning Dept.
220 N Central Ave
Umatilla, FL 32784

Alternate Key Numbers: 1701287, 1704154, 1030196, 2788488, 1030200, 1209340, 1030188, 1780659, 3766407, 1704146, 1030111

PROPORTIONATE SHARE MITIGATION AGREEMENT

Project Name: Whispering Hills School Concurrency Case# 2024-23

THIS PROPORTIONATE SHARE MITIGATION AGREEMENT, is entered into by and between School Board of Lake County, Florida, a political subdivision of the State of Florida, whose address is 201 West Burleigh Boulevard, Tavares, Florida 32778 (“**School Board**”), Bellaviva at Whispering Hills, LLC, a Limited Liability Company, whose address is 10524 Moss Park Road, Suite 204-754, Orlando, Florida 32832 (**Applicant**), and City of Leesburg, a Florida municipal corporation, whose address is 501 West Meadow Street, Leesburg, Florida 34748 (“**Local Government**”). School Board, Applicants/Property Owners, and Local Government may also be referred to herein each as a “**Party**”.

WHEREAS, School Board, the municipalities located within Lake County, Florida, and the Board of County Commissioners of Lake County, Florida (“**County**”) entered into that certain First Amended Interlocal Agreement for School Facilities Planning and Siting recorded June 23, 2008 in Official Records Book 3644, Page 1, in the public records of Lake County, Florida (the “**Interlocal Agreement**”).

WHEREAS, pursuant to Section 5 of the Interlocal Agreement an application for a subdivision, site plan, or plat for residential dwelling units that will generate students in a Concurrency Service Area in which there is insufficient School Capacity to accommodate the anticipated students must enter into a Proportionate Share Mitigation Agreement to mitigate the school overcrowding attributable to the anticipated students, all as specified in the Interlocal Agreement.

WHEREAS, Applicant is the owner of those certain tract(s) of land located in Leesburg, Florida, commonly identified by Alternate Key(s) 1701287, 1704154, 1030196, 2788488, 1030200, 1209340, 1030188, 1780659, 3766407, 1704146, 1030111 and more particularly described on **Exhibit “A”** attached hereto, and illustratively depicted on **Exhibit “B”** attached hereto (the “**Property**”).

WHEREAS, Applicant has requested Local Government approval to allow development of nine hundred and seventy (970) total dwelling units (the “**Total Units**”) on the Property (the “**Project**”), as depicted on the site plan attached hereto as **Exhibit “C”**.

WHEREAS, based on the current adopted Level of Service standards of the Concurrency Service Area in which the Property is currently located, School Board has determined existing school capacity is insufficient for the number of students anticipated to be generated by the Project.

WHEREAS, the School Board has determined the anticipated deficit created by the Project as of the date of School Board’s capacity review is ninety-seven (97) high school students (the “**Capacity Deficit**”).

WHEREAS, Local Government’s approval of the final site plan or final plat without requiring mitigation of the Capacity Deficit will either create or worsen school overcrowding.

WHEREAS, the Applicant has agreed to enter into this Agreement to provide mitigation proportionate to the demand on Public School Facilities created by the actual development of the Project.

NOW, THEREFORE, in consideration of the mutual promises, covenants, terms, and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, School Board, Applicant and Local Government hereby agree as follows:

1. **Recitals.** The above recitals are true and correct and fully incorporated herein.
2. **Definitions.** Any capitalized terms used but not defined herein shall have the same meaning as set forth in the Interlocal Agreement.
3. **Term.** The term of this Agreement shall commence on the date this Agreement is recorded in the Public Records of Lake County, Florida (the “**Effective Date**”) and, unless earlier terminated in accordance herewith, shall end on the date that is two (2) years after the Effective Date (the “**Expiration Date**”). The term of this Agreement may be extended once for a period of six (6) months if (i) requested by Applicant by delivering a sworn affidavit to School Board, no later than thirty (30) days prior to the Expiration Date, that demonstrates Applicant’s good faith efforts to obtain all development approvals required to proceed with the Project, and (ii) School Board and Local Government agree to extend the term of this Agreement. Any extension of this Agreement shall be evidenced by an Amendment to this Agreement signed by Applicant, School Board, and Local Government and recorded, at Applicant’s sole expense, in the public records of Lake County, Florida.
4. **Mitigation Payment.** Applicant shall pay to School Board the cost to mitigate the Capacity Deficit as follows:
 - a. **Amount.** Applicant’s proportionate share mitigation payment is Four Million One Hundred and Sixty-Two and Nine Hundred and Forty-Nine and 00/100 Dollars (\$4,162,949.00 USD) (the “**Mitigation Payment**”). The Mitigation Payment is the product of the Capacity Deficit multiplied by the applicable Cost of Student Station (i.e. $97 \times \$42,917.00 = \$4,162,949.00$).
 - b. **Due Date.** The Mitigation Payment shall be made prior to the recording of a plat for each phase approved by Local Government for the Project (the “**Due Date**”). This provision shall survive the expiration of this Agreement.

In the event that the final plat approved by LOCAL GOVERNMENT results in less than the proposed 970 residential single family dwelling units, then the estimated Proportionate Share Mitigation set forth above will be adjusted accordingly based on the final number of residential dwelling units (lots) approved for the Project by LOCAL GOVERNMENT.
 - c. **Delivery Instructions.** Applicant shall deliver the Mitigation Payment with the completed payment form, a copy of which is attached hereto as **Exhibit “D”**, to the School Board’s Growth Planning Department at 220 North Central Avenue, Umatilla, FL 32784.
5. **Mitigation Payment Credit.** The Mitigation Payment shall be credited against the total educational impact fees due for the Project. Applicant shall remain obligated for payment of all remaining educational impact fees due after application of the Mitigation Payment credit in accordance with the Lake County Impact Fee Ordinance. Notwithstanding anything contained herein to the contrary,

Applicant shall not be entitled to a credit for the Mitigation Payment unless and until such payment is actually made and delivered to the School Board. The School Board will notify all applicable local governments once the Mitigation Payment is received by the School Board.

6. **Termination.** This Agreement shall be terminated at the School Board's option if (a) Local Government does not issue final development approval for the Project within one hundred eighty (180) days of the Effective Date of this Agreement, or (b) Applicant fails to fully pay the Mitigation Payment when due hereunder and such breach remains uncured for a period of thirty (30) days. Provided, however, with respect to clauses (a) and (b) of the preceding sentence (collectively, the "Termination Conditions"), prior to exercising the termination right set forth herein, the School Board shall provide written notice of its election to terminate this Agreement as a result of the failure of the foregoing Termination Conditions, and provide Applicant with the reasonable opportunity to cure the same for a period of not less than thirty (30) days, following which, and provided that the Termination Conditions remain unsatisfied, the School Board may terminate this Agreement upon written notice to Applicant.

7. **Effect of Termination.** Except as otherwise provided for herein, if this Agreement is terminated, then Applicant and School Board shall have no further duties or obligations hereunder and Applicant shall (a) forfeit all administrative or application fees paid to School Board, (b) forfeit the current school concurrency reservation associated with the Project, (c) cease all construction activities associated with the Project, and (d) re-apply for any future school concurrency reservation associated with the Project.

8. **Acknowledgements.** Applicant, School Board, and Local Government each hereby acknowledge and agree that (a) this Agreement constitutes a legally binding commitment, pursuant to Section 163.3180, Florida Statutes, to provide mitigation proportionate to the demand for public school facilities to be created by actual development of the Project, (b) this Agreement does not constitute, and shall not be construed as, a development permit, development agreement, development order, or any other instrument or governmental act permitting the development of the Property, and (c) development of the Property and the Project is and shall remain subject to all land development rules, regulations, and approvals of Local Government and all other governmental bodies, agencies, or authorities having jurisdiction over development of the Property or the Project.

9. **Assignability.** This Agreement shall run with the land and be binding on and shall inure to the benefit of Applicant, School Board, Local Government, and their respective successors and assigns. Notwithstanding anything contained herein to the contrary, Applicant may assign its rights or obligations contained herein to a successor to the Property upon the execution of a written instrument memorializing the same, provided that the parties shall provide timely notice of any such assignment to the School Board. Any such assignment shall be evidenced by an instrument signed by Applicant, accepted by Applicant's assignee, and thereafter recorded, at Applicant's sole expense, in the public records of Lake County, Florida.

[Remainder of Page Intentionally Left Blank]

10. **Notices.** Any notice required or permitted to be given under this Agreement shall be in writing and shall be deemed to be given if delivered by hand, sent by United States registered or certified mail (return receipt requested), sent by recognized overnight courier, or sent by email addressed as follows:

If to School Board:

School Board of Lake County

Attn: Superintendent of Schools
201 West Burleigh Blvd.
Tavares, FL 32778
Email contact – croneyh@lake.k12.fl.us

If to Local Government: City of Leesburg
Attn: City Manager
501 W. Meadow Street
Leesburg, FL 34748

If to Applicant: Bellaviva at Whispering Hills, LLC
Attn: Jean Marsan
10524 Moss Park Rd
Orlando, FL 32832

Notices shall be deemed effective only if sent to each address listed for the intended recipient Party, or such other address as may be subsequently provided by that Party in writing. Notices personally delivered, sent by United States registered or certified mail, or sent by overnight courier shall be deemed given on the date of receipt. Notices sent by e-mail shall be deemed sent upon transmission if sent to the recipient Party's e-mail address shown above and the e-mail message is not returned to the sender as being undeliverable.

11. **Incorporation.** All exhibits attached hereto are fully incorporated herein and made a part hereof.

12. **Recording of this Agreement.** Applicant shall submit this Agreement to the Lake County Clerk of Court for recording, at Applicant's sole expense, in the public records of Lake County, Florida within ten (10) days after full execution by all Applicant, School Board, and Local Government. Failure to timely submit this Agreement for recording shall render it null and void.

13. **Recording Notice of Satisfaction.** Within thirty (30) days after receiving the final Mitigation Payment, School Board, at School Board's sole expense, shall record a notice of satisfaction, which references the recording information of this Agreement and acknowledges receipt of the Mitigation Payment, in the public records of Lake County, Florida.

14. **Entire Agreement.** This Agreement, including all exhibits attached hereto, constitutes the entire agreement between and among Applicant, School Board, and Local Government, and replaces all prior communications, understandings, representations, arrangements, and agreements, whether oral or written, between or among them, related to the terms and subject matter of this Agreement that were not otherwise reduced to writing and incorporated herein.

15. **Construction.** This Agreement shall be construed as if Applicant, School Board, and Local Government jointly prepared this Agreement, and any uncertainty or ambiguity shall not be construed against any one Party. Whenever applicable in this Agreement, the use of the singular shall include the plural and the use of the plural shall include the singular. The headings used in this Agreement are solely for convenience of reference and shall not control the meaning or interpretation of this Agreement.

16. **Modification; Waiver.** This Agreement may not be modified or amended, nor shall any provision of this Agreement be waived except in writing signed by Applicant, School Board, and Local Government or their respective agents acting under express written authority to do so. No oral agreement, statement, promise, undertaking, understanding, arrangement, act, or omission of any Party, occurring

after the date hereof may be deemed an amendment or modification to this Agreement unless reduced to writing and signed by Applicant, School Board, and Local Government or their respective agents acting under express written authority to do so.

17. **Counterparts.** This Agreement may be executed in as many counterparts as may be required, each of which when so executed shall be deemed an original, but all of which when taken together shall constitute a single agreement. An electronic or facsimile copy of this Agreement and any signatures hereon shall be considered for all purposes as originals.

18. **Severability.** If for any reason any of the covenants, agreements, terms, or provisions contained herein shall be determined or declared to be invalid or unenforceable by a court of competent jurisdiction, then the validity and enforceability of the remaining covenants, agreements, terms, and provisions hereof shall be in no way affected, prejudiced, or disturbed by said determination or declaration and this Agreement shall be automatically conformed to the law and shall continue in full force and effect.

19. **Governing Law.** The laws of the State of Florida shall apply to and control any dispute concerning the interpretation, construction, performance, or enforcement of this Agreement. Applicant, School Board, and Local Government each hereby agree that the exclusive jurisdiction for any legal proceeding arising out of or relating to this Agreement shall be the courts serving Lake County, Florida and Applicant, School Board, and Local Government hereby waive any challenge to personal jurisdiction or venue in such courts.

20. **Prevailing Party Attorney's Fees.** If Applicant, School Board, or Local Government brings a legal action or proceeding arising out of or relating to this Agreement or because of an alleged dispute, breach, default, or misrepresentation hereof or for a declaration of the rights and obligations in connection with this Agreement, then the prevailing Party shall be entitled to reasonable attorney's fees and other costs incurred in that action or proceeding in addition to any other relief to which the prevailing Party may otherwise be entitled.

21. **Change in Circumstances.** If, prior to the Due Date, the Total Units or any other part of the Project is altered or amended in a manner that increases the Capacity Deficit, then Applicant shall submit a separate application for such increase, which shall be subject to a separate review for school concurrency purposes.

22. **Time of the Essence.** Time is of the essence as to all due dates, deadlines, and time periods set forth herein.

23. **Authority.** Each person signing below represents and warrants they possess full authority to enter into this Agreement and to lawfully and effectively bind the entity they purport to represent.

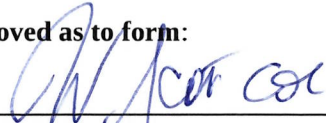
IN WITNESS WHEREOF, Applicant, School Board, and Local Government have executed this Agreement as of the dates set forth below.

The School Board of Lake County, Florida

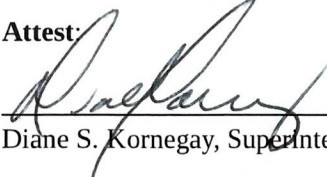
By: 
Tyler Brandeburg, Board Chair

Date: 4/28/25

Approved as to form:


School Board Attorney

Attest:


Diane S. Kornegay, Superintendent

City of Leesburg, Florida

By: _____
Alan Reisman, Mayor

Date: _____

Approved as to form:

City Attorney

Attest:

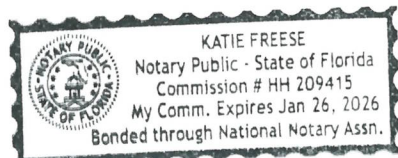
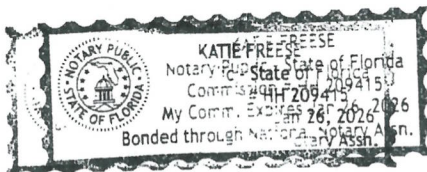
City Clerk

"Applicant"

Signed, sealed and delivered in the presence of: Print Name: <u>Elesha Updike</u> Print Name: <u>Katie Freese</u>	
Bellaviva at Whispering Hills, LLC a Florida limited liability company By: <u>[Signature]</u> Jean Marsan This <u>11</u> day of <u>April</u>, 2025.	

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 11 day of April, 2025, by Jean Marsan of **Bellaviva at Whispering Hills LLC**, a Florida limited liability company, on behalf of such company. Said person (check one) ☒ is personally known to me or ☐ produced _____ as identification.



[Signature]
Print Name: Katie Freese
Notary Public, State of Florida
Commission No.: HH 209415
My commission expires: 01/26/2026

Exhibit A – Legal Description

SKETCH OF DESCRIPTION

SEE SHEETS 1-2 OF 16 FOR LEGAL DESCRIPTION
SEE SHEET 3 OF 16 FOR OVERALL SKETCH
SEE SHEET 4-16 OF 16 FOR SKETCH

LEGAL DESCRIPTION:

(Phase 1)

A parcel of land lying and being in Section 25, Township 20 South, Range 24 East and Sections 29 and 30, Township 20 South, Range 25 East, Lake County, Florida, being more particularly described as follows:

Begin at the Southeast corner of the North 660.16 feet of the South 1660.23 feet of the Northeast 1/4 of Section 25, Township 20 South, Range 24 East, the same being on the West line of Section 30, Township 20 South, Range 25 East; thence departing said West line, run N89°06'05"W, along the South line of said North 660.16 feet of the South 1660.23 feet of the Northeast 1/4 of Section 25, a distance of 2,388.91 feet to the intersection with the Easterly Right of Way line of U.S. Highway 27; thence N09°41'21"W, along said Easterly Right of Way line, a distance of 111.91 feet; thence departing said Easterly Right of Way line, run S89°06'05"E, a distance of 953.63 feet; to the Point of Curvature of a curve, Concave to the Northwest, having a Radius of 51.00 feet and a Central Angle of 94°06'09"; thence run Northeasterly along the Arc of said curve, a distance of 83.76 feet (Chord Bearing = N43°50'51"E, Chord = 74.66 feet); thence N03°12'13"W, a distance of 14.64 feet; thence N86°47'47"E, a distance of 50.00 feet; thence S03°12'13"E, a distance of 12.14 feet to the Point of Curvature of a curve, Concave to the Northeast, having a Radius of 51.00 feet and a Central Angle of 100°19'33"; thence run Southeasterly along the Arc of said curve, a distance of 89.30 feet (Chord Bearing = S53°21'59"E, Chord = 78.32 feet) to a Point of Compound Curve, Concave to the Northwest, having a Radius of 475.00 feet and a Central Angle of 27°10'15"; thence Northeasterly along the arc, a distance of 225.25 feet, (Chord Bearing = N62°53'07"E, Chord = 223.15 feet) to a Point of Reverse Curve, Concave to the Southeast, having a Radius of 575.00 feet and a Central Angle of 26°25'17"; thence Northeasterly along the arc, a distance of 265.16 feet, (Chord Bearing = N62°30'39"E, Chord = 262.81 feet); thence N75°43'17"E, a distance of 283.91 feet to the Point of Curvature of a curve, Concave to the South, having a Radius of 575.00 feet and a Central Angle of 33°47'42"; thence run Easterly along the Arc of said curve, a distance of 339.15 feet (Chord Bearing = S87°22'52"E, Chord = 334.26 feet) to a Point of Reverse Curve, Concave to the North, having a Radius of 51.00 feet and a Central Angle of 83°01'36"; thence Easterly along the arc, a distance of 73.90 feet, (Chord Bearing = N68°00'11"E, Chord = 67.61 feet); thence N26°29'23"E, a distance of 11.00 feet; thence S63°30'37"E, a distance of 50.00 feet; thence S26°29'23"W, a distance of 11.00 feet to the Point of Curvature of a curve, Concave to the East, having a Radius of 51.00 feet and a Central Angle of 83°01'36"; thence run Southerly along the Arc of said curve, a distance of 73.90 feet (Chord Bearing = S15°01'25"E, Chord = 67.61 feet) to a Point of Reverse Curve, Concave to the Southwest, having a Radius of 575.00 feet and a Central Angle of 07°53'23"; thence Southeasterly along the arc, a distance of 79.18 feet, (Chord Bearing = S52°35'32"E, Chord = 79.12 feet); thence S48°38'51"E, a distance of 707.45 feet to the Point of Curvature of a curve, Concave to the North, having a Radius of 51.00 feet and a Central Angle of 90°00'00"; thence run Easterly along the Arc of said curve, a distance of 80.11 feet (Chord Bearing = N86°21'09"E, Chord = 72.12 feet); thence N41°21'09"E, a distance of 11.00 feet; thence S48°38'51"E, a distance of 50.00 feet; thence S41°21'09"W, a distance of 11.76 feet to the Point of Curvature of a curve, Concave to the East, having a Radius of 51.00 feet and a Central Angle of 87°10'02"; thence run Southerly along the

REQUESTED BY: **BELLAVVA WHISPERING HILLS, LLC**

SHEET 1 OF 16

DATE OF SURVEY	10/7/2022	REVISIONS
SCALE	1" = 100'	REVISED LINEWORK 5/16/2024
F.B.	PAGE	
SECTION	25 TWP. 20 S., RNG. 24 E. &	
SECTIONS	29 & 30 TWP. 20 S., RNG. 25 E.	
JOB NO.	22-515	

JOHNSTON'S
SURVEYING INC.

900 Cross Prairie Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-6140

R.D.B.

5/16/2024

RICHARD D. BROWN, P.S.M. #5700 (DATE)

NOTE: NOT VALID WITHOUT RAISED SURVEYOR'S SEAL

LEGAL DESCRIPTION CONTINUED:

SKETCH OF DESCRIPTION

SEE SHEETS 1-2 OF 16 FOR LEGAL DESCRIPTION
SEE SHEET 3 OF 16 FOR OVERALL SKETCH
SEE SHEET 4-16 OF 16 FOR SKETCH

Arc of said curve, a distance of 77.59 feet (Chord Bearing = S02°13'52"E, Chord = 70.32 feet) to a Point of Reverse Curve, Concave to the Southwest, having a Radius of 575.00 feet and a Central Angle of 13°50'34"; thence Southeasterly along the arc, a distance of 138.92 feet, (Chord Bearing = S38°53'36"E, Chord = 138.58 feet); thence N41°21'09"E, a distance of 320.70 feet; thence S58°28'55"E, a distance of 53.38 feet; thence S72°02'45"E, a distance of 56.31 feet; thence S86°01'35"E, a distance of 70.39 feet; thence N56°20'56"E, a distance of 54.37 feet; thence N69°04'15"E, a distance of 63.35 feet; thence N84°26'00"E, a distance of 26.89 feet to the intersection with the East line of the West 1/2 of U.S. Government Lot 2 of said Section 30, Township 20 South, Range 25 East; thence S00°40'53"W, along said East line, a distance of 627.99 feet; thence departing said East line, run S89°02'40"E, a distance of 1,668.54 feet to the intersection with the West line of those lands described in Official Records Book 855, Page 1697 of the Public Records of Lake County, Florida; thence S00°47'05"W, along said West line, a distance of 397.93 feet to the South line of said Lands; thence S87°38'35"E, East along said South line, a distance of 989.73 feet to the West line of the Southeast 1/4 of the Northeast 1/4 of the aforesaid Section 30; thence N00°47'51"E, along said West line, a distance of 1,303.73 feet to the Northwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 30; thence S89°04'31"E, along the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 30, a distance of 1,335.33 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 30; thence S89°20'35"E, a distance of 1,211.92 feet to the West Right of Way line of Number 2 Road, as recorded in Official Records Book 2687, Page 2287 of the Public Records of Lake County, Florida; thence S45°22'24"E, along said West Right of Way line, a distance of 896.50 feet; thence departing said West Right of Way line, run S44°37'36"W, a distance of 75.00 feet; thence S44°41'00"W, a distance of 160.67 feet to a Point on a Non-Tangent Curve, Concave to the North, having a Radius of 185.00 feet and a Central Angle of 115°21'08"; thence run Westerly along the arc of said curve, a distance of 372.46 feet (Chord Bearing = N85°14'59"W, Chord = 312.67 feet); thence N45°22'24"W, a distance of 50.10 feet; thence S44°37'36"W, a distance of 118.87 feet; thence S27°47'44"W, a distance of 40.34 feet; thence S13°53'15"W, a distance of 1,080.00 feet; thence S12°58'31"W, a distance of 55.00 feet; thence S05°48'38"W, a distance of 50.00 feet; thence S00°33'16"W, a distance of 305.21 feet to the Point of Curvature of a curve, Concave to the North, having a Radius of 220.00 feet and a Central Angle of 141°22'21"; thence run Westerly along the Arc of said curve, a distance of 542.83 feet (Chord Bearing = S71°14'27"W, Chord = 415.24 feet); thence N38°04'23"W, a distance of 803.16 feet; thence S51°55'37"W, a distance of 304.46 feet; thence S31°04'42"W, a distance of 27.64 feet; thence S00°33'16"W, a distance of 618.13 feet; thence S89°26'44"E, a distance of 174.40 feet; thence S00°43'15"W, a distance of 1,185.15 feet; thence N89°16'42"W, a distance of 1,246.05 feet; thence S00°43'18"W, a distance of 138.74 feet to the South line of the aforementioned Section 30, Township 20 South, Range 25 East; thence N89°22'10"W, along said South line, a distance of 1,432.38 feet to the Southwest corner of the Southeast 1/4 of said Section 30; thence departing said South line, run N00°37'56"E, along the West line of said Southeast 1/4 of Section 30, a distance of 1,330.51 feet to the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 30; thence N89°01'24"W, along said South line, a distance of 1,256.29 feet to the West line of said Northeast 1/4 of the Southwest 1/4; thence N00°39'35"E, along said West line, a distance of 1,331.96 feet; thence N88°57'18"W, a distance of 70.49 feet to the Southeast corner of the West 1/2 of U.S. Government Lot 2; thence N89°08'43"W, along the South line of said U.S. Government Lot 2, a distance of 1,185.10 feet to the Southwest corner of said U.S. Government Lot 2 and the West line of the aforesaid Section 30 and the East line of the aforementioned Section 25, Township 20 South, Range 24 East; thence N00°48'27"E, along said line, a distance of 1,177.95 feet to the Point of Beginning.

Subject to Right of Ways recorded in Official Records Book 344, Page 455 and Official Records Book 3629, Page 1415, as Recorded in the Public Records of Lake County, Florida.

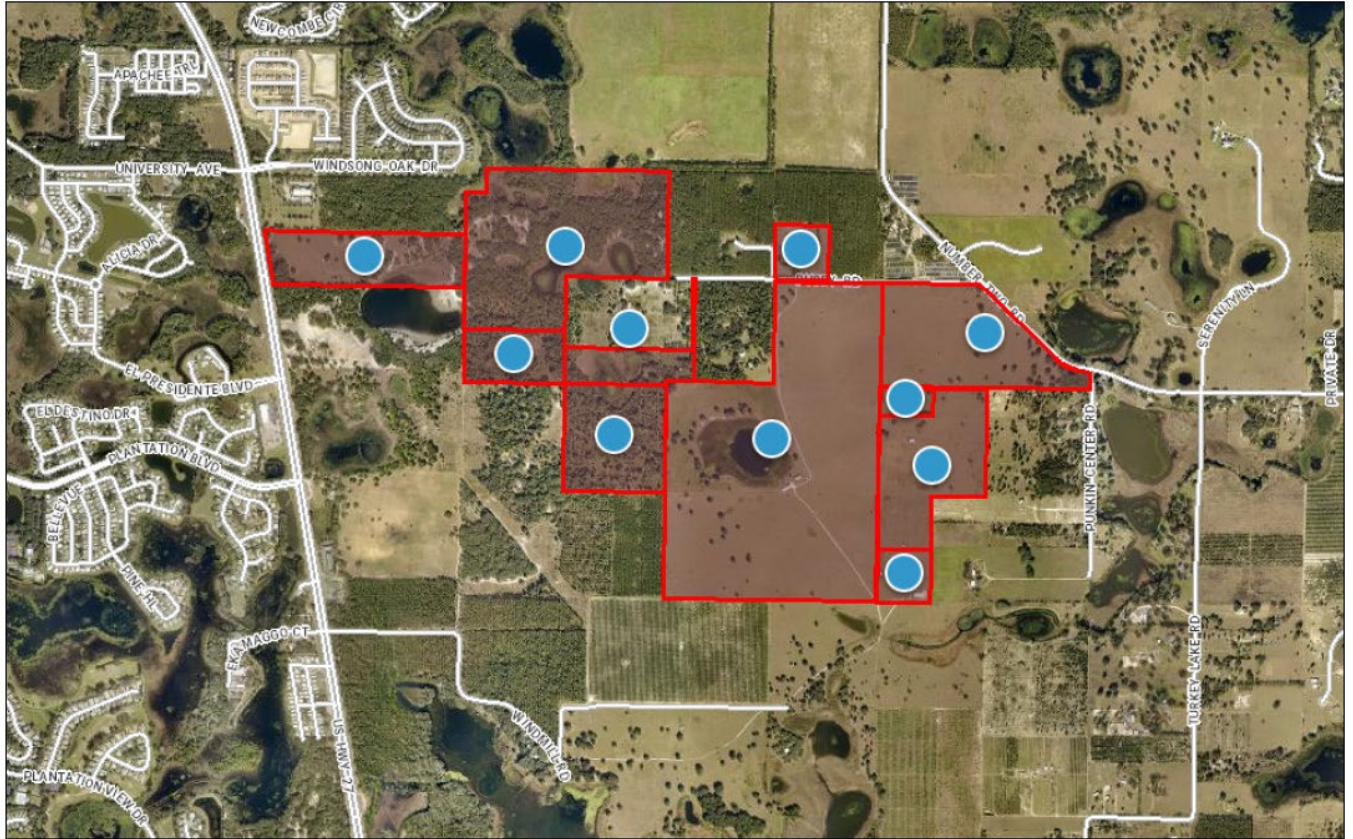
Containing 362.89 acres, more or less.

SHEET 2 OF 16

JOHNSTON'S
SURVEYING INC.

900 Cross Prairie Parkway, Kissimmee, Florida 34744
Tel. (407) 847-2179 Fax (407) 847-6140

Exhibit B – Location Map



WHISPERING HILLS

MASTER DEVELOPMENT PLAN
LEESBURG/HOWE IN THE HILLS,
FLORIDA

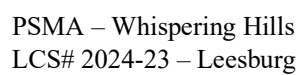


Exhibit D – Proportionate Share Mitigation Payment Form

Section 1	Proportionate Share Mitigation Information
LCS#:	2024-23
Project Title:	Whispering Hills Phase 1
Local Jurisdiction:	City of Leesburg
Parcel ID's/Alt Keys: (list all parcel identification numbers or alternate keys that apply to this agreement project boundaries)	1701287, 1704154, 1030196, 2788488, 1030200, 1209340, 1030188, 1780659, 3766407, 1704146, 1030111
Permit Type: (Plat, preliminary plat or final site plan, final subdivision plan, etc.)	final Site plan or final plat whichever is applicable
Section 2	Applicant Information (to be completed by Applicant for each payment)
Date:	
Name:	
Company/Firm:	
Contact phone number:	
Email Address:	
Section 3	Residential Development Project Information
Plat/Site Plan Title: (as it appears on the document)	Whispering Hills Phase 1
Total Units:	970
Unit Type: SF, MF, MH	Single Family
Section 4	Payment Information
Payment Amount:	\$
Mitigation Review Fee (if applicable):	N/A Previously paid
Total Amount of This Payment	\$



Instructions
Complete form and return with payment to: Lake County Schools Growth Planning Department 220 North Central Avenue Umatilla, FL 32784 For more information contact Heather Croney, Growth Planning Department at 352-253-6696 or by email at croneyh@lake.k12.fl.us

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: May 12, 2025

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lease Agreement with The Last House on the Block of Lake County, Inc.; and provide an effective date.

Staff Recommendation:

Approve Lease with The Last House on the Block of Lake County, Inc.

Analysis:

In 2018, the City entered into a Lease Agreement with Last House on the Block to provide a facility for Alcoholics Anonymous services and meetings at the City's Neely Street location. Said lease is now in the automatic renewal portion of the lease and the organization would like a new 5-year lease.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
LEASE AGREEMENT WITH THE LAST HOUSE ON THE BLOCK OF LAKE
COUNTY, INC.; AND PROVIDE AN EFFECTIVE DATE.**

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

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with The Last House on the Block of Lake County, Inc., whose address is 1339 Neely Drive, Leesburg, Florida 34748.

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 12th day of May 2025.

Mayor

ATTEST:

City Clerk

LEASE AGREEMENT

This LEASE entered into on the ____ day of _____, 2025, between **THE CITY OF LEESBURG, FLORIDA**, whose address is 501 West Meadow Street, Post Office Box 490630, Leesburg, Florida 34749-0630 (hereinafter referred to as the "LESSOR"), and **THE LAST HOUSE ON THE BLOCK OF LAKE COUNTY, INC.**, whose address is 1339 Neely Drive, Leesburg, Florida 34748, (hereinafter referred to as the "LESSEE")

WITNESSETH:

Lessor hereby leases to Lessee, and Lessee leases from Lessor, the premises having a street address of 1339 Neely Drive, Leesburg, Florida 34748 together with all driveways and parking areas appurtenant thereto, under the terms and conditions set forth below:

1. TERM & TERMINATION. The initial term of this Lease shall be for a period of five (5) years commencing as of the date this Lease is approved by the Leesburg City Commission. This Lease replaces and supersedes an earlier lease between the parties for the same premises, which shall be null and void after approval of this Lease by the City Commission. If, at the end of the term, Lessor does not retake possession of the premises, this Lease shall continue on a month-to-month basis, subject however to adjustment of Rent as provided below, provided such continued possession shall not create or imply any extension for a specified term, and Lessee shall be considered a tenant at sufferance.

The Parties understand and agree that the Lessor may terminate this Lease, with or without cause, for its convenience, upon one hundred twenty (120) days prior written notice to Lessee, or the Parties may, upon mutual agreement, immediately terminate this Lease.

2. RENT. As partial consideration for the use of the premises, the Lessee shall pay to the Lessor, at the time of execution hereof, ten and 00/100 dollars (\$10.00) per year, payable on or before January 5 of each year, and shall maintain the premises as set forth herein.

3. USE. The premises shall be used by the Lessee for the sole purpose of conducting non-profit social service programs such as "Twelve Step Recovery Programs " for alcohol and addiction related issues. Lessee shall not make use of the premises for community events/receptions, nor allow any third party to utilize the premises for such purposes. Lessee shall at no time allow any other group, organization, or individual to make any use of the premises, nor shall Lessee make any use of the premises, other than as set forth above, without the prior written authorization of the Lessor. The Lessee shall make no unlawful or offensive use of the premises, nor shall any activity be carried on at the premises which constitutes a nuisance to surrounding property.

Lessee shall not allow the production, use, handling or storage, of illegal, dangerous or toxic chemicals or substances, machines or equipment causing excessive noise or dust particles or anything else of any nature whatsoever which would be injurious to the building or property in the reasonable opinion of

Lessor. Lessee shall clean up any environmental contamination on the property which is determined to be the result of Lessee's use and occupation thereof, and shall indemnify Lessor against all claims for damages or other relief, plus attorney's fees and costs, due to Lessee's improper or unlawful production, use, handling, storage, or disposal of any hazardous or toxic wastes or substances, as such may be defined from time to time by any local, State or Federal agency. Lessee shall be responsible for the acts and behavior of its officers and employees, licensees, invitees, agents, clients, customers and anyone else on Lessee's premises.

4. DEPOSIT. To secure performance by Lessee of its obligations hereunder, a security deposit of One Thousand and 00/100 Dollars (\$1,000.00) has been placed with Lessor at the time of execution of a prior Lease between the parties for the same location. Upon any default by Lessee under this lease, Lessor may at its sole option recover any damages resulting from such default directly from Lessee as provided more particularly below, or Lessor may at any time withdraw from the security deposit an amount sufficient to compensate Lessor for such damages, and if such damages exceed the security deposit amount, Lessor may recover the difference from Lessee directly, it being specifically understood that the amount of the security deposit does not in any way limit the liability of Lessee for damages under this lease. The portion of the deposit, if any, not retained by Lessor to compensate it for damages shall be returned to Lessee after the termination of this Lease. However, prior to any refund, Lessee must present paid receipts indicating that all bills for services to the premises have been paid, together with such other proof as Lessor may reasonably require to establish that Lessee's debts and obligations attributable to the premises have been paid.

5. UTILITIES. All utilities serving the premises, including but not limited to electricity, water, refuse and garbage service, sewage disposal and pollution abatement charges, pest control, cable or satellite television, telephone and other telecommunications or data transmission services, impact fees, and janitorial service shall be secured and paid for by Lessee, who shall hold Lessor harmless from any loss or damage, including attorney's fees, arising out of failure by Lessee to pay all utility charges when due. Upon termination of this Lease, Lessee shall not be entitled to a refund of any portion of the security deposit until receipts are provided to Lessor indicating that all utility charges due for service to the premises prior to termination have been paid.

6. TAXES. Lessee shall pay all sales taxes due on the rent or other charges paid by Lessee to, or on behalf of, Lessor under this lease, and all personal property taxes assessed against Lessee's property kept at the premises, together with any intangible personal property or ad valorem taxes assessed against this leasehold interest. Lessee will also pay any ad valorem taxes assessed against the real property and any special assessments levied against the real property, prior to delinquency, and provide proof of payment to Lessor when the paid true receipt is received by Lessee.

7. INSURANCE. Lessor will insure the building against damage by fire and other

casualty, but this insurance will cover the structure only and all proceeds thereof shall be the sole property of Lessor. Lessee is responsible for insuring its own personal property on the premises. Also, Lessee shall at its expense procure, and maintain in force throughout the term, the following policies of insurance:

- A.** Public liability insurance against any and all claims and demands resulting from injuries received in connection with Lessee 's occupancy of the pre mises, with limits of not less than One Million Dollars (\$1,000,000.00) combined single limit coverage for damages incurred or claimed for death or bodily injury, or for damages to property, ***with Lessor shown on the policy as an additional Insured.*** The amount of insurance which Lessee is required to carry under this sub-paragraph shall not be construed as a limitation on the damages owed by Lessee to Lessor in the event of a covered incident, and if judgment is entered against Lessor as a result of a covered incident which exceeds the amount of insurance Lessee is required to carry, Lessee shall be responsible for the difference and pay it immediately to Lessor as additional rent hereunder.
- B.** Workers ' Compensation Insurance, providing coverage against injury to Lessee's employees on the premises, as required by law.
- C.** Any other policies of insurance or special endorsements which Lessor may reasonably request from time to time due to changes in circumstances, or to any special risks arising out of Lessee 's operations.

The original of each such policy of insurance, or a complete duplicate, shall be delivered to Lessor by Lessee prior to occupancy of the premises by Lessee, together with evidence that the premiums have been paid. Each policy shall contain a provision that it may not be canceled for any reason without thirty (30) days prior, written notice being given to Lessor by the insurer. All policies shall be issued by insurers of recognized responsibility, which are licensed to do business in Florida, with at least an "A" rating by AM. Best.

8. MAINTENANCE. Lessee shall maintain the entire premises during the term of this Lease including, but not limited to: the roof, the exterior of the building structure, the air conditioning and heating systems, the interior of the building, the electrical system, the plumbing, the exterior grounds, the driveways, and the parking lot. Lessee shall repair any major structural defects or damages caused by the negligent or deliberate acts of Lessee, its agents, servants, or employees. The premises shall be returned to Lessor at the end of this Lease in as a good a condition, or better, as existed when Lessee took possession, ordinary wear and tear excepted. Nothing in this paragraph shall

apply to damage by fire or other casualty.

9. FIRE EQUIPMENT. Lessee shall provide and maintain, at Lessee's sole expense, approved fire protection devices adequate for each room of leased premises in accordance with the City of Leesburg fire safety codes and requirements. Proof of said compliance and regular inspections of the fire safety equipment shall be provided to Lessor.

10. ENTRY AND INSPECTION. At any reasonable time, Lessor may enter the leased premises personally or through a designated agent and conduct an inspection to determine if Lessee is complying with the terms of this Lease. If such inspection reveals deficiencies, Lessor may, but shall not be obligated to, make such repairs, or take any other action, as may be necessary to bring Lessee into compliance, and recover the costs thereof either from the deposit, or from Lessee, in which case the costs shall be considered additional rent due immediately from Lessee; failure by Lessee to pay these sums shall be grounds for immediate termination of this Lease.

Lessor may show the premises to prospective purchasers, mortgagees, and tenants during the term of this Lease, but shall endeavor to provide reasonable notice to Lessee regarding same.

11. ADDITIONAL RENT. All truces, costs, charges, and expenses which Lessee is required by this Lease to pay, together with all sales or other truces due thereon and all interest and penalties thereon which may accrue in the event Lessee fails to pay such amounts, and all damages, costs and expenses (including attorney's fees) which Lessor may incur by reason of any failure by Lessee to comply with the terms of this Lease, shall be deemed to be additional rent, and in the event of nonpayment thereof by Lessee, the Lessor shall have the same rights and remedies with respect thereto as Lessor may have, at law, in equity, or under this lease, for nonpayment of the rent itself.

12. ALTERATIONS AND IMPROVEMENTS. No alterations or improvements to the premises shall be made by Lessee, nor shall any signs be erected, unless Lessor has reviewed the plans and specifications and given its written consent before commencement of any such work. No change of color on the exterior of the building will be allowed until Lessor has reviewed the proposed color scheme and given its written approval. Subject to the prior approval of Lessor as to design and content, which may not be withheld unreasonably, Lessee may erect adequate signage on the premises without payment of additional rent, "adequate" being defined by reference to other facilities of similar size and usage in the general area. Lessor may require Lessee to remove any unauthorized signs, alterations, or improvements, and to return the premises to their original condition, and if Lessee fails or refuses to do so then Lessor may have the necessary work done and assess the cost against Lessee, to be paid immediately upon demand. All work must conform to applicable codes and be performed by licensed and bonded contractors, and statutory performance and payment bonds shall be secured. At the end of the term or upon any earlier termination of this lease, all alterations and improvements which are affixed

or attached to the premises in such a manner that they cannot be removed without damage to the premises, shall become the property of Lessor and shall not be removed by Lessee.

13. LIENS. The Lessee shall not have the power or authority to subject the Lessor's interest in the premises to mechanics', laborers' or materialmen's liens of any kind against Lessor's interest during this Lease. If such a lien is filed, Lessee shall cause the premises to be released therefrom within five (5) days of written demand by Lessor, either by payment in full, or by posting of bond which by law releases Lessor's interest from the legal effect of such lien. Prior to commencing work, Lessee shall obtain from any contractor, subcontractor, laborer or materialmen performing work or providing materials for the premises, a waiver of lien whereby such person specifies that he or she will not impose any lien or claim against the real property by reason of the work done or materials provided. Any such work shall be done only under written contract and Lessor shall have the opportunity to approve such contract before work commences.

14. REPRESENTATIONS OF LESSOR In order to induce Lessee to enter into this lease, the Lessor has made the following representations and no others:

- A.** Lessor has good title to the premises, and the right to enter into this Lease without the joinder or consent of any other person or entity;

15. REPRESENTATIONS OF LESSEE. In order to induce Lessor to enter into this Lease, the Lessee has made the following representations, and no others:

- A.** Lessee has inspected the premises and found them to be fit for its intended purposes.
- B.** Lessee has assured itself that the zoning of the premises will permit the intended use, will not violate any zoning or land use rules during occupancy, and will obtain and keep in force all licenses and permits required for the operation of Lessee's activities at the premises. Lessor is not hereby contracting away its lawful authority to regulate land use or any other aspect of the Lessee's operations under Lessor's applicable codes and ordinances as now in effect or as hereafter amended.
- C.** Lessee is acting solely on its own behalf, and not on behalf of any third party or undisclosed principal whomsoever.
- D.** Lessee will perform and abide by each and every term, covenant and agreement of this lease.
- E. EXCEPT FOR ANY WARRANTIES SET FORTH SPECIFICALLY IN THIS LEASE, ALL WARRANTIES OF ANY NATURE CONCERNING THE PREMISES, EITHER ORAL OR WRITTEN, EXPRESSED OR**

IMPLIED, AND WHETHER OF HABITABILITY, FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, ARE WAIVED BY LESSEE, AND DISCLAIMED BY LESSOR, AND LESSEE AGREES TO ACCEPT THE PREMISES IN "AS-IS" CONDITION.

F. If Lessee is not a natural person, then Lessee warrants that it is duly formed and validly existing under state law and local ordinances, and that all things required by law or by Lessee's governing documents, necessary to the execution of this lease have been accomplished, and the person signing this lease is authorized to bind Lessee.

16. INDEMNITY. Lessee will indemnify Lessor, and hold Lessor harmless, from and against all claims, debts, demands, or obligations which may be made against Lessor, or Lessor's interest in the premises, excepting only those matters which are the direct (and not vicarious) and proximate result of the gross negligence or deliberate acts of Lessor, its agents, servants or employees, arising out of or in any way connected with Lessee's use and occupation of the premises. If it becomes necessary for Lessor to defend any action against it, seeking to impose such liability, Lessee will pay not only any judgment entered against Lessor in such proceeding, but also all costs and attorney's fees incurred by Lessor in its defense of the proceeding.

17. DAMAGE BY LESSEE OR BY FIRE AND CASUALTY. If the premises are damaged by fire or other casualty such that, in the sole opinion of Lessor, the premises become untenable or unsafe, then Lessor may, at its sole option, either repair the premises or immediately terminate this Lease. If Lessor repairs the premises, the insurance proceeds on Lessor's policy shall be used to pay the cost of the repairs; otherwise, those proceeds shall be paid to Lessor.

If the premises are damaged by the intentional or negligent acts or omissions of Lessee or any of its agents, servants, employees or guests, then Lessor may repair such damage and restore the premises to their original condition without notice to or consent by Lessee, and recover the entire cost of the repair from Lessee immediately, together with consequential damages suffered by Lessor as a result of the intentional or negligent acts of the Lessee, its agents, servants, employees or guests.

18. BANKRUPTCY. This lease shall be terminated immediately, without notice to Lessee, in the event Lessee or any surety of Lessee on this lease become bankrupt, or files any proceedings as debtor, or takes or has taken against it any action or proceeding in bankruptcy or insolvency or for reorganization or appointment of a trustee of all or a portion of Lessee's or the surety's property; or if Lessee or any surety makes an assignment for the benefit of creditors.

19. NO WAIVER No failure by Lessor to exercise any remedy available to it in the event of a breach of this lease by Lessee shall be deemed a waiver of any subsequent breach, whether of the same

or a different provision of this lease, nor shall it be considered a justification of any subsequent breach by Lessee.

20. DEFAULT. In the event of a default by Lessee which continues longer than five (5) days after the giving of written notice to Lessee by Lessor demanding that the default be cured, Lessor may terminate this lease and resume possession of the premises immediately, and recover from Lessee liquidated damages as specified below, or at its option Lessor may take such action and expend such sums as may be necessary to cure the default, and recover the cost to cure from the deposit.

Upon termination of this lease, Lessee shall surrender the premises peaceably to Lessor immediately, and if Lessee fails to do so it shall be deemed guilty of unlawful detainer of the premises and be subject to remedies provided for that violation. This lease shall be considered terminated immediately upon the giving to Lessee by Lessor of written notice of termination. Liquidated damages of seventy-five and 00/100dollars (\$75.00) per day shall be paid by Lessee for each day or portion thereof that Lessee fails to surrender possession of the premises to Lessor in accordance with this lease, after termination or expiration hereof.

In any event, in addition to recovery of possession and liquidated damages, Lessor shall also recover all special damages, costs and attorney's fees incurred by it as a result of the default by Lessee. Lessee agrees that it would be impossible to compute the general damages suffered by Lessor should Lessee default, that it is therefore proper to provide for liquidated damages, and that the amount of liquidated damages set forth herein is reasonable and does not constitute a penalty or forfeiture.

21. REMEDIES CUMULATIVE. Lessor's remedies under this Lease are cumulative, and no one remedy shall be exclusive, in law or equity, of any other rights which Lessor may have, and the exercise of one right or remedy shall not impair Lessor's standing to exercise any other right or remedy.

22. ARREARAGES. Any amount of money to be paid to Lessor by Lessee under this Lease, which is not paid within thirty days after demand by Lessor shall bear interest at the highest rate allowed by law until paid in full. Lessor, at its sole option, may elect to apply any payment by Lessee either to amounts most recently due, to amounts farthest in arrears, or to interest due on the arrearages.

23. ASSIGNMENT & SUB LEASING. Lessee understands and agrees that this Lease may not be assigned, either in whole or in part, by Lessee. Lessee understands and agrees that Lessee may not sublet the premises, either in whole or in part. Lessee understands that Lessee may not allow any third party to make any use of the premises without the prior written consent of the Lessor. Lessee understands and agrees that any violation of this Section by Lessee shall be grounds for immediate termination of this Lease without any requirement

24. MEMORANDUM. Lessor may, at its option, record a memorandum of this Lease in

the Public Records of Lake County, Florida, so as to alert third parties of the nature and duration of Lessee's interests in the premises.

25. RELATIONSHIP OF PARTIES. Nothing in this Lease shall be deemed to create a relationship of partnership, principal and agent, or any other relationship between the parties other than landlord and tenant. Lessee agrees that it shall not challenge the fee title of Lessor in the premises or claim any interest superior thereto.

26. COSTS AND FEES. In the event it is necessary for Lessor to employ counsel to enforce the obligations of Lessee hereunder, the Lessee shall reimburse Lessor for reasonable attorney's fees so incurred, whether or not suit is filed; and if a legal action is commenced by either party, then at the conclusion of such action the prevailing party shall be entitled to recover its reasonable costs and attorneys fees, in addition to any other relief granted.

27. GOVERNING LAW. This lease shall be applied and construed in accordance with the Laws of Florida. Venue for any action hereunder shall be in Lake County, Florida. The courts of the State of Florida shall have jurisdiction to hear and decide any and all disputes which arise under this lease.

28. NOTICES. Any notice required by this lease shall be in writing and shall be either delivered in person, sent by Federal Express, UPS or other widely recognized overnight courier service, or mailed by United States Mail, certified with return receipt requested and all postage charges prepaid. Except where receipt is specifically required in this lease, any notice mailed in accordance with these standards to the proper address as set forth below shall be deemed to be effective three days after the date of postmark, any notice hand delivered shall be deemed effective upon delivery, and any notice sent by overnight courier shall be deemed effective on the next business day following the date on which the properly addressed notice is placed into the hands of the courier service for transmittal, and any time period shall begin running as of that date, whether or not the notice is actually received. Notices shall be given in the following manner, or in such other manner as may be directed by either party, in writing, from time to time:

A. To Lessor: Attn: City Manager
501 West Meadow Street
Leesburg, Florida 34749-0630

B To Lessee: by mailing or delivery to Lessee at the leased premises or by posting such notice at the leased premises.

29. CONSTRUCTION. Any word in this lease shall be read as either singular or plural, and as either masculine, feminine or neuter gender as the context may require. Captions are included for convenience only, and shall not be construed to limit, expand, or otherwise modify the text of this

lease in any manner.

30. NATURE OF AGREEMENT. This Lease sets forth the entire agreement of the parties; it takes precedence over all prior representations, negotiations and agreements, whether oral or written, which are deemed to have merged into this lease and to have been extinguished to the extent not set forth specifically herein. The execution of this lease has not been induced by either party by any representations, promises or understandings not expressed herein, and there are no collateral agreements, promises or undertakings whatsoever in any way touching on the subject matter of this lease which are not expressly contained herein. This Lease may not be amended orally, by waiver or course of conduct, or in any manner whatsoever, other than by written instrument signed by all parties hereto, including Guarantors. Without limiting the generality of the foregoing, this Lease supersedes any prior written lease between the parties for the same premises, which shall be terminated and have no further force or effect upon approval of this Lease by the Leesburg City Commission.

31. CONDEMNATION. In the event all or any portion of the building is taken by eminent domain, or is conveyed under threat of such proceedings, all compensation resulting therefrom shall be the property of Lessor and Lessee hereby assigns to Lessor any interest Lessee may otherwise have in such award. Lessee shall execute any documentation required to achieve this result. In the event of a total taking, this lease shall terminate. In the event of a partial taking, Lessor may elect either to terminate this lease or to repair and restore the remaining portion of the premises at its own expense, and keep this lease in force.

32. DISSOLUTION OF LESSEE. If the Lessee, for any reason, is dissolved, ceases to exist, abandons the premises for more than thirty (30) days, or otherwise loses its status as a Florida Not-For-Profit Corporation, then the Lessor may immediately terminate this Lease.

33. SEVERABILITY. If any provision hereof is declared invalid or unenforceable, it shall be severed here from and the remainder of the lease shall continue in full force as if executed originally without the invalid portion.

34. ADA COMPLIANCE. Except as provided below, if during the term any alterations or improvements to the premises are required in order to comply with the Americans with Disabilities Act, such improvements shall be the responsibility of the Lessee. The Lessee shall observe and comply with all requirements of the ADA in the operation of its business at the premises and shall hold the Lessor harmless from any loss or damage (including court or administrative costs and attorney's fees) arising out of any violation of ADA by Lessee in the operation of its business or any failure by Lessee to make any improvements required by ADA which are the responsibility of Lessee.

IN WITNESS WHEREOF, the parties have executed this Lease on the day and year shown below.

THE CITY OF LEESBURG, FLORIDA

By: _____

Alan Reisman, Mayor

Attest: _____

J. Andi Purvis, City Clerk

DATE: _____, 2025

Approved as to Form and Content

City Attorney

WITNESSES: (two required)

**THE LAST HOUSE ON THE BLOCK OF
LAKE COUNTY, INC.**

Signature

Print Name and Corporate Title

Date _____, 2025

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: May 12, 2025

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida, authorizing the City Manager to engage in services to compile a Tax Study Survey with Lake 100 for an expense amount up to \$15,000; and providing an effective date.

Staff Recommendation:

Approve a resolution authorizing the City Manager to execute a tax revenue and expense survey with Lake 100.

Analysis:

A letter (attached) was submitted to the City Commission on April 30, 2025, from Lake 100. The purpose of the letter was to seek support from Lake County municipal corporations to conduct a study concerning County and City tax revenues and expenses. The purpose of the study is to determine best practices in providing urban services to the growing region. The aim is to create a base point for discussing ways to manage growth in and around Lake County. The goal is to get as many cities involved in the study as possible to minimize costs. The attached resolution provides participation from Leesburg up to the cost of \$15,000.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

This is not a budget item, but funds are available in reserve or unspent FY 25 programed expenses.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, AUTHORIZING THE CITY MANAGER TO
ENGAGE IN SERVICES TO COMPILE A TAX STUDY SURVEY WITH
LAKE 100 FOR AN EXPENSE AMOUNT UP TO \$15,000; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Commission received a letter from Lake 100 dated April 30, 2025;
and,

WHEREAS, the purpose of the letter was to encourage Lake County Municipal
Corporations to conduct a study of tax revenues and expenditures to develop a base line on how to
blend County and City services to best serve residents during this time of growth and expansion;
and,

WHEREAS, this Resolution authorizes the City Manager to execute documents which
would engage the City of Leesburg in such study.

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

THAT, the Mayor and City Commission of the City of Leesburg, Florida, authorize the City
Manager to work in connection with Lake 100 to hire and complete a tax revenue and expense study
for an amount up to \$15,000.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular
meeting held on the 12th day of May 2025.

Alan Reisman, Mayor

ATTEST:

J. Andi Purvis, City Clerk



April 30, 2025

Dear Lake County City Partners,

Lake 100 respectfully invites your city to participate in a proposed independent study to better understand the local government taxing structure in Lake County.

As a private-sector business leadership organization committed to economic growth and community well-being, Lake 100 is increasingly concerned by the growing tension between municipalities and the County regarding annexation, service funding and long-term planning responsibilities. Lake County's cities and the County are debating – sometimes without shared facts- who is truly bearing the costs of infrastructure and service delivery in a rapidly growing region. As a result, some have suggested that the solution is a referendum on a potential county charter to move some authority away from municipal home-rule and shift decision making authority to the County.

An independent study analyzing revenues and expenditures for services offers a chance to ground those conversations in data. By analyzing the fiscal dynamics between municipal governments and Lake County, we believe the findings will help document and clarify the following questions:

- a. Are Lake's cities disproportionately subsidizing county services to areas outside municipal limits – and to what extent?
- b. Are specific services like law enforcement and fire duplicated or overlapping, potentially allowing for cost efficiencies?
- c. Will the resulting data assist elected leaders with neutral, independent data to better educate the public on operating budgets?
- d. Will the results of the study reinforce the business community's need for predictability, fairness and transparency in how growth is managed across jurisdictions?

Participating in this effort is not a statement against the County or support for cities. It is an effort to force the debate to be centered around facts and a proactive step toward informed cooperation. We believe shared that shared facts are the only path forward to restoring trust, reducing political friction, and ensuring that Lake County's cities remain strong economic engines.

The research would begin with bringing representatives and the county together to agree on a methodology before proceeding. An agreed upon approach would reduce contention with the overall findings and recommendations.

Lake 100 is not asking for political alignment – we are asking to move this debate toward a shared set of facts. A handful of city managers have indicated support, and we hope you will join them. The cost of the study will be shared proportionately based upon populations. Final contributions will be calculated once we confirm the list of participating cities and their populations.

Please let me know if your city is interested in participating by May 15, 2025, if possible - or if you would like to discuss this further. We welcome the opportunity to answer any questions.

Sincerely,

Mandy Wettstein

Lake 100

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.5.

Meeting Date: May 12, 2025

From: Sandra Wilson, (Housing Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing staff to submit a grant application to Lake County for Community Development Block Grant (CDBG) Funding for sidewalk construction and/or replacement projects in the CDBG target areas; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution to authorize the submission of a CDBG application to Lake County for FY 25-26 funding.

Analysis:

The City of Leesburg has participated with the Lake County Board of County Commissioners under an Urban County Cooperation Agreement since 2014. As an Urban County partner, Leesburg's demographics contribute to the determination of funding received by Lake County for Community Development Block Grants. Therefore, Leesburg will identify areas in the CDBG target areas (Montclair/Pine Street Corridors) where new sidewalks should be constructed, or old sidewalks need to be replaced.

The project will seek up to \$500,000 of grant funding, which requires \$0 matching dollars from the City, with an estimated project cost of \$500/linear foot for sidewalk improvements.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

If awarded, a budget adjustment will be necessary to add the funds to the current budget.

Account No. 017-0000-331-5600

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING STAFF TO SUBMIT A GRANT APPLICATION TO
LAKE COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) FUNDING FOR SIDEWALK CONSTRUCTION AND/OR
REPLACEMENT PROJECTS IN THE CDBG TARGET AREAS; AND
PROVIDING AN EFFECTIVE DATE.**

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

THAT the Mayor and City Clerk are hereby authorized to execute an authorizing resolution to the Lake County Board of County Commissioners whose address is P. O. Box 7800, Tavares, Florida 32778, for an application to be submitted to the Lake County Community Development Block Grant (CDBG) Program for a sidewalk project in the Carver Heights Community Redevelopment Area.

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 12th day of May 2025.

Mayor

ATTEST:

City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.1.

Meeting Date: May 12, 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 8.77 +/- acres; and being generally located east of US Highway 27 and north of Magnolia Avenue, 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. (Venice at Lake Harris ANNEX)

Staff Recommendation:

The Planning and Zoning staff recommend approval of the proposed ordinance for annexation of 8.77 +/- acres. The Planning Commission recommended **denial** for the associated Small Scale Comprehensive Plan and SPUD (Small Planned Unit Development) cases at the public hearing held on April 28, 2025.

Analysis:

The applicant has submitted a request for annexation of approximately 8.77 +/- acres, generally located east of US Highway 27 and north of Magnolia Avenue, as shown on the attached General Location Map. At this time, the property is undeveloped. The current zoning is Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District); the proposed zoning is City SPUD (Small Planned Unit Development). The reason for this request is to connect to city utilities and to develop under City Codes and requirements. The proposal on the property is for 26 attached single-family residential units and 21,000 square feet of commercial uses.

The property is surrounded by Lake County C-2 (Community Commercial District), R-6 (Urban Residential District), Lake County C-1 (Neighborhood Commercial); City of Leesburg SPUD (Small Planned Unit Development), and PUD (Planned Unit Development). As conditioned in the SPUD (Planned Unit Development) zoning case which is also on this agenda, negative impacts are mitigated for adjacent properties.

Also, on this City Commission agenda is a Small-Scale Comprehensive Plan Amendment, which along

with the Small Planned Unit Development Application, had a recommendation for approval from the staff, and a project recommendation for **denial** by the Planning Commission at the public hearing held on April 28, 2025. The main points of contention noted by the Planning Commission were wetlands impact and increased traffic.

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 8.77 +/- ACRES; AND BEING GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, 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. (VENICE AT LAKE HARRIS ANNX)

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

Section 1.

Based upon the petition of Ruben Larrea, Managing Director, Atlantikos Group, 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 _____ day of _____, 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

LEGAL DESCRIPTION:

PARCEL (PARCEL ID: 02-20-24-0003-000-03400)

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST (1/4) OF SECTION 2 TOWNSHIP 20 SOUTH, RANGE 24 EAST. IN LAKE COUNTY, FLORIDA AND RUN SOUTH ALONG THE WEST LINE OF THE SOUTHWEST (1/4), A DISTANCE OF 913 FEET; THENCE S 89°37'00" E.K. 1683.2 FEET; THENCE S 00° 00" W, 330.00 FEET TO A CONCRETE MONUMENT LABELED RLS1571 AND THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING CONTINUE S 00°00' 00" W, 210.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 89° 37' 00" E 321.43 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 110.00 FEET TO A CONCRETE MONUMENT; THENCE S 89° 37' 00" E, 25.20 FEET TO A CONCRETE MONUMENT; THENCE S 00° 23' 00" W, 200.00 AN IRON PIN LABELED LB707; THENCE N 89° 37' 00" W, 52.50 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 70.18 FEET TO A CONCRETE MONUMENT; THENCE N 89° 37'00" W, 82.00 FEET TO AN IRON PIN (NO NUMBER); THENCE S 00° 23' 00" W, 10.18 FEET TO AN IRON PIN (NO NUMBER), THENCE N 89°37'00" W, 300.00 FEET TO A CONCRETE MONUMENT; THENCE S 00° 05' 20" W, 130.00 FEET TO A CONCRETE MONUMENT; THENCE CONTINUE S 00° 05' 20" W, 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY WATERS EDGE OF A CANAL AND A POINT HEREBY DESIGNATED AS POINT "A"; RETURNED TO THE POINT OF BEGINNING AND RUN N 90°00' 00" W. 40.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 00°00'00" W, 70 FEET TO AN IRON PIN LABELED LB707; THENCE N 89°37'00" W, 150.00 FEET TO AN IRON PIN LABELED LB 707; THENCE S 00° 00' 00" W, 300.00 FEET TO AN IRON PIN LABELED LB 707; THENCE CONTINUES 00° 00' 00" , 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY ON THE WATERS EDGE OF A CANAL; THENCE EASTERLY ALONG AND WITH SAID NORTHERLY WATERS EDGE OF A CANAL TO INTERSECT THE AFOREMENTIONED POINT "A".

PARCEL 2 (PARCEL ID NO. 02-20-24-0003-000-07700 AND 02-20-24-0003-000-03411)

FROM THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 20 SOUTH. RANGE 24 EAST, LAKE COUNTY, FLORIDA, THENCE RUN NORTH ALONG THE SECTION LINE 792 FEET; THENCE SOUTH 89°41'30" EAST 978.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27; CONTINUE THENCE SOUTH 89°41'30" EAST 114.75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING RUN THENCE NORTH 89°41'30" WEST 114.75 FEET; THENCE NORTH 25°26'10" WEST ALONG AFORESAID EASTERLY RIGHT OF WAY 522.39 FEET; THENCE SOUTH 89°37' EAST 249.03 FEET; THENCE NORTH 25°26'10" WEST 255.62 FEET; THENCE SOUTH 89°37' EAST 600 FEET; THENCE DUE SOUTH 475 FEET, MORE OR LESS, TO THE WATERS OF A CANAL; THENCE WESTERLY ALONG AND WITH THE WATERS OF SAID CANAL 470 FEET, MORE OR LESS, TO A POINT THAT IS NORTH 17°47'10" WEST OF THE POINT OF BEGINNING; THENCE SOUTH 17°47'10" EAST 240 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

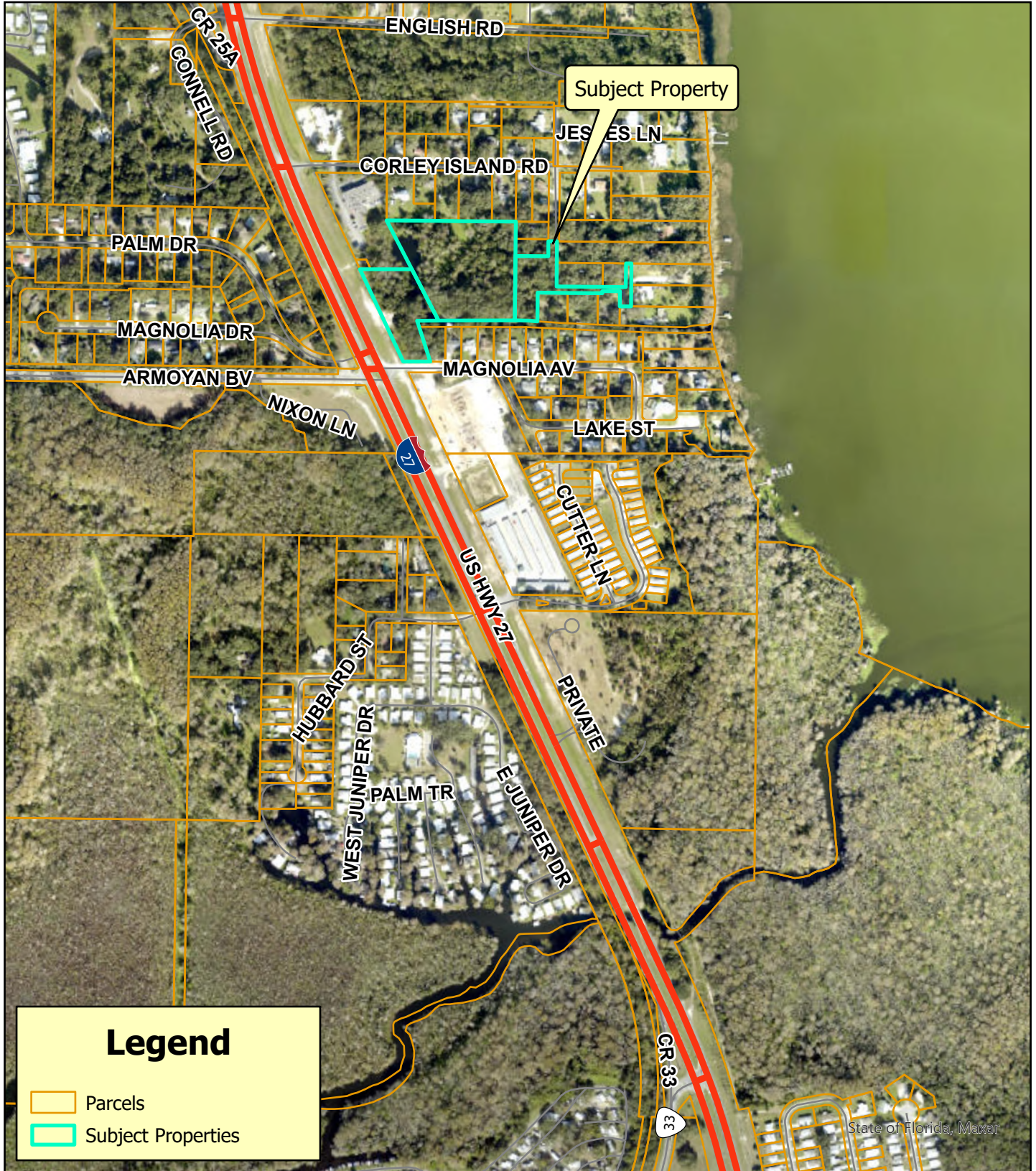
LESS AND EXCEPT: THE SOUTH 30 FEET THEREOF FOR ROAD RIGHT-OF-WAY PURPOSES.

TOGETHER WITH AN EASEMENT TO BE USED FOR INGRESS AND EGRESS PURPOSES, LYING IN SECTION 2 TOWNSHIP 20 SOUTH. RANGE 24 EAST. LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 2. RUN SOUTH ALONG THE WEST LINE THEREOF 913.00 FEET; THENCE DEPARTING SAID LINE RUN SOUTH 89°37'00" EAST 1683.20 FEET TO A POINT THAT IS 40.00 FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF SOUTH CORLEY ISLAND ROAD (COUNTY DISTRICT NO. 1-3411); THENCE SOUTH 330.00 FEET TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 258, PAGE 929, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE WEST ALONG THE SOUTH LINE THEREOF 40.00 FEET; THENCE RUN SOUTH ALONG THE WEST LINE OF A NON EXCLUSIVE EASEMENT, DESCRIBED IN OFFICIAL RECORDS BOOK 882, PAGE 482, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, 70.00 FEET TO A S/811 ROD AND CAP LB #3827 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG SAID WEST LINE 50.00 FEET; THENCE DEPARTING SAID WEST LINE RUN WEST 150.00 FEET, MORE OR LESS, TO THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN THE FIRST PARAGRAPH OF OFFICIAL RECORDS BOOK 235, PAGE 983, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH ALONG SAID LINE 50.00 FEET TO THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1622, PAGE 645, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN EAST ALONG SAID LINE 150.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

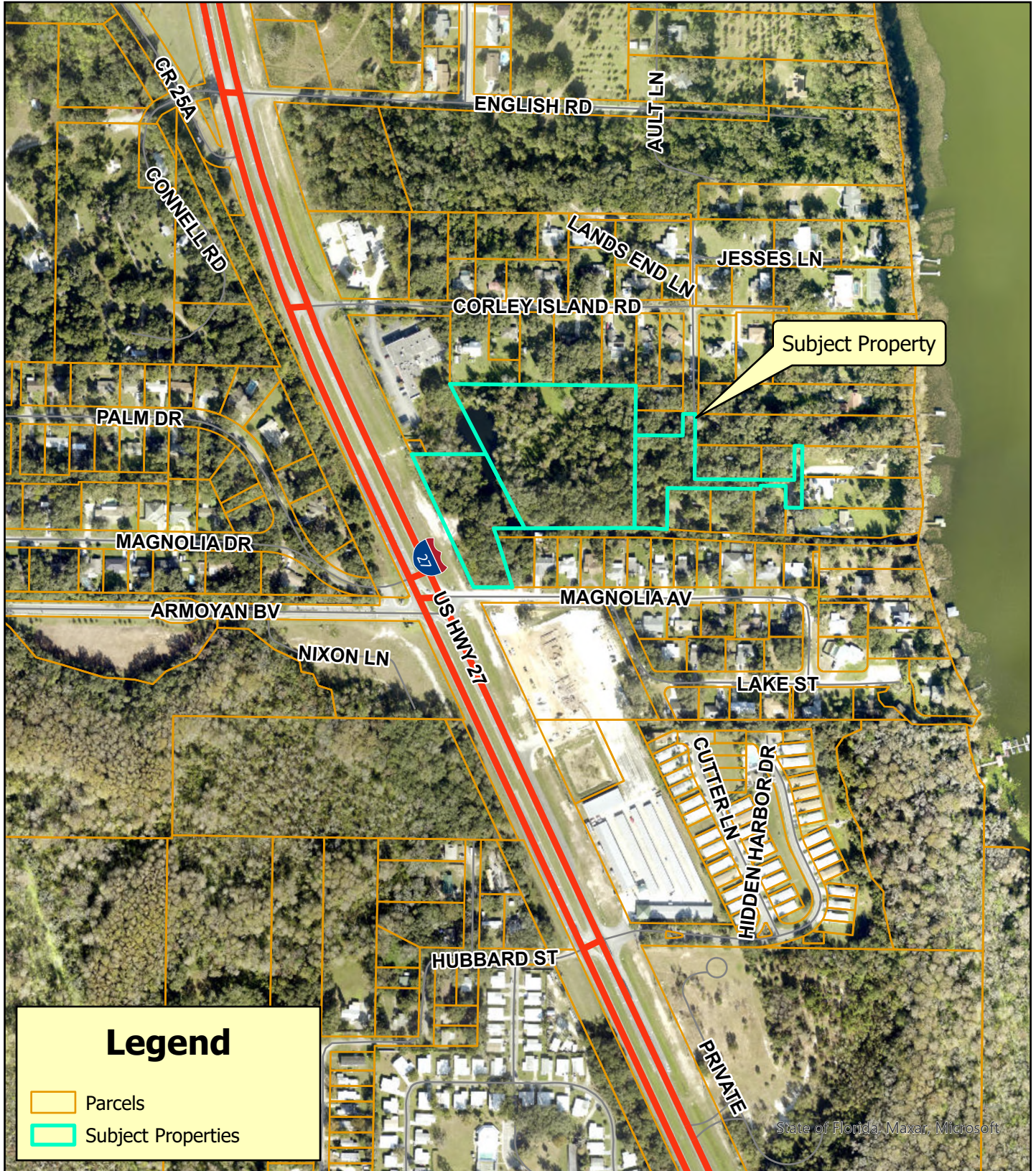
THE ABOVE DESCRIBED PARCELS CONTAIN A TOTAL OF 8.766 ACRES, MORE OR LESS CONSISTING OF 5.497 UPLAND ACRES, 2.229 WETLAND ACRES, AND 1.040 ACRES DESIGNATED AS SURFACE WATERS.

Extended Aerial

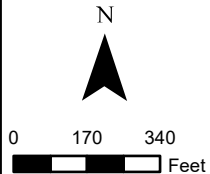


**Planning
& Zoning
Division**

Aerial

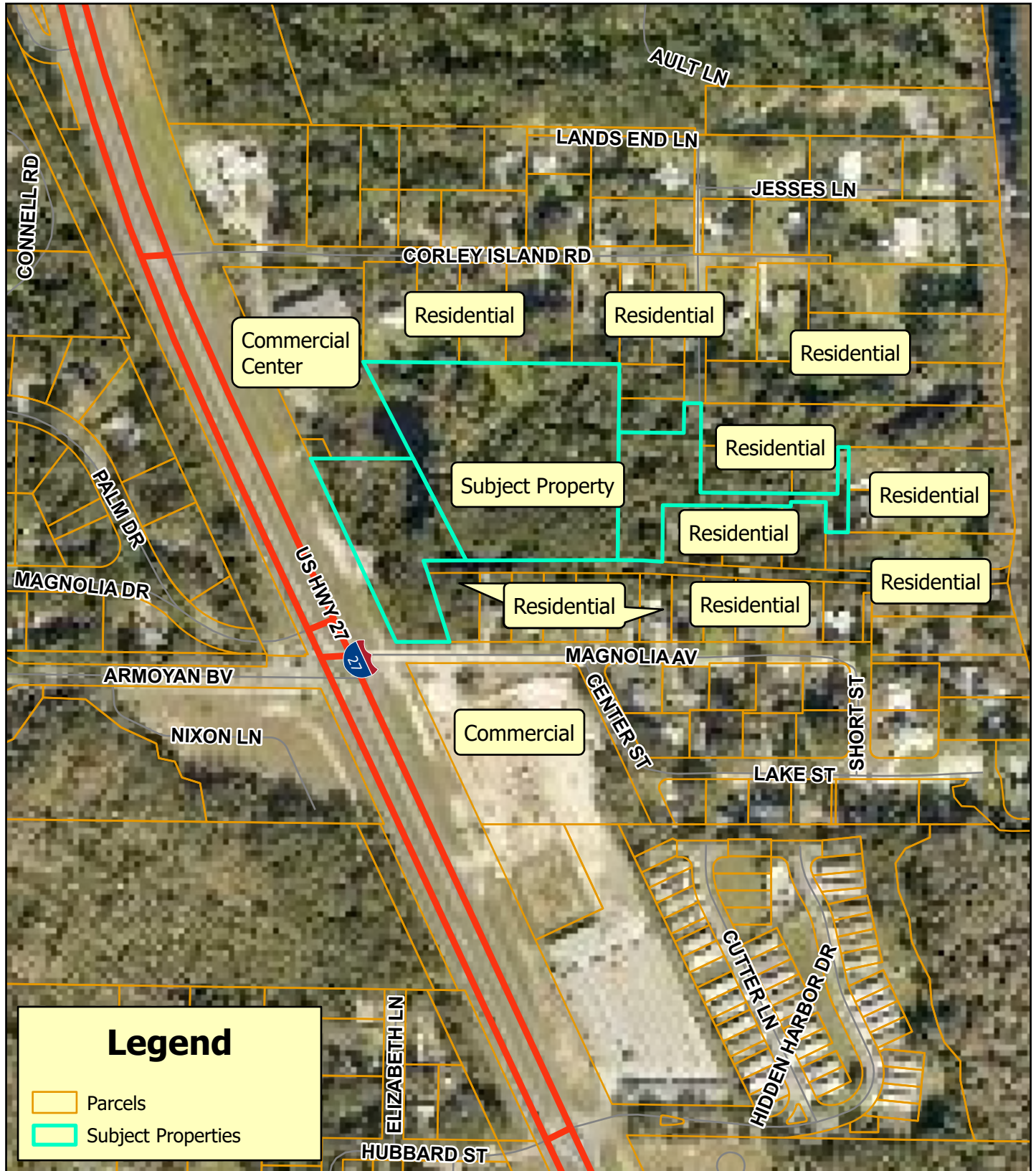


**Planning
& Zoning
Division**

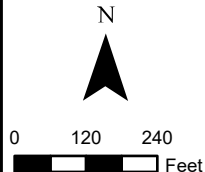


Venice at Lake Harris
ANNX-24-381; SSCP-24-382; SPUD-24-383
Alternate Key(s): 1293707, 3874496, 1081891
Section 02, Township 20 South, Range 24 East
November 25, 2024

Surrounding Land Uses



**Planning
& Zoning
Division**

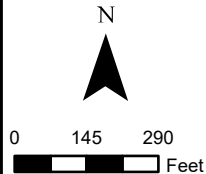


Venice at Lake Harris
 ANN-24-381; SSCP-24-382; SPUD-24-383
 Alternate Key(s): 1293707, 3874496, 1081891
 Section 02, Township 20 South, Range 24 East
 November 25, 2024

Commission District



**Planning
& Zoning
Division**



Venice at Lake Harris
ANNX-24-381; SSCP-24-382; SPUD-24-383
Alternate Key(s): 1293707, 3874496, 1081891
Section 02, Township 20 South, Range 24 East
November 25, 2024

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.2.

Meeting Date: May 12, 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 8.77 +/- acres from Lake County Urban Low to City of Leesburg Low Density Residential, for a property generally located east of US Highway 27 and north of Magnolia Avenue, lying in Section 2, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Venice at Lake Harris 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 8.77 +/- acres from Lake County Urban Low to City of Leesburg Low Density Residential. The Planning Commission recommended **denial** at the public hearing held on April 28, 2025, citing concerns about wetlands and traffic.

Analysis:

The project site is approximately 8.77 acres. The property is generally located east of US Highway 27 and north of Magnolia Avenue. Currently, the property is undeveloped acreage. The proposed use is for 21,000 square foot commercial uses and 26 townhouse units. The surrounding Future Land Use Map designations of Lake County Urban Low Density; City of Leesburg General Commercial, Estate Residential, Conservation, and High Density Residential, are compatible, as conditioned in the associated SPUD zoning, with the proposed future land use designation of City Low Density Residential. The proposed zoning designation of City SPUD (Small 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 April 28, 2025, and recommended **denial**. The main points of contention noted by the Planning Commission were wetlands impact and increased traffic.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 8.77 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG LOW DENSITY RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, LYING IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (VENICE AT LAKE HARRIS SSCP)

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

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

NOW, THEREFORE,

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

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on 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 8.77 acres of land generally located east of U.S. Highway 27 and north of Magnolia Avenue from Lake County Urban Low to City of Leesburg Low Density Residential, as shown on the revised map of said area, lying in Section 2, 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 _____ day of _____ 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

LEGAL DESCRIPTION:

PARCEL (PARCEL ID: 02-20-24-0003-000-03400)

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST (1/4) OF SECTION Z TOWNSHIP 20 SOUTH, RANGE 24 EAST. IN LAKE COUNTY, FLORIDA AND RUN SOUTH ALONG THE WEST LINE OF THE SOUTHWEST (1/4), A DISTANCE OF 913 FEET; THENCE S 89°37'00" E.K. 1683.2 FEET; THENCE S 00° 00" W, 330.00 FEET TO A CONCRETE MONUMENT LABELED RLS1571 AND THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING CONTINUE S 00°00' 00" W, 210.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 89° 37' 00" E 321.43 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 110.00 FEET TO A CONCRETE MONUMENT; THENCE S 89° 37' 00"- E, 25.20 FEET TO A CONCRETE MONUMENT; THENCE S 00° 23' 00" W, 200.00 AN IRON PIN LABELED LB707; THENCE N 89° 37' 00" W, 52.50 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 70.18 FEET TO A CONCRETE MONUMENT; THENCE N 89° 37'00" W, 82.00 FEET TO AN IRON PIN (NO NUMBER); THENCE S 00° 23' 00" W, 10.18 FEET TO AN IRON PIN (NO NUMBER), THENCE N 89°37'00" W, 300.00 FEET TO A CONCRETE MONUMENT; THENCE S 00° 05' 20" W, 130.00 FEET TO A CONCRETE MONUMENT; THENCE CONTINUE S 00° 05' 20" W, 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY WATERS EDGE OF A CANAL AND A POINT HEREBY DESIGNATED AS POINT "A"; RETURNED TO THE POINT OF BEGINNING AND RUN N 90°00' 00" W. 40.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 00°00'00" W, 70 FEET TO AN IRON PIN LABELED LB707; THENCE N 89°37'00" W, 150.00 FEET TO AN IRON PIN LABELED LB 707; THENCE S 00° 00' 00" W, 300.00 FEET TO AN IRON PIN LABELED LB 707; THENCE CONTINUES 00° 00' 00" , 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY ON THE WATERS EDGE OF A CANAL; THENCE EASTERLY ALONG AND WM SAID NORTHERLY WATERS EDGE OF A CANAL TO INTERSECT THE AFOREMENTIONED POINT "A".

PARCEL 2 (PARCEL ID NO. 02-20-24-0003-000-07700 AND 02-20-24-0003-000-03411)

FROM THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 20 SOUTH. RANGE 24 EAST, LAKE COUNTY, FLORIDA, THENCE RUN NORTH ALONG THE SECTION LINE 792 FEET; THENCE SOUTH 89°41'30" EAST 978.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27; CONTINUE THENCE SOUTH 89°41'30" EAST 114.75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING RUN THENCE NORTH 89°41'30" WEST 114.75 FEET: THENCE NORTH 25°26'10" WEST ALONG AFORESAID EASTERLY RIGHT OF WAY 522.39 FEET; THENCE SOUTH 89°37' EAST 249.03 FEET; THENCE NORTH 25°26'10" WEST 255.62 FEET; THENCE SOUTH 89°37' EAST 600 FEET; THENCE DUE SOUTH 475 FEET, MORE OR LESS, TO THE WATERS OF A CANAL; THENCE WESTERLY ALONG AND WITH THE WATERS OF SAID CANAL 470 FEET, MORE OR LESS, TO A POINT THAT IS NORTH 17°47'10" WEST OF THE POINT OF BEGINNING; THENCE SOUTH 17°47'10" EAST 240 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT: THE SOUTH 30 FEET THEREOF FOR ROAD RIGHT-OF-WAY PURPOSES.

TOGETHER WITH AN EASEMENT TO BE USED FOR INGRESS AND EGRESS PURPOSES, LYING IN SECTION 2 TOWNSHIP 20 SOUTH. RANGE 24 EAST. LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 2. RUN SOUTH ALONG THE WEST LINE THEREOF 913.00 FEET; THENCE DEPARTING SAID LINE RUN SOUTH 89°37'00" EAST 1683.20 FEET TO A POINT THAT IS 40.00 FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF SOUTH CORLEY ISLAND ROAD (COUNTY DISTRICT NO. 1-3411); THENCE SOUTH 330.00 FEET TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 258, PAGE 929, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE WEST ALONG THE SOUTH LINE THEREOF 40.00 FEET; THENCE RUN SOUTH ALONG THE WEST LINE OF A NON EXCLUSIVE EASEMENT, DESCRIBED IN OFFICIAL RECORDS BOOK 882, PAGE 482, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, 70.00 FEET TO A S/811 ROD AND CAP LB #3827 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG SAID WEST LINE 50.00 FEET; THENCE DEPARTING SAID WEST LINE RUN WEST 150.00 FEET, MORE OR LESS, TO THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN THE FIRST PARAGRAPH OF OFFICIAL RECORDS BOOK 235, PAGE 983, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH ALONG SAID LINE 50.00 FEET TO THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1622, PAGE 645, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN EAST ALONG SAID LINE 150.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCELS CONTAIN A TOTAL OF 8.766 ACRES, MORE OR LESS CONSISTING OF 5.497 UPLAND ACRES, 2.229 WETLAND ACRES, AND 1.040 ACRES DESIGNATED AS SURFACE WATERS.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: April 24, 2025
OWNER: Venice at Lake Harris LLC
PETITIONER: Tara Tedrow, Esq., Lowndes Law o/b/o Ruben Larrea, Atlantikos Group
PROJECT: Venice at Lake Harris
REQUEST: Small-scale Comprehensive Plan amendment from Lake County Urban Low to City Low Density Residential.
CASE NO.: SSCP-24-382

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 request is compatible with the adjacent Future Land Use designations of Lake County Urban Low Density, City of Leesburg General Commercial, High Density Residential, Estate Residential, and Conservation.
3. The proposed request is compatible with the proposed zoning of SPUD (Small Planned Unit Development), as conditioned.
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 Low Density Residential, and forward the recommendation to the City Commission for consideration.

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

DATE: April 24, 2025

OWNER: Venice at Lake Harris LLC

PETITIONER: Tara Tedrow, Esq., Lowndes Law o/b/o Ruben Larrea, Atlantikos Group

PROJECT: Venice at Lake Harris

REQUEST: Small-scale Comprehensive Plan amendment to City Low Density Residential and Rezoning to City SPUD (Small Planned Unit Development) allow 21,000 square foot commercial uses and 26 townhome units.

CASE NO.: (ANNX-24-381); SSCP-24-382; SPUD-24-383

GENERAL LOCATION: East of US Highway 27 and north of Magnolia Avenue.

FUTURE LAND USE DESIGNATION: Lake County Urban Low

SURROUNDING FUTURE LAND USE DESIGNATION:

- North – Lake County Urban Low Density; City of Leesburg General Commercial, Estate Residential, Conservation
- South – Lake County Urban Low Density; City of Leesburg General Commercial, High Density Residential, Conservation
- East – Lake County Urban Low Density
- West – Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION: City Low Density Residential

EXISTING ZONING DESIGNATION: Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:

- North – Lake County C-2 (Community Commercial District), R-6 (Urban Residential District); City of Leesburg SPUD (Small Planned Unit Development), PUD (Planned Unit Development)
- South – Lake County C-1 (Neighborhood Commercial), R-6 (Urban Residential District); City of Leesburg SPUD (Small Planned Unit Development), PUD (Planned Unit Development), C-2 (Community Commercial)
- East – Lake County R-6 (Urban Residential District)
- West – Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: City SPUD (Small Planned Unit Development)

EXISTING LAND USE: Vacant, undeveloped acreage.

SURROUNDING LAND USE:

- North – Residential; Commercial Center
- South – Residential; Commercial
- East – Residential
- West – Residential

PROPOSED LAND USE: 21,000 square foot commercial uses and 26 townhome units.

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

DATE: April 24, 2025
OWNER: Venice at Lake Harris LLC
PETITIONER: Tara Tedrow, Esq., Lowndes Law o/b/o Ruben Larrea, Atlantikos Group
PROJECT: Venice at Lake Harris
REQUEST: Small-scale Comprehensive Plan amendment to City Low Density Residential and Rezoning to City SPUD (Small Planned Unit Development) allow 10,300 square foot commercial uses and 42 townhome units.
CASE NO.: (*ANNX-24-381*); SSCP-24-382; SPUD-24-383

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 12/13/2024.

FIRE

In reference to Case Number ANNX-24-381; SSCP-24-382; SPUD-24-383

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-24-381; SSCP-24-382; SPUD-24-383 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, 12/12/2024

ELECTRIC

Electric has no objections. There is an underground primary down along the private easement road noted on the plans. This will require a utility easement when this is developed. – Steve Davis, 11/26/2024.

GAS

Gas Department- No Comment – Wayne Williams, 11/26/2024.

GIS/ADDRESSING:

GIS has no comments. – Nicholas Tota, 11/26/2024.

BUILDING

No comments received as of 12/13/2024.

PUBLIC WORKS

Public Works has no issues with this item. An area of concern however, is the fact that the developer will be adding traffic to an already congested area and this development will not have a direct way to access US 27 Southbound lanes. – Cliff Kelsey, 12/2/2024.

HOUSING & REDEVELOPMENT

No comments received as of 12/13/2024.

LAKE COUNTY PUBLIC WORKS

Lake County Department of Public Works recommended requirements for the Venice at Lake Harris PUD impacts to roadways and drainage systems are the following based on the concept plan.

Please be advised that the developer's concept plan has the county roads on the east side labeled as private. The roads are South Corey Island Rd and Corey Island Road.

Access proposed from Magnolia Ave may not be allowed and will require further evaluation. Request the applicant meet with me to go over the proposed plan..

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.

Traffic:

- A Traffic Impact Study will be required of this development. The study must be review by City of Leesburg, Florida Department of Transportation, and Lake County.

--Seth Lynch, 12/24/2024

LAKE COUNTY SCHOOLS

This project is subject to school concurrency review.... Please find attached a No Impact letter for the Venice at Lake Harris project. – Heather Croney, 12/9/2024

PUBLIC RESPONSES

Approval

Disapproval

2

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

1. "To whom it may concern,

I am extremely against the construction of the townhome project, bordering the South side of my property. I live at 4222 Corley Island Rd, and one of the selling points for me when we purchased our home was that when I look at my back windows all I see is a beautiful wooded lush natural Florida landscape that was supposed to be "unbuildable".

I do not believe that the square footage of the lot behind our property is big enough nor capable to handle the

construction load of what they are prepared to build.

I have walked back there several times throughout the years since we have lived here and the ground is always wet and

mushy beneath my feet. No amount of Fill dirt will prevent the ground from caving in. I'm sure you are aware of the

sinkholes happening all across the villages. That is bound to happen here considering there is a spring in the pond

located in the Northwest end of the lot and in the Southwest corner where the mouth of the canal starts.

These two

springs feeding the Harris chain should prevent builders from construction in this area. It should be preserved and

protected by the city, county, state and the EPA.

I'm concerned about the retention pond shown in the mock up of the community. It will leak into the spring and

contaminate the water in the river and then it will contaminate the lake.

These trees serve as a buffer to my community to block out the traffic of US Highway 27. Not to mention the traffic

heading North and South on 27 is so bad some days I cannot even turn off my road for 10 minutes because the traffic is

so heavy. This will only add to the problem.

As a Realtor serving Lake County, I can guarantee you that these homes will not sell fast. There is no appeal to living in a

community that is surrounded by the back sides of other homes, even if you build a wall. It will not look good and we will have major drainage issues. Then there's that hideous storage unit with its lights on 24/7. The lights are so bright that it is now shining through the trees at night and into my home. Whoever owns one of these townhomes, that's all they'll be looking at that stupid building and its bright lights. Lastly, There is lots of wildlife, so many different types of birds and animals that I've seen, more than I have seen anywhere else in Florida and I have lived here my whole life. Please stop this construction from happening. Thank you,"

- Jenna Loyd, 12/6/2024

2. Neighborhood Petition



Petition in Opposition to CASE# SSCP-24-382 Venice at Lake Harris – Small Scale Comprehensive Plan Amendment

On Thursday, March 20th at 4:30 PM, The Leesburg City Commissioners will meet to hear the developers of Venice of Lake Harris. They are going to propose a change to R-6 zoning to Max Density for housing development and C-1 Commercial.

It is to our benefit to have all neighbors present at this meeting.

Numbers can make a difference.

**The Community of Corley Island Rd. and Magnolia Ave.
object to the following changes.**

- 1. A Devastating Change to Our Communities is being proposed.**
 - a. The residential areas on both sides of the Banana Cove Canal strongly believe that changing the comprehensive plan will be devastating to the environment and community.**
 - b. The Developer wants to change the R-6 zoning density from (1 to 2 houses per buildable acre), to a max density development of an undefined amount. This will impact this area. In Addition to that they will request a change that will allow C-1 Commercial (Neighborhood Commercial) SPUD (Small Planned Unit Development)**
 - c. The Developer wants to annex this Lake County controlled property to a City of Leesburg controlled property, Through Annexation.**
 - i. The legal description of the property in question is found in Section 2, Township 20 South, which is 24 East Lake County, Florida.**
- 2. The Property is Designated as Wetlands R-6. Mixed Forested Wetlands.**
 - a. FEMA has defined 3+ acres of this property as wetlands.**
 - b. St. Johns River Water Management District has upheld the natural surface water runs off to natural wetlands caused by Corley Island Rd. The road runs off, flows downhill through 7 Residential lots to the natural existing wetlands area. This excess of water from the wetlands then will end up in the Banana Cove canal flowing to Lake Harris. SJRWM recognizes this area as 3+ acres that are mapped. as wetlands, no Build zone.**
 - c. The State of Florida has the Right of Ownership to the Banana Cove Canal as it is a Navigable Waterway to and from Lake Harris.**

- d. Surface water has a meandering property line ownership as regulated by the fluctuating water level of Lake Harris, currently. **63.85 msl max High level the 100-year flood level is at 65.13 ft msl.** Any lands below **63.85 msl** are considered flooded. Building setbacks must be 100ft from the Wet areas.
 - e. **The land acts as a natural surface water littoral filter area.**
 - f. **FDOT has always drained US Highway 27 surface water runoff** from the current EMS Facility south to Corley Island Rd catch basin, from there a culvert drains underground Corley Island Plaza into the Banana Cove Canal and then east exiting into Lake Harris.
 - g. The Lake County Road named Corley Island Rd. distributes all storm and surface water run off to six residential lots 4142,4146,4148,4222,4240,4300 and 4314 and 1 Commercial Plaza on the south side of the road. During storm events and hurricanes this surface water overflows until it can percolate or collect the said property wetlands at the lower elevation of the wetlands and then to canal.
 - h. **Wetlands are essential to manage the overflow from these natural disasters to advert flooding** which is no longer covered by Florida Home Insurance.
3. **The Poor Road design of Corley Island Rd leads to Greater Traffic Concerns.**
- a. U.S. Highway 27 has exploded with the influx of traffic due to the expansion on the west side of the highway causing exceptionally long wait times and long lines.
 - b. We are already at max density in our area for traffic flow. **Adding 84 to 100 more drivers would be devastating** to an already overcrowded and poorly designed exit onto Highway 27.
 - c. **This could foreseeably back traffic into both residential roads** leading to road rage as people try to enter and exit onto the

highway with a 55+ mile an hour speed limit. **This could make an already dangerous intersection road deadly.** Check the Accident stats of LPD.

- d. When traffic is diverted from the turnpike onto 27, you can spend a long time 10 to 15 minutes to access North and South bound lanes.
- e. Since the development behind Ravenswood has reached full compacity there has been an explosion of traffic as hundreds of drivers try to ingress/egress, nightmares at the Magnolia Ave Area.
- f. This development would cause havoc as the Developments Access bridge would merge with the existing population of Magnolia Ave accessing Hwy 27.

4. Possible Annexation of the Neighborhoods Corley Island Rd. and Magnolia Ave.

- a. It's a possibility that with the zoning change, the city may try to annex both neighborhoods into the City of Leesburg.
- b. **The developers want us to accept their annexation** for their benefit and our detriment.
- c. We want to keep our current systems of wells and septic systems under the county.
- d. The **Developers want to cram in a C-1 Commercial max density (0 to 18 dwellings per acre plus Variances)** project so they can make the largest profit possible this will cause reduced value of our and property and houses.
- e. If the Developer moves forward, it will likely mean eight, 3 story townhouses, holding 42 families (80 to 100 people practically on top of us!?! Less than 100 feet away
- f. **That could be up to 200+ people in a 4+ acres** area situated between our currently quiet neighborhoods. We do not want this change to be in our peaceful area.

- g. With that come 2 cars per house holds along with dogs and cats, boats and R.V.s with no areas for storage. This defies logic to our detriment so that a developer can make money.
 - h. In distressed times people love Legal or illegal options like take the back exit gate on South Corley Island Rd to County owned Corley Island RD to HWY 27.
 - i. People will Trespass in OUR neighborhoods just because they can.
5. **Maintain the Current R-6 System**
- a. Our Neighborhoods will agree to allow the developers to build if they abide by the current R-6 zone building guidelines with no alteration to the existing boundaries of the existing wetlands, as per FEMA and the St. John's River Water Management District.
 - b. This allows 2 houses per buildable acre.
6. **These Wetlands are Unsuitable for Housing Development**
- a. This area is called the Wetlands because it is unsuited for construction because of soil and land conditions.
 - b. It is a collection of sinkholes, giant root-masses overlayed with muck at water level in many places.
 - c. It has been sold several times for back taxes and Quit Claimed because it is unsuitable as a human residence in many places.
 - d. During storm and high wind events, trees are uprooted and fall; with tornados and updrafts spawned in what our neighborhood calls this area "Tornado Alley."
 - e. This property serves as an environmentally sensitive region for surface water filtering.
 - f. This property also serves as a wildlife refuge for animals driven out from other building projects in the South Leesburg Areas. The following animals have been seen on the property.
 - g. Bears, coyotes, foxes, raccoons, gopher tortoises, turtles, Scrub Jays, Eagles, Red and Brown Hawks, Ospreys, Cardinals, Mocking Birds, and lots of Alligators and snakes. We have even seen a Florida Panther and a Red Wolf.

The neighbors have said that this property would be ideal for a small park refuge with quiet walking trails and fishing.

Petition Signatures

We appreciate your support on keeping our two quiet neighborhoods calm, peaceful and ideal for small families.

Corley Island Rd

Names	Address
<i>John D. Williams</i>	4142 Corley Island Rd
<i>Dee Ann Williams</i>	4142 Corley Island Rd
<i>John & Corrin</i>	4146 Corley Island Rd
<i>2505 { Jenna Lloyd & Charles Lloyd }</i>	4222 Corley Island Rd
<i>Jamie A Reed</i>	4240 Corley Island Rd
<i>Patricia Heiman</i>	4240 Corley Island Rd
<i>John McWilliam</i>	4210 Corley Island Rd
<i>Jan T. Ryan</i>	4210 Corley Island Rd
<i>Shirley Ann</i>	4300 Corley Island Rd
<i>John Powell</i>	4300 Corley Island Rd
<i>John</i>	4314 Corley Island Rd
<i>B. Annette Zimby</i>	4314 Corley Island Rd
<i>Jim Dan</i>	4326 Corley Island Rd
	4326 Corley Island Rd
	4410 Corley Island Rd

Names	Address
	4410 Corley Island Rd

<i>Denise Sleete</i>	4345 Corley Island Rd
<i>Ally Stud</i>	4345 Corley Island Rd
<i>Stephen David Soltan</i>	4129 Corley Island Rd
<i>Carrie Ann Soltan</i>	4129 Corley Island Rd
	4139 Corley Island Rd
<i>Billie Ann Pinner</i>	4139 Corley Island Rd
<i>Charles Pinner</i>	4139 Corley Island Rd
<i>Sally Williams</i>	4211 Corley Island Rd
<i>Scott W. H.</i>	4211 Corley Island Rd
<i>Ed W. H.</i>	4227 Corley Island Rd
<i>Nick Miller</i>	4227 Corley Island Rd
<i>Mark Nowe</i>	4243 Corley Island Rd ✓
	4246 Corley Island Rd
<i>Denise Steehler</i>	4246 Corley Island Rd
<i>Canthony Puer</i>	4327 Corley Island Rd ✓
<i>Joe</i>	4327 Corley Island Rd
<i>Mike</i>	29203 Corley Island Rd
	29203 Corley Island Rd
Names	Address

<i>Dorise Kellran</i>	29202 Corley Island Rd
<i>Anthony C. Wicks</i>	29202 Corley Island Rd
	29210 Corley Island Rd
<i>Julie Lison</i>	29210 Corley Island Rd
	29216 Corley Island Rd
<i>Arabella</i>	29213 Corley Island Rd
<i>Angie Linton</i>	29213 Corley Island Rd
<i>Roger Seure</i>	29205 Corley Island Rd
<i>Debra Bone</i>	29205 Corley Island Rd
	29220 Corley Island Rd
	29220 Corley Island Rd
<i>FD</i>	29340 Corley Island Rd

<i>Likatha Ortiz</i>	29340 Corley Island Rd
	4246 Corley Island Rd
	4246 Corley Island Rd
<i>Darwin Beck Jr.</i>	29401 Corley Island Rd
<i>Turner Beck</i>	29401 Corley Island Rd
	2941 Corley Island Rd 1

Names	Address
<i>Tommy West</i>	29411 Corley Island Rd
<i>Walter</i>	4216 Corley Island Rd
<i>Jennifer Matheny</i>	4216 Corley Island Rd
	29415 Corley Island Rd
	29415 Corley Island Rd
<i>Gary Herrera</i>	29239 S. Corley Island Rd.
	4315
<i>Karen Lopez</i>	4315
<i>Carol L. Brown</i>	4409
<i>Patricia Brown</i>	4409 Lake St.
<i>Chad Wyatt</i>	4222 Lands End Lane
<i>Carolyn Wyatt</i>	4222 Lands End Lane
	29411 Jesses Ln
	29411 Jesses Ln

Names

Magnolia Ave/Address

LENA TIPTON	4235 MAGNOLIA AVE Leesburg
ROBERT ERICE	4235 Magnolia Ave Leesburg FL 34
John Ball	4227 Magnolia Ave, Lsbg Ave
Donna Walter	4243 Magnolia Ave
Kenneth Walter	4243 MAGNOLIA AVE.
Robert Walter	4243 Magnolia Ave
Shelia Walter	4243 Magnolia Ave
Annaly Bygell	4251 Magnolia Ave
Al Bygell	4251 Magnolia Ave.
Walter Bygell	4305 MAGNOLIA AVE, LEB, 25
Robert Bygell	4321 Magnolia Ave, Leesburg
P. L. Bygell	4320 MAGNOLIA AVE, LEBURG
John C. Hallway	4331 MAGNOLIA AVE, LEBURG, FL
Cynthia L. Hallway	4331 Magnolia Ave
Kam Bunch	4341 Magnolia Ave Leesburg
John Bunch	4341 Magnolia Ave Leesburg
William Storking	4248 Magnolia Ave, Leesburg
M. Bunch	

--	--

Names

Address

Larry Tinkey	4315 Lake St Leesburg, FL 34748
Elah Tinkey Elah Turkey	4315 Lake St. Leesburg, FL 34748
Glenda Carrier	4320 Lake St. LEESBURG, FL 34748
Roger Anderson	4333 Lake Street 34748
Han Anders	4333 Lake St Leesburg 34748
Geese Ann	4333 Lake St Leesburg 34748
Diane Devlin	4340 Lake St
Zornie Devlin	4340 Lake St Leesburg FL 34748
Peggy Lawson	4340 Lake St Leesburg
Michael Lawson	4340 Lake St Leesburg FL
James Lawson	4340 Lake St Leesburg FL
Wynne	4305 Lake St. Leesburg FL
Lise Hules	4305 Lake St. Leesburg IL
Anthony C. Wicks	29220 S. Cortez RD



201 West Burleigh Boulevard · Tavares · FL 32778-2496
(352) 253-6500 · Fax: (352) 253-6503 · www.lake.k12.fl.us

Superintendent:
Diane S. Kornegay, M.Ed.

School Board Members:
District 1
Bill Mathias
District 2
Tyler Brandenburg
District 3
Marc Dodd
District 4
Mollie Cunningham
District 5
Stephanie Luke

December 9, 2024

Venice at Lake Harris, LLC
Lowndes
Care of Tara L. Tedrow, Esq.
215 N. Eola Dr.
Orlando, FL 32801

RE: Venice at Lake Harris – Leesburg
School Concurrency – Letter of No Impact #NI2024-22
Alt Key(s): 1293707, 3874496, 1081891 - approximately 8.767 acres

Dear Ms. Tedrow:

The school district has received your request for a school concurrency review for forty-two (42) single-family attached (townhome style) dwelling units on approximately 8.767 acres. The property is currently undeveloped.

Please be advised that 42 single-family attached units would generate approximately thirteen (13) students which would be considered a de minimus impact for the school district. Therefore, full school concurrency review will not be required at this time.

If you should have questions or need more information please do not hesitate to contact me at 352-253-6696 or by email at croneyh@lake.k12.fl.us.

Sincerely,

Heather Croney
Growth Planning Department

"Equal Opportunity in Education and Employment"



December 18, 2024

Max VanAllen
Planner, Planning & Zoning Department
City of Leesburg
204 North 5th Street
Leesburg, FL 34749

Subject: Venice at Lake Harris – TIA Review Comments

Dear Ms. Max,

WSP has reviewed the Traffic Impact Analysis (TIA) for the Venice at Lake Harris development. The project site is located on the northeast corner of US 27 and Magnolia Avenue in Lake County, Florida. The proposed development will consist of 48 townhome dwelling units and 14,000 square-foot of strip retail plaza.

The TIA was reviewed for consistency with the Traffic Impact Study Methodology and Guidelines adopted by the City of Leesburg and Lake-Sumter MPO, Lake County Congestion Management Process (CMP) Database, Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition, and current traffic impact study best practices. The following list of comments is for your review and consideration.

1. **Build-Out Year:** Please confirm if the development is still anticipated to be completed by the year 2025. If not, please consider updating projected analysis.
2. **CMP Database:** It appears an older version of Lake County CMP Database has been utilized. Please use the most recent (Oct 2023) version of the CMP Database.
3. **Study Area:** Please consider analyzing 'US 27 and English Rd/Connell Rd intersection' additionally, which is located within the 1-mile radius of the development.
4. **Intersection Analysis:** Please note that Synchro is recommended over HCS in general for the intersection analysis.
5. **Table 3 (Trip Generation):**
 - a) Please note that ITE Trip Generation Manual 11th Edition recommends using fitted curve equation method over average rate method when there are 20 or more data points. For instance, the PM peak trip generation in Table 3 for land use code 822 should be based on the fitted curve equation instead of the average rate method.
 - b) When the fitted curve equation method is utilized, an 'equation' needs to be provided instead of a numerical 'rate.'

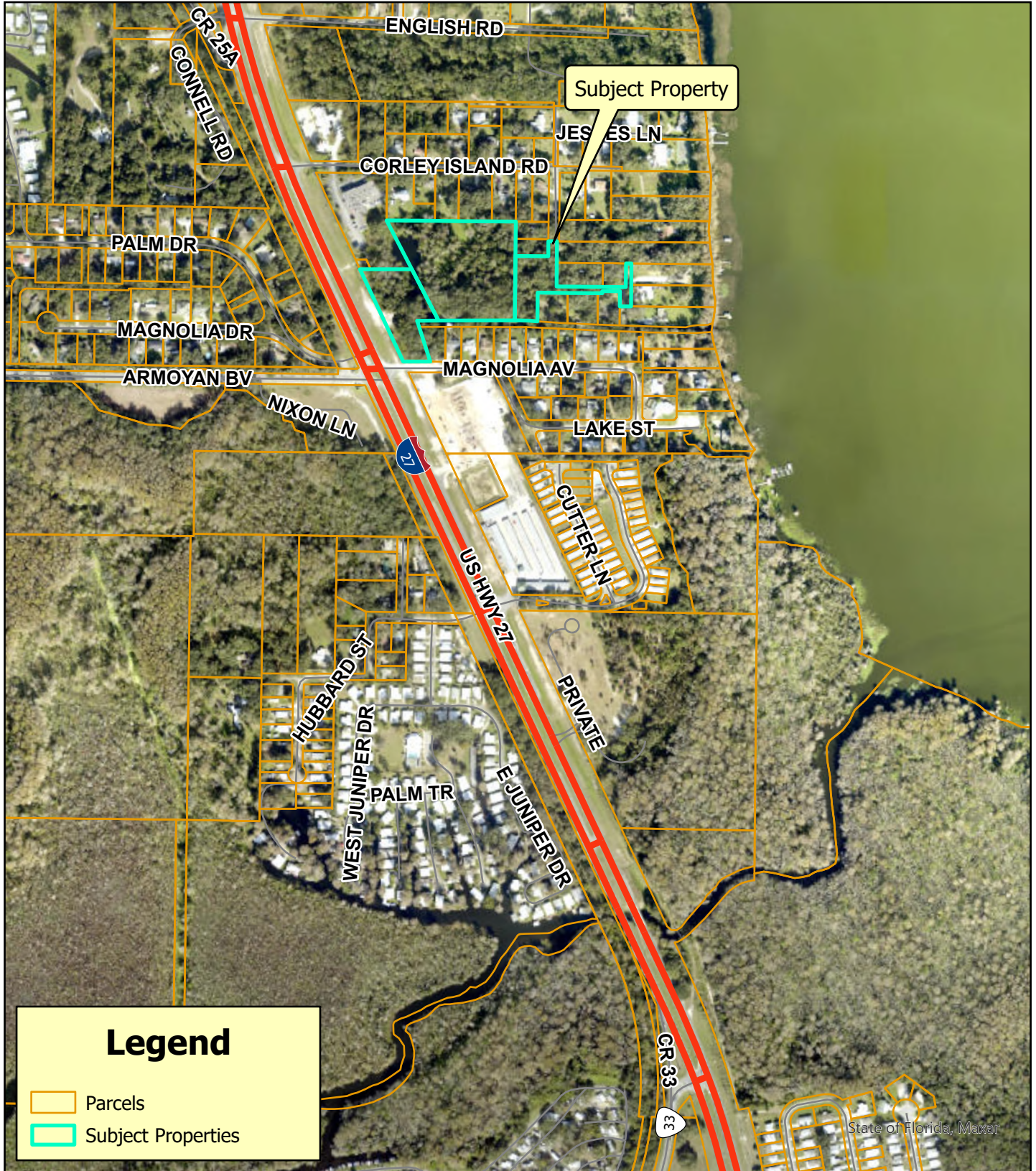
Kind regards,

Md Sakoat Hossan, PhD, PE, PMP, PTOE, RSP₂₁

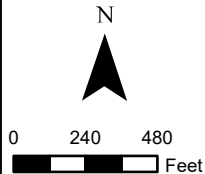
WSP USA
301 East Pine Street
Suite 1020
Orlando, FL 32801

Tel.: + 407 587-7800
Fax: +1 407 587-7960
wsp.com

Extended Aerial

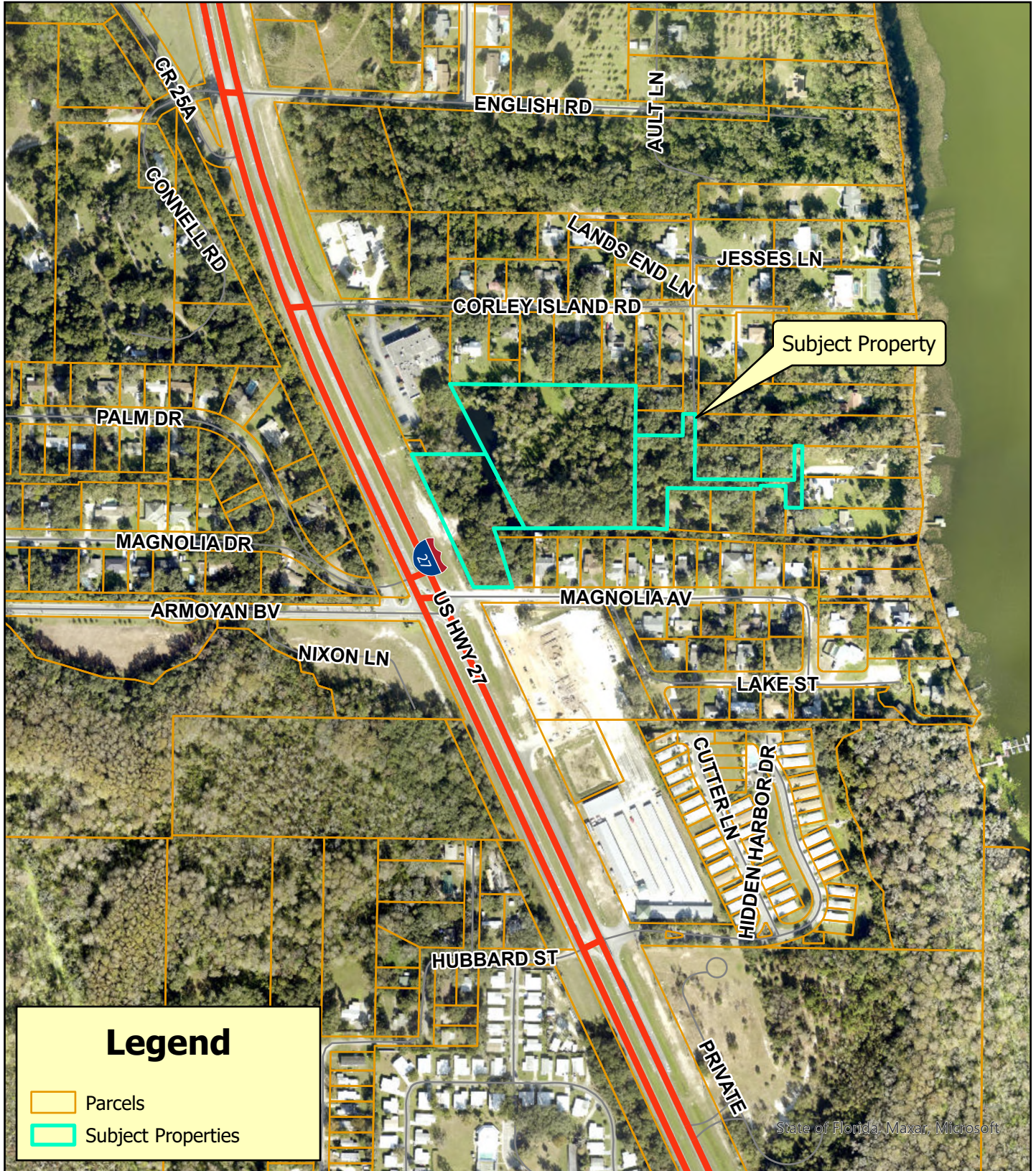


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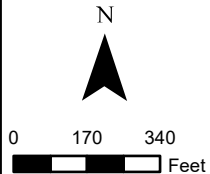


Venice at Lake Harris
ANNX-24-381; SSCP-24-382; SPUD-24-383
Alternate Key(s): 1293707, 3874496, 1081891
Section 02, Township 20 South, Range 24 East
November 25, 2024

Aerial

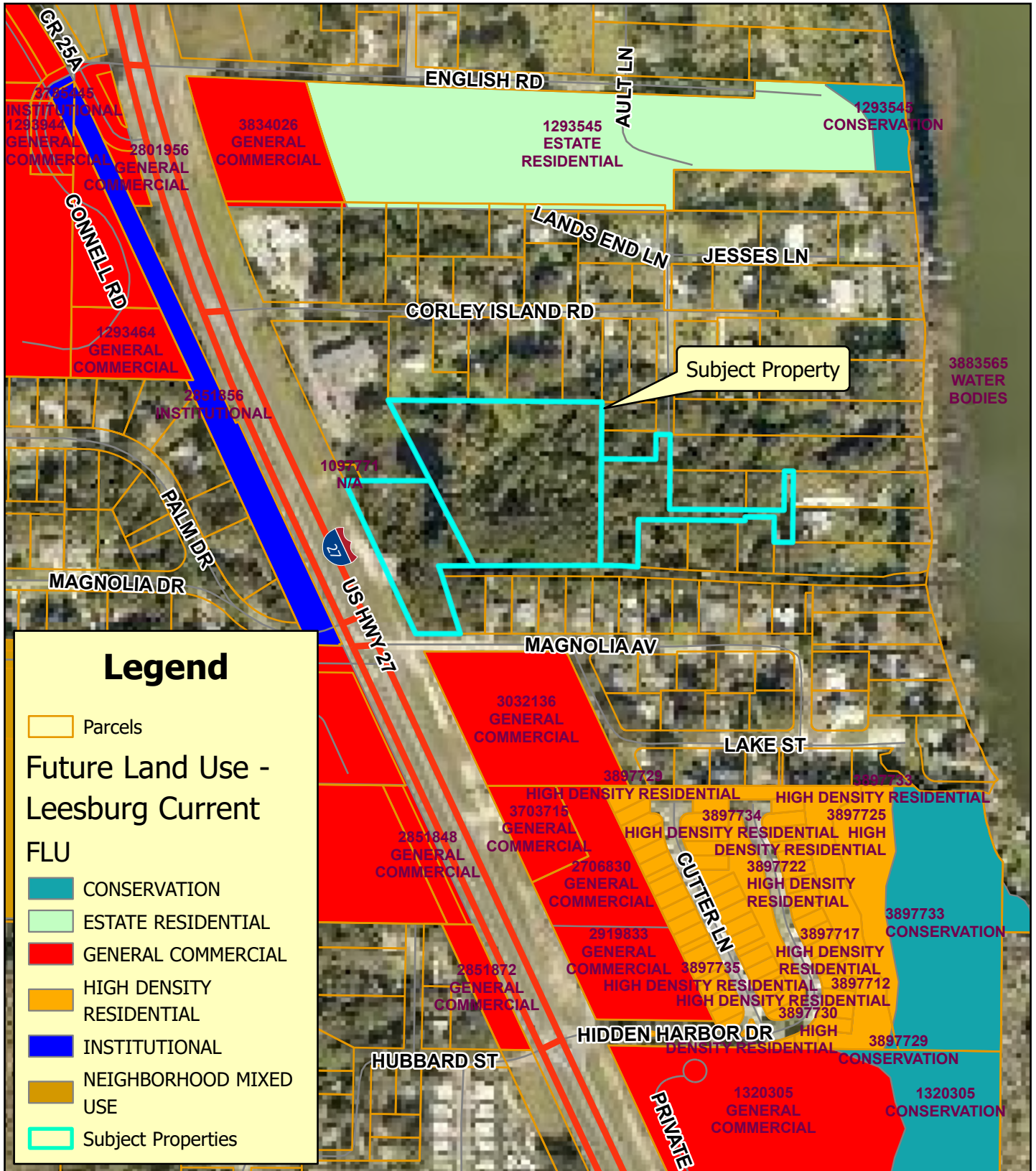


**Planning
& Zoning
Division**

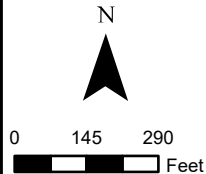


Venice at Lake Harris
 ANN-24-381; SSCP-24-382; SPUD-24-383
 Alternate Key(s): 1293707, 3874496, 1081891
 Section 02, Township 20 South, Range 24 East
 November 25, 2024

City of Leesburg Future Land Use



**Planning
& Zoning
Division**

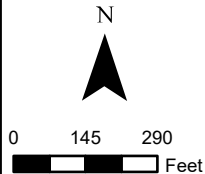


Venice at Lake Harris
 ANN-24-381; SSCP-24-382; SPUD-24-383
 Alternate Key(s): 1293707, 3874496, 1081891
 Section 02, Township 20 South, Range 24 East
 November 25, 2024

Lake County Future Land Use



**Planning
& Zoning
Division**



Venice at Lake Harris
ANNX-24-381; SSCP-24-382; SPUD-24-383
Alternate Key(s): 1293707, 3874496, 1081891
Section 02, Township 20 South, Range 24 East
November 25, 2024



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, MARCH 20TH, 2025.

Commissioner Carter moved to APPROVE the minutes from the March 20th, 2025 meeting. Vice-Chairman Sanders SECONDED the motion, which PASSED by a vote of 7-0.

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

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

OLD BUSINESS

1) PUBLIC HEARING CASE # SSCP-24-382 – VENICE AT LAKE HARRIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 8.77 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG LOW DENSITY RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, AS LEGALLY DESCRIBED IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Venice at Lake Harris SSCP)

Dan Miller stated for the record permission to discuss both cases together and vote separately.

Dan Miller introduced case number #SSCP-24-382 – Venice at Lake Harris – Small Scale Comprehensive Plan Amendment and case number #SPUD-24-383 Small 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, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, went over the PUD requirements, design and architectural standards, recreational requirements, phasing, or expiration clause; and stated all development must be on City water and wastewater; so, there will be no wells or septic systems on the property.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City departments. Lake County School Board comments noted; comments read into the record. Lake County Public Works comments noted; comments read into the record, and Public responses – packets provided for the

Commission and neighbors did express significant concerns; comments noted; comments read into the record; residents also provided a petition, which is included in the Commissioners packets which contains over 80 signatures from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper. Staff did ask the applicant and the applicant did conduct a neighborhood meeting to speak with the neighbors, both the applicant and neighbors have presentations and comments they wish to provide to the Commission today. Staff thanks the applicant and the members of the community for their input in regarding the application and for reaching out to the neighbors and for coming to this meeting to talk about it; as stated in the opening remarks after the presentation, there will be a time for applicant and the Public to comment.

Dan Miller read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval; this is a recommendation that will go forward; whatever this Commission decides; final decision from the City Commission.

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

Logan Opsahl, Lowndes Law Firm 215 North Eola Drive Orlando, Florida thanks Commission for their time, consideration, and service, efficient with time, certain topics raised; reserve some time to respond, thanks Staff for the time on the proposed project; Community meeting back in December, ongoing discussion with Staff; plan, surrounding zoning, previous proposed; 47 units, feedback at community meeting, feedback from district Commissioner, and the City as a whole, density, reworked site plan; reduce SF townhomes; 26 units, 4:1 per acres, proposal; 2.3 dwelling units per acre; less than 3 per acres across the site, provided a 40% reduction; unit count, commercial development; support residential in the back, view as down zone the property, account for commercial, provide much more setbacks; PUD noted, provide stormwater retention pond; north side of the property; flooding concern, further buffering, open space, wetlands; exist, discussed project; amount of permitting and approvals required; impact on wetlands, provide appropriate retention capacity, happy to respond to access on Magnolia, lowering density; reduce traffic, Staff very collaborative, less dense project, maintains/preserves; natural vegetation, improving existing canal; fully permitted, amenities; boat ramp; kayaks, improvement in that area; appreciates everybody here tonight; tried to provide a thoughtful product.

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

Citizens' comments: went over charts of Corley Island Road; aerial maps, Lake County jurisdiction, change COMP plan; no, 40%, about 8 acres, private roads; never sold to applicant, a lot of families; small spots, not allowed; go down Corley Island Road, 30 years; road recapped, no help; FEMA, books; for Commission; FDOT; dumping water, situation; two lane highway; four lanes, pictures, flooded, develop; illegally, canal; ditch, Corley Island Road; east end, flood roads, go into wetlands, overlays; Staff done excellent job representing both sides, ditches; turn

into canal, property; 60' deep, County allowed; plaza, 18" covert, water; comes up, hurricanes; flooded, door steps, need help; love land, own good portion; Corley Island Road; need help with roads, and drainage, commercial; no problem on 27, no bridge; across the canal, please read information provided to the Commission, go to R-6; 2 dwellings per acre; at 5 acres, use road; no problem, first/second draft; commend applicant, help; back of the property, doesn't become a lake, wish it stay with Lake County, a lot of wildlife; foxes, wolf, gopher turtles; on property, protected, family of four, no gate in back, really nice neighborhood, do the Commission; understand, government housing, concerns; traffic, plan for 27, move vehicles, traffic study; done, account; for trucks, can't turn into Magnolia, entrance; heading north 27, south from Leesburg; Magnolia Road, water; runs down Magnolia, U-Haul trucks; trailers, retention ponds; overflow, traffic safety, 8.77 acres; some commercial, real number; for units per acre, turn off into Lake Denham, south; turning lane, U-turn; short, next U-turn; Lake EMS; bad spot, small canal; plans on basin, fragile, eco-system; canal, run-offs, back door; 50' from canal; plans, pollution, Leesburg Commissioners; decision for neighborhood, attended annexation meeting; opposed to master growth plan, not opposed to growth; responsible growth, acres of woodlands; City allowed, last year, lost foundation; area exceptional, love privacy, woodland, and wildlife, careless vote; destroy neighborhood, can't vote for or against, flooding; woodlands striped; no regards.

Logan Opsahl, the applicant addressed comments from the citizens and stated entitlements; presented, low density residential, availability; City to add conditions, connectivity; Corley Island Road, not connected, utility activity; private easement, work with Staff, property; unique, commercial/residential entitlements; in place today, SPUD vehicle; concerns, wetlands on property; deal with issues, past hurricanes; 200 year events, bad, legislature/state increased requirements, approvals; FDOT, County, City, FEMA, Water Management District, Army Core, enjoyed history; area, six government entities; make sure accounted for, did hear you, more water; capacity, go through; approval, ditch; flooded in area, affect; neighbors, kayaks, certain grading; appropriate drainage, permitting, area approved per letter of the law, environment/wildlife; environmental study, properly dealt with per state law, reduce; unit count, preserve; natural trees, additional landscaping, meet City requirements, heard from today; stand for any specific questions.

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

Commissioner Carter asked questions of the applicant regarding gophers, residents; mentioned eagles, part of the study, traffic study, canal; kayak access only, also, low density mixed use.

Logan Opsahl, applicant addressed comments from the Commission and stated the eagles will part of the study; strict regulations, have to be accounted for, kayak access only, and per the PUD it will have the mixed use; permitted uses.

Chairman Sennett closes discussion from the Public and then discussion took place

with the Commission.

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

Commissioners' and Dan Miller discussed we are not voted on; appointed by the Commission, citizens of the community, take position very seriously, rights of citizens; able to own property, build on the land; follow rules, commend developer for meeting with the residents, buffers; around existing homes, set-back; don't back up; existing homes; Dan Miller stated there are set-backs for the building, but also buffers that goes from the property lines; 40' buffer, south side of property, natural habitation; Dan Miller stated yes ma'am, buffer; you can put a walking trail; buffers not a part of the lots, separate, maintained by HOA, buffer not heavily treed or scrub, City regulate, understands for the residents; Planning Commission, goes up to 4 units per acre; County; possible, Staff level; put conditions, minimize negative affect, not developed; significant amount of wetlands, people move in; more of these types of properties, hard job; responsible growth, happening, make sure Public hearing decision, City Commission; final decision; Dan Miller stated that is correct; Staff make recommendations based on the COMP plan and zoning code, a lot of development come through; negative/positive review, goes in to this body and City Commission; dates provided to Public for City Commission, traffic; Dan Miller stated it's everybody problem, City doesn't have direct authority; Chapter 163; state legislature, law, can't turn development down; traffic. Attorney, Jennifer Cotch stated if the applicant can show that they can make the development work and not make the road more deficient than it is, responsibility of the County; Dan Miller stated the City is ready to work with them all the time, understand the situation, it's an issue, what Dan has told you he has an obligation of the law to make certain recommendations; please come to the City Commission meeting and express your opinions there.

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

Chairman Sennett called for a vote on the first case.

Vice-Chairman Sanders made a motion to APPROVE case # SSCP-24-382 – VENICE AT LAKE HARRIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Kaplan SECONDED the motion.

The roll call vote was:

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

Two yeas, five nays, the Planning Commission DENIED case # SSCP-24-382 – VENICE AT LAKE HARRIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

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

2) PUBLIC HEARING CASE # SPUD-24-383 – VENICE AT LAKE HARRIS – SMALL PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 8.77 +/- ACRES FROM LAKE COUNTY C-1 (NEIGHBORHOOD COMMERCIAL) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG SPUD (SMALL PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, AS LEGALLY DESCRIBED IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Venice at Lake Harris SPUD)

Chairman Sennett called for a vote on the second case.

Commissioner Marshall made a motion to DENY case # SPUD-24-383 – VENICE AT LAKE HARRIS – SMALL PLANNED UNIT DEVELOPMENT
Commissioner Carter SECONDED the motion.

The roll call vote was:

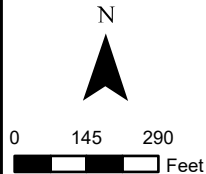
Commissioner Carter	Yes
Commissioner Kaplan	No
Commissioner Bowersox	Yes
Commissioner Marshall	Yes
Commissioner Sanders	No
Commissioner O'Kelley	Yes
Chairman Sennett	Yes

Five yeas, two nays, the Planning Commission DENIED case # SPUD-24-383 – VENICE AT LAKE HARRIS – SMALL PLANNED UNIT DEVELOPMENT.

Proposed Future Land Use



**Planning
& Zoning
Division**



Venice at Lake Harris
ANNX-24-381; SSCP-24-382; SPUD-24-383
Alternate Key(s): 1293707, 3874496, 1081891
Section 02, Township 20 South, Range 24 East
November 25, 2024



Close up of Sign on Property from Magnolia Avenue.



Looking north from Magnolia Avenue along US 27.



Looking east along Magnolia Avenue.



Looking south from Magnolia Avenue along US 27.



Looking west from Magnolia Avenue across US 27.



Close up of Sign on Property from US 27.



Looking north along US 27.



Looking east from US 27.



Looking south along US 27.



Looking west across US 27.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.3.

Meeting Date: May 12, 2025

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

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 8.77 +/- acres from Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District) to City of Leesburg SPUD (Small Planned Unit Development) to allow for commercial and attached single family residential uses for a property generally located east of US Highway 27 and north of Magnolia Avenue, lying in Section 2, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Venice at Lake Harris SPUD)

Staff Recommendation:

Planning and Zoning Staff recommend approval of the request to rezone the subject property from Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District) to City of Leesburg SPUD (Small Planned Unit Development) to allow for commercial and attached single-family residential uses. The Planning Commission recommended **denial** for the SPUD (Small Planned Unit Development) case at the public hearing held on April 28, 2025, citing concerns on wetlands and traffic.

Analysis:

The project site is approximately 8.77 +/- acres, and is generally located east of US Highway 27 and north of Magnolia Avenue as shown on the attached maps. At this time, the property is undeveloped. The proposal will allow for 26 attached single-family residential units and 21,000 square feet of commercial uses. The existing land uses surrounding the property are commercial and residential. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on April 28, 2025, and recommended **denial**. The main points of contention noted by the Planning Commission were wetlands impact and increased traffic.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 8.77 +/- ACRES FROM LAKE COUNTY C-1 (NEIGHBORHOOD COMMERCIAL) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO ALLOW FOR COMMERCIAL AND ATTACHED SINGLE FAMILY RESIDENTIAL USES FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, LYING IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (VENICE AT LAKE HARRIS SPUD)

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

Section 1.

Based upon the petition of Ruben Larrea, Managing Director, Atlantikos Group (Petitioner) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District) to City of Leesburg SPUD (Small 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

LEGAL DESCRIPTION:

PARCEL (PARCEL ID: 02-20-24-0003-000-03400)

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST (1/4) OF SECTION 2 TOWNSHIP 20 SOUTH, RANGE 24 EAST. IN LAKE COUNTY, FLORIDA AND RUN SOUTH ALONG THE WEST LINE OF THE SOUTHWEST (1/4), A DISTANCE OF 913 FEET; THENCE S 89°37'00" E.K. 1683.2 FEET; THENCE S 00° 00" W, 330.00 FEET TO A CONCRETE MONUMENT LABELED RLS1571 AND THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING CONTINUE S 00°00' 00" W, 210.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 89° 37' 00" E 321.43 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 110.00 FEET TO A CONCRETE MONUMENT; THENCE S 89° 37' 00" E, 25.20 FEET TO A CONCRETE MONUMENT; THENCE S 00° 23' 00" W, 200.00 AN IRON PIN LABELED LB707; THENCE N 89° 37' 00" W, 52.50 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 70.18 FEET TO A CONCRETE MONUMENT; THENCE N 89° 37'00" W, 82.00 FEET TO AN IRON PIN (NO NUMBER); THENCE S 00° 23' 00" W, 10.18 FEET TO AN IRON PIN (NO NUMBER), THENCE N 89°37'00" W, 300.00 FEET TO A CONCRETE MONUMENT; THENCE S 00° 05' 20" W, 130.00 FEET TO A CONCRETE MONUMENT; THENCE CONTINUE S 00° 05' 20" W, 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY WATERS EDGE OF A CANAL AND A POINT HEREBY DESIGNATED AS POINT "A"; RETURNED TO THE POINT OF BEGINNING AND RUN N 90°00' 00" W. 40.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 00°00'00" W, 70 FEET TO AN IRON PIN LABELED LB707; THENCE N 89°37'00" W, 150.00 FEET TO AN IRON PIN LABELED LB 707; THENCE S 00° 00' 00" W, 300.00 FEET TO AN IRON PIN LABELED LB 707; THENCE CONTINUES 00° 00' 00" , 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY ON THE WATERS EDGE OF A CANAL; THENCE EASTERLY ALONG AND WITH SAID NORTHERLY WATERS EDGE OF A CANAL TO INTERSECT THE AFOREMENTIONED POINT "A".

PARCEL 2 (PARCEL ID NO. 02-20-24-0003-000-07700 AND 02-20-24-0003-000-03411)

FROM THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 20 SOUTH. RANGE 24 EAST, LAKE COUNTY, FLORIDA, THENCE RUN NORTH ALONG THE SECTION LINE 792 FEET; THENCE SOUTH 89°41'30" EAST 978.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27; CONTINUE THENCE SOUTH 89°41'30" EAST 114.75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING RUN THENCE NORTH 89°41'30" WEST 114.75 FEET; THENCE NORTH 25°26'10" WEST ALONG AFORESAID EASTERLY RIGHT OF WAY 522.39 FEET; THENCE SOUTH 89°37' EAST 249.03 FEET; THENCE NORTH 25°26'10" WEST 255.62 FEET; THENCE SOUTH 89°37' EAST 600 FEET; THENCE DUE SOUTH 475 FEET, MORE OR LESS, TO THE WATERS OF A CANAL; THENCE WESTERLY ALONG AND WITH THE WATERS OF SAID CANAL 470 FEET, MORE OR LESS, TO A POINT THAT IS NORTH 17°47'10" WEST OF THE POINT OF BEGINNING; THENCE SOUTH 17°47'10" EAST 240 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT: THE SOUTH 30 FEET THEREOF FOR ROAD RIGHT-OF-WAY PURPOSES.

TOGETHER WITH AN EASEMENT TO BE USED FOR INGRESS AND EGRESS PURPOSES, LYING IN SECTION 2 TOWNSHIP 20 SOUTH. RANGE 24 EAST. LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 2. RUN SOUTH ALONG THE WEST LINE THEREOF 913.00 FEET; THENCE DEPARTING SAID LINE RUN SOUTH 89°37'00" EAST 1683.20 FEET TO A POINT THAT IS 40.00 FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF SOUTH CORLEY ISLAND ROAD (COUNTY DISTRICT NO. 1-3411); THENCE SOUTH 330.00 FEET TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 258, PAGE 929, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE WEST ALONG THE SOUTH LINE THEREOF 40.00 FEET; THENCE RUN SOUTH ALONG THE WEST LINE OF A NON EXCLUSIVE EASEMENT, DESCRIBED IN OFFICIAL RECORDS BOOK 882, PAGE 482, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, 70.00 FEET TO A S/811 ROD AND CAP LB #3827 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG SAID WEST LINE 50.00 FEET; THENCE DEPARTING SAID WEST LINE RUN WEST 150.00 FEET, MORE OR LESS, TO THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN THE FIRST PARAGRAPH OF OFFICIAL RECORDS BOOK 235, PAGE 983, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH ALONG SAID LINE 50.00 FEET TO THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1622, PAGE 645, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN EAST ALONG SAID LINE 150.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCELS CONTAIN A TOTAL OF 8.766 ACRES, MORE OR LESS CONSISTING OF 5.497 UPLAND ACRES, 2.229 WETLAND ACRES, AND 1.040 ACRES DESIGNATED AS SURFACE WATERS.

VENICE AT LAKE HARRIS
SMALL PLANNED UNIT DEVELOPMENT AGREEMENT
Conditions of Approval
April 24, 2025

These Planned Unit Development Conditions for a SPUD (Small Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Atlantikos Group, 4725 W Sand Lake Rd #200, Orlando, FL 32819, (Tara Tedrow, Esq., Lowndes Law, on behalf of Ruben Larrea, Petitioner)**, "Permittee" 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 desirous of obtaining a Small Planned Unit Development (SPUD) zoning district to allow future construction of a proposed mixed-use development consisting of a maximum of 26 attached single-family residential units and 21,000 square feet of commercial uses directly adjacent to US Highway 27, on approximately 8.77 acres, generally located east of US Highway 27 and north of Magnolia Avenue, on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

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

CONDITIONS

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

1. **PERMISSION** is hereby granted to **Atlantikos Group, 4725 W Sand Lake Rd #200, Orlando, FL 32819, (Tara Tedrow, Esq., Lowndes Law, on behalf of Ruben Larrea, Petitioner)**, "Permittee," to construct, operate, and maintain a Small Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.
3. **LAND USE**

The above-described property, containing approximately 8.77 acres, shall be used for platted single family attached residential and commercial development, pursuant to City of Leesburg development codes and standards.

A. Permitted Uses

1. Attached single family residential units (townhomes).
2. Detached single-family residential units, provided the lots are a minimum of 50-foot wide and meet all minimum development standards of the R-2 (Medium Density Residential) zoning district.
3. Commercial uses, as non-residential uses permitted within the C-3 (Highway Commercial) Zoning District, provided the Commercial portion is located directly adjacent to US Highway 27, as shown on **Exhibit C, Conceptual Site Plan**
4. Second story apartments above first floor commercial, directly adjacent to US Highway 27, as shown on **Exhibit C, Conceptual Site Plan**.
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) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.

B. Prohibited Uses

1. Multi-family units (apartments, except as permitted above)
2. Duplex/Triplex uses
3. All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. **DEVELOPMENT STANDARDS**

- A. The commercial development portion located directly adjacent to US Highway 27 shall be governed by standards in the C-3 (Highway Commercial) Zoning District, except for the setbacks below:
- a. Minimum building setbacks:
Front – 25 feet;
Rear – 20 feet;
Side – 15/0 feet;
- B. The project shall contain a maximum of 26 single family residential units, or a gross density not to exceed 2.97 units per acre, whichever is greater, on the approximately 8.77-acre site, as shown on **Exhibit C, Conceptual Site Plan**.
- C. Attached single-family lot width sizes shall include minimum 20-foot lots.
- D. Detached single-family residential lots shall meet all minimum development standards of the R-2 (Medium Density Residential) zoning district, per City of Leesburg Code of Ordinances, Chapter 25, Section 25-280, Table 4-2.
- E. The maximum impervious surface for the project shall be 65%. Community and private swimming pools shall not count toward the impervious surface calculation.

- F. The minimum lot development standards for attached single-family units (townhome lots) shall be:
1. For 20-foot minimum townhome lots (Rear-loaded):
 - a. Minimum living area (under roof): 1,000 square feet.
 - b. Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet, including closet.
 - c. Maximum building height: 2 stories, or 35-feet
 - d. Minimum lot size shall be 1,500 square feet.
 - e. Minimum width:
Interior lot – 20 feet;
End unit lot – minimum 22 feet
 - f. Minimum depth 75 feet
 - g. Minimum building setbacks:
Front – 15 feet;
Rear – 10 feet;
Side (between buildings) – 15 feet;
Side (street) – 15 feet.
 2. For all structures:
 - a. Each dwelling unit shall have a minimum two off-street parking spaces.
 - b. 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.
 - c. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved SPUD (Small Planned Unit Development) zoning conditions set forth herein.

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 buildings. Designs may vary throughout the development.
- 1) Dormers
 - 2) Gables
 - 3) Recessed or raised entries
 - 4) Covered porch entries
 - 5) Cupolas
 - 6) Pillars or decorative posts
 - 7) Bay window (minimum 12-inch projections)
 - 8) Eaves (minimum 6-inch projections)
 - 9) Front windows with arched glass tops and minimum 4-inch trim.
 - 10) Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.

- 11) Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 - 12) Stone accents
 - 13) Shutters
 - 14) Board and batten siding
 - 15) Hardy board siding
 - 16) Raised banding
 - 17) Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:
- 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 - 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 - 3) All textured stucco, 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.
- E. The Permittee shall utilize “Dark Sky” lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties. Appropriate designs are shown on as **Exhibit E**, attached hereto.

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

- A. A minimum of 35% open space shall be provided throughout the development. Open space may consist of buffers, wetlands retention and recreation areas.
- B. A minimum twenty-five (25) foot buffer tract with plantings as shown in Figure B below, shall be provided along the northern and eastern boundaries of the property, and the western boundary between the commercial portion of development and the residential portion of the development, unless otherwise

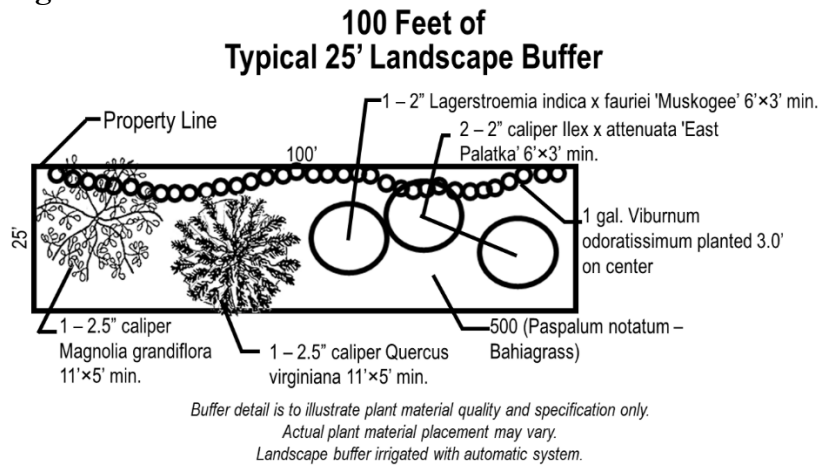
provided for within these standards. Any wet canal and/or open water width on-site shall count towards the buffer requirement and shall not require plantings.

- C. A minimum forty (40) foot buffer tract, with plantings as shown in Figure B, shall be required adjacent to the residential parcels to the south as shown on **Exhibit C**, unless otherwise provided for within these standards. Any wet canal width on-site shall count towards the buffer requirement and shall not require plantings.
- D. All landscape buffers shall be separate from all other platted lots, shall not be part of individually platted lots, and shall be a common area to be maintained by an entity such as a Property Owners or Homeowners Association.
- E. Existing foliage within the development parcels that is maintained and undisturbed throughout the development process and meets Figure B below, shall be considered to count towards the required buffer plantings on-site.
- F. One (1) canopy or understory tree per townhome unit shall be planted interspersed between the town home buildings at no less than 50' spacing along the front. The balance of required trees shall be located between the townhome buildings.
- G. A six (6) foot high privacy fence shall be provided adjacent to the residential parcels to the northern and eastern boundaries, as to be on the Conceptual Site Plan. This fence shall be constructed of PVC, or other such synthetic material that allows for an opaque barrier. The fence may be substituted for a natural opaque buffer, consisting of plantings and foliage of comparable height and opacity.
- H. 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



I. Variations to the landscape requirements of the code may be approved by the Community Development Director or designee, as long as the intent of this SPUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.

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

7. SITE ACCESS AND SIGNAGE

A. 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 site plan application review process.

- 1) The primary vehicular access to the development shall be constructed as a divided boulevard type entrance.
- 2) The main divided boulevard type vehicular access shall be on US 27, Lake County Access requirements permitting.
- 3) A secondary access point on the southwest corner of the site shall be provided, either on US 27 or Magnolia Avenue, as required based on Lake County Access requirements.

- 4) The private roadway, with easement, as shown on **Exhibit C, Conceptual Plan** may not be blocked, nor used for future roadway connection.
 - 5) Offsite road improvements on existing roads adjacent to the property may be required based on finalized access locations. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be approved by Lake County Public Works.
 - 6) Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 - 7) The Master Development Plan, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- B. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
 - C. The primary residential 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. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
 - D. Commercial signage shall be reviewed and permitted separately, subject to Commercial sign requirements under City of Leesburg Code of Ordinance, Section 25-424 Permitted Signs.
 - E. Alternative designs for signage, ground enclosure supports, and bases of a monument sign may be approved by the Planning & Zoning Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.

8. **TRANSPORTATION IMPROVEMENTS**

- A. Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of sidewalks, recreation paths etc.
- B. A traffic/transportation study shall be submitted prior to site plan approval 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. The City of Leesburg will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Leesburg; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City that the road system is in suitable condition and meets City of Leesburg requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project and may require bonds or other financial assurance of maintenance for some period of time.
- G. Sidewalks shall be provided on at least one side of the interior residential road(s) and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain sidewalks on both sides of the road. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

9. **UTILITIES**

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

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

and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

10. STORMWATER/DRAINAGE MANAGEMENT

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development site plan 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.

11. **WETLANDS, FLOOD ZONES & WILDLIFE**

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a homeowners 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 homeowners 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. There are currently FEMA flood zones located within the development site boundaries. Through the site plan review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. IRRIGATION & WATER USAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, 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.

13. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall consist of not less than 200 square feet of space per dwelling unit (5,200 square feet), or 0.12 total acres, whichever is greater.
- B. Recreational requirements shall include at least one primary active recreation area, to include facilities, such as a fenced dog park, a tot lot/playground, cabana/shade structure with outdoor cooking and seating facilities, and kayak/boat launch with boat storage. Dedicated, paved, onsite parking for the primary recreation area shall be required.
- 1) The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of the first 13 residential units.
- 2) Any tot lot/children's playground shall not be located adjacent to US Highway 27 or an exterior access roadway.
- C. Retention parks may be included in the design of the subdivision and may be designed such that park areas, which may consist of dry retention areas, may be used as open fields, playgrounds or trails, as shown on the attached **Conceptual Site Plan, Exhibit C**.
- a. An ADA (Americans with Disabilities Act) compliant trail shall be constructed within the development site boundaries. This trail shall be headed by an amenity, such as the canal as seen on **Exhibit C, Conceptual Site Plan**.
- D. Other recreation areas may include such uses as swimming pool with cabana, outdoor cooking facilities such as grills, outdoor exercise equipment, youth playgrounds, tot lots, trail/boardwalk overlooks, gazebos, play courts, dog parks, or other similar uses which will meet the intent of this document.

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A homeowner's association shall serve as an appropriate entity for all common properties within the residential portion of the development. The commercial property maintenance shall be served by property owners association or comparable entity.

15. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the Small 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 SPUD 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 SPUD within four (4) years of this approval becoming final with no appeal pending or the SPUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the SPUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

16. MISCELLANEOUS CONDITIONS

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

conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.

- E. These SPUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. **LEVELS OF SERVICE**

A. Levels of Service

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

B. Utilities

1) Projected Capacities

- a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
- b. If the development requires construction of new distribution or collection lines, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

2) Commitment of Capacity

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

3) Ability to Provide Services

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

EXHIBIT B**LEGAL DESCRIPTION**

Parcel ID Altkeys: 1293707, 3874496, 1081891

LEGAL DESCRIPTION:**PARCEL (PARCEL ID: 02-20-24-0003-000-03400)**

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST (1/4) OF SECTION Z TOWNSHIP 20 SOUTH, RANGE 24 EAST. IN LAKE COUNTY, FLORIDA AND RUN SOUTH ALONG THE WEST LINE OF THE SOUTHWEST (1/4), A DISTANCE OF 913 FEET; THENCE S 89°37'00" E.K. 1683.2 FEET; THENCE S 00° 00" W, 330.00 FEET TO A CONCRETE MONUMENT LABELED RLS1571 AND THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING CONTINUE S 00°00' 00" W, 210.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 89° 37' 00" E 321.43 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 110.00 FEET TO A CONCRETE MONUMENT; THENCE S 89° 37' 00"- E, 25.20 FEET TO A CONCRETE MONUMENT; THENCE S 00° 23' 00" W, 200.00 AN IRON PIN LABELED LB707; THENCE N 89° 37' 00" W, 52.50 FEET TO A CONCRETE MONUMENT; THENCE N 00° 23' 00" E 70.18 FEET TO A CONCRETE MONUMENT; THENCE N 89° 37'00" W, 82.00 FEET TO AN IRON PIN (NO NUMBER); THENCE S 00° 23' 00" W, 10.18 FEET TO AN IRON PIN (NO NUMBER), THENCE N 89°37'00" W, 300.00 FEET TO A CONCRETE MONUMENT; THENCE S 00° 05' 20" W, 130.00 FEET TO A CONCRETE MONUMENT: THENCE CONTINUE S 00° 05' 20" W, 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY WATERS EDGE OF A CANAL AND A POINT HEREBY DESIGNATED AS POINT "A"; RETURNED TO THE POINT OF BEGINNING AND RUN N 90°00' 00" W. 40.00 FEET TO AN IRON PIN LABELED LB707; THENCE S 00°00'00" W, 70 FEET TO AN IRON PIN LABELED LB707; THENCE N 89°37'00" W, 150.00 FEET TO AN IRON PIN LABELED LB 707; THENCE S 00° 00' 00" W, 300.00 FEET TO AN IRON PIN LABELED LB 707; THENCE CONTINUES 00' 00' 00" , 12 FEET MORE OR LESS TO A POINT ON THE NORTHERLY ON THE WATERS EDGE OF A CANAL; THENCE EASTERLY ALONG AND WM SAID NORTHERLY WATERS EDGE OF A CANAL TO INTERSECT THE AFOREMENTIONED POINT "A".

PARCEL 2 (PARCEL ID NO. 02-20-24-0003-000-07700 AND 02-20-24-0003-000-03411)

FROM THE SOUTHWEST CORNER OF SECTION 2, TOWNSHIP 20 SOUTH. RANGE 24 EAST, LAKE COUNTY. FLORIDA, THENCE RUN NORTH ALONG THE SECTION LINE 792 FEET; THENCE SOUTH 89°41'30" EAST 978.32 FEET TO THE EASTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 27; CONTINUE THENCE SOUTH 89°41'.30" EAST 114.75 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. FROM SAID POINT OF BEGINNING RUN

THENCE NORTH 89°41'30" WEST 114.75 FEET; THENCE NORTH 25°26'10" WEST ALONG AFORESAID EASTERLY RIGHT OF WAY 522.39 FEET; THENCE SOUTH 89°37' EAST 249.03 FEET; THENCE NORTH 25°26'10" WEST 255.62 FEET; THENCE SOUTH 89°37' EAST 600 FEET; THENCE DUE SOUTH 475 FEET, MORE OR LESS, TO THE WATERS OF A CANAL; THENCE WESTERLY ALONG AND WITH THE WATERS OF SAID CANAL 470 FEET, MORE OR LESS, TO A POINT THAT IS NORTH 17°47'10" WEST OF THE POINT OF BEGINNING; THENCE SOUTH 17°47'10" EAST 240 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT: THE SOUTH 30 FEET THEREOF FOR ROAD RIGHT-OF-WAY PURPOSES.

TOGETHER WITH AN EASEMENT TO BE USED FOR INGRESS AND EGRESS PURPOSES, LYING IN SECTION 2 TOWNSHIP 20 SOUTH. RANGE 24 EAST. LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 2. RUN SOUTH ALONG THE WEST LINE THEREOF 913.00 FEET; THENCE DEPARTING SAID LINE RUN SOUTH 89°37'00" EAST 1683.20 FEET TO A POINT THAT IS 40.00 FEET EAST OF THE WEST RIGHT-OF-WAY LINE OF SOUTH CORLEY ISLAND ROAD (COUNTY DISTRICT NO. 1-3411); THENCE SOUTH 330.00 FEET TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 258, PAGE 929, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE WEST ALONG THE SOUTH LINE THEREOF 40.00 FEET; THENCE RUN SOUTH ALONG THE WEST LINE OF A NON EXCLUSIVE EASEMENT, DESCRIBED IN OFFICIAL RECORDS BOOK 882, PAGE 482, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, 70.00 FEET TO A S/811 ROD AND CAP LB #3827 AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH ALONG SAID WEST LINE 50.00 FEET; THENCE DEPARTING SAID WEST LINE RUN WEST 150.00 FEET, MORE OR LESS, TO THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN THE FIRST PARAGRAPH OF OFFICIAL RECORDS BOOK 235, PAGE 983, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH ALONG SAID LINE 50.00 FEET TO THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 1622, PAGE 645, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN EAST ALONG SAID LINE 150.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCELS CONTAIN A TOTAL OF 8.766 ACRES, MORE OR LESS CONSISTING OF 5.497 UPLAND ACRES, 2.229 WETLAND ACRES, AND 1.040 ACRES DESIGNATED AS SURFACE WATERS.

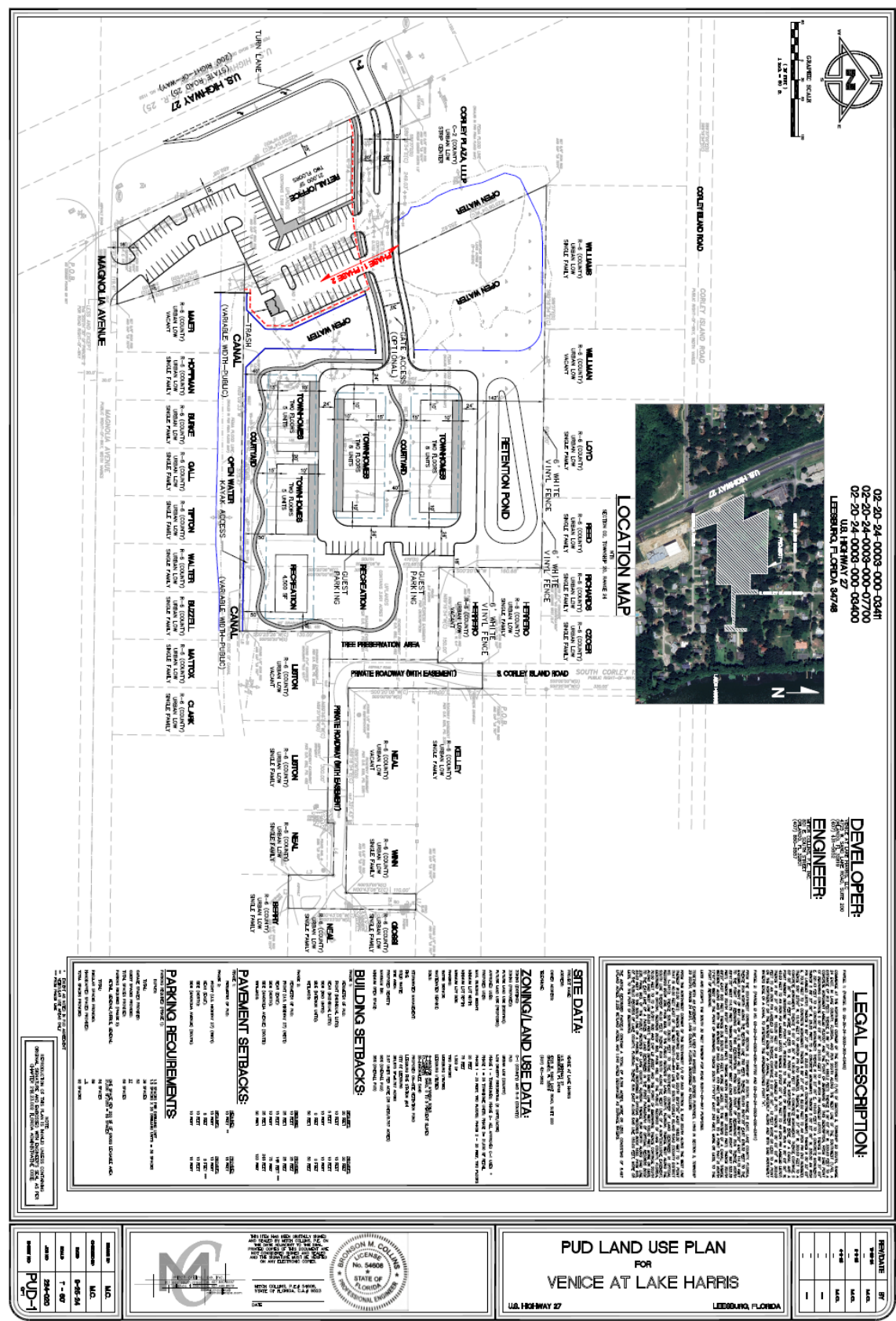


EXHIBIT D

CONCEPTUAL ELEVATIONS



PROPOSED COMMERCIAL/RETAIL (FOR CONCEPTUAL PURPOSES ONLY)



LUXURY TOWNHOMES (FOR CONCEPTUAL PURPOSES ONLY)

TYPICAL DARK SKY LIGHTING FIXTURES

Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

Fixtures that produce glare and light trespass



Acceptable

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



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

EXHIBIT F

ACCEPTABLE FENCE SAMPLES



Figure 1 – Opaque vinyl fence option

Example Source Courtesy of Bespoke Fence & Shoreline Vinyl

<https://bespokefence.com/products/vinyl-fences/>; <https://shorelinenvinyl.com/fencing-styles/caroline/>



Figure 2 – Split-rail fence option

Example Source Courtesy of Superior Outdoor Products & Peerless Fence

<https://superiorplasticproducts.com/3-rail-vinyl-fence/>; <https://www.peerlessfence.com/residential/products/wood/post-rail>



Figure 3 - Aluminum rail fence option

Example Source Courtesy of Vinyl Fence.com

<https://www.brydirectvinylfence.com/5-tall-flat-top-3-rail-aluminum-fence.html>

EXHIBIT G

DIVIDED BOULEVARD EXAMPLE AND PLANTINGS

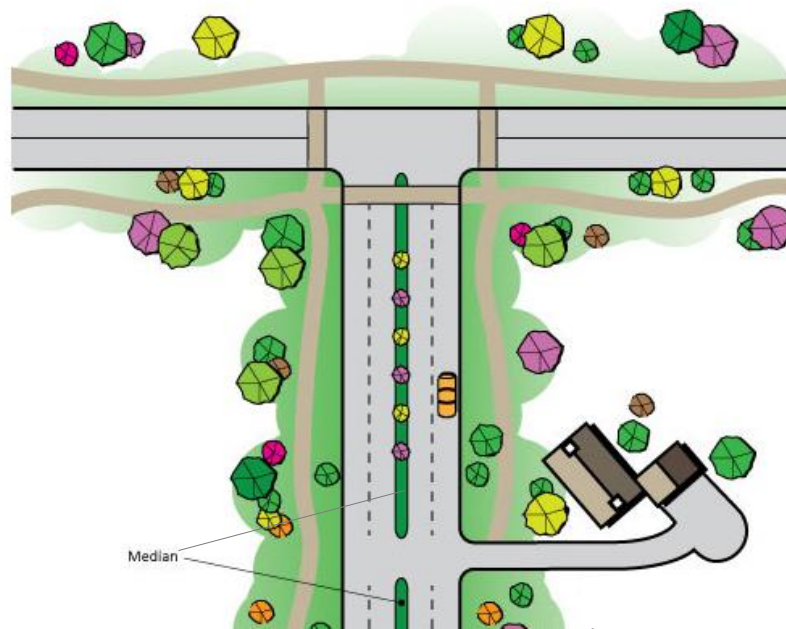


Figure 1 – Divided Boulevard Concept

Example Source Courtesy of Chester County Government

<https://www.chescoplanning.org/municorner/MultiModal/17-Boulevard.cfm>



Figure 2 – Planted Divided Boulevard

Example Source Courtesy of District Works

<https://districtworks.city/landscaping-and-groundskeeping/>



Figure 3 – Planted Divided Boulevard

Example Source Courtesy of Joshua Zeunert via ResearchGate

https://www.researchgate.net/figure/Planted-central-median-swale-used-in-the-Lynbrook-development_fig1_329116840

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

DATE: April 24, 2025

OWNER: Venice at Lake Harris LLC

PETITIONER: Tara Tedrow, Esq., Lowndes Law o/b/o Ruben Larrea, Atlantikos Group

PROJECT: Venice at Lake Harris

REQUEST: Small-scale Comprehensive Plan amendment to City Low Density Residential and Rezoning to City SPUD (Small Planned Unit Development) allow 21,000 square foot commercial uses and 26 townhome units.

CASE NO.: (ANNX-24-381); SSCP-24-382; SPUD-24-383

GENERAL LOCATION: East of US Highway 27 and north of Magnolia Avenue.

FUTURE LAND USE DESIGNATION: Lake County Urban Low

SURROUNDING FUTURE LAND USE DESIGNATION:

- North – Lake County Urban Low Density; City of Leesburg General Commercial, Estate Residential, Conservation
- South – Lake County Urban Low Density; City of Leesburg General Commercial, High Density Residential, Conservation
- East – Lake County Urban Low Density
- West – Lake County Urban Low Density

PROPOSED FUTURE LAND USE DESIGNATION: City Low Density Residential

EXISTING ZONING DESIGNATION: Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District)

SURROUNDING ZONING DESIGNATIONS:

- North – Lake County C-2 (Community Commercial District), R-6 (Urban Residential District); City of Leesburg SPUD (Small Planned Unit Development), PUD (Planned Unit Development)
- South – Lake County C-1 (Neighborhood Commercial), R-6 (Urban Residential District); City of Leesburg SPUD (Small Planned Unit Development), PUD (Planned Unit Development), C-2 (Community Commercial)
- East – Lake County R-6 (Urban Residential District)
- West – Lake County R-6 (Urban Residential District)

PROPOSED ZONING DESIGNATION: City SPUD (Small Planned Unit Development)

EXISTING LAND USE: Vacant, undeveloped acreage.

SURROUNDING LAND USE:

- North – Residential; Commercial Center
- South – Residential; Commercial
- East – Residential
- West – Residential

PROPOSED LAND USE: 21,000 square foot commercial uses and 26 townhome units.

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

DATE: April 24, 2025
OWNER: Venice at Lake Harris LLC
PETITIONER: Tara Tedrow, Esq., Lowndes Law o/b/o Ruben Larrea, Atlantikos Group
PROJECT: Venice at Lake Harris
REQUEST: Small-scale Comprehensive Plan amendment to City Low Density Residential and Rezoning to City SPUD (Small Planned Unit Development) allow 10,300 square foot commercial uses and 42 townhome units.
CASE NO.: (*ANNX-24-381*); SSCP-24-382; SPUD-24-383

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 12/13/2024.

FIRE

In reference to Case Number ANNX-24-381; SSCP-24-382; SPUD-24-383

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-24-381; SSCP-24-382; SPUD-24-383 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, 12/12/2024

ELECTRIC

Electric has no objections. There is an underground primary down along the private easement road noted on the plans. This will require a utility easement when this is developed. – Steve Davis, 11/26/2024.

GAS

Gas Department- No Comment – Wayne Williams, 11/26/2024.

GIS/ADDRESSING:

GIS has no comments. – Nicholas Tota, 11/26/2024.

BUILDING

No comments received as of 12/13/2024.

PUBLIC WORKS

Public Works has no issues with this item. An area of concern however, is the fact that the developer will be adding traffic to an already congested area and this development will not have a direct way to access US 27 Southbound lanes. – Cliff Kelsey, 12/2/2024.

HOUSING & REDEVELOPMENT

No comments received as of 12/13/2024.

LAKE COUNTY PUBLIC WORKS

Lake County Department of Public Works recommended requirements for the Venice at Lake Harris PUD impacts to roadways and drainage systems are the following based on the concept plan.

Please be advised that the developer's concept plan has the county roads on the east side labeled as private. The roads are South Corey Island Rd and Corey Island Road.

Access proposed from Magnolia Ave may not be allowed and will require further evaluation. Request the applicant meet with me to go over the proposed plan..

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.

Traffic:

- A Traffic Impact Study will be required of this development. The study must be review by City of Leesburg, Florida Department of Transportation, and Lake County.

--Seth Lynch, 12/24/2024

LAKE COUNTY SCHOOLS

This project is subject to school concurrency review.... Please find attached a No Impact letter for the Venice at Lake Harris project. – Heather Croney, 12/9/2024

PUBLIC RESPONSES

Approval

Disapproval

2

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (DISAPPROVAL)

1. "To whom it may concern,

I am extremely against the construction of the townhome project, bordering the South side of my property. I live at 4222 Corley Island Rd, and one of the selling points for me when we purchased our home was that when I look at my back windows all I see is a beautiful wooded lush natural Florida landscape that was supposed to be "unbuildable".

I do not believe that the square footage of the lot behind our property is big enough nor capable to handle the

construction load of what they are prepared to build.

I have walked back there several times throughout the years since we have lived here and the ground is always wet and

mushy beneath my feet. No amount of Fill dirt will prevent the ground from caving in. I'm sure you are aware of the

sinkholes happening all across the villages. That is bound to happen here considering there is a spring in the pond

located in the Northwest end of the lot and in the Southwest corner where the mouth of the canal starts.

These two

springs feeding the Harris chain should prevent builders from construction in this area. It should be preserved and

protected by the city, county, state and the EPA.

I'm concerned about the retention pond shown in the mock up of the community. It will leak into the spring and

contaminate the water in the river and then it will contaminate the lake.

These trees serve as a buffer to my community to block out the traffic of US Highway 27. Not to mention the traffic

heading North and South on 27 is so bad some days I cannot even turn off my road for 10 minutes because the traffic is

so heavy. This will only add to the problem.

As a Realtor serving Lake County, I can guarantee you that these homes will not sell fast. There is no appeal to living in a

community that is surrounded by the back sides of other homes, even if you build a wall. It will not look good and we will have major drainage issues. Then there's that hideous storage unit with its lights on 24/7. The lights are so bright that it is now shining through the trees at night and into my home. Whoever owns one of these townhomes, that's all they'll be looking at that stupid building and its bright lights. Lastly, There is lots of wildlife, so many different types of birds and animals that I've seen, more than I have seen anywhere else in Florida and I have lived here my whole life. Please stop this construction from happening. Thank you,"

- Jenna Loyd, 12/6/2024

2. Neighborhood Petition



Petition in Opposition to CASE# SSCP-24-382 Venice at Lake Harris – Small Scale Comprehensive Plan Amendment

On Thursday, March 20th at 4:30 PM, The Leesburg City Commissioners will meet to hear the developers of Venice of Lake Harris. They are going to propose a change to R-6 zoning to Max Density for housing development and C-1 Commercial.

It is to our benefit to have all neighbors present at this meeting.

Numbers can make a difference.

**The Community of Corley Island Rd. and Magnolia Ave.
object to the following changes.**

- 1. A Devastating Change to Our Communities is being proposed.**
 - a. The residential areas on both sides of the Banana Cove Canal strongly believe that changing the comprehensive plan will be devastating to the environment and community.**
 - b. The Developer wants to change the R-6 zoning density from (1 to 2 houses per buildable acre), to a max density development of an undefined amount. This will impact this area. In Addition to that they will request a change that will allow C-1 Commercial (Neighborhood Commercial) SPUD (Small Planned Unit Development)**
 - c. The Developer wants to annex this Lake County controlled property to a City of Leesburg controlled property, Through Annexation.**
 - i. The legal description of the property in question is found in Section 2, Township 20 South, which is 24 East Lake County, Florida.**
- 2. The Property is Designated as Wetlands R-6. Mixed Forested Wetlands.**
 - a. FEMA has defined 3+ acres of this property as wetlands.**
 - b. St. Johns River Water Management District has upheld the natural surface water runs off to natural wetlands caused by Corley Island Rd. The road runs off, flows downhill through 7 Residential lots to the natural existing wetlands area. This excess of water from the wetlands then will end up in the Banana Cove canal flowing to Lake Harris. SJRWM recognizes this area as 3+ acres that are mapped. as wetlands, no Build zone.**
 - c. The State of Florida has the Right of Ownership to the Banana Cove Canal as it is a Navigable Waterway to and from Lake Harris.**

- d. Surface water has a meandering property line ownership as regulated by the fluctuating water level of Lake Harris, currently. **63.85 msl max High level the 100-year flood level is at 65.13 ft msl.** Any lands below **63.85 msl** are considered flooded. Building setbacks must be 100ft from the Wet areas.
 - e. **The land acts as a natural surface water littoral filter area.**
 - f. **FDOT has always drained US Highway 27 surface water runoff** from the current EMS Facility south to Corley Island Rd catch basin, from there a culvert drains underground Corley Island Plaza into the Banana Cove Canal and then east exiting into Lake Harris.
 - g. The Lake County Road named Corley Island Rd. distributes all storm and surface water run off to six residential lots 4142,4146,4148,4222,4240,4300 and 4314 and 1 Commercial Plaza on the south side of the road. During storm events and hurricanes this surface water overflows until it can percolate or collect the said property wetlands at the lower elevation of the wetlands and then to canal.
 - h. **Wetlands are essential to manage the overflow from these natural disasters to advert flooding** which is no longer covered by Florida Home Insurance.
3. **The Poor Road design of Corley Island Rd leads to Greater Traffic Concerns.**
- a. U.S. Highway 27 has exploded with the influx of traffic due to the expansion on the west side of the highway causing exceptionally long wait times and long lines.
 - b. We are already at max density in our area for traffic flow. **Adding 84 to 100 more drivers would be devastating** to an already overcrowded and poorly designed exit onto Highway 27.
 - c. **This could foreseeably back traffic into both residential roads** leading to road rage as people try to enter and exit onto the

highway with a 55+ mile an hour speed limit. **This could make an already dangerous intersection road deadly.** Check the Accident stats of LPD.

- d. When traffic is diverted from the turnpike onto 27, you can spend a long time 10 to 15 minutes to access North and South bound lanes.
- e. Since the development behind Ravenswood has reached full compacity there has been an explosion of traffic as hundreds of drivers try to ingress/egress, nightmares at the Magnolia Ave Area.
- f. This development would cause havoc as the Developments Access bridge would merge with the existing population of Magnolia Ave accessing Hwy 27.

4. Possible Annexation of the Neighborhoods Corley Island Rd. and Magnolia Ave.

- a. It's a possibility that with the zoning change, the city may try to annex both neighborhoods into the City of Leesburg.
- b. **The developers want us to accept their annexation** for their benefit and our detriment.
- c. We want to keep our current systems of wells and septic systems under the county.
- d. The **Developers want to cram in a C-1 Commercial max density (0 to 18 dwellings per acre plus Variances)** project so they can make the largest profit possible this will cause reduced value of our and property and houses.
- e. If the Developer moves forward, it will likely mean eight, 3 story townhouses, holding 42 families (80 to 100 people practically on top of us!?! Less than 100 feet away
- f. **That could be up to 200+ people in a 4+ acres** area situated between our currently quiet neighborhoods. We do not want this change to be in our peaceful area.

- g. With that come 2 cars per house holds along with dogs and cats, boats and R.V.s with no areas for storage. This defies logic to our detriment so that a developer can make money.
 - h. In distressed times people love Legal or illegal options like take the back exit gate on South Corley Island Rd to County owned Corley Island RD to HWY 27.
 - i. People will Trespass in OUR neighborhoods just because they can.
5. **Maintain the Current R-6 System**
- a. Our Neighborhoods will agree to allow the developers to build if they abide by the current R-6 zone building guidelines with no alteration to the existing boundaries of the existing wetlands, as per FEMA and the St. John's River Water Management District.
 - b. This allows 2 houses per buildable acre.
6. **These Wetlands are Unsuitable for Housing Development**
- a. This area is called the Wetlands because it is unsuited for construction because of soil and land conditions.
 - b. It is a collection of sinkholes, giant root-masses overlayed with muck at water level in many places.
 - c. It has been sold several times for back taxes and Quit Claimed because it is unsuitable as a human residence in many places.
 - d. During storm and high wind events, trees are uprooted and fall; with tornados and updrafts spawned in what our neighborhood calls this area "Tornado Alley."
 - e. This property serves as an environmentally sensitive region for surface water filtering.
 - f. This property also serves as a wildlife refuge for animals driven out from other building projects in the South Leesburg Areas. The following animals have been seen on the property.
 - g. Bears, coyotes, foxes, raccoons, gopher tortoises, turtles, Scrub Jays, Eagles, Red and Brown Hawks, Ospreys, Cardinals, Mocking Birds, and lots of Alligators and snakes. We have even seen a Florida Panther and a Red Wolf.

The neighbors have said that this property would be ideal for a small park refuge with quiet walking trails and fishing.

Petition Signatures

We appreciate your support on keeping our two quiet neighborhoods calm, peaceful and ideal for small families.

Corley Island Rd

Names	Address
<i>John D. Williams</i>	4142 Corley Island Rd
<i>Dee Ann Williams</i>	4142 Corley Island Rd
<i>John & Corrin</i>	4146 Corley Island Rd
<i>2505 { Jenna Lloyd & Charles Lloyd }</i>	4222 Corley Island Rd
<i>Jamie A Reed</i>	4240 Corley Island Rd
<i>Patricia Heiman</i>	4240 Corley Island Rd
<i>John McWilliam</i>	4210 Corley Island Rd
<i>Jan T. Ryan</i>	4210 Corley Island Rd
<i>Shirley Ann</i>	4300 Corley Island Rd
<i>John Powell</i>	4300 Corley Island Rd
<i>John</i>	4314 Corley Island Rd
<i>B. Annette Zimby</i>	4314 Corley Island Rd
<i>John</i>	4326 Corley Island Rd
<i>John</i>	4326 Corley Island Rd
	4410 Corley Island Rd

Names	Address
	4410 Corley Island Rd

<i>Denise Sleete</i>	4345 Corley Island Rd
<i>Ally Stud</i>	4345 Corley Island Rd
<i>Stephen David Soltan</i>	4129 Corley Island Rd
<i>Carrie Ann Soltan</i>	4129 Corley Island Rd
	4139 Corley Island Rd
<i>Billie Ann Pinner</i>	4139 Corley Island Rd
<i>Charles Pinner</i>	4139 Corley Island Rd
<i>Sally Williams</i>	4211 Corley Island Rd
<i>Scott W. H.</i>	4211 Corley Island Rd
<i>Ed W. H.</i>	4227 Corley Island Rd
<i>Nick Miller</i>	4227 Corley Island Rd
<i>Mark Nowe</i>	4243 Corley Island Rd ✓
	4246 Corley Island Rd
<i>Denise Steehler</i>	4246 Corley Island Rd
<i>Canthony Puer</i>	4327 Corley Island Rd ✓
<i>Joe</i>	4327 Corley Island Rd
	29203 Corley Island Rd
<i>M. H.</i>	29203 Corley Island Rd
Names	Address

<i>Dorise Kellran</i>	29202 Corley Island Rd
<i>Anthony C. Wicks</i>	29202 Corley Island Rd
	29210 Corley Island Rd
<i>Julie Lison</i>	29210 Corley Island Rd
	29216 Corley Island Rd
<i>Arabella</i>	29213 Corley Island Rd
<i>Angie Lister</i>	29213 Corley Island Rd
<i>Roger Seure</i>	29205 Corley Island Rd
<i>Debra Bone</i>	29205 Corley Island Rd
	29220 Corley Island Rd
	29220 Corley Island Rd
<i>R.</i>	29340 Corley Island Rd

Likatha Ortiz	29340 Corley Island Rd
	4246 Corley Island Rd
	4246 Corley Island Rd
Darwin Beck Jr.	29401 Corley Island Rd
Turner Beck	29401 Corley Island Rd
	2941 Corley Island Rd 1

Names	Address
<i>See Ed</i>	
Tommy West	29411 Corley Island Rd
Walter	4216 Corley Island Rd
Jennifer Matheny	4216 Corley Island Rd
	29415 Corley Island Rd
	29415 Corley Island Rd
Gary Herrera	29239 S. Corley Island Rd.
	4315
Karen Lopez	4315
Carol L. Brown	4409
Patricia Brown	4409 Lake St.
Chad Wyatt	4222 Lands End Lane
Carolyn Wyatt	4222 Lands End Lane
	29411 Jesses Ln
	29411 Jesses Ln

Names

Magnolia Ave/Address

LENA TIPTON	4235 MAGNOLIA AVE Leesburg
ROBERT ERICE	4235 Magnolia Ave Leesburg FL 34
John Ball	4227 Magnolia Ave, Lsbg Ave
Donna Walter	4243 Magnolia Ave
Kenneth Walter	4243 MAGNOLIA AVE.
Robert Walter	4243 Magnolia Ave
Shelia Walter	4243 Magnolia Ave
Annaly Bygell	4251 Magnolia Ave
Al Bygell	4251 Magnolia Ave.
Walter	4305 MAGNOLIA AVE, LEB, 25
Robert Signocotti	4321 Magnolia Ave, Leesburg
P. L. P. Signocotti	4320 MAGNOLIA AVE, LEBURG
John C. Hallberg	4331 MAGNOLIA AVE, LEBURG, FL
Cynthia L. Hallberg	4331 Magnolia Ave
Kam Bunch	4341 Magnolia Ave Leesburg
John Bunch	4341 Magnolia Ave Leesburg
William Storking	4248 Magnolia Ave, Leesburg
M. Bunch	

--	--

Names

Address

Larry Tinkey	4315 Lake St Leesburg, FL 34748
Elah Tinkey Elah Turkey	4315 Lake St. Leesburg, FL 34748
Glenda Carrier	4320 Lake St. LEESBURG, FL 34748
Roger Anderson	4333 Lake Street 34748
Han Anders	4333 Lake St Leesburg 34748
Geese Ann	4333 Lake St Leesburg 34748
Diane Devlin	4340 Lake St -
Zornie Devlin	4340 Lake St Leesburg FL 34748
Peggy Lawson	4340 Lake St Leesburg
Michael Lawson	4340 Lake St Leesburg FL
James Lawson	4340 Lake St Leesburg FL
Wynne	4305 Lake St. Leesburg FL
Lise Hules	4305 Lake St. Leesburg IL
Anthony C. Wicks	29220 S. Cortez RD



201 West Burleigh Boulevard · Tavares · FL 32778-2496
(352) 253-6500 · Fax: (352) 253-6503 · www.lake.k12.fl.us

Superintendent:
Diane S. Kornegay, M.Ed.

School Board Members:
District 1
Bill Mathias
District 2
Tyler Brandenburg
District 3
Marc Dodd
District 4
Mollie Cunningham
District 5
Stephanie Luke

December 9, 2024

Venice at Lake Harris, LLC
Lowndes
Care of Tara L. Tedrow, Esq.
215 N. Eola Dr.
Orlando, FL 32801

RE: Venice at Lake Harris – Leesburg
School Concurrency – Letter of No Impact #NI2024-22
Alt Key(s): 1293707, 3874496, 1081891 - approximately 8.767 acres

Dear Ms. Tedrow:

The school district has received your request for a school concurrency review for forty-two (42) single-family attached (townhome style) dwelling units on approximately 8.767 acres. The property is currently undeveloped.

Please be advised that 42 single-family attached units would generate approximately thirteen (13) students which would be considered a de minimus impact for the school district. Therefore, full school concurrency review will not be required at this time.

If you should have questions or need more information please do not hesitate to contact me at 352-253-6696 or by email at croneyh@lake.k12.fl.us.

Sincerely,

Heather Croney
Growth Planning Department

"Equal Opportunity in Education and Employment"



December 18, 2024

Max VanAllen
Planner, Planning & Zoning Department
City of Leesburg
204 North 5th Street
Leesburg, FL 34749

Subject: Venice at Lake Harris – TIA Review Comments

Dear Ms. Max,

WSP has reviewed the Traffic Impact Analysis (TIA) for the Venice at Lake Harris development. The project site is located on the northeast corner of US 27 and Magnolia Avenue in Lake County, Florida. The proposed development will consist of 48 townhome dwelling units and 14,000 square-foot of strip retail plaza.

The TIA was reviewed for consistency with the Traffic Impact Study Methodology and Guidelines adopted by the City of Leesburg and Lake-Sumter MPO, Lake County Congestion Management Process (CMP) Database, Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition, and current traffic impact study best practices. The following list of comments is for your review and consideration.

1. **Build-Out Year:** Please confirm if the development is still anticipated to be completed by the year 2025. If not, please consider updating projected analysis.
2. **CMP Database:** It appears an older version of Lake County CMP Database has been utilized. Please use the most recent (Oct 2023) version of the CMP Database.
3. **Study Area:** Please consider analyzing 'US 27 and English Rd/Connell Rd intersection' additionally, which is located within the 1-mile radius of the development.
4. **Intersection Analysis:** Please note that Synchro is recommended over HCS in general for the intersection analysis.
5. **Table 3 (Trip Generation):**
 - a) Please note that ITE Trip Generation Manual 11th Edition recommends using fitted curve equation method over average rate method when there are 20 or more data points. For instance, the PM peak trip generation in Table 3 for land use code 822 should be based on the fitted curve equation instead of the average rate method.
 - b) When the fitted curve equation method is utilized, an 'equation' needs to be provided instead of a numerical 'rate.'

Kind regards,

Md Sakoat Hossan, PhD, PE, PMP, PTOE, RSP₂₁

WSP USA
301 East Pine Street
Suite 1020
Orlando, FL 32801

Tel.: +407 587-7800
Fax: +1 407 587-7960
wsp.com



CITY OF LEESBURG PLANNING & ZONING DIVISION RECOMMENDATIONS

DATE: April 24, 2025
OWNER: Venice at Lake Harris LLC
PETITIONER: Tara Tedrow, Esq., Lowndes Law o/b/o Ruben Larrea, Atlantikos Group
PROJECT: Venice at Lake Harris
REQUEST: Rezoning from Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District) to City SPUD (Small Planned Unit Development).
CASE NO.: SPUD-24-383

THE PLANNING & ZONING DIVISION RECOMMENDS:

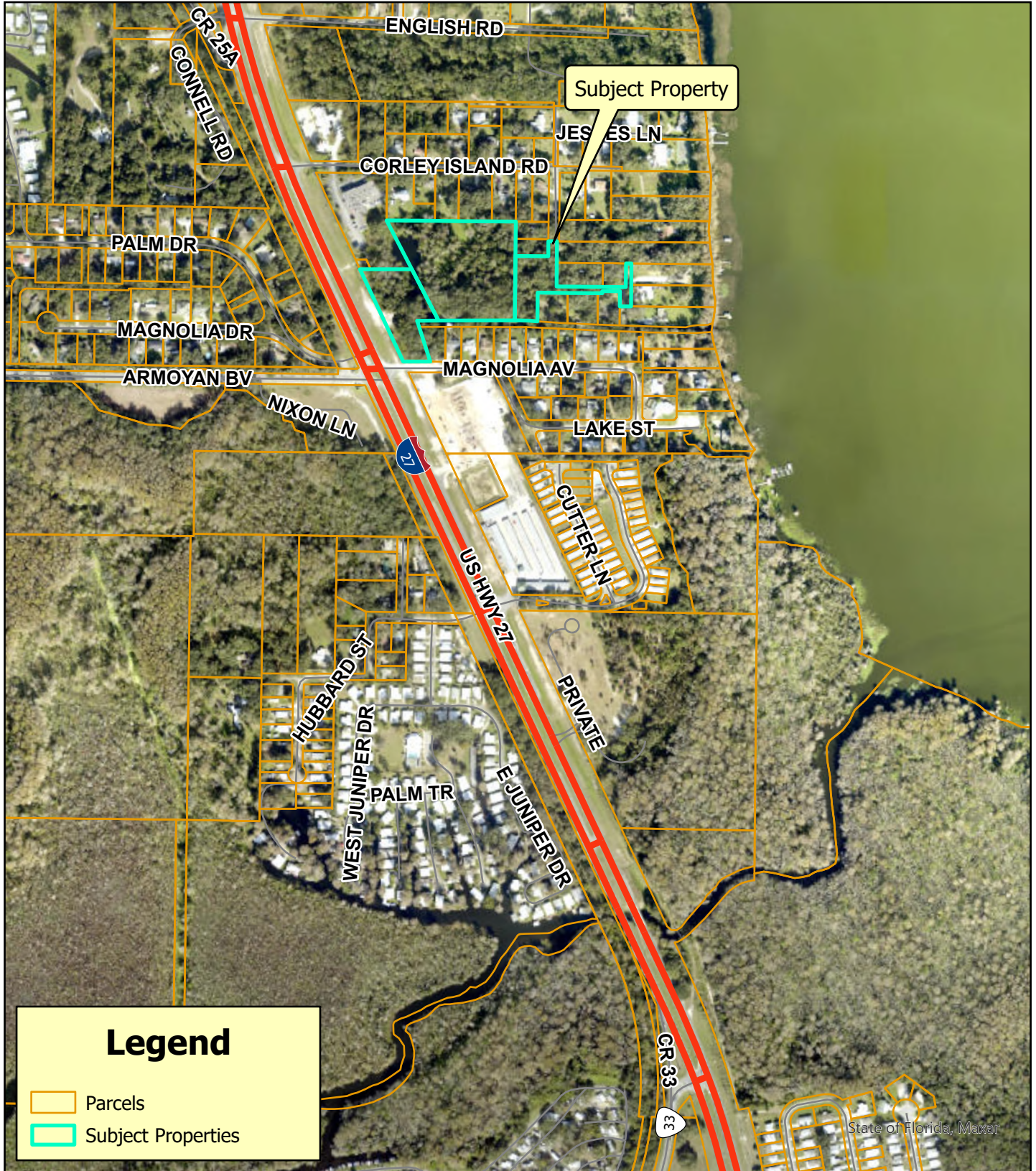
APPROVAL of the request for the following reason(s):

1. The proposed request for a SPUD (Small Planned Unit Development) zoning is compatible with the current surrounding zoning districts, including Lake County C-2 (Community Commercial District), R-6 (Urban Residential District), C-1 (Neighborhood Commercial); City of Leesburg SPUD (Small Planned Unit Development), PUD (Planned Unit Development), and C-2 (Community Commercial).
2. The proposed zoning is compatible with the proposed future land use designation amendment to City Low Density Residential, and the current surrounding Future Land Use designations, including Lake County Urban Low Density; City of Leesburg General Commercial, High Density Residential, Estate Residential, and Conservation.
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 and based on the proximity to US 27, as conditioned in the attached SPUD zoning.

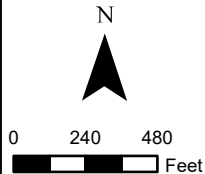
Action Requested:

1. Vote to **approve** the proposed rezoning from Lake County C-1 (Neighborhood Commercial) and R-6 (Urban Residential District) to City SPUD (Small Planned Unit Development), and forward this recommendation to the City Commission for consideration.

Extended Aerial

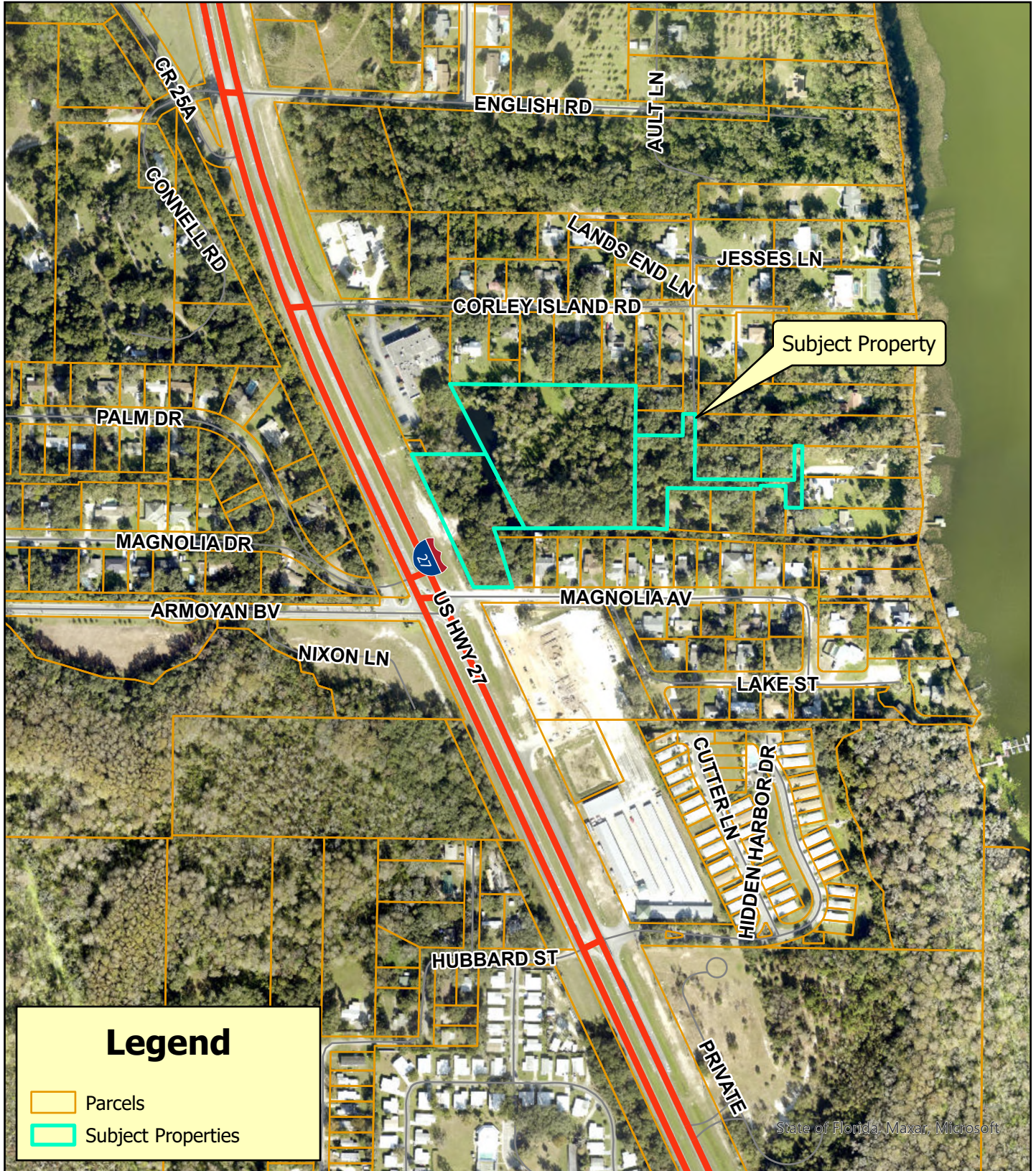


**Planning
& Zoning
Division**

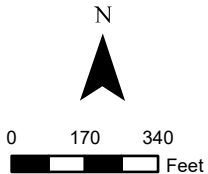


Venice at Lake Harris
ANNX-24-381; SSCP-24-382; SPUD-24-383
Alternate Key(s): 1293707, 3874496, 1081891
Section 02, Township 20 South, Range 24 East
November 25, 2024

Aerial

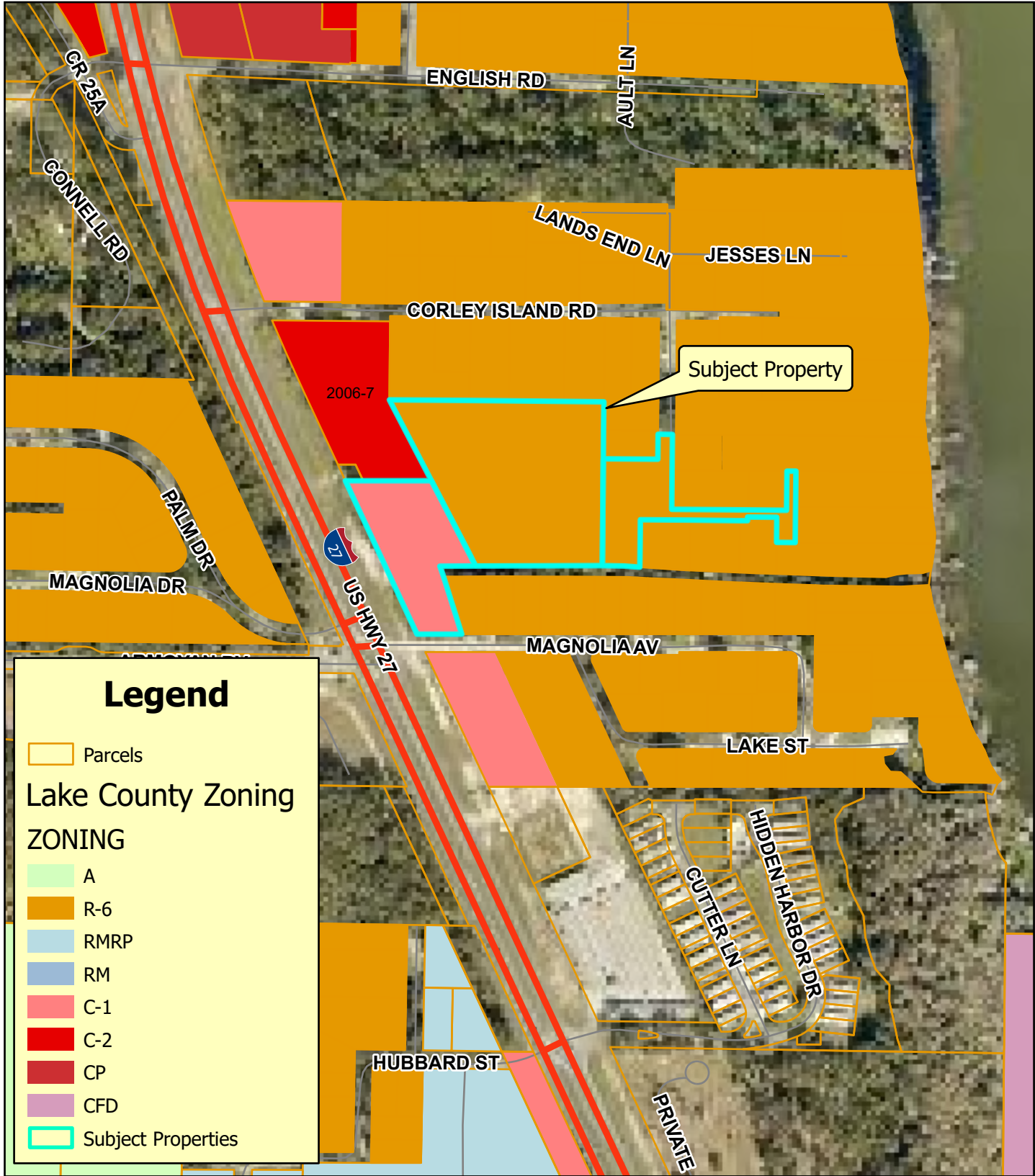


**Planning
& Zoning
Division**

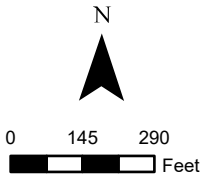


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Lake County Zoning

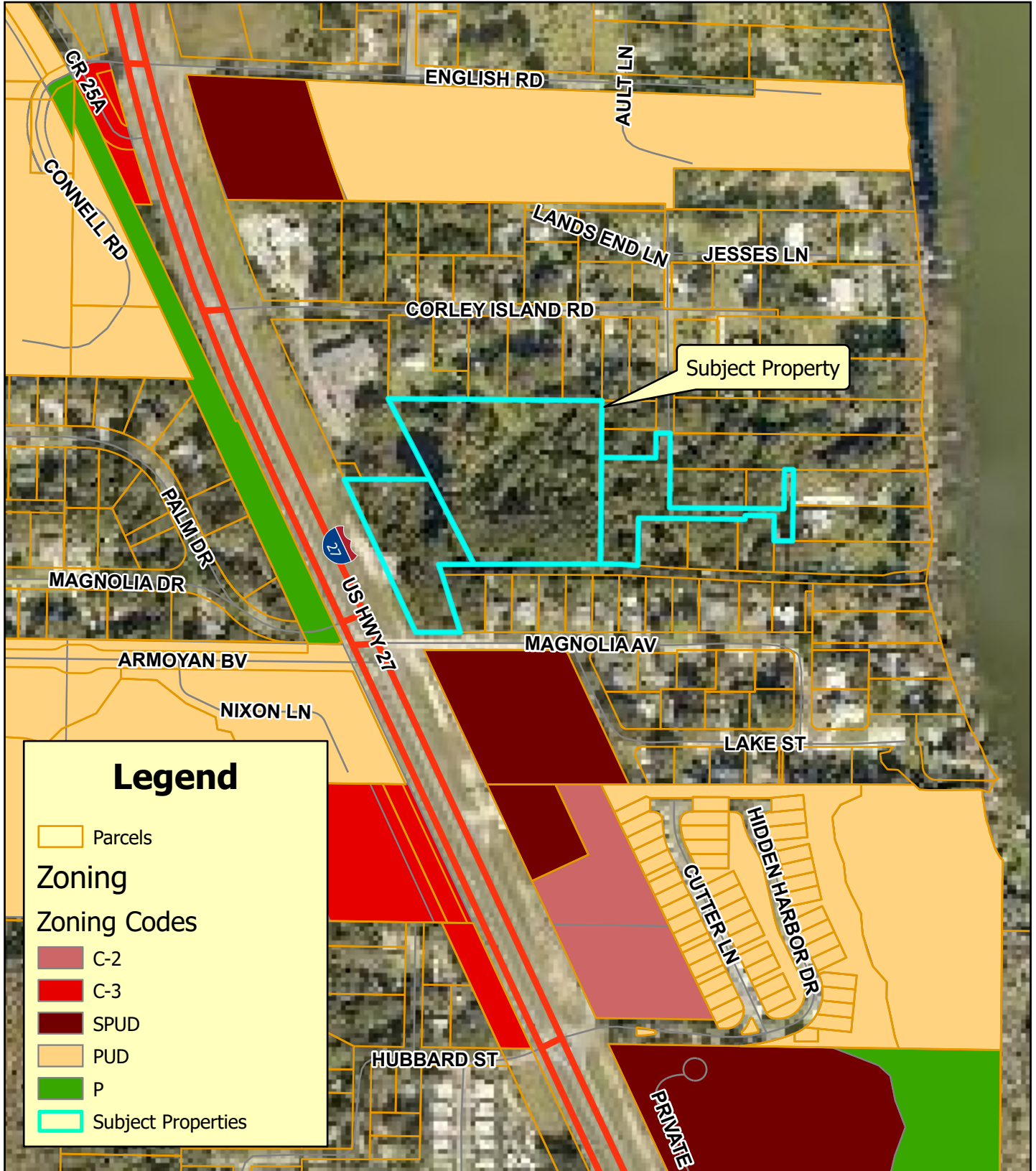


**Planning
& Zoning
Division**

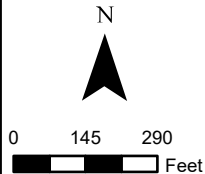


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City of Leesburg Zoning

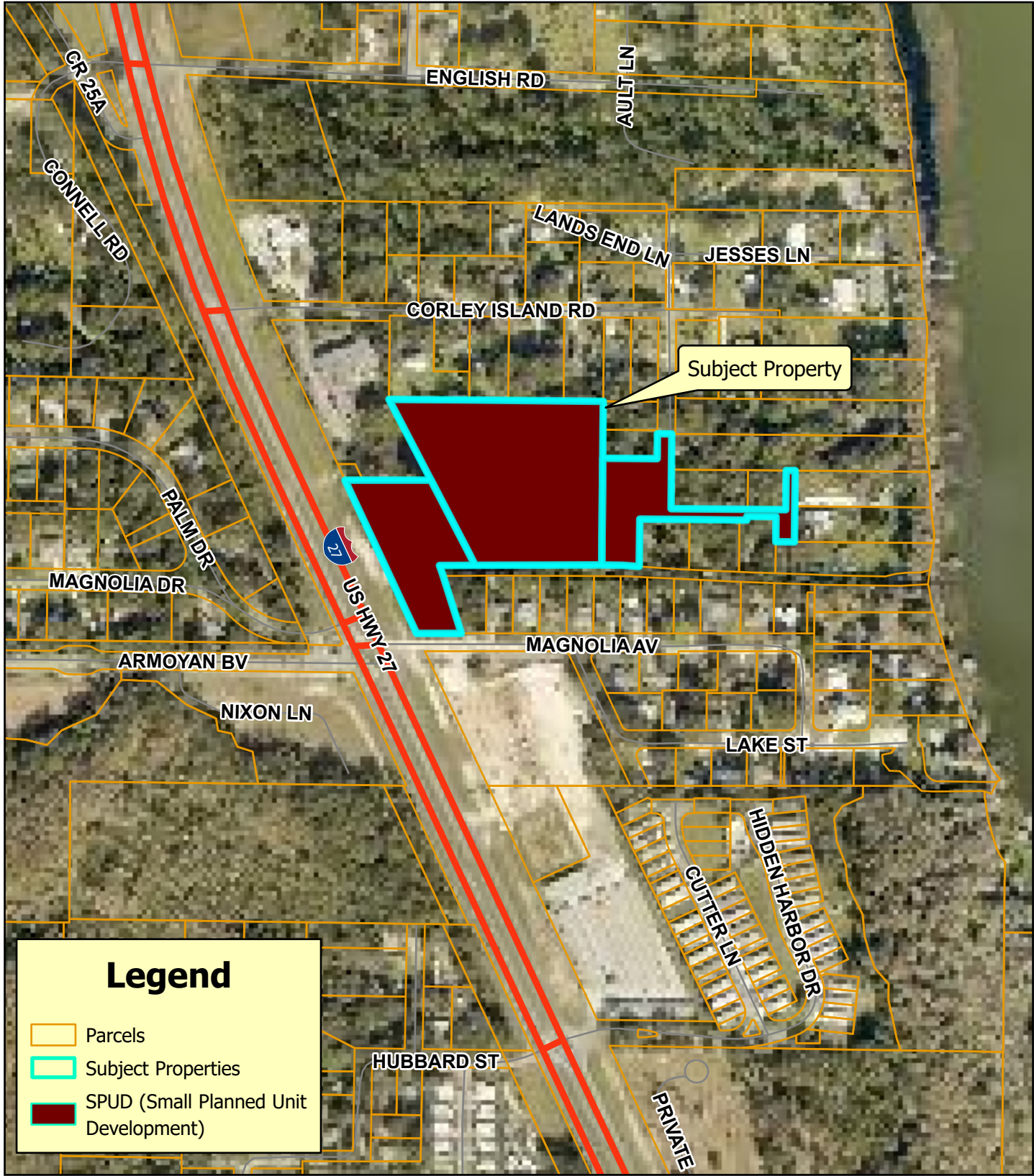


**Planning
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Division**

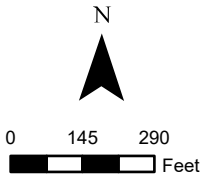


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Proposed Zoning

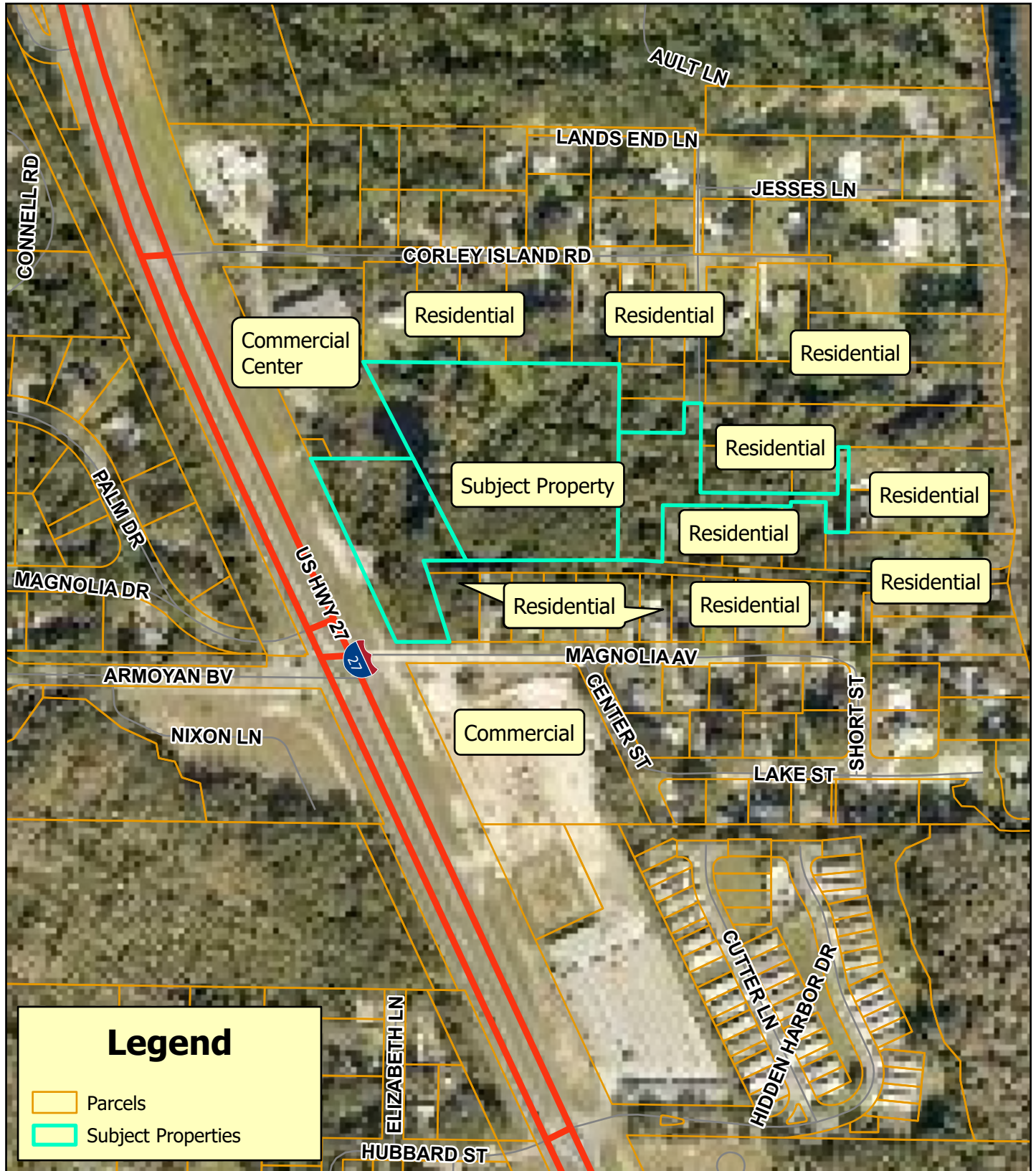


**Planning
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Surrounding Land Uses

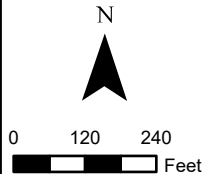


Legend

- Parcels
- Subject Properties



**Planning
& Zoning
Division**

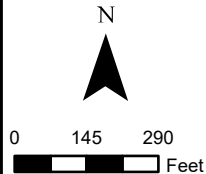


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Community Redevelopment Area

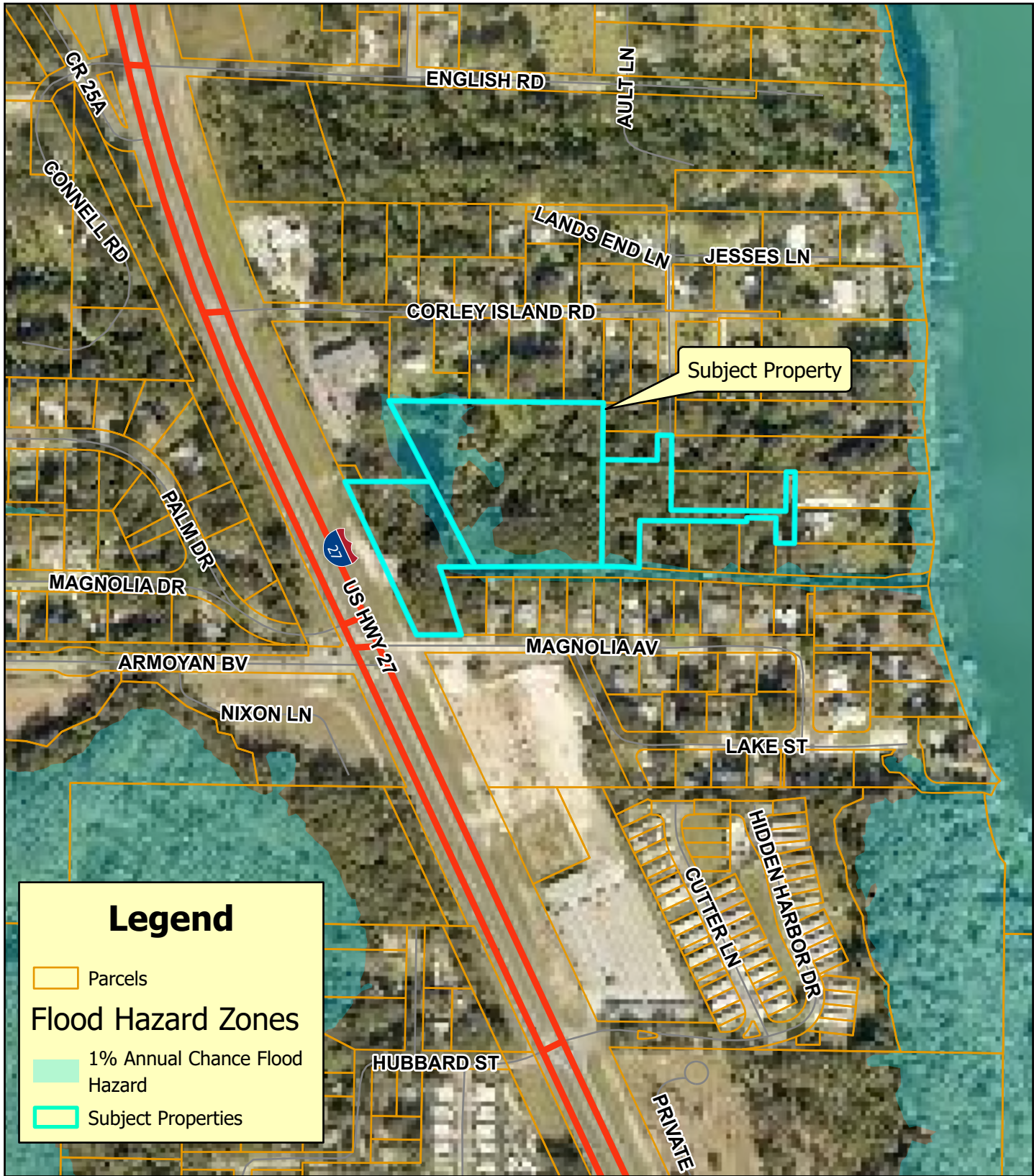


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Division**

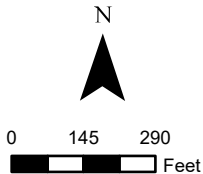


Venice at Lake Harris
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Flood Zone

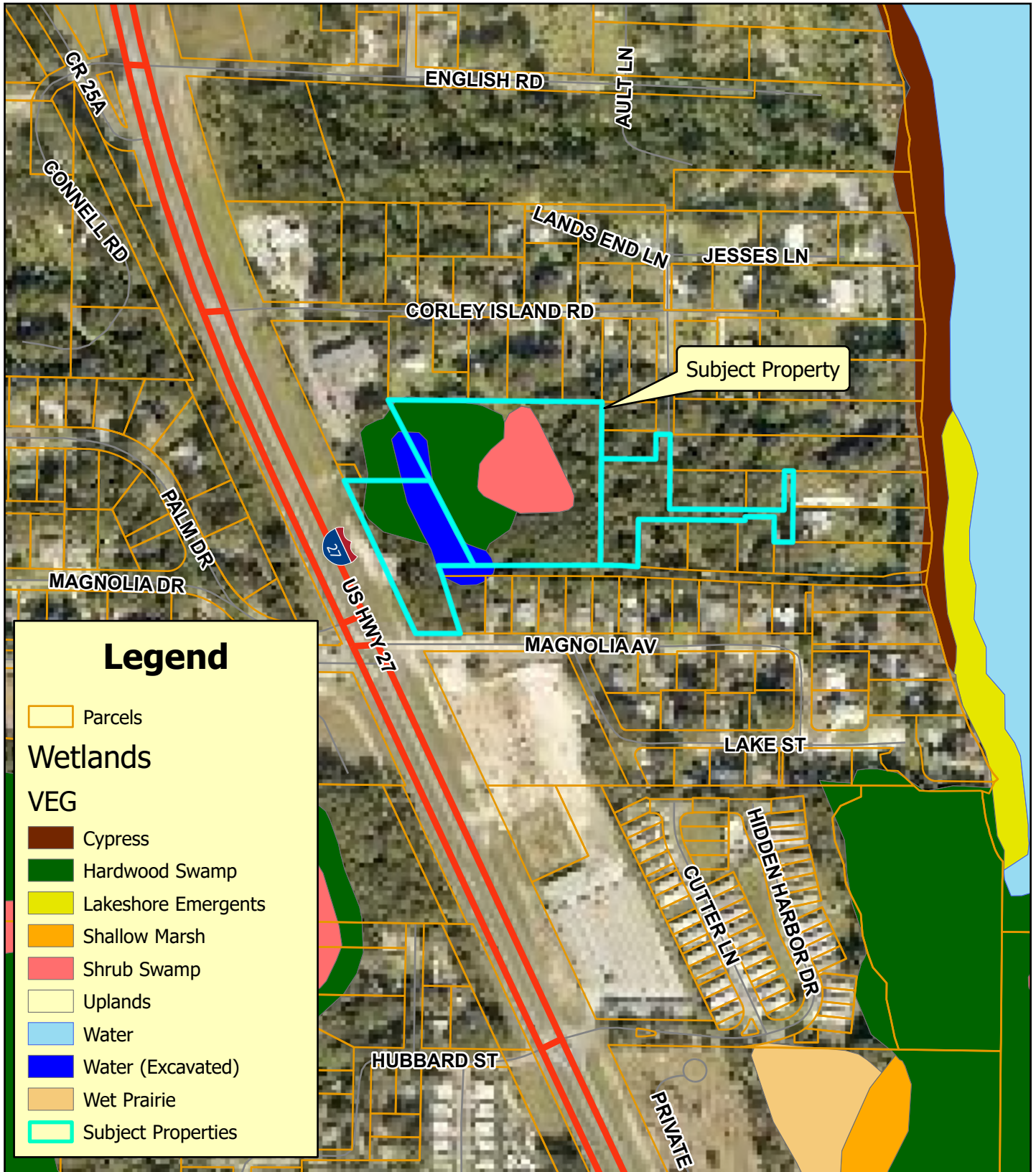


**Planning
& Zoning
Division**

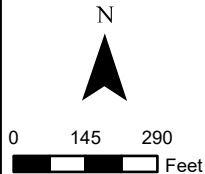


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Wetlands



**Planning
& Zoning
Division**



Venice at Lake Harris
 ANN-24-381; SSCP-24-382; SPUD-24-383
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 Section 02, Township 20 South, Range 24 East
 November 25, 2024



Close up of Sign on Property from Magnolia Avenue.



Looking north from Magnolia Avenue along US 27.



Looking east along Magnolia Avenue.



Looking south from Magnolia Avenue along US 27.



Looking west from Magnolia Avenue across US 27.



Close up of Sign on Property from US 27.



Looking north along US 27.



Looking east from US 27.



Looking south along US 27.



Looking west across US 27.



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, MARCH 20TH, 2025.

Commissioner Carter moved to APPROVE the minutes from the March 20th, 2025 meeting. Vice-Chairman Sanders SECONDED the motion, which PASSED by a vote of 7-0.

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

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

OLD BUSINESS

1) PUBLIC HEARING CASE # SSCP-24-382 – VENICE AT LAKE HARRIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 8.77 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG LOW DENSITY RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, AS LEGALLY DESCRIBED IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Venice at Lake Harris SSCP)

Dan Miller stated for the record permission to discuss both cases together and vote separately.

Dan Miller introduced case number #SSCP-24-382 – Venice at Lake Harris – Small Scale Comprehensive Plan Amendment and case number #SPUD-24-383 Small 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, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, went over the PUD requirements, design and architectural standards, recreational requirements, phasing, or expiration clause; and stated all development must be on City water and wastewater; so, there will be no wells or septic systems on the property.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City departments. Lake County School Board comments noted; comments read into the record. Lake County Public Works comments noted; comments read into the record, and Public responses – packets provided for the

Commission and neighbors did express significant concerns; comments noted; comments read into the record; residents also provided a petition, which is included in the Commissioners packets which contains over 80 signatures from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper. Staff did ask the applicant and the applicant did conduct a neighborhood meeting to speak with the neighbors, both the applicant and neighbors have presentations and comments they wish to provide to the Commission today. Staff thanks the applicant and the members of the community for their input in regarding the application and for reaching out to the neighbors and for coming to this meeting to talk about it; as stated in the opening remarks after the presentation, there will be a time for applicant and the Public to comment.

Dan Miller read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval; this is a recommendation that will go forward; whatever this Commission decides; final decision from the City Commission.

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

Logan Opsahl, Lowndes Law Firm 215 North Eola Drive Orlando, Florida thanks Commission for their time, consideration, and service, efficient with time, certain topics raised; reserve some time to respond, thanks Staff for the time on the proposed project; Community meeting back in December, ongoing discussion with Staff; plan, surrounding zoning, previous proposed; 47 units, feedback at community meeting, feedback from district Commissioner, and the City as a whole, density, reworked site plan; reduce SF townhomes; 26 units, 4:1 per acres, proposal; 2.3 dwelling units per acre; less than 3 per acres across the site, provided a 40% reduction; unit count, commercial development; support residential in the back, view as down zone the property, account for commercial, provide much more setbacks; PUD noted, provide stormwater retention pond; north side of the property; flooding concern, further buffering, open space, wetlands; exist, discussed project; amount of permitting and approvals required; impact on wetlands, provide appropriate retention capacity, happy to respond to access on Magnolia, lowering density; reduce traffic, Staff very collaborative, less dense project, maintains/preserves; natural vegetation, improving existing canal; fully permitted, amenities; boat ramp; kayaks, improvement in that area; appreciates everybody here tonight; tried to provide a thoughtful product.

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

Citizens' comments: went over charts of Corley Island Road; aerial maps, Lake County jurisdiction, change COMP plan; no, 40%, about 8 acres, private roads; never sold to applicant, a lot of families; small spots, not allowed; go down Corley Island Road, 30 years; road recapped, no help; FEMA, books; for Commission; FDOT; dumping water, situation; two lane highway; four lanes, pictures, flooded, develop; illegally, canal; ditch, Corley Island Road; east end, flood roads, go into wetlands, overlays; Staff done excellent job representing both sides, ditches; turn

into canal, property; 60' deep, County allowed; plaza, 18" covert, water; comes up, hurricanes; flooded, door steps, need help; love land, own good portion; Corley Island Road; need help with roads, and drainage, commercial; no problem on 27, no bridge; across the canal, please read information provided to the Commission, go to R-6; 2 dwellings per acre; at 5 acres, use road; no problem, first/second draft; commend applicant, help; back of the property, doesn't become a lake, wish it stay with Lake County, a lot of wildlife; foxes, wolf, gopher turtles; on property, protected, family of four, no gate in back, really nice neighborhood, do the Commission; understand, government housing, concerns; traffic, plan for 27, move vehicles, traffic study; done, account; for trucks, can't turn into Magnolia, entrance; heading north 27, south from Leesburg; Magnolia Road, water; runs down Magnolia, U-Haul trucks; trailers, retention ponds; overflow, traffic safety, 8.77 acres; some commercial, real number; for units per acre, turn off into Lake Denham, south; turning lane, U-turn; short, next U-turn; Lake EMS; bad spot, small canal; plans on basin, fragile, eco-system; canal, run-offs, back door; 50' from canal; plans, pollution, Leesburg Commissioners; decision for neighborhood, attended annexation meeting; opposed to master growth plan, not opposed to growth; responsible growth, acres of woodlands; City allowed, last year, lost foundation; area exceptional, love privacy, woodland, and wildlife, careless vote; destroy neighborhood, can't vote for or against, flooding; woodlands striped; no regards.

Logan Opsahl, the applicant addressed comments from the citizens and stated entitlements; presented, low density residential, availability; City to add conditions, connectivity; Corley Island Road, not connected, utility activity; private easement, work with Staff, property; unique, commercial/residential entitlements; in place today, SPUD vehicle; concerns, wetlands on property; deal with issues, past hurricanes; 200 year events, bad, legislature/state increased requirements, approvals; FDOT, County, City, FEMA, Water Management District, Army Core, enjoyed history; area, six government entities; make sure accounted for, did hear you, more water; capacity, go through; approval, ditch; flooded in area, affect; neighbors, kayaks, certain grading; appropriate drainage, permitting, area approved per letter of the law, environment/wildlife; environmental study, properly dealt with per state law, reduce; unit count, preserve; natural trees, additional landscaping, meet City requirements, heard from today; stand for any specific questions.

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

Commissioner Carter asked questions of the applicant regarding gophers, residents; mentioned eagles, part of the study, traffic study, canal; kayak access only, also, low density mixed use.

Logan Opsahl, applicant addressed comments from the Commission and stated the eagles will part of the study; strict regulations, have to be accounted for, kayak access only, and per the PUD it will have the mixed use; permitted uses.

Chairman Sennett closes discussion from the Public and then discussion took place

with the Commission.

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

Commissioners' and Dan Miller discussed we are not voted on; appointed by the Commission, citizens of the community, take position very seriously, rights of citizens; able to own property, build on the land; follow rules, commend developer for meeting with the residents, buffers; around existing homes, set-back; don't back up; existing homes; Dan Miller stated there are set-backs for the building, but also buffers that goes from the property lines; 40' buffer, south side of property, natural habitation; Dan Miller stated yes ma'am, buffer; you can put a walking trail; buffers not a part of the lots, separate, maintained by HOA, buffer not heavily treed or scrub, City regulate, understands for the residents; Planning Commission, goes up to 4 units per acre; County; possible, Staff level; put conditions, minimize negative affect, not developed; significant amount of wetlands, people move in; more of these types of properties, hard job; responsible growth, happening, make sure Public hearing decision, City Commission; final decision; Dan Miller stated that is correct; Staff make recommendations based on the COMP plan and zoning code, a lot of development come through; negative/positive review, goes in to this body and City Commission; dates provided to Public for City Commission, traffic; Dan Miller stated it's everybody problem, City doesn't have direct authority; Chapter 163; state legislature, law, can't turn development down; traffic. Attorney, Jennifer Cotch stated if the applicant can show that they can make the development work and not make the road more deficient than it is, responsibility of the County; Dan Miller stated the City is ready to work with them all the time, understand the situation, it's an issue, what Dan has told you he has an obligation of the law to make certain recommendations; please come to the City Commission meeting and express your opinions there.

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

Chairman Sennett called for a vote on the first case.

Vice-Chairman Sanders made a motion to APPROVE case # SSCP-24-382 – VENICE AT LAKE HARRIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Kaplan SECONDED the motion.

The roll call vote was:

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

Two yeas, five nays, the Planning Commission DENIED case # SSCP-24-382 – VENICE AT LAKE HARRIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

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

2) PUBLIC HEARING CASE # SPUD-24-383 – VENICE AT LAKE HARRIS – SMALL PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 8.77 +/- ACRES FROM LAKE COUNTY C-1 (NEIGHBORHOOD COMMERCIAL) AND R-6 (URBAN RESIDENTIAL DISTRICT) TO CITY OF LEESBURG SPUD (SMALL PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND NORTH OF MAGNOLIA AVENUE, AS LEGALLY DESCRIBED IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Venice at Lake Harris SPUD)

Chairman Sennett called for a vote on the second case.

Commissioner Marshall made a motion to DENY case # SPUD-24-383 – VENICE AT LAKE HARRIS – SMALL PLANNED UNIT DEVELOPMENT
Commissioner Carter SECONDED the motion.

The roll call vote was:

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

Five yeas, two nays, the Planning Commission DENIED case # SPUD-24-383 – VENICE AT LAKE HARRIS – SMALL PLANNED UNIT DEVELOPMENT.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.4.

Meeting Date: May 12, 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 39.05 +/- acres; and being generally located north of East Dewey Robbins Road and south of Dewey Robbins Road, lying in Section 5, Township 21 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 3; and providing an effective date. (Bar Key II/Grace Groves ANNX)

Staff Recommendation:

The Planning and Zoning staff and the Planning Commission recommend approval of the proposed ordinance for annexation of 39.05 +/- acres.

Analysis:

The applicant has submitted a request for annexation of approximately 39.05 +/- acres, generally located north of East Dewey Robbins Road and south of Dewey Robbins Road, as shown on the attached General Location Map. At this time, the property is undeveloped. The current zoning is Lake County A (Agriculture); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is to infill the existing, surrounding Bar Key development with the 39.05 +/- acres of associated residential development.

The property is surrounded by Lake County A (Agriculture), CFD (Community Facility District); and City PUD (Planned Unit Development). Under the conditions of the PUD (Planned Unit Development) zoning case which is also on this agenda, no negative impacts are anticipated to adjacent properties.

Also, on this City Commission agenda is a Small-Scale Comprehensive Plan Amendment, which, along with the Planned Unit Development Application, had recommendations for approval from the staff and Planning Commission at the public hearing held on April 24, 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 39.05 +/- ACRES; AND BEING GENERALLY LOCATED NORTH OF EAST DEWEY ROBBINS ROAD AND SOUTH OF DEWEY ROBBINS ROAD, LYING IN SECTION 5, TOWNSHIP 21 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 3; AND PROVIDING AN EFFECTIVE DATE. (BAR KEY II/GRACE GROVES ANNX)

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

Section 1.

Based upon the petition of Brookfield Kotler Land Partners, James P Harvey, 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 _____ day of _____ 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

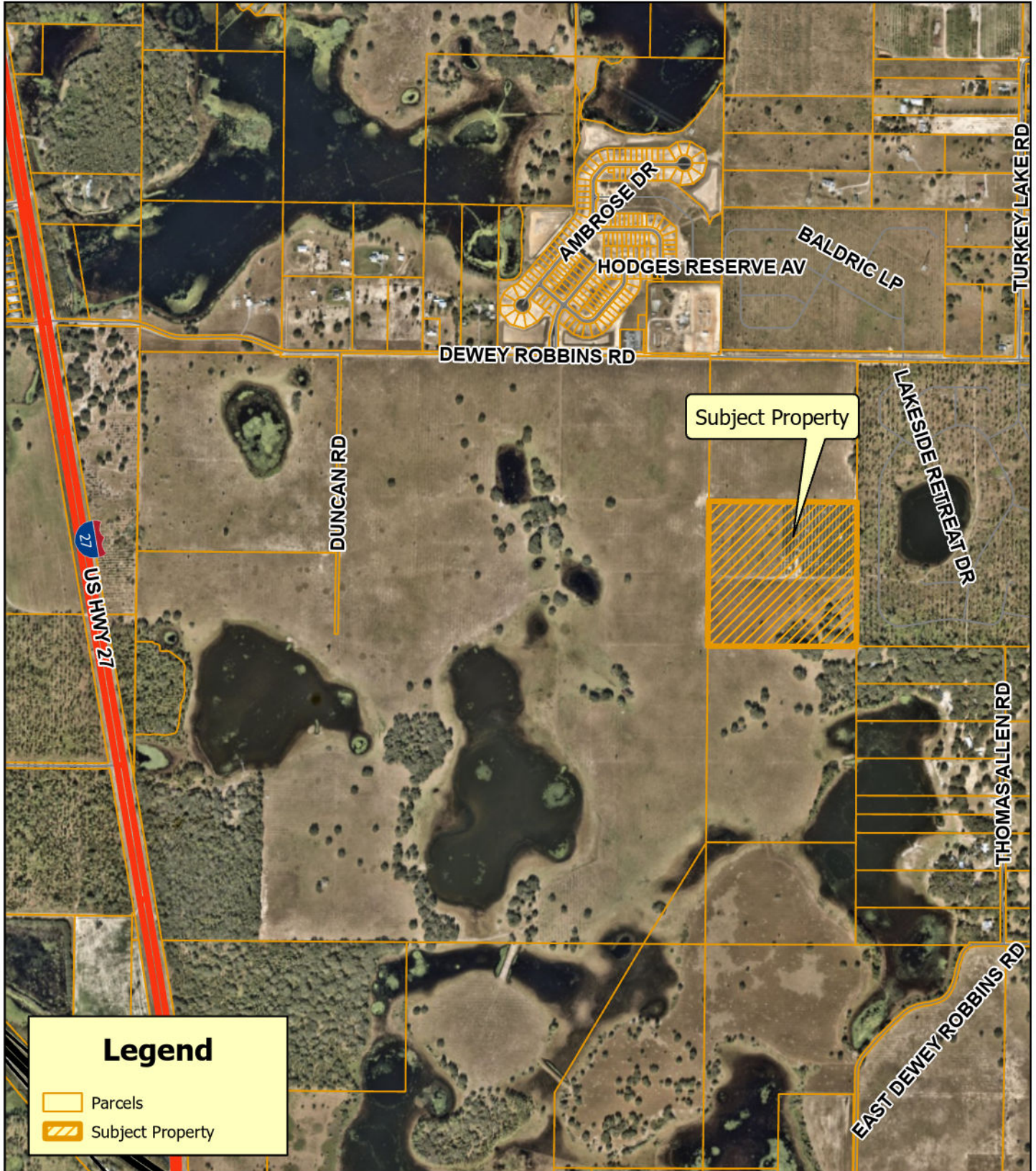
BAR KEY II/ GRACE GROVES LEGAL DESCRIPTION

THE NORTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF GOVERNMENT LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, ALSO KNOWN AS THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

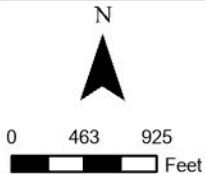
AND

THE SOUTH $\frac{1}{4}$ OF GOVERNMENT OF LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, ALSO KNOWN AS THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

Extended Aerial

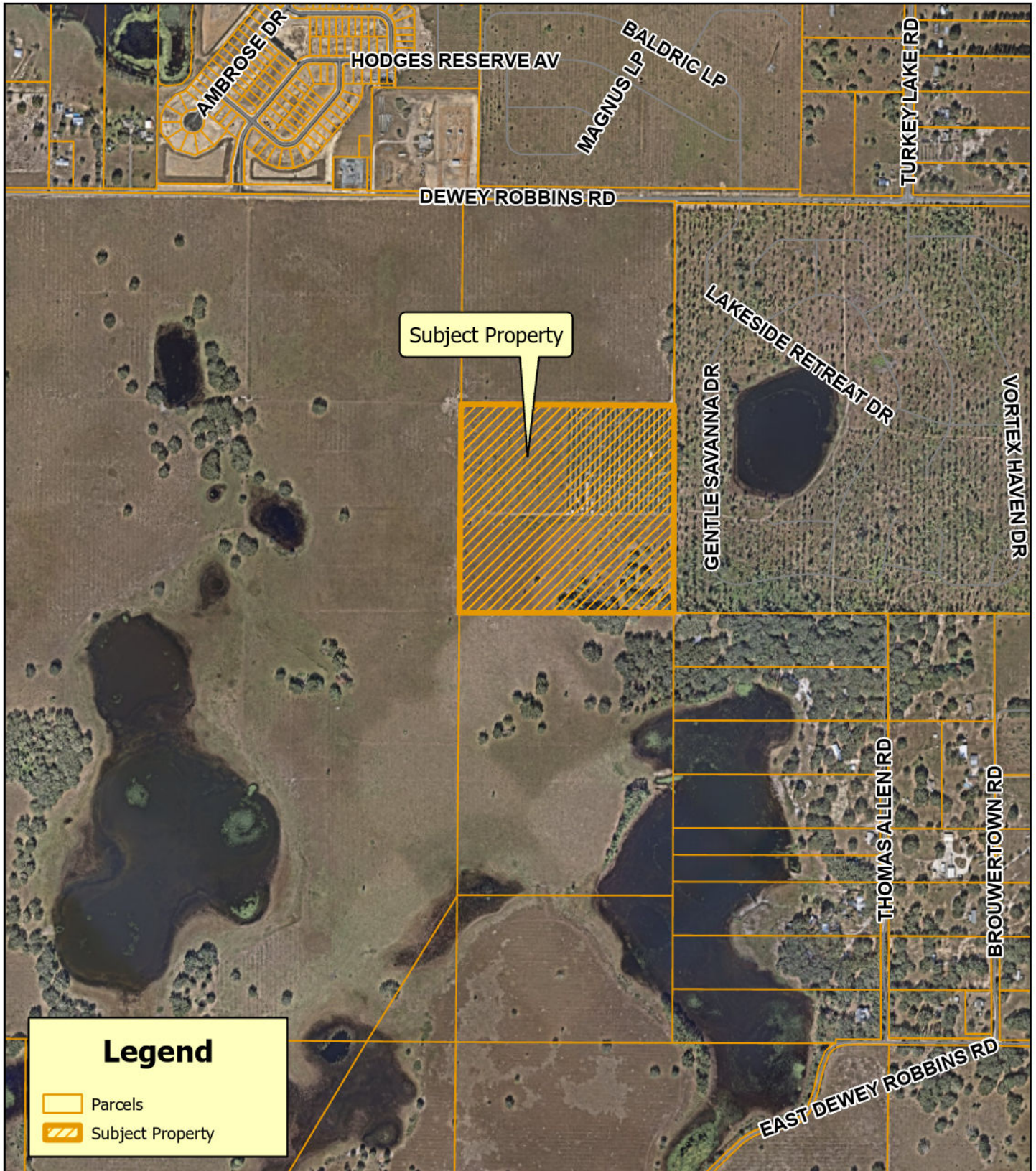


**Planning
& Zoning
Division**

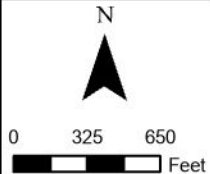


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Aerial

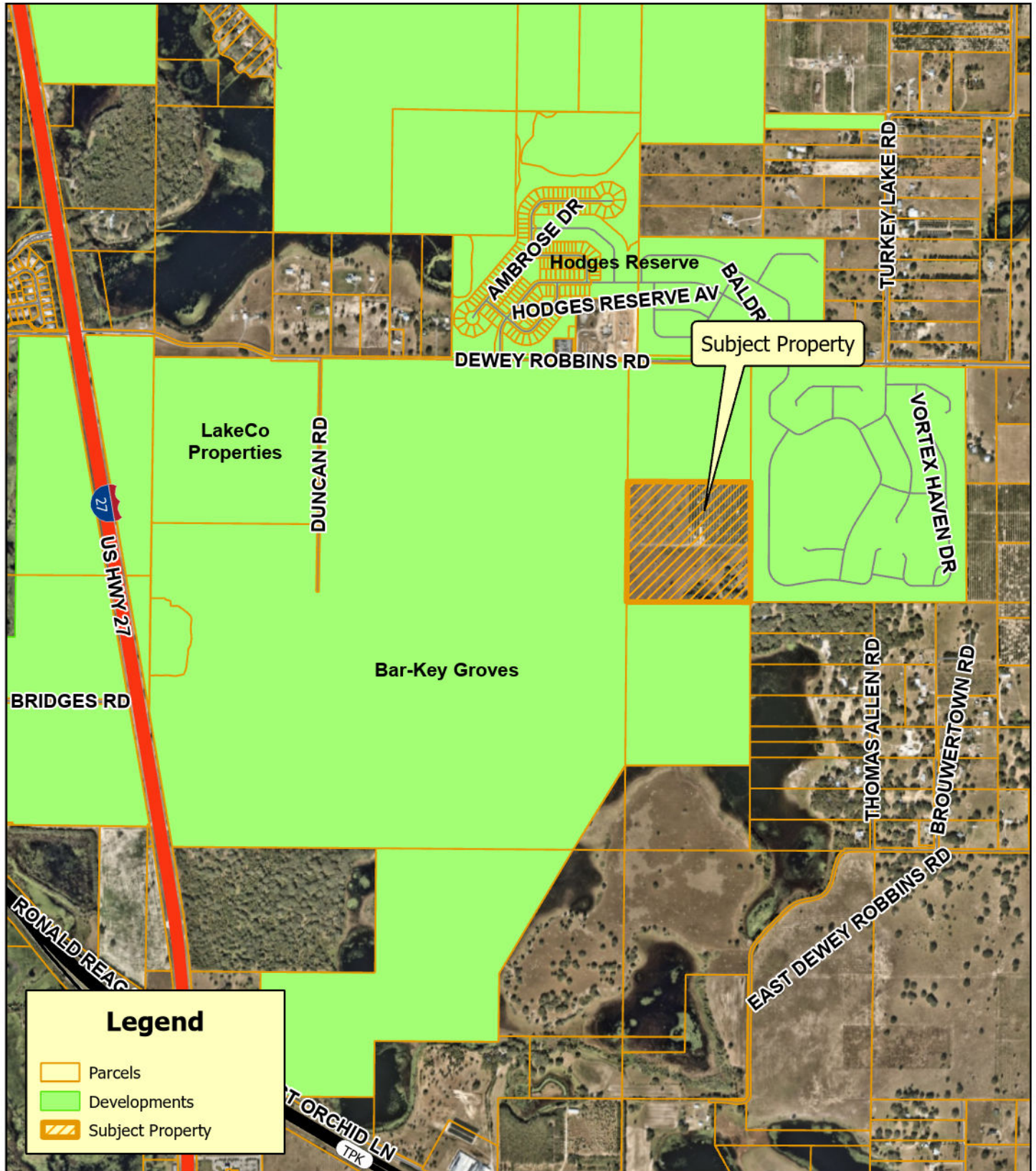


**Planning
& Zoning
Division**

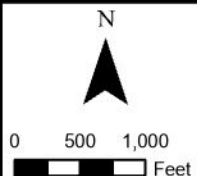


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Surrounding Developments

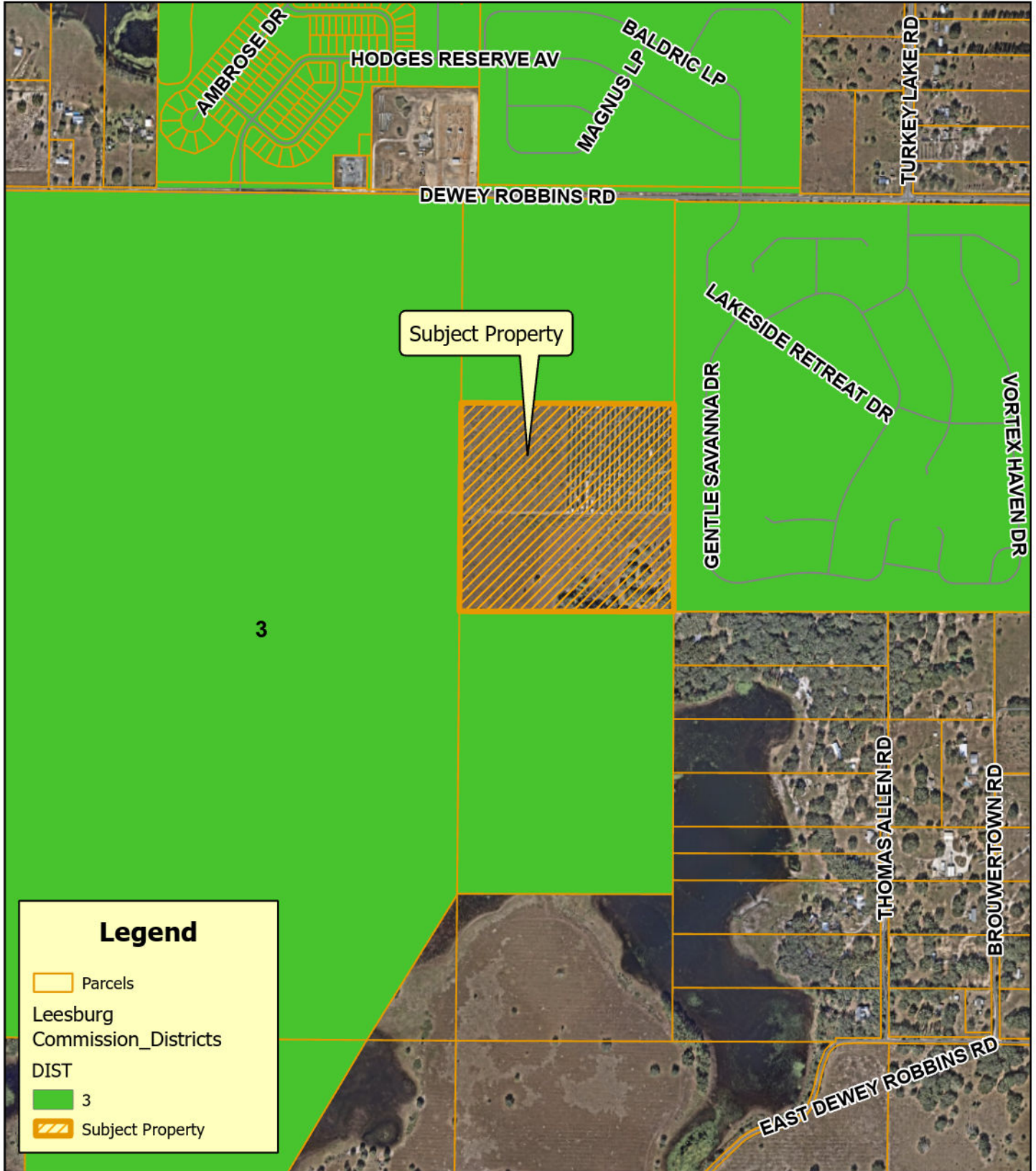


**Planning
& Zoning
Division**

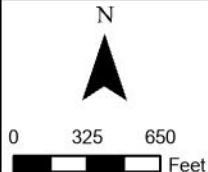


Bar Key II/Grace Groves
 ANN-25-450; SSCP-25-451; PUD-25-452
 Alternate Key: 1210216
 Section 05, Township 21 South, Range 24 East
 February 18, 2025

Commission District



**Planning
& Zoning
Division**



Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.5.

Meeting Date: May 12, 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 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, lying in Section 5, Township 21 South, Range 25 East, Lake County, Florida; and providing an effective date. (Bar Key II SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 39.05 +/- acres from Lake County Rural to City of Leesburg Estate Residential.

Analysis:

The project site is approximately 39.05 acres. The property is generally located north of East Dewey Robbins Road and south of Dewey Robbins Road. Currently, the property is undeveloped acreage. The proposed use is to allow an extension of the previously approved Bar Key development, consisting of 156 45' x 115' single-family lots. The surrounding Future Land Use Map designations of Lake County Rural and City Estate Residential are compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Estate Residential. The proposed zoning designation of City PUD (Planned Unit Development) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

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

The Planning Commission held a public hearing on the application on April 24, 2025, and recommended approval.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 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, LYING IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (BAR KEY II SSCP)

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

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

NOW, THEREFORE,

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

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on 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 39.05 acres of land generally located north of East Dewey Robbins Road and south of Dewey Robbins Road from Lake County Rural to City of Leesburg Estate Residential, as shown on the revised map of said area, lying in Section 05, Township 21 South, Range 25 East, Lake County Florida;

Section 2.

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

Section 3.

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

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

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

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

DATE: April 24, 2025

OWNER: Melissa J Pierie and Elizabeth Ann Kelly, Trustees

PETITIONER: Cyndi Tarapani o/b/o Brookfield Kotler Land Partners

PROJECT: Bar Key II/Grace Groves

REQUEST: Small-scale Comprehensive Plan amendment to Estate Residential and Rezoning to City PUD (Planned Unit Development) to allow an extension of the previously approved Bar Key development, consisting of 156 single-family lots.

CASE NO.: (ANNX-25-450); SSCP-25-451; PUD-25-452

GENERAL LOCATION: North of East Dewey Robbins Road and south of Dewey Robbins Road.

FUTURE LAND USE DESIGNATION: Lake County Rural

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Rural; City Estate Residential
South – Lake County Rural; City Estate Residential
East – Lake County Rural; City Estate Residential
West – City Estate Residential

PROPOSED FUTURE LAND USE DESIGNATION: City Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County A (Agriculture), CFD (Community Facility District); City PUD (Planned Unit Development)
South – Lake County A (Agriculture); City PUD (Planned Unit Development)
East – Lake County A (Agriculture); City PUD (Planned Unit Development)
West – City PUD (Planned Unit Development)

PROPOSED ZONING DESIGNATION: City PUD (Planned Unit Development)

EXISTING LAND USE: Vacant land.

SURROUNDING LAND USE:

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

PROPOSED LAND USE: An extension of the previously approved Bar Key development, consisting of 156 45' x 115' single-family lots.

BAR KEY II/ GRACE GROVES LEGAL DESCRIPTION

THE NORTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF GOVERNMENT LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, ALSO KNOWN AS THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE SOUTH $\frac{1}{4}$ OF GOVERNMENT OF LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, ALSO KNOWN AS THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

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

DATE: April 24, 2025
OWNER: Melissa J Pierie and Elizabeth Ann Kelly, Trustees
PETITIONER: Cyndi Tarapani o/b/o Brookfield Kotler Land Partners
PROJECT: Bar Key II/Grace Groves
REQUEST: Small-scale Comprehensive Plan amendment to Estate Residential and Rezoning to City PUD (Planned Unit Development) to allow an extension of the previously approved Bar Key development, consisting of 156 single-family lots.
CASE NO.: (~~ANNX-25-450~~); SSCP-25-451; PUD-25-452

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 3/14/2025.

FIRE

In reference to Case Number - SSCP-25-451; PUD-25-452 – Bar Key II/Grace Groves

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-25-451; PUD-25-452 – Bar Key II/Grace Groves 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 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 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)



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: April 24, 2025
OWNER: Melissa J Pierie and Elizabeth Ann Kelly, Trustees
PETITIONER: Cyndi Tarapani o/b/o Brookfield Kotler Land Partners
PROJECT: Bar Key II/Grace Groves
REQUEST: Small-scale Comprehensive Plan amendment to from Lake County Rural to City of Leesburg Estate Residential.
CASE NO.: SSCP-25-451

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

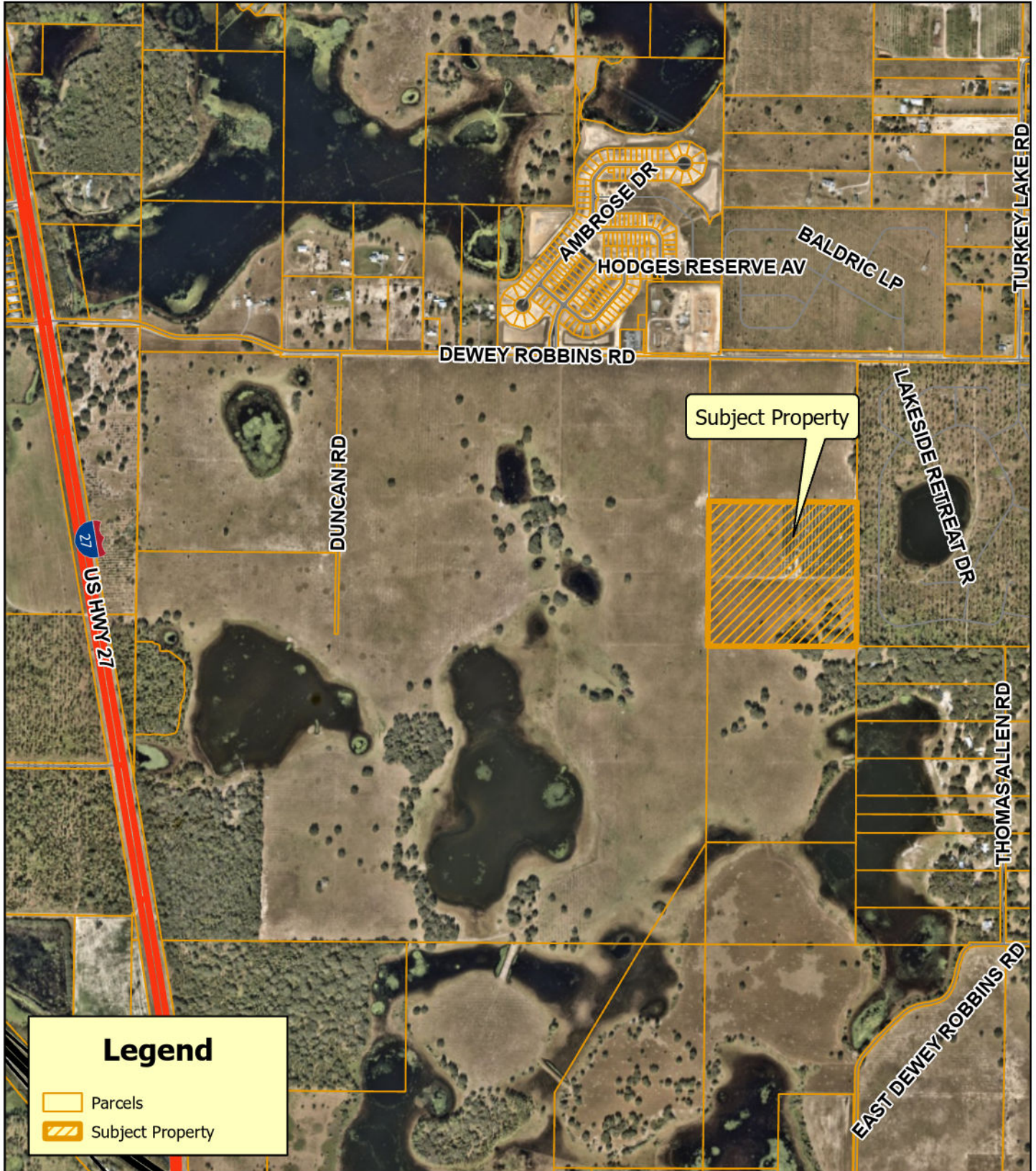
APPROVAL of the request for the following reason(s):

1. This project meets the requirements of Chapter 163.3187 Florida Statutes, for Small Scale Comprehensive Plan Amendments.
2. The proposed request is compatible with the adjacent Future Land Use designations of Lake County Urban Low Density and City of Leesburg Estate Residential.
3. The proposed request is compatible with the proposed zoning of PUD (Planned Unit Development), as conditioned.
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 1.2, Policy 1.2.4, and Objective 1.6.

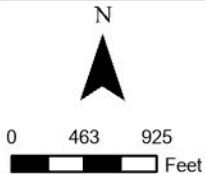
Action Requested:

1. Vote to **approve** the Small Scale Comprehensive Plan amendment from Lake County Rural to City of Leesburg Estate Residential, and forward the recommendation to the City Commission for consideration.

Extended Aerial

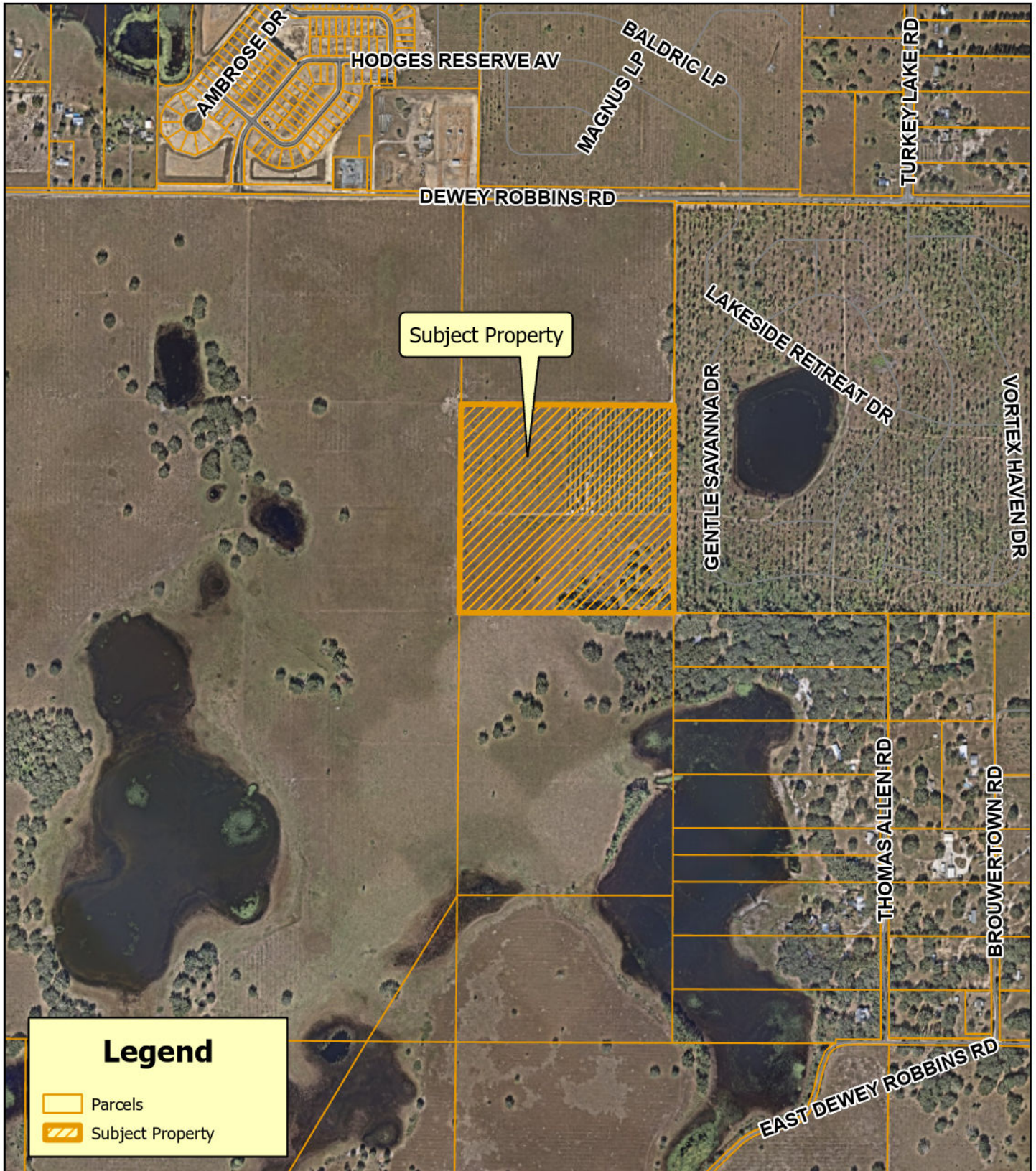


**Planning
& Zoning
Division**

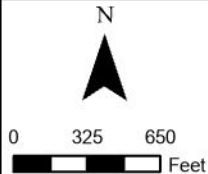


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Aerial

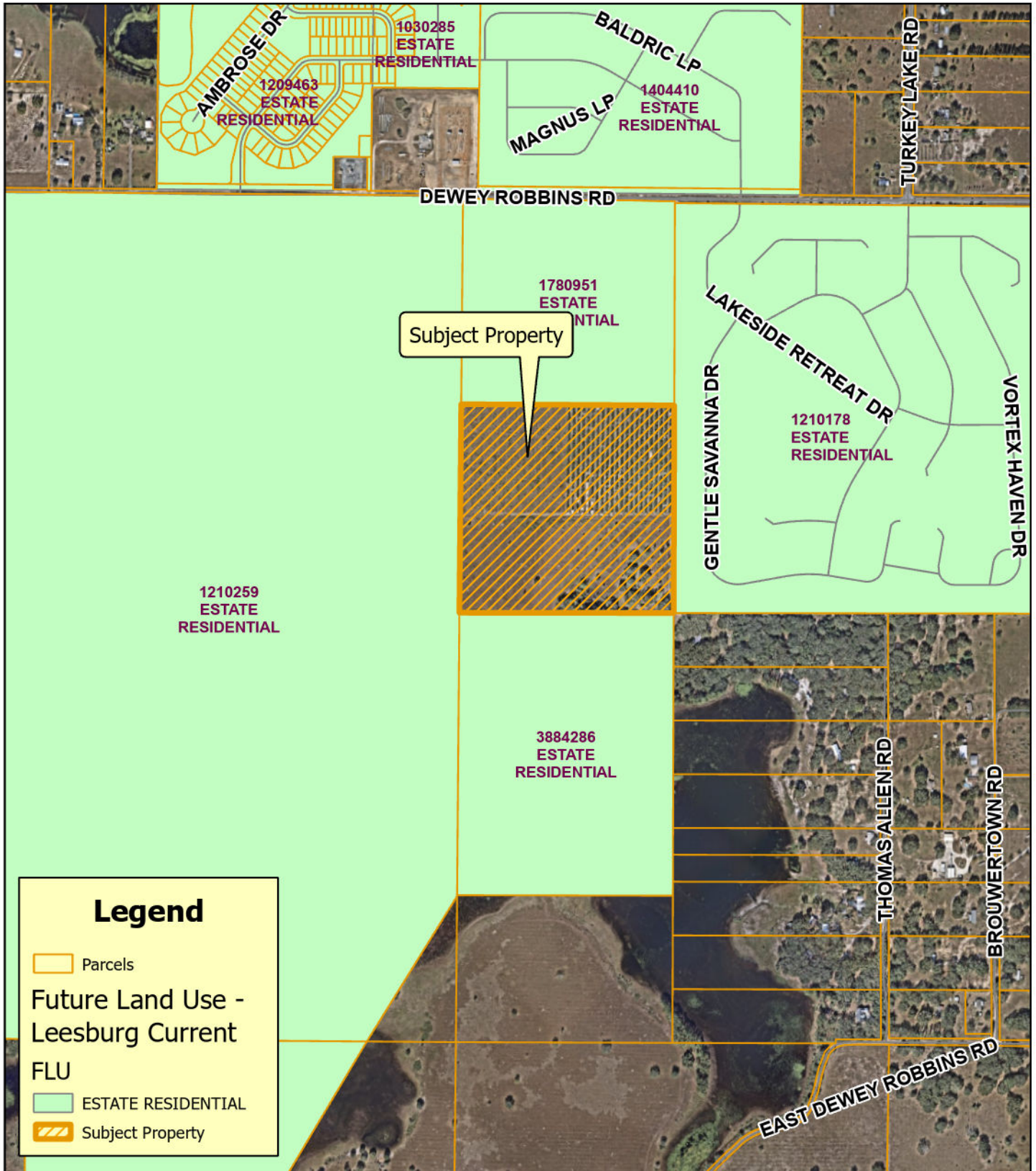


**Planning
& Zoning
Division**

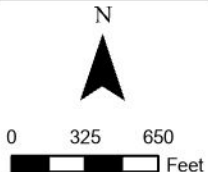


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Future Land Use

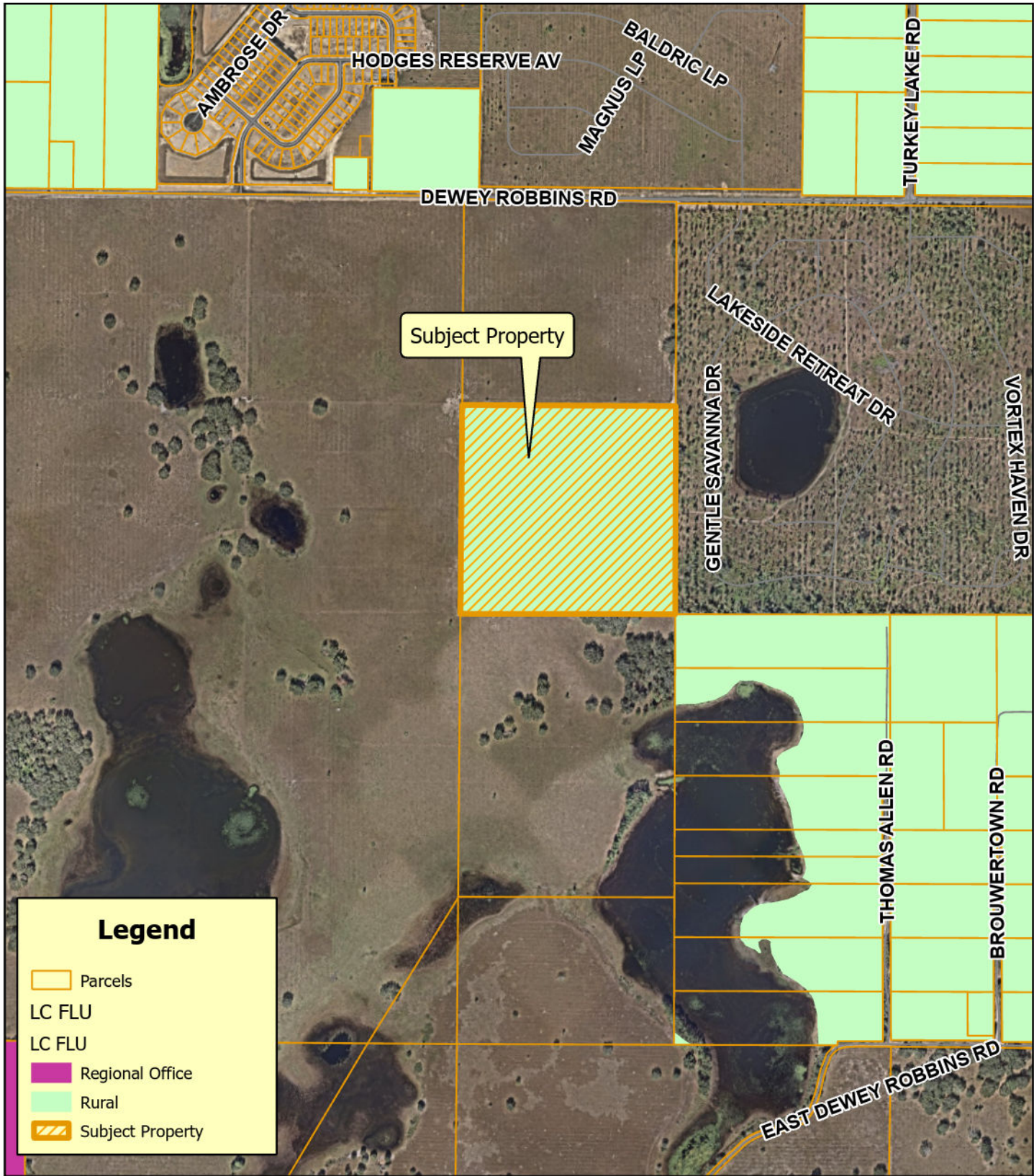


**Planning
& Zoning
Division**

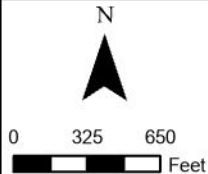


Bar Key II/Grace Groves
 ANN-25-450; SSCP-25-451; PUD-25-452
 Alternate Key: 1210216
 Section 05, Township 21 South, Range 24 East
 February 14, 2025

Lake County Future Land Use

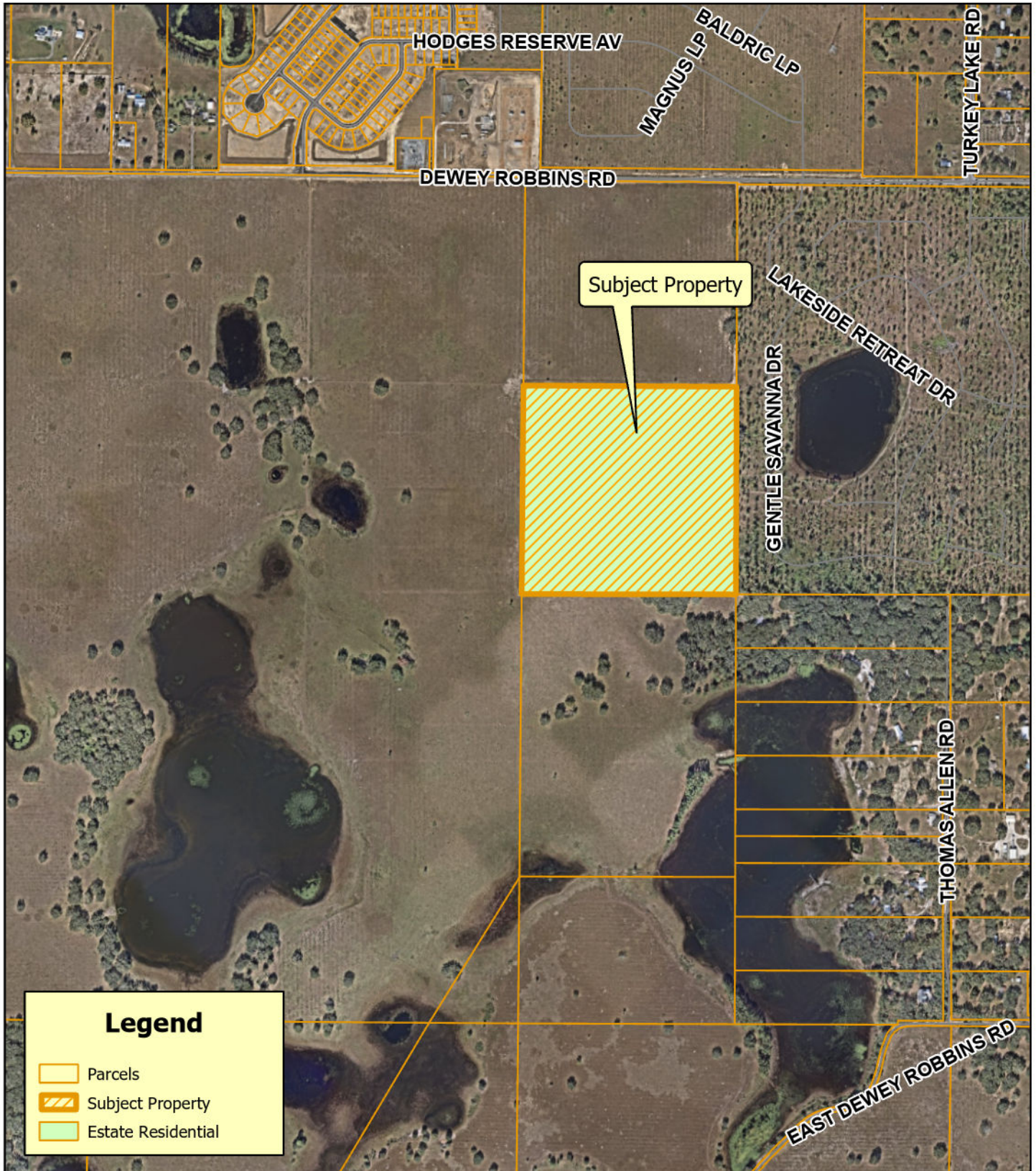


**Planning
& Zoning
Division**

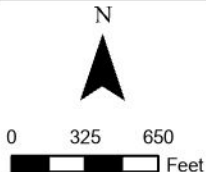


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 18, 2025

Proposed Future Land Use



**Planning
& Zoning
Division**



Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 18, 2025



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

this preemption on state/local government; wireless communication towers can be developed; without those concerns. Vice-Chairman Sanders asked Dan Miller how far is this tower from that nearest residence; Dan Miller stated he measured about 500' on the GIS system on the City computer; estimate, went over map, about 150' back to the east, to property line; make recommendation based on Code and the COMP plan. Commissioner Marshall wanted clarification of the Life stream bldg. to the tower; went over map.

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

Chairman Sennett called for a vote on the third case.

Commissioner Bowersox made a motion to APPROVE of case # CUP-25-465 – SKYWAY TOWERS (2021 TALLY ROAD) CUP – CONDITIONAL USE PERMIT Commissioner O'Kelley SECONDED the motion.

The roll call vote was:

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

Six yeas, one nay, the Planning Commission approved case # CUP-25-465 – SKYWAY TOWERS (2021 TALLY ROAD) CUP – CONDITIONAL USE PERMIT.

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

4) 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)

Dan Miller stated for the record permission to discuss both cases together and vote separately.

Dan Miller introduced case number #SSCP-25-451 – Bar Key II/Grace Groves – Small Scale Comprehensive Plan Amendment and case number #PUD-25-452 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, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, went over the PUD requirements, design and architectural standards, recreational requirements, and phasing; or expiration clause.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City departments. Lake County School Board has no comments; however, we know that the project will be subject to school concurrency review and this includes a review by the school board to see if adequate student stations are present; if they are not may be subject to a mitigation agreement, and applicant will have to provide adequate student stations for the project to move forward, at time of development. Lake County Public Works has no comments. Public responses – no responses were received from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

Dan Miller read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

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

Commissioners' and Dan Miller discussed what we already approved is what will stand; approved; 1700 units, this becomes a part of that; not adding, filling in gap, that they attended from the beginning, negotiation on the property; weren't able to at that time, phase, work with the Bar Key; PUD, separate.

Cyndi Tarapani, Tarapani Planning Strategies located at 128 East Tarpan Avenue, Tarpan Springs, Florida and stated she previous represented Bar Key I; no changes, changes to Bar Key II; smaller 39 acre site, do represent Brookfield Kolter Land Partners; contract purchaser, make comments; both cases together, introduced her team for the record, and gave a brief presentation, gave background of Kolter Property Company, went over size and scope of project, entered into; pioneering agreement with the City, no sewer line; fronting construction cost, sewer line, City designed; Kolter, construct line; south to Bar Key, get reimbursed, went over location map, Bar Key I master plan, Bar Key II master plan; redesign access roads, loop road, no road frontage; go through Bar Key I, proposed construction, emergency access easement; east of Dewey Robbins Road, 39 acres, 156 residential SF lots; located to west/south, loop road; Bar Key II incorporated, overall project, highlight wetlands and surface waters, three applications, FLU map, COMP plan categories; consistent, 45' lots, two car garage/spaces; visitor parking, on street parking; each block, style and type of units; proposed, architectural elevations; 1500' square feet to

2400' square feet product; one and two story, adding 39 acres Bar Key I, good project, negotiated conditions with Staff; master plan, PUD zoning; significant changes goes back to the City; respectfully request approval; happy to answer any questions; addressed comments from the Commission and stated there are no changes for Bar Key I; originally approved for 1700 units, commercial component, and institutional school component; none of that changes, new site; 156 units, more units in the overall project; but nothing changes in Bar Key I project.

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

Commissioner O'Kelley stated did we say there's no additional total developer of homes.

Chairman Sennett closes discussion from the Public and then discussion took place with the Commission.

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

Chairman Sennett called for a vote on the fourth case.

Vice-Chairman Sanders made a motion to APPROVE of case # SSCP-25-451 – BAR KEY II/GRACE GROVES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Bowersox SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # SSCP-25-451 –BAR KEY II/GRACE GROVES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

5) 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)

Chairman Sennett called for a vote on the fifth case.

Commissioner Bowersox made a motion to APPROVE case # PUD-25-452 – BAR KEY II/GRACE GROVES – PLANNED UNIT DEVELOPMENT Commissioner Kaplan SECONDED the motion.

The roll call vote was:

Commissioner Marshall	Yes
Commissioner Carter	Yes
Chairman Sennett	Yes
Commissioner O’Kelley	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Commissioner Kaplan	Yes

Seven yeas, no nays, the Planning Commission approved case # PUD-25-452 – BAR KEY II/GRACE GROVES – PLANNED UNIT DEVELOPMENT.

NEW BUSINESS

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

1) PUBLIC HEARING CASE # CUP-25-502 – EUCLID COTTAGES (408 EUCLID AVENUE) – CONDITIONAL USE PERMIT

A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF ONE (1) DUPLEX UNIT IN THE EXISTING R-2 (MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT ON 0.26 +/- ACRES GENERALLY LOCATED SOUTH OF LILLY STREET AND EAST OF EUCLID AVENUE, AS LEGALLY DESCRIBED IN SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION).** (Euclid Cottages CUP)

Dan Miller introduced case number #CUP-25-502 – Euclid Cottages (408 Euclid Avenue) – Conditional Use Permit into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, and requests.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City departments. Lake County School Board stated that a duplex is exempt from school concurrency review. (4 units or less) Lake County



Close up of Sign on Property from Dewey Robbins Road.



Looking North across Dewey Robbins Road from Subject Property



Looking East along Dewey Robbins Road from Subject Property.



Looking South onto Subject Property from Dewey Robbins Road.



Looking West along Dewey Robbins Road from Subject Property.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.6.

Meeting Date: May 12, 2025

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

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 39.05 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for residential for a property generally located north of East Dewey Robbins Road and south of Dewey Robbins Road, lying in Section 5, Township 21 South, Range 25 East, Lake County, Florida; and providing an effective date. (Bar Key II PUD)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow an extension of the previously approved Bar Key development, consisting of 156 - 45' x 115' single-family lots.

Analysis:

The project site is approximately 39.05 +/- acres, and is generally located north of East Dewey Robbins Road and south of Dewey Robbins Road as shown on the attached maps. At this time, the property is undeveloped. The proposal will allow an extension of the previously approved Bar Key development, consisting of 156 - 45' x 115' single-family lots. The existing land uses surrounding the property are residential; timber; pasture improved hay acreage. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on April 24, 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 ON APPROXIMATELY 39.05 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED NORTH OF EAST DEWEY ROBBINS ROAD AND SOUTH OF DEWEY ROBBINS ROAD, LYING IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (BAR KEY II PUD)

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

Section 1.

Based upon the petition of Brookfield Kolter Land Partners, James P Harvey (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 A (Agriculture) 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

BAR KEY II/ GRACE GROVES LEGAL DESCRIPTION

THE NORTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF GOVERNMENT LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, ALSO KNOWN AS THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE SOUTH $\frac{1}{4}$ OF GOVERNMENT OF LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, ALSO KNOWN AS THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

**BAR KEY II/ GRACE GROVES SUBDIVISION
PUD (PLANNED UNIT DEVELOPMENT CONDITIONS)**

April 24, 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 **Brookfield Kotler Land Partners, 14025 Riveredge Drive, Tampa, FL 33637, (Cynthia Tarapani, Tarapani Planning Strategies, 128 East Tarpon Avenue, Tarpon Springs, Florida 34689, Agent)** for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 “Zoning”, Section 25-278 “Planned Unit Development” of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is requesting a Planned Unit Development (PUD) zoning district to allow future construction of a proposed residential development consisting of approximately 39.05 acres, containing a maximum of 156 residential units, generally located north of East Dewey Robbins Road and south of Dewey Robbins Road, on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

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

CONDITIONS

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

1. **PERMISSION** is hereby granted to **Brookfield Kotler Land Partners, 14025 Riveredge Drive, Tampa, FL 33637, (Cynthia Tarapani, Tarapani Planning Strategies, 128 East Tarpon Avenue, Tarpon Springs, Florida 34689, Agent)** to construct, operate, and maintain a Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.
3. **LAND USE**

The above-described property, containing approximately 39.05 acres, shall be used for platted residential development, pursuant to City of Leesburg development codes and standards, and shall occupy the areas shown on **Exhibit C, Master Site Plan**, subject to the conditions of this document.

A. Permitted Uses

1. Detached single family residential units
2. Accessory structures for residential uses
3. Sales office in a single-family unit
4. Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar
5. Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.

B. Prohibited Uses

1. Multi-family units (Apartments)
2. Attached villas (2 units/structure)
3. Townhouses
4. Commercial Uses
5. Industrial uses
6. Auto dealer/auto repair
7. Tattoo Parlors
8. Check cashing stores
9. Adult uses
10. Second hand (thrift) stores
11. Consignment shops
12. Pawn shops
13. Smoke shops
14. Junk or scrap collection/distribution
15. Recycling facility
16. All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. DEVELOPMENT STANDARDS

- A. The project shall contain a maximum of 156 residential units, at a gross density not to exceed 3.99 units per acre on the approximately 39.05-acre site, as shown on **Exhibit C, Master Site Plan**, and noted below in Tables 1 & 2. This density blends appropriately with the previously approved Bar Key I project.

Table 1 Residential Lot Type

Residential Style	Number of Units
Single-family Detached – 45' x 115' lot	156

Table 2 Lot Development Standards

Bar Key PUD Residential Design Standards

Standard	45' Single Family Detached Home
Minimum Lot Width	45'
Minimum Lot Depth	115'
Minimum Lot Size	5,000 sf
Minimum Habitable Size	1,300 sf
Maximum Height	35'
Setbacks	
• Front- Principal Structure	25'
• Front- Porch	15'
• Side- Internal Lot	5'
• Side- Corner Lot/ Secondary Street	15'
• Rear	18'
• Accessory Structures- Side & Rear	5'

- B. A mix of lot sizes is permitted to the extent that all lots are equal to or larger than the required minimums.
- 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. The maximum impervious surface for the overall project shall be 65%. Individual residential lots shall have a maximum impervious surface of 70% for each lot. Community and private swimming pools shall not count toward the impervious surface calculation.
- D. For residential units, the minimum residential lot development standards shall be as follows:
1. Each single-family detached residential unit shall have a minimum two car garage.
 2. To direct stormwater away from the foundation of each home, the following requirements for rain gutters shall apply to all primary structures on lots with a side yard setback of five (5) feet or less.
 - a. Homes with a hip roof shall have gutters on all sides of the structure.
 - b. Homes with any other style of roof, other than a hip roof, shall have gutters required only on the sides of the structure.
 3. Minimum distance between structures shall be as noted Table 2 *Lot Development Standards* contained herein; as measured from building wall to building wall.

4. Roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
5. Maximum building height: two (2) stories or 35 feet.
6. 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.
7. 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.
8. Solid roof structures attached to the residence must meet the required rear setback as noted under "Minimum building setbacks."
9. **Exhibit C Conceptual Site Plan**, is considered conceptual and may change prior to development due to engineering, soil, drainage or other issues that may arise during the development and engineering process. Such changes shall be reviewed 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.

5. ARCHITECTURAL STANDARDS

- A. All residential buildings shall utilize at least five (5) of the following design features to provide visual relief along all elevations of the single-family units. Designs may vary throughout the development.
 1. Dormers
 2. Gables
 3. Recessed or raised entries
 4. Covered porch entries
 5. Cupolas
 6. Pillars or decorative posts
 7. Bay window (minimum 12-inch projections)
 8. Eaves (minimum 6-inch projections)
 9. Front windows with arched glass tops and minimum 4-inch trim.
 10. Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 11. Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 12. Stone accents
 13. Shutters
 14. Board and batten siding
 15. Hardy board siding
 16. Raised banding
 17. Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a

comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:

1. At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 2. At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 3. All textured stucco shall be permitted subject to the provision of at least five (5) unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco.
 4. For all designs, architectural facades and features shall be submitted and reviewed by the Planning and Zoning Director or designee for compliance prior at time of site plan review.
- C. Other similar design variations meeting the intent of this section may be approved by the Planning and Zoning Director or designee.
- D. The architectural styles and facades shown in **Exhibit D, Façade Samples** herein are considered conceptual. Architectural facades shall be submitted to staff to review for consistency with the conditions of this PUD agreement.
- E. The Permittee shall utilize “Dark Sky” lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties. Appropriate designs are shown on as **Exhibit E**, attached hereto.

6. **PARKING**

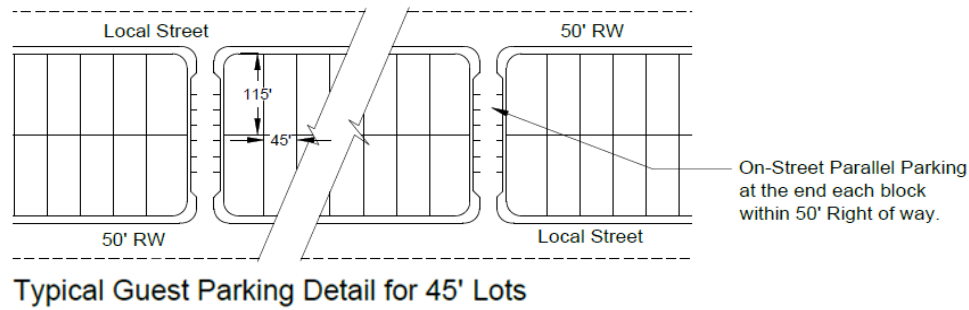
A. General

1. The permittee shall have off-street parking spaces within all areas of the property per an approved site plan pursuant to the City of Leesburg Code of Ordinances.

B. Residential

1. All 45-foot lots shall contain additional parking of at least 12 parking spaces per block, at the end of each pair of blocks, as shown in Detail 1.

Detail 1



7. OPEN SPACE, LANDSCAPING & BUFFER REQUIREMENTS

- A. A minimum of 35% open space shall be provided throughout the development. Open space may consist of buffers, wetlands, retention and recreation areas.
- B. A 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 City of Leesburg landscape code requirements.
- C. All landscaped areas shall be designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- D. A minimum twenty-five (25) foot buffer tract with plantings as shown in Figure A below, shall be provided along the boundary of the property wherever the property does not abut the Bar Key I development, and may be constructed simultaneously with each phase of development. All landscape buffers shall be separate tracts, shall not consist of, nor be part of individually platted lots. Such buffers shall be common areas, and shall be maintained by an entity such as a Property Owners or Homeowners Association.
- E. An open style fence (of wood or synthetic construction) or a landscaped berm shall be installed on the property along the eastern boundary of the site adjacent to any properties not part of the Bar Key I and II development project. This fence and/or berm shall be installed at a minimum height of four (4) feet. Said fence shall be maintained by the Property Owners of Homeowners Association. Maintenance of fences located within buffer or common areas shall be the responsibility of the neighborhood association, such as a Homeowners of Property Owners Association
- F. 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.
- G. Each platted residential lot of record shall contain a minimum of one canopy tree, located within in the front yard, selected from the list of trees within the City of Leesburg Code of Ordinances, *Section 25-,328 Table 1, Canopy Trees*, plus at least one canopy or understory

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.

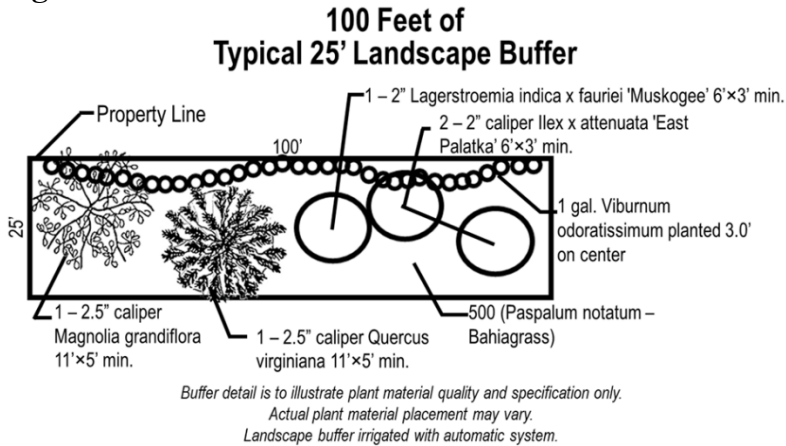
I. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below, with the exception of the 25-foot buffer which shall be developed with the enhancements as described herein. The buffer along the project's eastern boundary shall comply with the City's Code of Ordinances and Figures A and B, and is modified to include the enhanced landscaping items identified below:

- Canopy Trees shall be increased in size to a minimum 3" caliper and 12' overall height;
- Ornamental Trees shall be required within the buffer with a minimum of 2 ornamental trees per 100 linear feet with a minimum 2" caliper and 7' overall height;
- All trees planted in the buffer shall be native trees; and
- The buffer shall include an earthen berm along the project's frontage with an average height of 3'.

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



- H. All buffers along the exterior property lines shall be distinct and separate from the residential and commercial lots and properties, and shall be platted as buffers which are owned and maintained by a property owners or homeowners association.
- I. Nothing herein shall be construed to prevent the developer/or property owners from increasing buffer width and/or plantings.
- J. Variations to the landscape and buffering requirements of this document may be approved by the Planning and Zoning Director or designee, to the extent that the overall intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers. Use of the University of Florida IFAS (Institute of Food and Agricultural Sciences) approved standards for "Florida Friendly Landscaping" will also be acceptable.
- K. The surveying of trees on the property shall be conducted as follows:
 - 1. All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
 - 2. Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements.
 - 3. The tree survey shall be completed by a licensed surveyor.

8. SITE ACCESS

- A. The project shall have its primary access through the previously approved Bar Key I development, subject to FDOT approval, as shown on **Exhibit C, Master Site Plan**. All residential areas in the proposed PUD Development on Exhibit C shall have a vehicular connection to the interior loop road through a local road within the previously approved Bar Key I development. The existing easement as shown on the Master Plan that is located along the east side of the Bar Key II site and that connects to Dewey Robbins Road is

considered to meet the requirement to provide construction and emergency access as needed for the development, subject to Lake County approval.

- B. All access points shall be designed to allow emergency access vehicles room to maneuver and have appropriate traffic flow. Each entrance shall be reviewed and adjusted by staff as needed at the Site Plan and Construction Plan review.
 - 1. Offsite road improvements on existing roads adjacent to the property may be required based on finalized access locations. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be reviewed by Lake County Public Works.
 - 2. Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 - 3. The **Master Site Plan**, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- C. All access points shall be reviewed, as legally prescribed by Lake County Public Works, and/or FDOT as applicable, and shown on the **Master Site Plan - Exhibit C**, as amended. All access points are conceptual and may be amended subject to site constraints or requirements. Actual location and design of all roads shall be determined during the site plan review process and shall include consideration of, and connection to, sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and requirements through Lake County and the City of Leesburg development and permitting processes. Any additional access points shall be subject to site plan application review process.
- D. All access points are subject to review by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
- E. Roadway interconnectivity shall be provided, as needed, to allow for connection points between this development and future development of adjacent properties.

9. SIGNAGE

- A. Each required access point may 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. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
 - 1. *Commercial Signage* - All signs placed or constructed on the property shall comply with *Article VI- Sign Regulations, Section 25-421 through Section 25-426*, City of Leesburg Code of Ordinances, as amended or shall otherwise meet the requirements of this document, whichever is least restrictive.

2. Alternative designs for the ground enclosure support and bases of a monument sign may be approved by the Planning and Zoning Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.

10. TRANSPORTATION IMPROVEMENTS

- A. Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of required sidewalks, recreation paths etc.
- B. A traffic/transportation study shall be submitted for review and determination of any necessary access improvements, and including any off-site improvements legally required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development which are legally required by Lake County, the Lake-Sumter MPO and City of Leesburg.
- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.
- E. The Permittee shall be responsible for obtaining all necessary legally required Lake County permits and a copy of all permits shall be provided to the City of Leesburg.
- F. The City of Leesburg shall not be responsible for the construction of any roads or transportation improvements.
- G. All roads within the development shall be constructed to meet the City of Leesburg's standards, ARTICLE VII – TECHNICAL STANDARDS, as amended.
 1. Should the Permittee (or designee) desire to dedicate the proposed project's internal road system to the City of Leesburg; the Permittee shall demonstrate to the satisfaction of the City of Leesburg that the road system is in suitable condition and meets all City road design requirements.
 2. Should the Permittee (or designee) choose to retain the roadways, the Permittee shall establish an appropriate legal entity that shall accept responsibility to pay the cost and perform all services required to maintain the roads and transportation improvements to City of Leesburg codes and standards, as amended. A Homeowners or Property Owners Association, or other such legal entity will be considered acceptable.
- H. Sidewalks shall be provided on both sides of the entrance road(s) and internal roads, and shall provide cross connections to all recreation and residential areas. Internal road

rights-of-ways shall contain sidewalks on both sides of each street. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

- I. Golf cart paths are permitted, but not required inside Bar Key II.
- J. The terms and requirements of this section shall not be interpreted to preclude or interfere with the creation, provision, extension or development of future rights of way, easements, access points and/or roadways designed for the purposes of increasing access and egress to the property.

11. UTILITIES

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

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, consistent with the typical pioneering agreement approved on new home projects in the city, including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
- C. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the overall Bar Key development as required by the City of Leesburg Code of Ordinances as amended.
- D. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

12. STORMWATER/DRAINAGE MANAGEMENT

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

clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

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

13. 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.

14. IRRIGATION & WATER USE

- 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), as amended, City of Leesburg Code of Ordinances.

15. 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, as seen on the attached **Conceptual Site Plan, Exhibit C**.
- B. The development shall include linear park and/or retention park areas totaling 0.72 +/- acres (or 200 square feet per unit), as shown on the attached **Conceptual Site Plan, Exhibit C**.
 - a) Neighborhood parks within the Bar Key II development, totaling no less than 0.72 acres. Retention parks and linear parks shall be included in the design of the subdivision and shall be designed such that park areas, which may consist of dry retention areas, can be used as open fields, playgrounds or trails, as shown on the attached **Conceptual Site Plan, Exhibit C**.
- C. All recreation spaces may include, but are not limited to:
 - 1. Trails, playgrounds, tot lots, basketball, tennis, handball courts, etc.
 - 2. Community swimming pool, including the deck area surrounding such pools.
 - 3. Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.
 - 4. Other active recreational activities may be used, subject to approval by the City of Leesburg.

16. MAINTENANCE

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

17. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the **Planned Unit Development Conditions** and **Master Site Plan, Exhibit C**. Changes to the development conditions or conceptual plan, other than those conditions described in these PUD Conditions of Approval, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. Upon approval of this SPUD 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 SPUD within four (4) years of this approval becoming final with

no appeal pending or the SPUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the SPUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

- C. As part of the overall development process, if the project is constructed in phases, then 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.

18. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in these PUD Conditions of Approval shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.
- F. These conditions of approval shall be recited within the site plan and construction plan submittals.

19. LEVELS OF SERVICE

- A. Levels of Service
 - A. As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid water. No final development order (site plan and building permits) shall be

granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

B. Utilities

1. Projected Capacities

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

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

D. Commitment of Capacity

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

E. Ability to Provide Services

1. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.

2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

18. NOTICE REQUIREMENTS

A. Agricultural operations are acknowledged to exist in the immediate area of the proposed development contemplated by this document. Section 823.14, F.S., protects existing agricultural operations which may, by their normal operations, potentially create noise or offensive odors. In order to reduce potential conflict and provide information regarding nearby agricultural operations, the developer/builder shall provide, prior to sale of any or all of the land contemplated within this document, a specific notice to each purchaser that agricultural operations are protected under Section 823.14, F.S., for the expressed purpose of eliminating potential complaints regarding such operations from property owners choosing to purchase land in the area of an existing agricultural operation.

A. In addition to residential uses, agricultural uses, including raising various livestock, tree farming and citrus production are known to exist the area.

EXHIBIT B
(provided by applicant)

LEGAL DESCRIPTION

BAR KEY II/ GRACE GROVES LEGAL DESCRIPTION

THE NORTH $\frac{1}{2}$ OF THE SOUTH $\frac{1}{2}$ OF GOVERNMENT LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, ALSO KNOWN AS THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND

THE SOUTH $\frac{1}{4}$ OF GOVERNMENT OF LOT 4 IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, ALSO KNOWN AS THE SOUTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ IN SECTION 5, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

Leesburg, Florida
January, 2025

Prepared For:
Brookfield Kolter Land Partners
14025 River Edge Drive, Suite 175
Tampa, Fl, 33637

Location Map

[illegible]

Standard	48" Single Family Detached Home
Minimum lot Width	48'
Minimum lot Depth	115'
Minimum lot Size	5,000 sf
Minimum Habitable Size	1,300 sf
Minimum Height	30'
Setbacks	
Front - Principal Structure	25'
Front - Porch	15'
Side - Internal Lot	5'
Side - Corner Lot	15'
Secondary Street	
Yard	10'
Accessory Structures - Size	9'



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913 N Pennsylvania Ave

Winter Park, Florida
(407) 740-7373

~~Geriatric-Fern-Daily~~

BAR KEY II CONCEPTUAL SITE PLAN

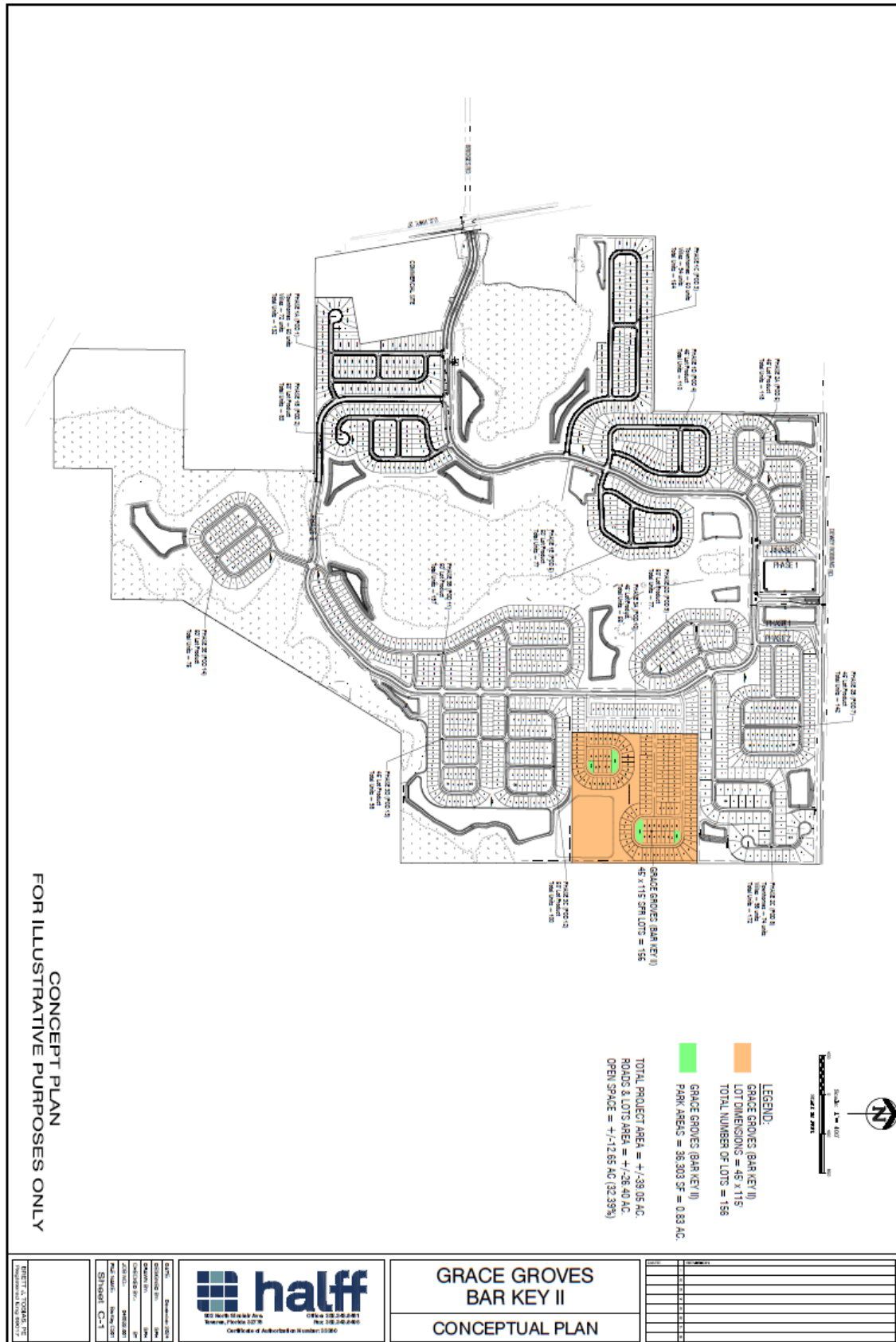
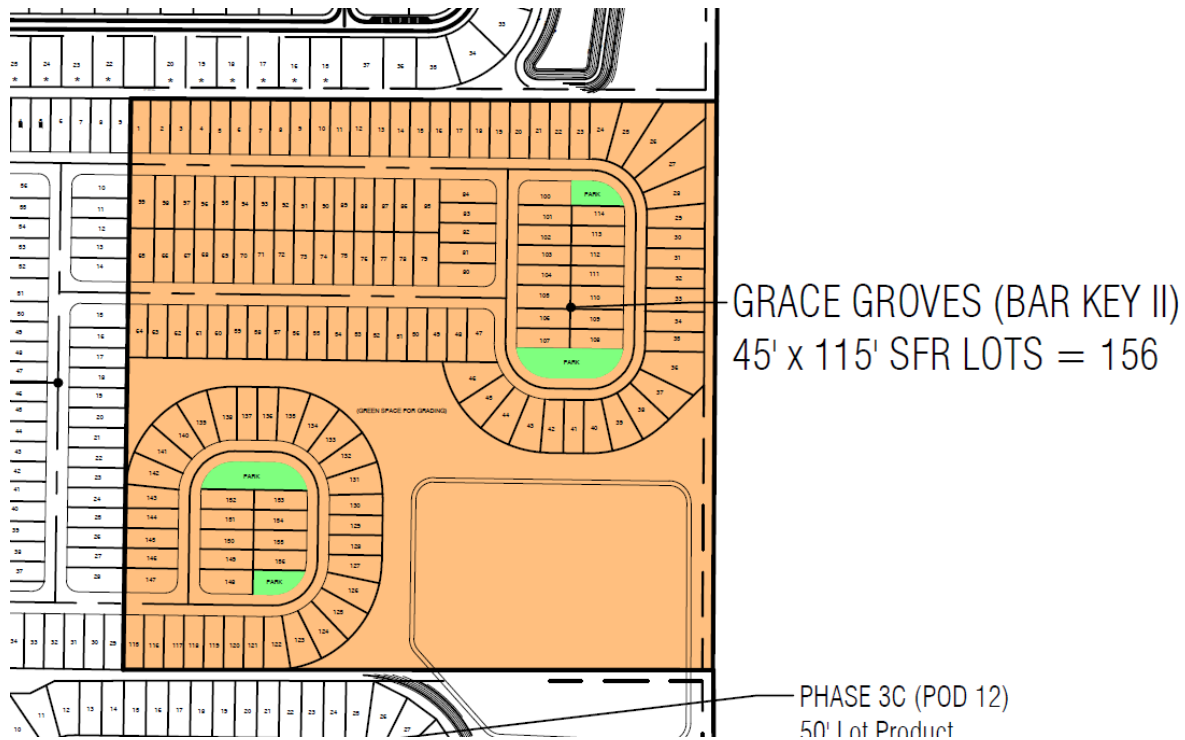


EXHIBIT C

BAR KEY II CONCEPTUAL SITE PLAN



LEGEND:



GRACE GROVES (BAR KEY II)
LOT DIMENSIONS = 45' x 115'
TOTAL NUMBER OF LOTS = 156



GRACE GROVES (BAR KEY II)
PARK AREAS = 36,303 SF = 0.83 AC.

TOTAL PROJECT AREA = +/-39.05 AC.
ROADS & LOTS AREA = +/-26.40 AC.
OPEN SPACE = +/-12.65 AC (32.39%)

EXHIBIT D

FAÇADE SAMPLES

Glen Ridge — 1,888 sq. ft.



Max Foot Print

Width: 30'

Depth: 54'

45' lot product

at Key Groves PUD PC

Page 26 of 33

Windermere — 2,421 sq. ft.



Max Foot Print

Width: 30'

Depth: 63'

45' lot product



NVR - Business Use Only



NVR - Business Use Only



EXHIBIT D

FAÇADE SAMPLES

Hillcrest — 2,154 sq. ft.



Max Foot Print

Width: 30'

Depth: 55'

45' lot product



Century — 1,516 sq. ft.



Max Foot Print

Width: 30'

Depth: 70'

45' lot product



EXHIBIT E

DARK SKY LIGHTING (Acceptable designs)

TYPICAL DARK SKY LIGHTING FIXTURES

Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

Fixtures that produce glare and light trespass



Acceptable

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



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

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

DATE: April 24, 2025

OWNER: Melissa J Pierie and Elizabeth Ann Kelly, Trustees

PETITIONER: Cyndi Tarapani o/b/o Brookfield Kotler Land Partners

PROJECT: Bar Key II/Grace Groves

REQUEST: Small-scale Comprehensive Plan amendment to Estate Residential and Rezoning to City PUD (Planned Unit Development) to allow an extension of the previously approved Bar Key development, consisting of 156 single-family lots.

CASE NO.: (ANNX-25-450); SSCP-25-451; PUD-25-452

GENERAL LOCATION: North of East Dewey Robbins Road and south of Dewey Robbins Road.

FUTURE LAND USE DESIGNATION: Lake County Rural

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Rural; City Estate Residential
South – Lake County Rural; City Estate Residential
East – Lake County Rural; City Estate Residential
West – City Estate Residential

PROPOSED FUTURE LAND USE DESIGNATION: City Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County A (Agriculture), CFD (Community Facility District); City PUD (Planned Unit Development)
South – Lake County A (Agriculture); City PUD (Planned Unit Development)
East – Lake County A (Agriculture); City PUD (Planned Unit Development)
West – City PUD (Planned Unit Development)

PROPOSED ZONING DESIGNATION: City PUD (Planned Unit Development)

EXISTING LAND USE: Vacant land.

SURROUNDING LAND USE:

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

PROPOSED LAND USE: An extension of the previously approved Bar Key development, consisting of 156 45' x 115' single-family lots.

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

DATE: April 24, 2025
OWNER: Melissa J Pierie and Elizabeth Ann Kelly, Trustees
PETITIONER: Cyndi Tarapani o/b/o Brookfield Kotler Land Partners
PROJECT: Bar Key II/Grace Groves
REQUEST: Small-scale Comprehensive Plan amendment to Estate Residential and Rezoning to City PUD (Planned Unit Development) to allow an extension of the previously approved Bar Key development, consisting of 156 single-family lots.
CASE NO.: (~~ANNX-25-450~~); SSCP-25-451; PUD-25-452

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 3/14/2025.

FIRE

In reference to Case Number - SSCP-25-451; PUD-25-452 – Bar Key II/Grace Groves

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-25-451; PUD-25-452 – Bar Key II/Grace Groves 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 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 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)



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: April 24, 2025
OWNER: Melissa J Pierie and Elizabeth Ann Kelly, Trustees
PETITIONER: Cyndi Tarapani o/b/o Brookfield Kotler Land Partners
PROJECT: Bar Key II/Grace Groves
REQUEST: Rezoning from Lake County A (Agriculture) to City PUD (Planned Unit Development).
CASE NO.: PUD-25-452

THE PLANNING & ZONING DIVISION RECOMMENDS:

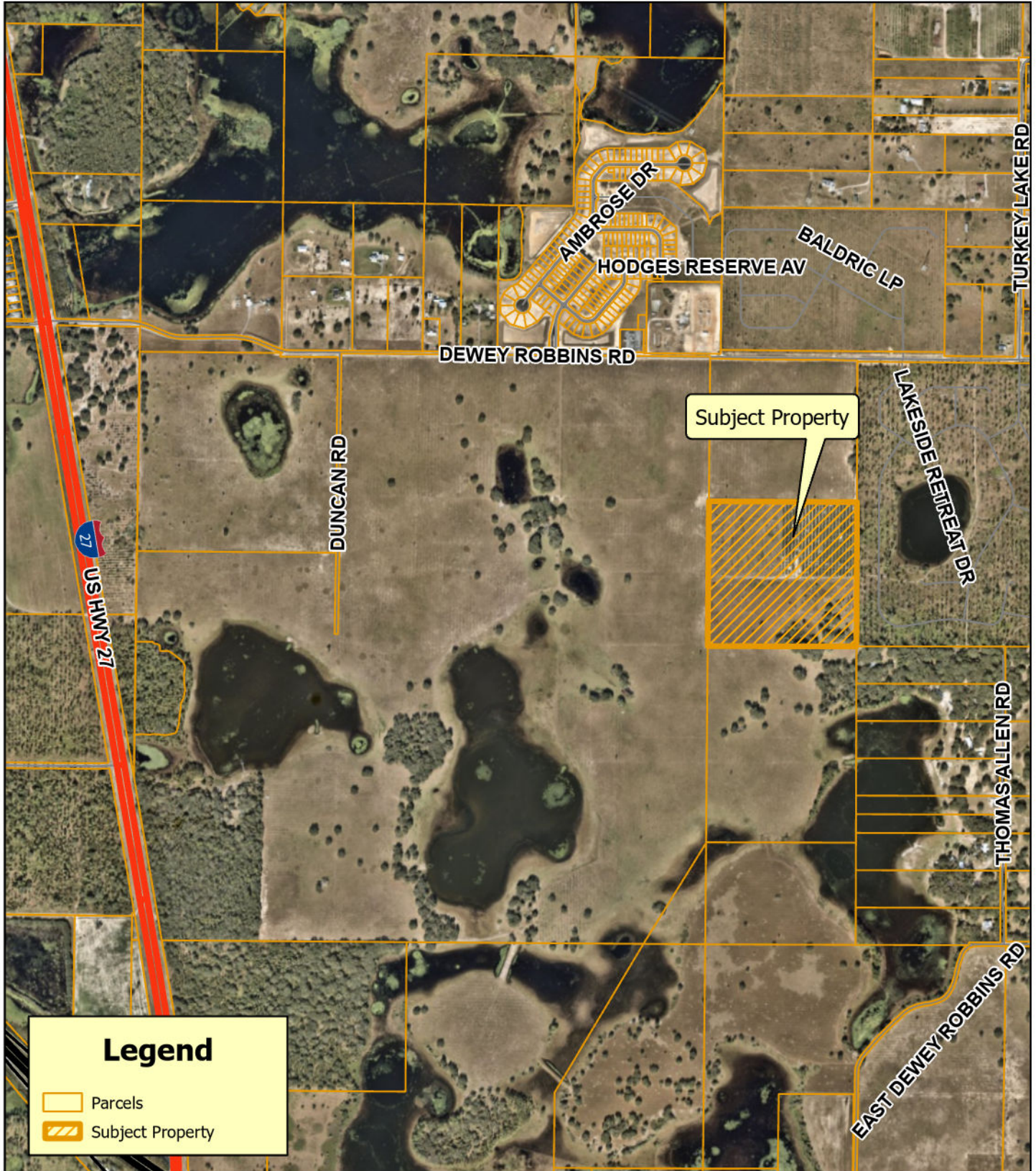
APPROVAL of the request for the following reason(s):

1. The proposed request for a PUD (Planned Unit Development) zoning is compatible with the current surrounding zoning districts, including Lake County A (Agriculture), CFD (Community Facility District); and City PUD (Planned Unit Development).
2. The proposed zoning is compatible with the proposed future land use designation amendment to City Estate Residential, and the current surrounding Future Land Use designations, including Lake County Rural; and City of Leesburg Estate Residential.
3. The site is located directly adjacent to future access and City utilities through the previously approved Bar Key development.
4. The proposed request does not appear to create a detriment to surrounding properties, as conditioned, based on the proximity to the previously approved Bar Key development.

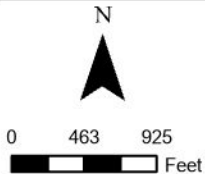
Action Requested:

1. Vote to **approve** the proposed rezoning from Lake County A (Agriculture) to PUD (Planned Unit Development), as conditioned, and forward this recommendation to the City Commission for consideration.

Extended Aerial

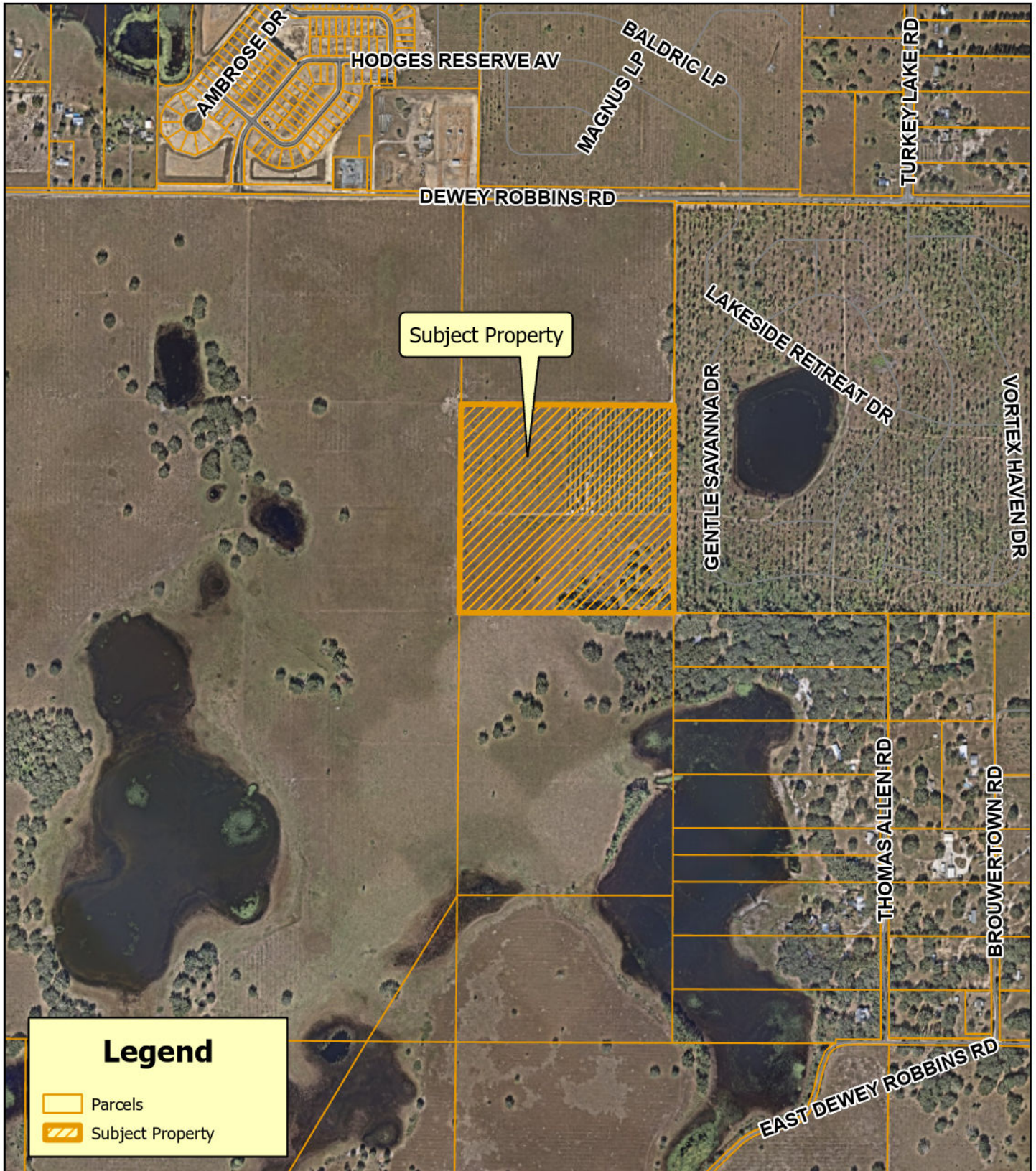


**Planning
& Zoning
Division**

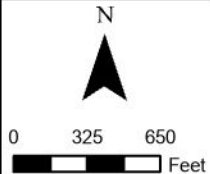


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Aerial

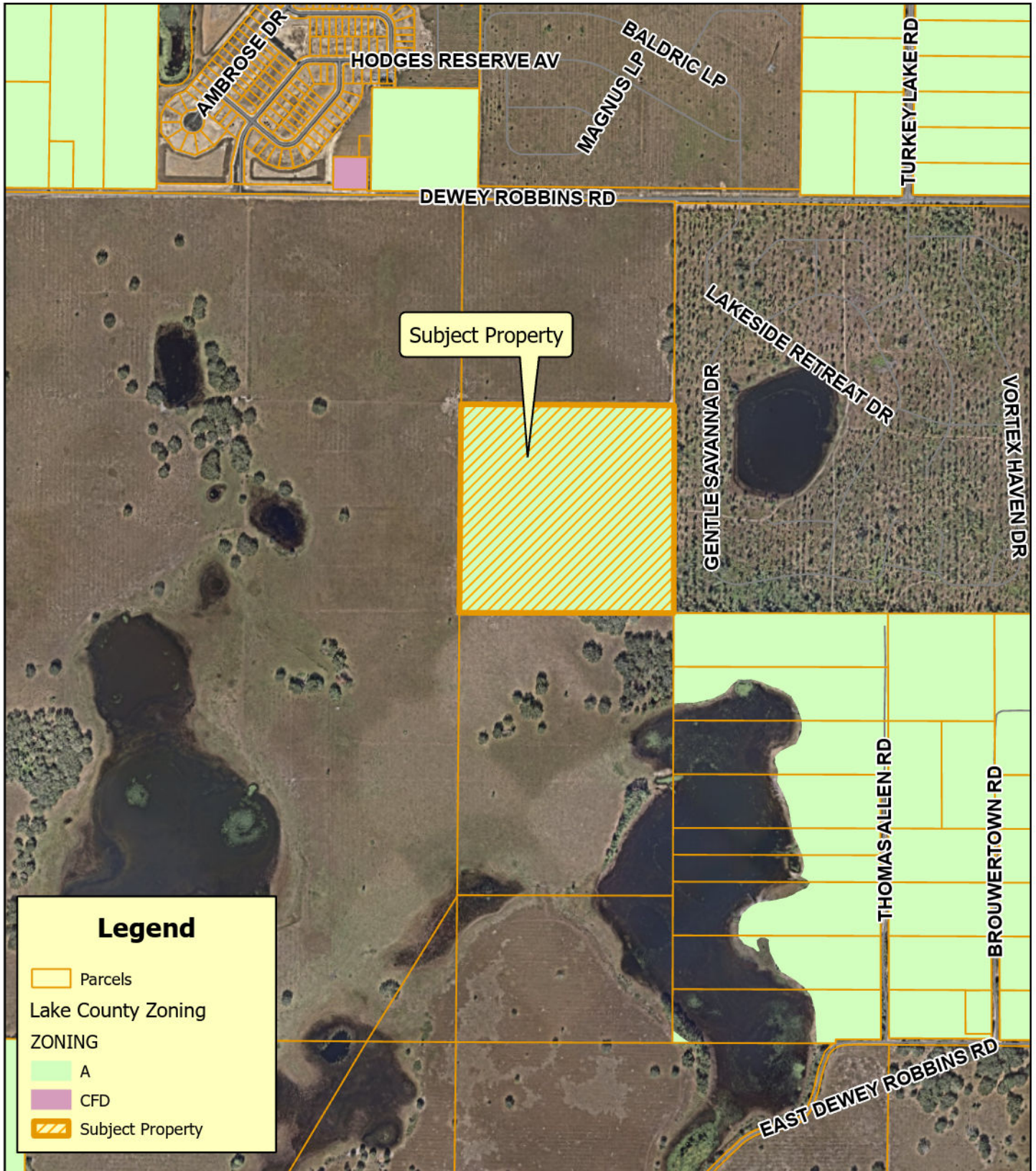


**Planning
& Zoning
Division**

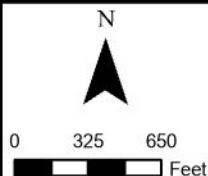


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Lake County Zoning

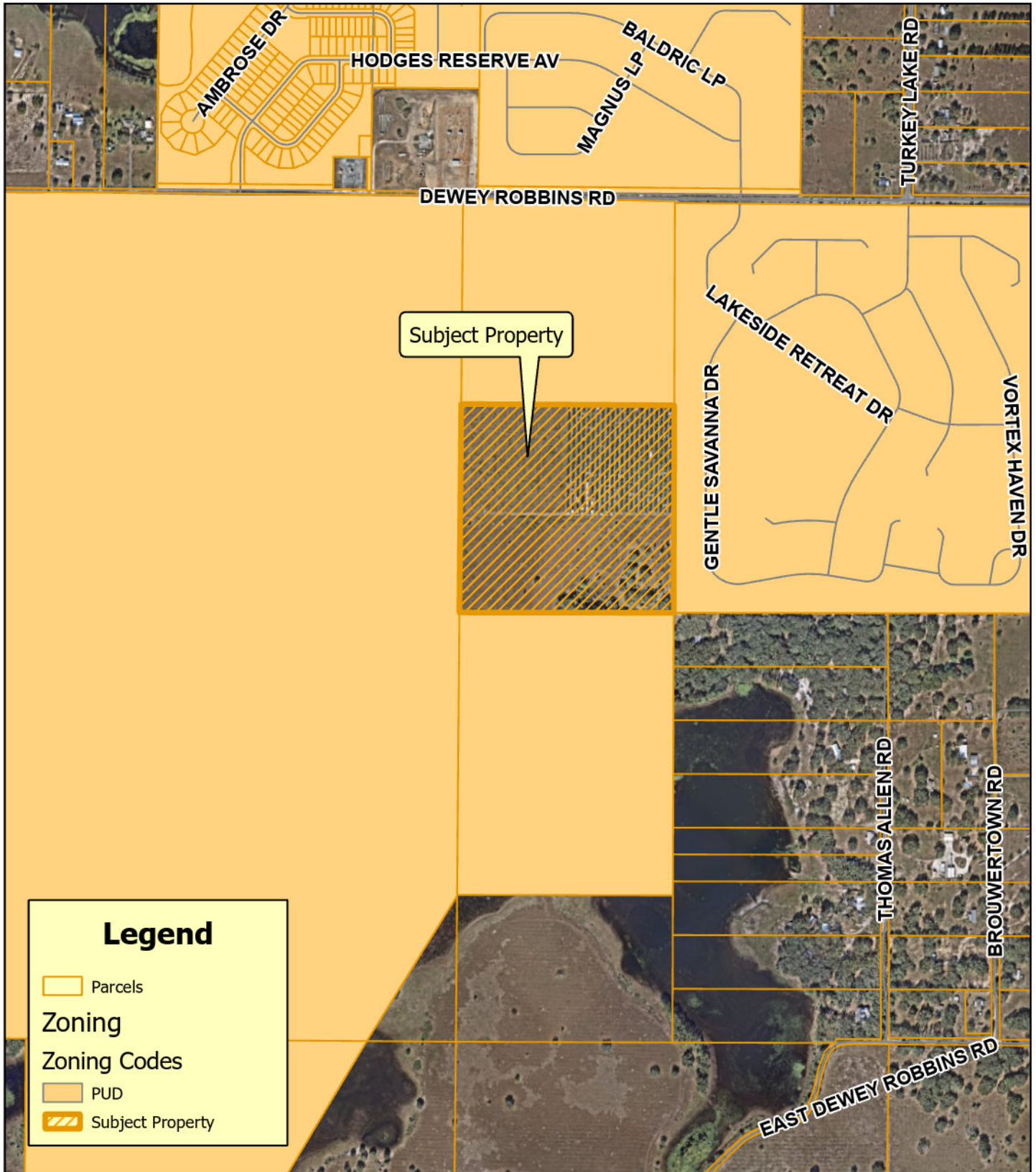


**Planning
& Zoning
Division**

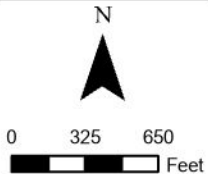


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 18, 2025

Zoning

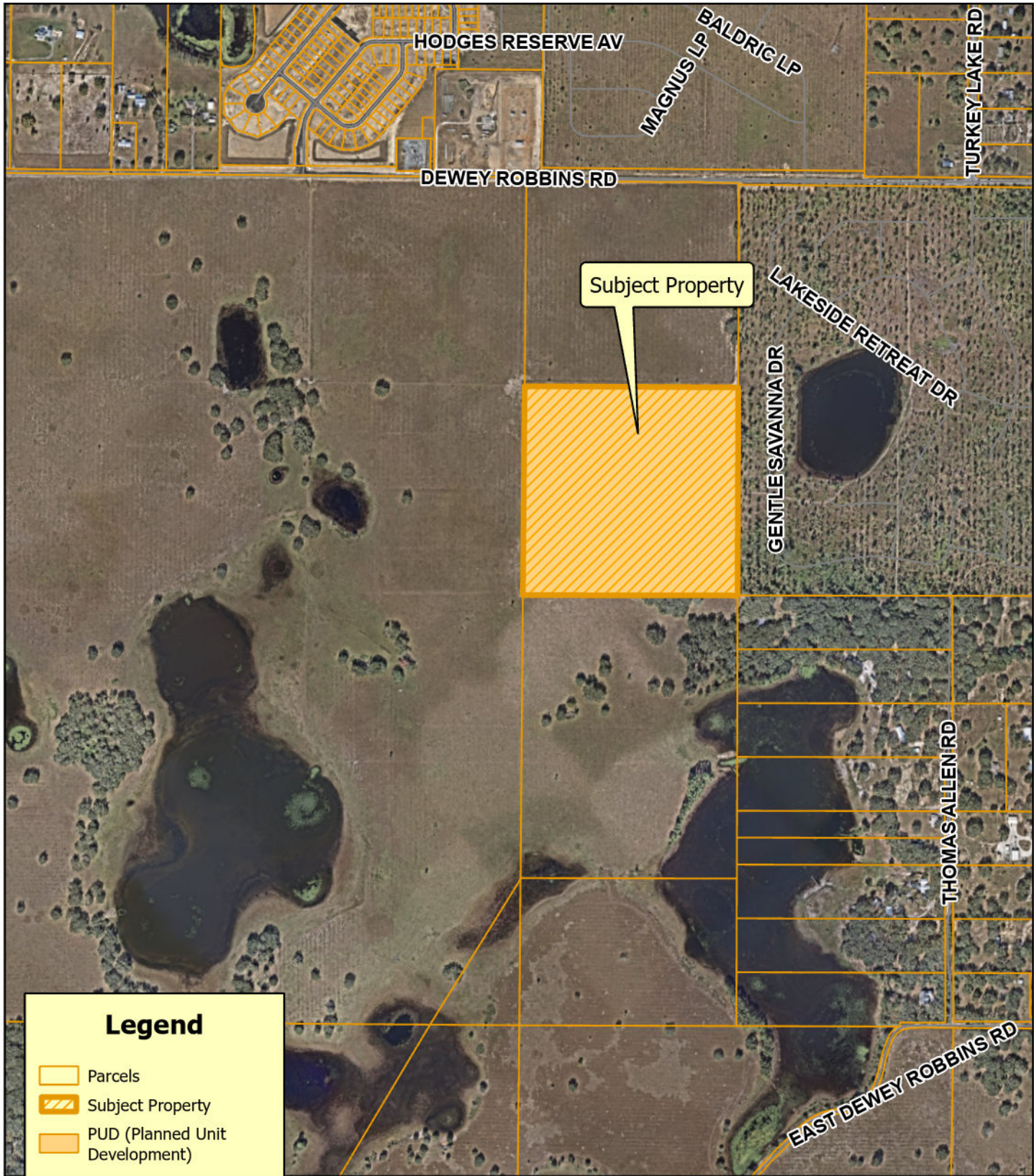


**Planning
& Zoning
Division**

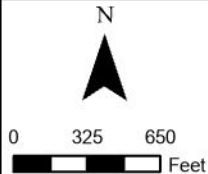


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Proposed Zoning



**Planning
& Zoning
Division**

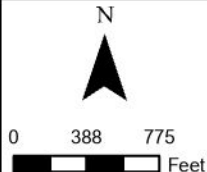


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 18, 2025

Surrounding Land Uses

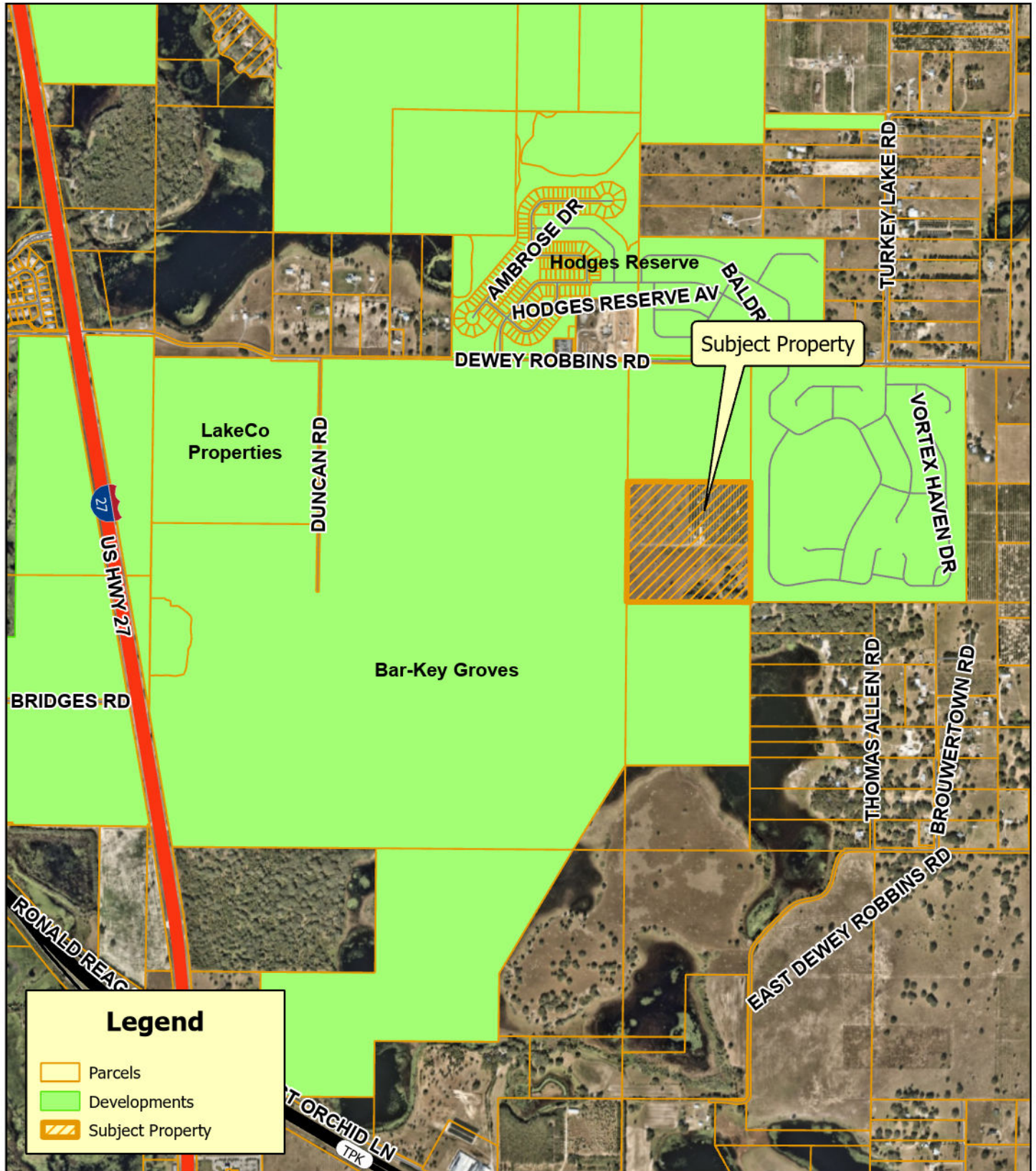


**Planning
& Zoning
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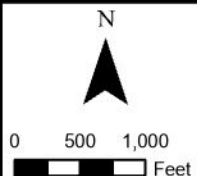


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 18, 2025

Surrounding Developments

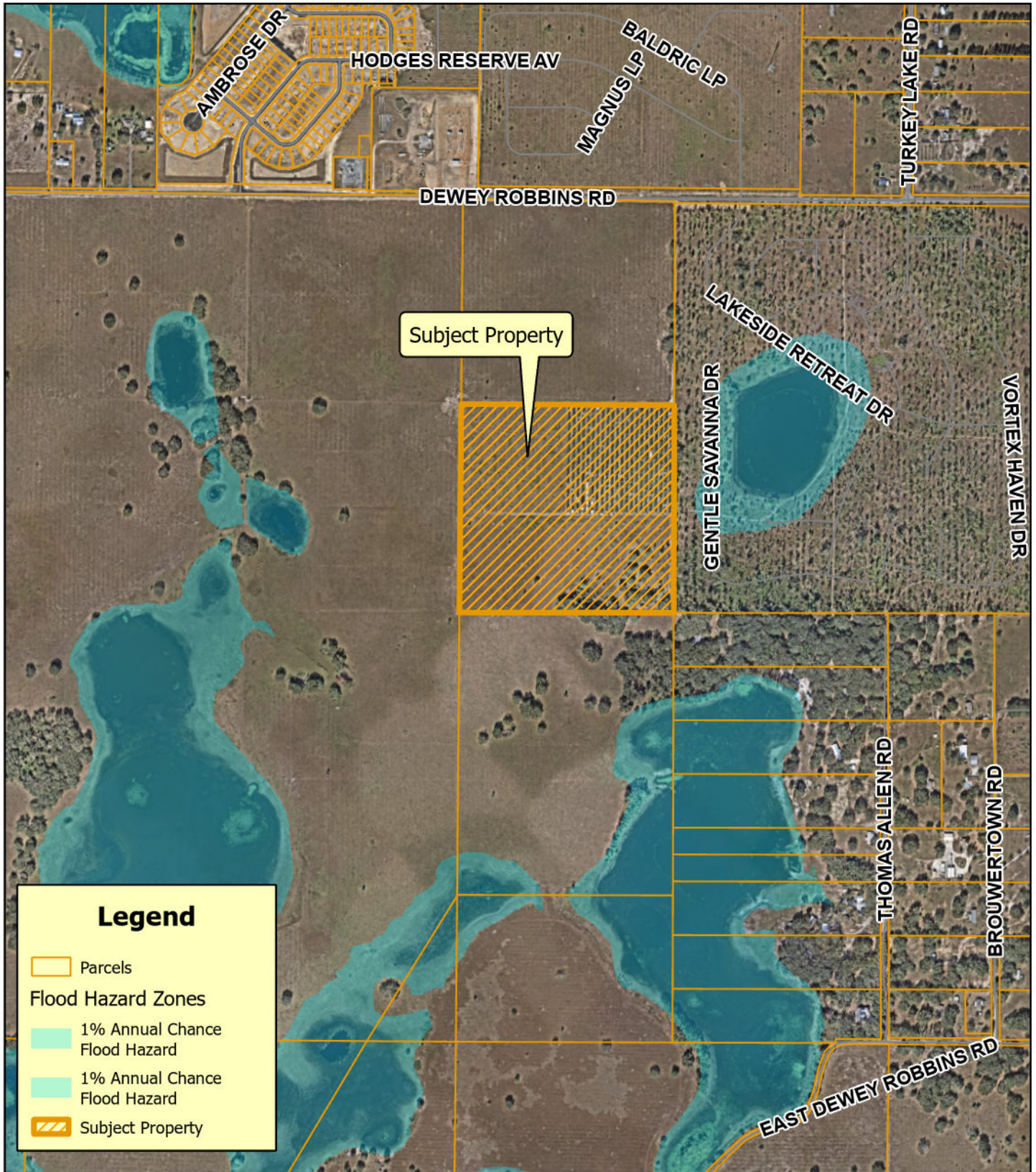


**Planning
& Zoning
Division**

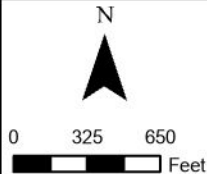


Bar Key II/Grace Groves
 ANN-25-450; SSCP-25-451; PUD-25-452
 Alternate Key: 1210216
 Section 05, Township 21 South, Range 24 East
 February 18, 2025

Flood Zone

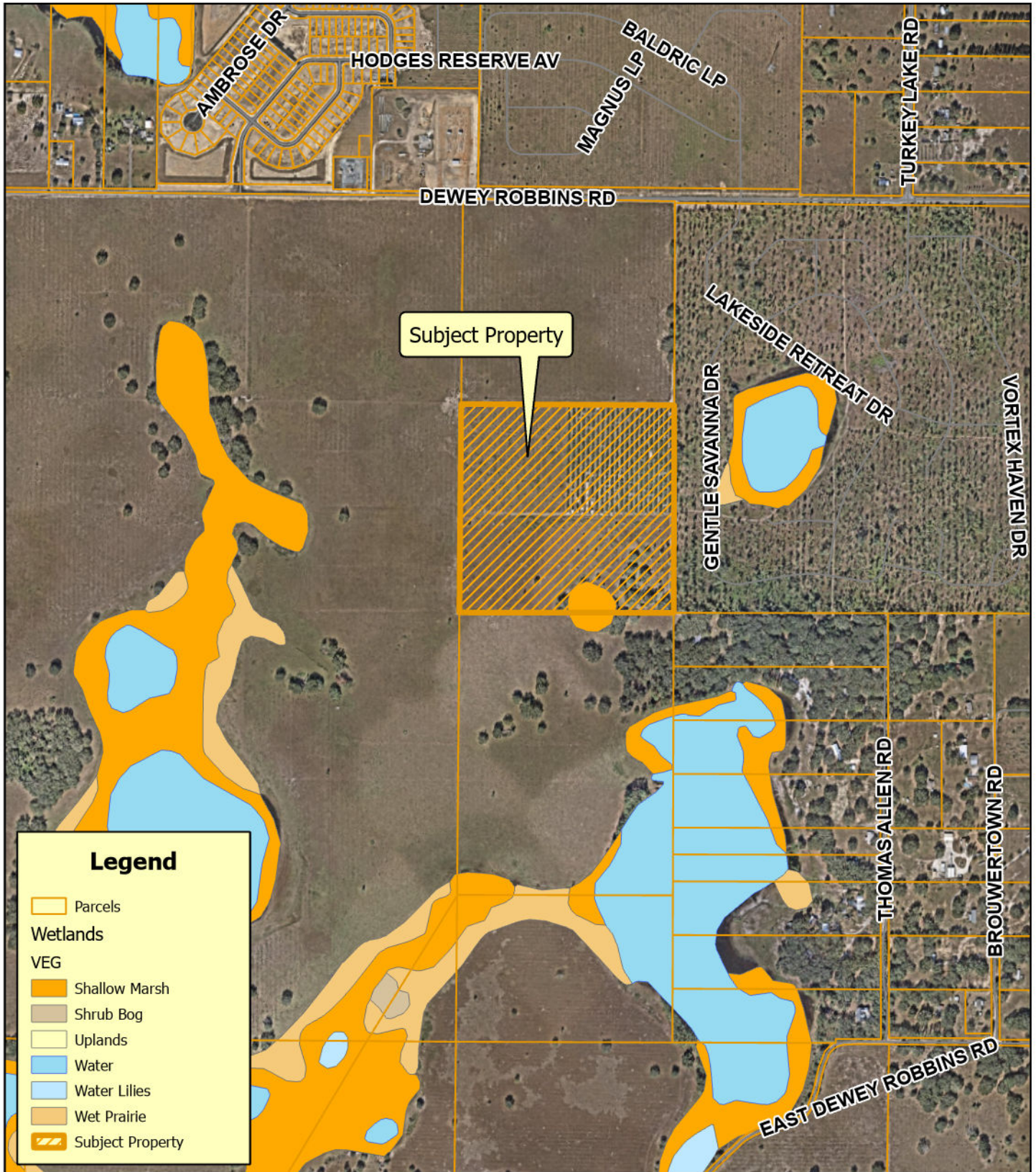


**Planning
& Zoning
Division**

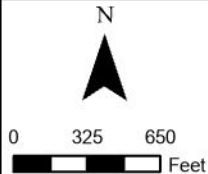


Bar Key II/Grace Groves
ANNX-25-450; SSCP-25-451; PUD-25-452
Alternate Key: 1210216
Section 05, Township 21 South, Range 24 East
February 14, 2025

Wetlands



**Planning
& Zoning
Division**



Bar Key II/Grace Groves
 ANN-25-450; SSCP-25-451; PUD-25-452
 Alternate Key: 1210216
 Section 05, Township 21 South, Range 24 East
 February 14, 2025



Close up of Sign on Property from Dewey Robbins Road.



Looking North across Dewey Robbins Road from Subject Property



Looking East along Dewey Robbins Road from Subject Property.



Looking South onto Subject Property from Dewey Robbins Road.



Looking West along Dewey Robbins Road from Subject Property.



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

this preemption on state/local government; wireless communication towers can be developed; without those concerns. Vice-Chairman Sanders asked Dan Miller how far is this tower from that nearest residence; Dan Miller stated he measured about 500' on the GIS system on the City computer; estimate, went over map, about 150' back to the east, to property line; make recommendation based on Code and the COMP plan. Commissioner Marshall wanted clarification of the Life stream bldg. to the tower; went over map.

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

Chairman Sennett called for a vote on the third case.

Commissioner Bowersox made a motion to APPROVE of case # CUP-25-465 – SKYWAY TOWERS (2021 TALLY ROAD) CUP – CONDITIONAL USE PERMIT
Commissioner O'Kelley SECONDED the motion.

The roll call vote was:

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

Six yeas, one nay, the Planning Commission approved case # CUP-25-465 – SKYWAY TOWERS (2021 TALLY ROAD) CUP – CONDITIONAL USE PERMIT.

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

4) 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)

Dan Miller stated for the record permission to discuss both cases together and vote separately.

Dan Miller introduced case number #SSCP-25-451 – Bar Key II/Grace Groves – Small Scale Comprehensive Plan Amendment and case number #PUD-25-452 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, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, went over the PUD requirements, design and architectural standards, recreational requirements, and phasing; or expiration clause.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City departments. Lake County School Board has no comments; however, we know that the project will be subject to school concurrency review and this includes a review by the school board to see if adequate student stations are present; if they are not may be subject to a mitigation agreement, and applicant will have to provide adequate student stations for the project to move forward, at time of development. Lake County Public Works has no comments. Public responses – no responses were received from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

Dan Miller read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

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

Commissioners' and Dan Miller discussed what we already approved is what will stand; approved; 1700 units, this becomes a part of that; not adding, filling in gap, that they attended from the beginning, negotiation on the property; weren't able to at that time, phase, work with the Bar Key; PUD, separate.

Cyndi Tarapani, Tarapani Planning Strategies located at 128 East Tarpan Avenue, Tarpan Springs, Florida and stated she previous represented Bar Key I; no changes, changes to Bar Key II; smaller 39 acre site, do represent Brookfield Kolter Land Partners; contract purchaser, make comments; both cases together, introduced her team for the record, and gave a brief presentation, gave background of Kolter Property Company, went over size and scope of project, entered into; pioneering agreement with the City, no sewer line; fronting construction cost, sewer line, City designed; Kolter, construct line; south to Bar Key, get reimbursed, went over location map, Bar Key I master plan, Bar Key II master plan; redesign access roads, loop road, no road frontage; go through Bar Key I, proposed construction, emergency access easement; east of Dewey Robbins Road, 39 acres, 156 residential SF lots; located to west/south, loop road; Bar Key II incorporated, overall project, highlight wetlands and surface waters, three applications, FLU map, COMP plan categories; consistent, 45' lots, two car garage/spaces; visitor parking, on street parking; each block, style and type of units; proposed, architectural elevations; 1500' square feet to

2400' square feet product; one and two story, adding 39 acres Bar Key I, good project, negotiated conditions with Staff; master plan, PUD zoning; significant changes goes back to the City; respectfully request approval; happy to answer any questions; addressed comments from the Commission and stated there are no changes for Bar Key I; originally approved for 1700 units, commercial component, and institutional school component; none of that changes, new site; 156 units, more units in the overall project; but nothing changes in Bar Key I project.

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

Commissioner O'Kelley stated did we say there's no additional total developer of homes.

Chairman Sennett closes discussion from the Public and then discussion took place with the Commission.

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

Chairman Sennett called for a vote on the fourth case.

Vice-Chairman Sanders made a motion to APPROVE of case # SSCP-25-451 – BAR KEY II/GRACE GROVES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Bowersox SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # SSCP-25-451 –BAR KEY II/GRACE GROVES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

5) 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)

Chairman Sennett called for a vote on the fifth case.

Commissioner Bowersox made a motion to APPROVE case # PUD-25-452 – BAR KEY II/GRACE GROVES – PLANNED UNIT DEVELOPMENT Commissioner Kaplan SECONDED the motion.

The roll call vote was:

Commissioner Marshall	Yes
Commissioner Carter	Yes
Chairman Sennett	Yes
Commissioner O’Kelley	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Commissioner Kaplan	Yes

Seven yeas, no nays, the Planning Commission approved case # PUD-25-452 – BAR KEY II/GRACE GROVES – PLANNED UNIT DEVELOPMENT.

NEW BUSINESS

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

1) PUBLIC HEARING CASE # CUP-25-502 – EUCLID COTTAGES (408 EUCLID AVENUE) – CONDITIONAL USE PERMIT

A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE DEVELOPMENT OF ONE (1) DUPLEX UNIT IN THE EXISTING R-2 (MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT ON 0.26 +/- ACRES GENERALLY LOCATED SOUTH OF LILLY STREET AND EAST OF EUCLID AVENUE, AS LEGALLY DESCRIBED IN SECTION 26, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION).** (Euclid Cottages CUP)

Dan Miller introduced case number #CUP-25-502 – Euclid Cottages (408 Euclid Avenue) – Conditional Use Permit into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, and requests.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City departments. Lake County School Board stated that a duplex is exempt from school concurrency review. (4 units or less) Lake County

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.7.

Meeting Date: May 12, 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 0.81 +/- acres; and being generally located west of Richey Road and south of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 2; and providing an effective date. (Richey Road Storage ANNX)

Staff Recommendation:

The Planning and Zoning staff recommend approval of the proposed ordinance for annexation of 0.81 +/- acres. The Planning Commission recommended approval of the associated Small Scale Comprehensive Plan Amendment and C-3 (Highway Commercial) rezoning, with a PDO (Planned Development Overlay).

Analysis:

The applicant has submitted a request for annexation of approximately 0.81 +/- acres, generally located west of Richey Road and south of W Main Street, as shown on the attached General Location Map. At this time, the property is undeveloped, directly adjacent to the associated, existing business. The current zoning is Lake County R-6 (Urban Residential); the proposed zoning is City C-3 (Highway Commercial), with a PDO (Planned Development Overlay) to allow outdoor storage uses. The reason for this request is to expand the existing business from the parcel directly north and allow outdoor storage of vehicles, including boats and RVs.

The property is surrounded by Lake County R-6 (Urban Residential); City of Leesburg C-3 (Highway Commercial), and City of Leesburg CIP (Commercial Industrial Planned). Under the conditions of the C-3 (Highway Commercial) and PDO (Planned Unit Development) zoning cases which are 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 and PDO Applications, had recommendations for approval from the staff and Planning Commission at the public hearing held on April 24, 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 0.81 +/- ACRES; AND BEING GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, LYING IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 2; AND PROVIDING AN EFFECTIVE DATE. (RICHEY ROAD STORAGE ANNEX)

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

Section 1.

Based upon the petition of Chris Kelley, Manager, Kelley Holdings LLC, 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 2;

Section 3.

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

Section 4.

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

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

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/2 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN NORTH 00°25'10" EAST ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 341.00 FEET; THENCE RUN NORTH 00°25'10" EAST, FOR A DISTANCE OF 104.03 FEET; THENCE RUN SOUTH 89°48'05" EAST, FOR A DISTANCE OF 341.00 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN SOUTH 00°25'10" WEST, ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 104.03 FEET, TO THE POINT OF BEGINNING.

Extended Locator

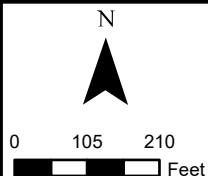


Legend

-  Parcels
-  Subject Property

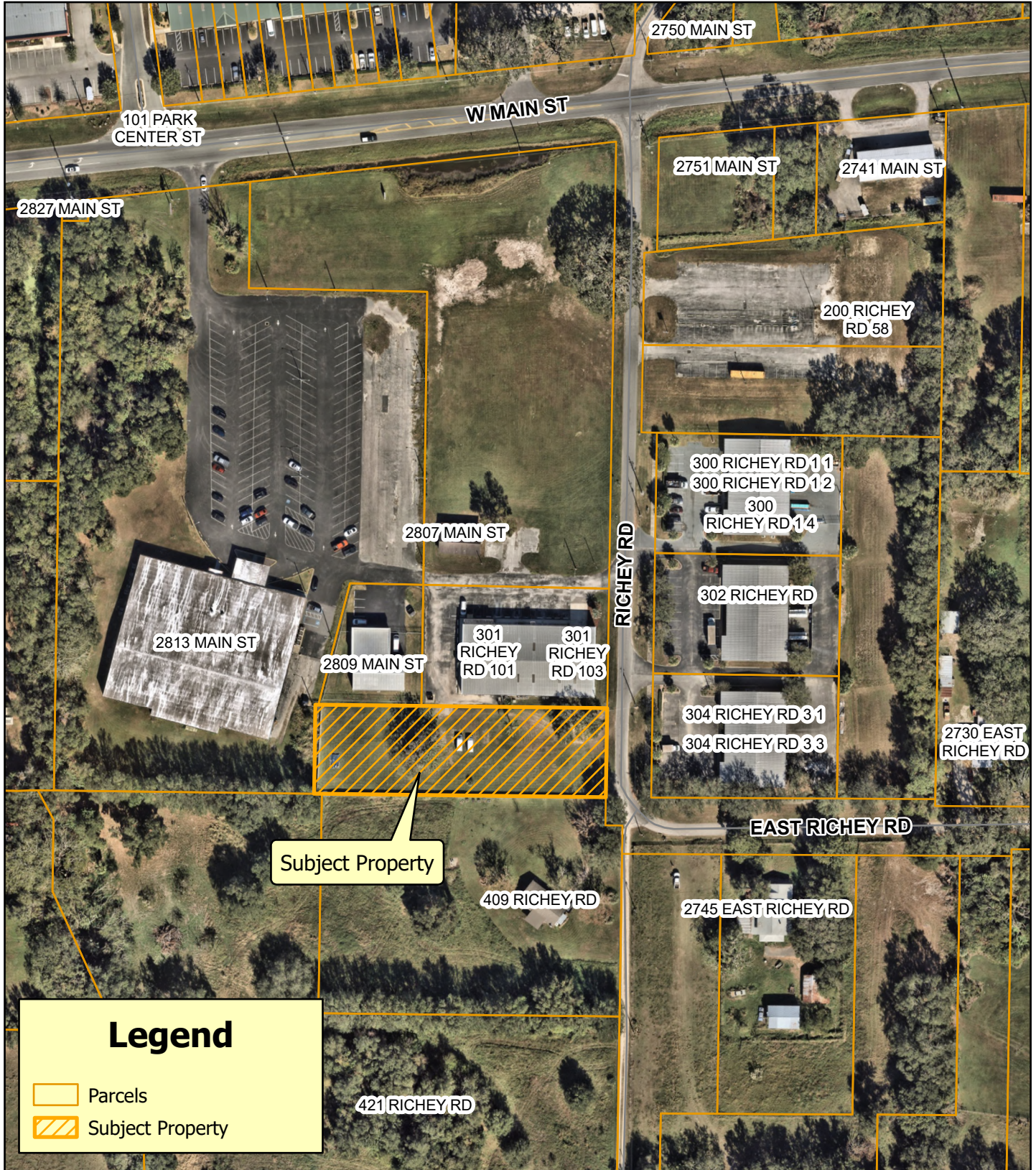


**Planning
& Zoning
Division**

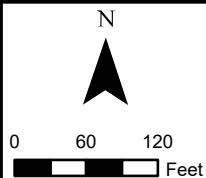


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Aerial

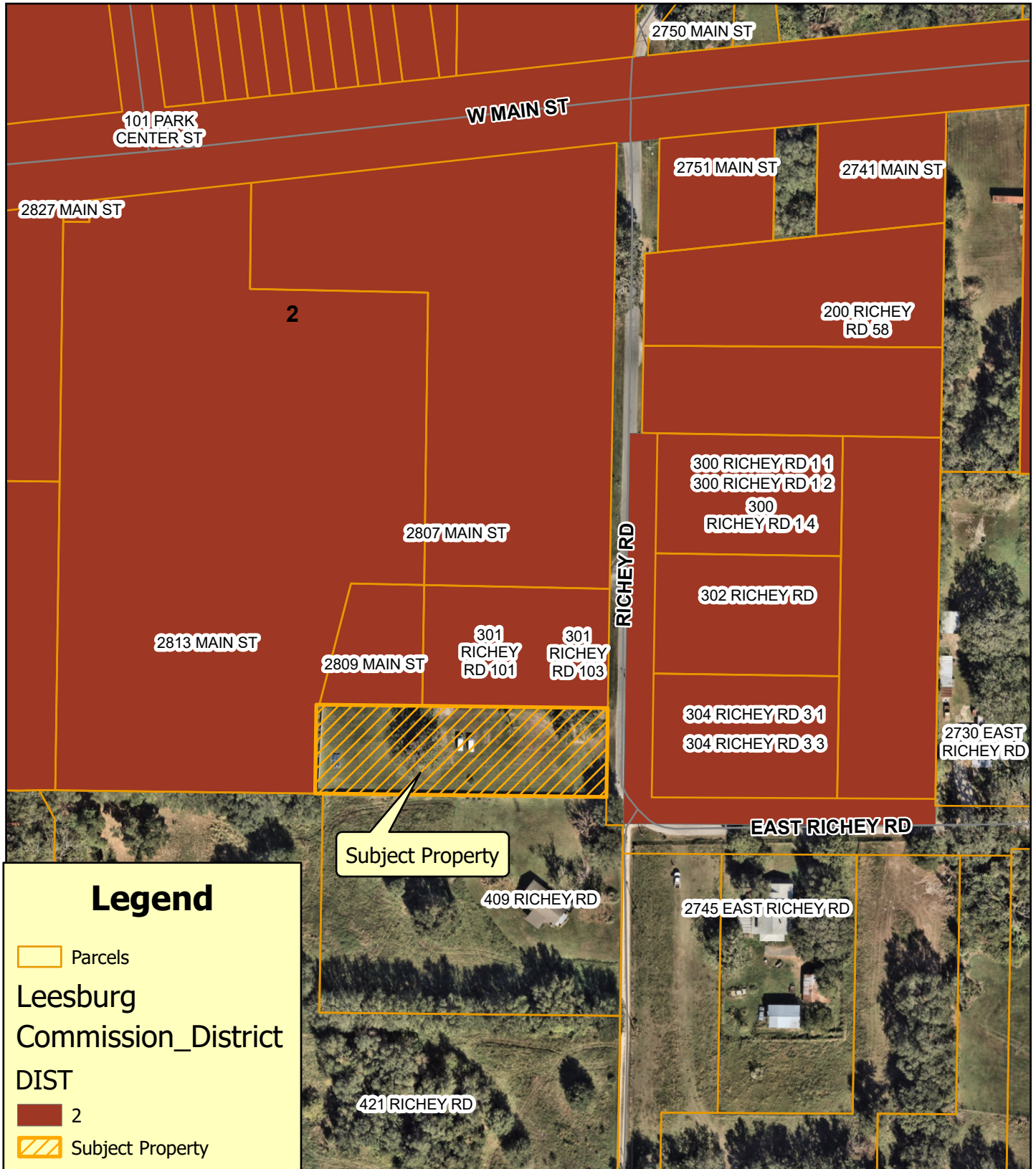


**Planning
& Zoning
Division**

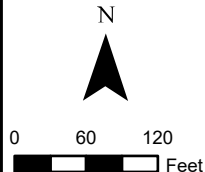


Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Commission District



**Planning
& Zoning
Division**



Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.8.

Meeting Date: May 12, 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 0.81 +/- acres from Lake County Urban Medium to City of Leesburg General Commercial, for a property generally located west of Richey Road and South of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Richey Road Storage SSCP)

Staff Recommendation:

The Planning & Zoning Staff and the Planning Commission recommend approval of the proposed small-scale comp plan amendment of the City's Future Land Use Map on 0.81 +/- acres from Lake County Urban Medium to City of Leesburg General Commercial.

Analysis:

The project site is approximately 0.81 acres. The property is generally located west of Richey Road and South of W Main Street. Currently, the property is undeveloped acreage. The proposed use is for commercial uses and outdoor storage of vehicles, including boats and RVs. The surrounding Future Land Use Map designations of Lake County Urban Medium Density, and City of Leesburg General Commercial are compatible, in the C-3 zoning, and as conditioned in the PDO (Planned Development Overlay), 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.

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 April 24, 2025, and recommended approval.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 0.81 +/- ACRES FROM LAKE COUNTY URBAN MEDIUM TO CITY OF LEESBURG GENERAL COMMERCIAL, FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, LYING IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (RICHEY ROAD STORAGE SSCP)

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

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

NOW, THEREFORE,

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

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on 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 0.81 acres of land generally located west of Richey Road and South of W Main Street from Lake County Urban Medium to City of Leesburg General Commercial, as shown on the revised map of said area, lying in Section 28, Township 19 South, Range 24 East, Lake County Florida;

Section 2.

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

Section 3.

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

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

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/2 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN NORTH 00°25'10" EAST ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 341.00 FEET; THENCE RUN NORTH 00°25'10" EAST, FOR A DISTANCE OF 104.03 FEET; THENCE RUN SOUTH 89°48'05" EAST, FOR A DISTANCE OF 341.00 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN SOUTH 00°25'10" WEST, ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 104.03 FEET, TO THE POINT OF BEGINNING.



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: April 24, 2025
OWNER: Kelley Holdings LLC
PETITIONER: Chris Kelley
PROJECT: Richey Road Storage
REQUEST: Small-scale Comprehensive Plan amendment from Lake County Urban Medium to City General Commercial.
CASE NO.: SSCP-25-1208

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 request 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 compatible with the proposed zoning of C-3 (Highway Commercial), and as conditioned in the associated PDO document.
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 and 1.8.

Action Requested:

1. Vote to **approve** the Small Scale Comprehensive Plan amendment from Lake County Urban Medium to City of Leesburg General Commercial, and forward the recommendation to the City Commission for consideration.

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

DATE: April 24, 2025

OWNER: Kelley Holdings LLC

PETITIONER: Chris Kelley

PROJECT: Richey Road Storage

REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial), with a Planned Development Overlay to allow outdoor storage of vehicles, including boats and RVs.

CASE NO.: (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210

GENERAL LOCATION: West of Richey Road and South of W Main Street.

FUTURE LAND USE DESIGNATION: Lake County Urban Medium

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg General Commercial
South – Lake County Urban Medium Density
East – City of Leesburg General Commercial
West – City of Leesburg General Commercial

PROPOSED FUTURE LAND USE DESIGNATION: City General Commercial

EXISTING ZONING DESIGNATION: Lake County R-6 (Urban Residential)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg C-3 (Highway Commercial)
South – Lake County R-6 (Urban Residential)
East – City of Leesburg CIP (Commercial Industrial Planned)
West – City of Leesburg C-3 (Highway Commercial)

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

PROPOSED ACTION: Planned Development Overlay to allow outdoor storage uses.

EXISTING LAND USE: Undeveloped, no structures.

SURROUNDING LAND USE:

North – Commercial; Warehouse
South – Residential; Pasture improved Hay Acreage
East – Office
West – Commercial

PROPOSED LAND USE: Outdoor storage of vehicles, including boats and RVs.

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

DATE: April 24, 2025
OWNER: Kelley Holdings LLC
PETITIONER: Chris Kelley
PROJECT: Richey Road Storage
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial), with a Planned Development Overlay to allow outdoor storage of vehicles, including boats and RVs.
CASE NO.: (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 4/18/2025.

FIRE

In reference to Case Number SSCP-25-1208; RZ-25-1209; PUD-25-1210

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-25-1208; RZ-25-1209; PUD-25-1210 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, 4/21/2025

ELECTRIC

Leesburg Electric has no objections. – Steve Davis, 4/7/2025

GAS

No comments received as of 4/18/2025.

GIS/ADDRESSING:

GIS has no comments. – Aidan Holmes, 4/4/2025

BUILDING

No comments received as of 4/18/2025.

PUBLIC WORKS

Public Works has no issues with this request. – Cliff Kelsey, 4/4/2025

HOUSING & REDEVELOPMENT

No comments received as of 4/18/2025.

LAKE COUNTY PUBLIC WORKS

I have no comment at this time and will defer review to future site plan. Richey Road is a county maintained paved road and any work along it will require permitting from Lake County Public Works Department. – Seth Lynch, 4/4/2025

LAKE COUNTY SCHOOLS

No comments on this non-residential project. – Heather Croney, 4/4/2025

PUBLIC RESPONSES

Approval

Approval with Requested Conditions

1

Disapproval

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (APPROVAL WITH REQUESTED CONDITIONS)

“Hello, my name is John Goodwin and I own the Urban Residential property which immediately abuts the property seeking the amendment.

I spoke with Chris Kelly when he purchased the property of my concern of seeing equipment or work vehicles

from my home located at 305 Richey Road that faces said property. When he purchased the property he installed a 6 ft vinyl fence and promised that there would be no lighting facing my property. All has been well since that point with no issues and he's been a good neighbor.

I am concerned in this current future land use amendment that Chris is wanting to store larger vehicle's such as RV's and boats and other equipment which in my opinion would be easily seen over a 6 foot fence. To not have my objection to this request I would like that there be a requirement to construct an 10ft vinyl fence in place of the current 6ft vinyl fence along the south property line (our shared property line). Also with some stipulation that any outside lighting must face away from my property and towards his as to not be obtrusive to my view.

Please confirm that you received my email and if you have further question feel free to contact me.

Sincerely," -- John Goodwin, 4/11/2025

PUBLIC COMMENTS (DISAPPROVAL)

Extended Locator

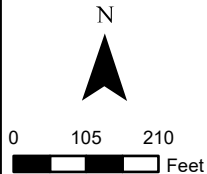


Legend

-  Parcels
-  Subject Property

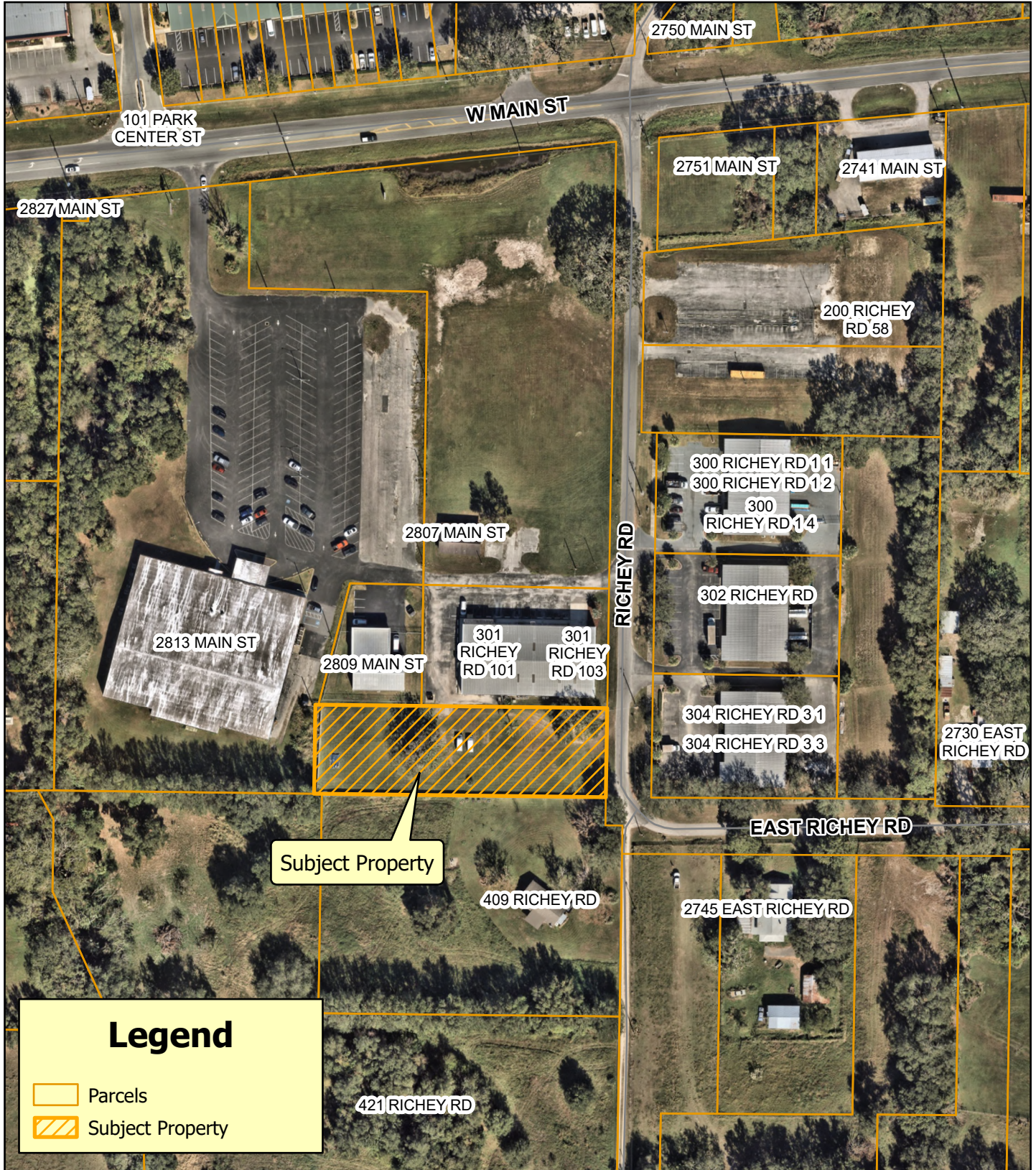


**Planning
& Zoning
Division**

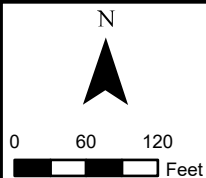


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Aerial



**Planning
& Zoning
Division**

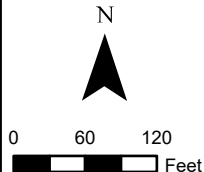


Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Lake County Future Land Use

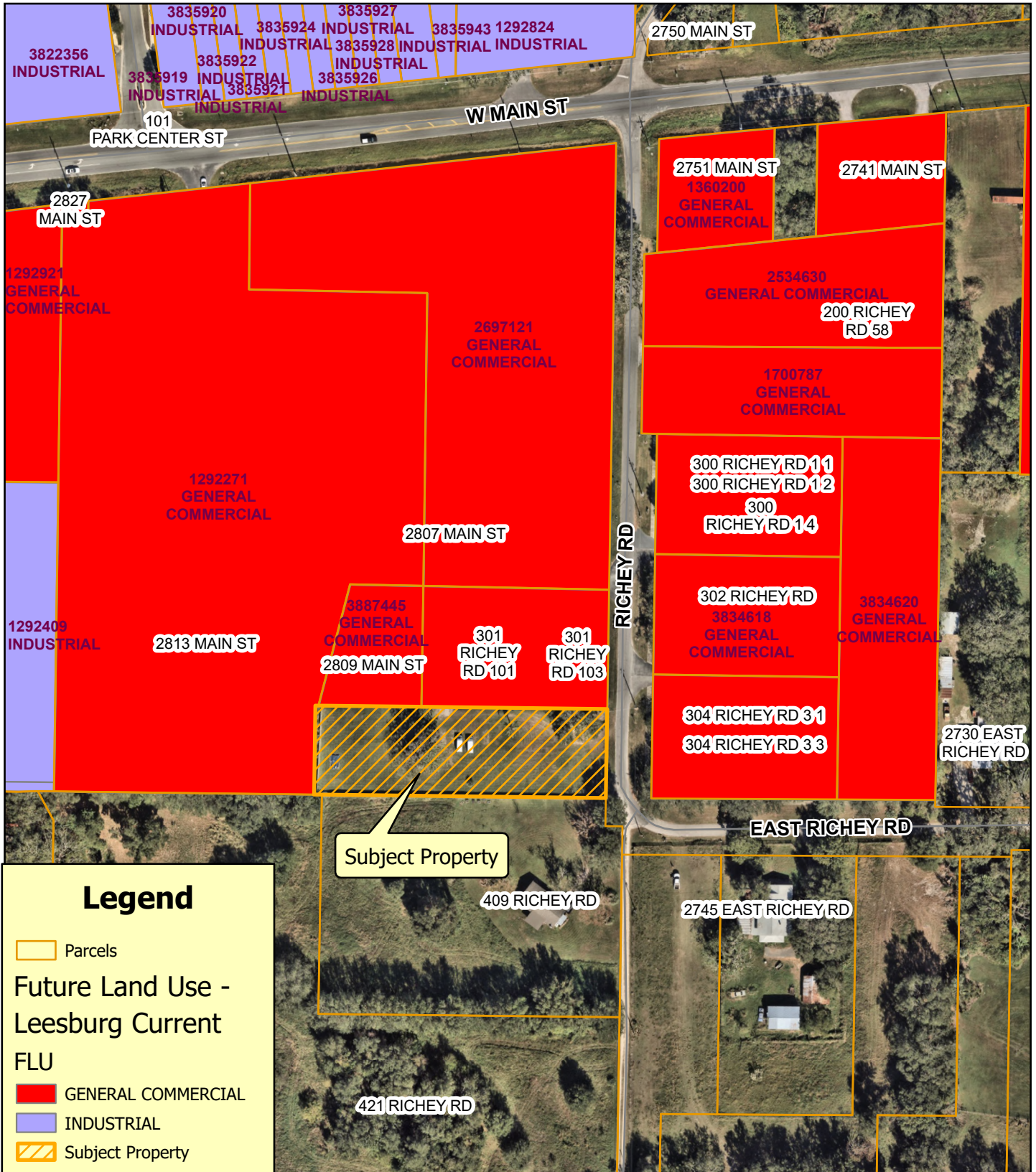


**Planning
& Zoning
Division**

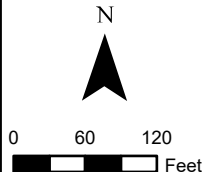


Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Future Land Use

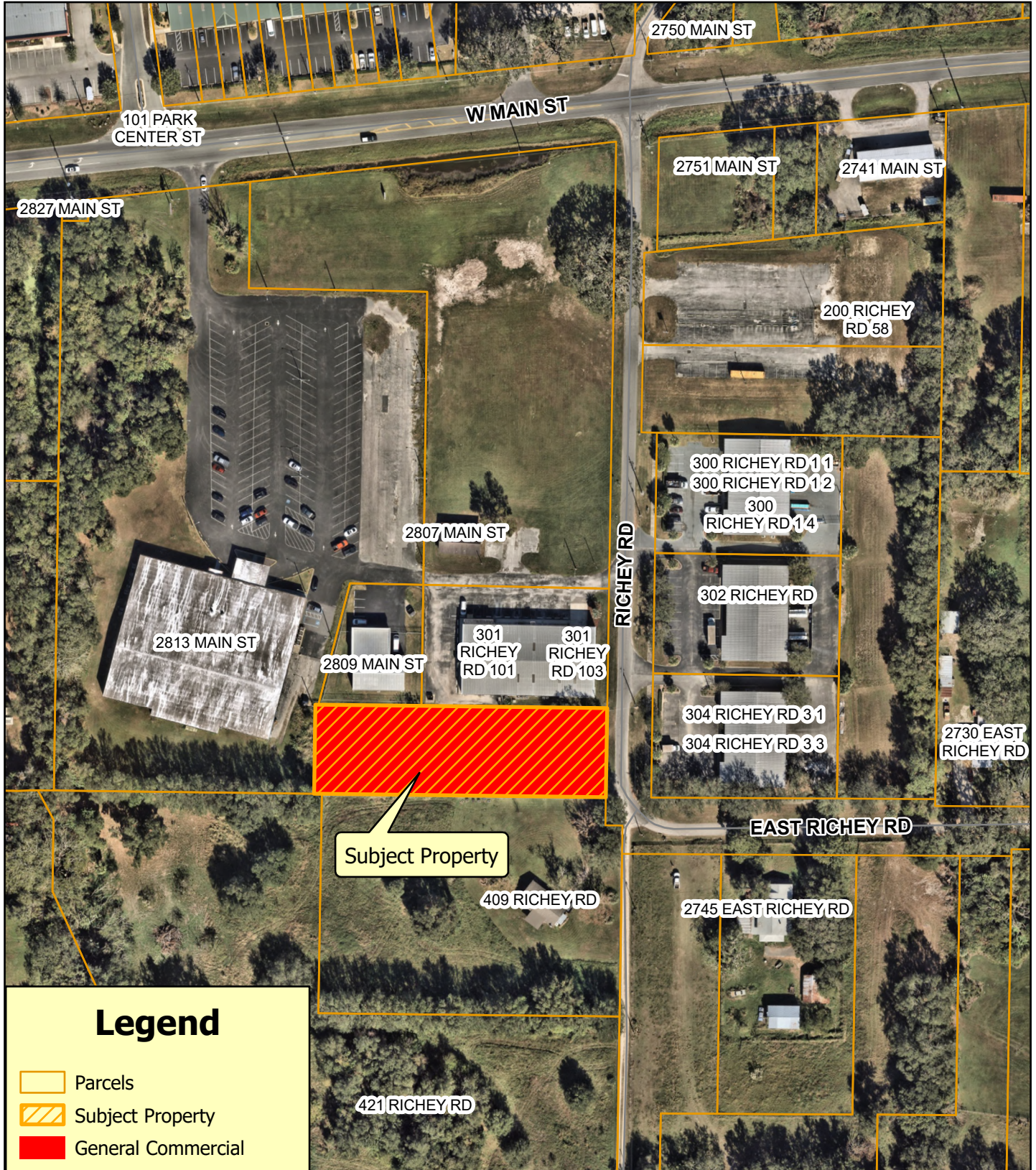


**Planning
& Zoning
Division**

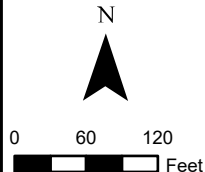


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Proposed Future Land Use



**Planning
& Zoning
Division**



Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

Commissioner O’Kelley made a motion to APPROVE of case # CUP-25-505 – GULFSTREAM CORLEY ISLAND TOWER – CONDITIONAL USE PERMIT
Commissioner Bowersox SECONDED the motion.

The roll call vote was:

Commissioner Bowersox	Yes
Commissioner Sanders	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes
Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Marshall	Yes

Seven yeas, no nays, the Planning Commission approved case # CUP-25-505 – GULFSTREAM CORLEY ISLAND TOWER – CONDITIONAL USE PERMIT.

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

3) PUBLIC HEARING CASE # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY OF LEESBURG GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Richey Road Storage SSCP)

Chairman Sennett stated for the record to discuss all the cases together and vote separately.

Dan Miller introduced case number #SSCP-25-1208 – Richey Road Storage – Small Scale Comprehensive Plan Amendment, case number #RZ-25-1209 Rezoning, and case number #PUD-25-1210 into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, and went over the PDO requirements.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City Departments. Lake County School Board stated commercial project so it is not subject to school board review. Lake County Public Works has no comments. Public responses – we received one approval with the comment (neighbor) as long as there is a requirement for a large fence along the southern border of the property from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

Dan Miller read the Staff Recommendations into the record for the cases; Staff supports the cases; recommended approval.

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

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

Chairman Sennett called for a vote on the third case.

Commissioner Bowersox made a motion to APPROVE case # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Carter SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

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

4) PUBLIC HEARING CASE # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR**

MONDAY, JUNE 23RD, 2025) (Richey Road Storage RZ)

Chairman Sennett called for a vote on the fourth case.

Commissioner Bowersox made a motion to APPROVE case # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING Commissioner Kaplan SECONDED the motion.

The roll call vote was:

Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Marshall	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes

Seven yeas, no nays, the Planning Commission approved case # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING.

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

5) PUBLIC HEARING CASE # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY

A REQUEST FOR A PLANNED DEVELOPMENT OVERLAY FOR OUTDOOR STORAGE IN THE C-3 (HIGHWAY COMMERCIAL) ZONING DISTRICT ON 0.81 +/- ACRES FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Richey Road Storage PDO)

Chairman Sennett called for a vote on the fifth case.

Commissioner Bowersox made a motion to APPROVE case # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

Commissioner Carter	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Marshall	Yes
Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes

Seven yeas, no nays, the Planning Commission approved case # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY.

ANNOUNCEMENTS

Dan Miller stated to the Commission that Bikefest starts today, and our office and City Hall will not be open; Vice-Chairman Sanders invited the Commission to stop by and visit him downtown for the festivities.

ADJOURNMENT

Meeting was adjourned at 7:12 p.m.

Timothy H. Sennett, Chairman

Sabrina Mitchell, Executive Assistant I



Close up of Sign on Property from Richey Road.



Looking north along Richey Road.



Looking east across Richey Road.



Looking south along Richey Road.

*Richey Road Storage – (Annexation), Small Scale Comprehensive Plan Amendment, Rezoning, Planned Development Overlay
– (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210*

Taken on 4/11/2025



Looking west from Richey Road into the Subject Property.

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.9.

Meeting Date: May 12, 2025

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

Subject: An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.81 +/- acres from Lake County R-6 (Urban Residential) to City of Leesburg C-3 (Highway Commercial) to allow for commercial uses for a property generally located west of Richey Road and South of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Richey Road RZ)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to rezone the subject property from Lake County R-6 (Urban Residential) to City of Leesburg C-3 (Highway Commercial) to allow for commercial uses.

Analysis:

The project site is approximately 0.81 +/- acres, and is generally located west of Richey Road and South of W Main Street as shown on the attached maps. At this time, the property is undeveloped. The proposal will allow expansion of the existing business on the parcel directly north and allow commercial uses. The existing land uses surrounding the property are commercial, warehouse, residential, pasture improved hay acreage, and office. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on April 24, 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:

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 ON APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL) TO ALLOW FOR COMMERCIAL USES FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, LYING IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (RICHEY ROAD RZ)

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

Section 1.

Based upon the petition of Chris Kelley, Manager, Kelley Holdings LLC (Petitioner) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County R-6 (Urban Residential) 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 _____ day of _____ 2025.

THE CITY OF LEESBURG, FLORIDA

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/2 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN NORTH 00°25'10" EAST ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 341.00 FEET; THENCE RUN NORTH 00°25'10" EAST, FOR A DISTANCE OF 104.03 FEET; THENCE RUN SOUTH 89°48'05" EAST, FOR A DISTANCE OF 341.00 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN SOUTH 00°25'10" WEST, ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 104.03 FEET, TO THE POINT OF BEGINNING.

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

DATE: April 24, 2025

OWNER: Kelley Holdings LLC

PETITIONER: Chris Kelley

PROJECT: Richey Road Storage

REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial), with a Planned Development Overlay to allow outdoor storage of vehicles, including boats and RVs.

CASE NO.: (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210

GENERAL LOCATION: West of Richey Road and South of W Main Street.

FUTURE LAND USE DESIGNATION: Lake County Urban Medium

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg General Commercial
South – Lake County Urban Medium Density
East – City of Leesburg General Commercial
West – City of Leesburg General Commercial

PROPOSED FUTURE LAND USE DESIGNATION: City General Commercial

EXISTING ZONING DESIGNATION: Lake County R-6 (Urban Residential)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg C-3 (Highway Commercial)
South – Lake County R-6 (Urban Residential)
East – City of Leesburg CIP (Commercial Industrial Planned)
West – City of Leesburg C-3 (Highway Commercial)

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

PROPOSED ACTION: Planned Development Overlay to allow outdoor storage uses.

EXISTING LAND USE: Undeveloped, no structures.

SURROUNDING LAND USE:

North – Commercial; Warehouse
South – Residential; Pasture improved Hay Acreage
East – Office
West – Commercial

PROPOSED LAND USE: Outdoor storage of vehicles, including boats and RVs.

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

DATE: April 24, 2025
OWNER: Kelley Holdings LLC
PETITIONER: Chris Kelley
PROJECT: Richey Road Storage
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial), with a Planned Development Overlay to allow outdoor storage of vehicles, including boats and RVs.
CASE NO.: (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 4/18/2025.

FIRE

In reference to Case Number SSCP-25-1208; RZ-25-1209; PUD-25-1210

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-25-1208; RZ-25-1209; PUD-25-1210 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, 4/21/2025

ELECTRIC

Leesburg Electric has no objections. – Steve Davis, 4/7/2025

GAS

No comments received as of 4/18/2025.

GIS/ADDRESSING:

GIS has no comments. – Aidan Holmes, 4/4/2025

BUILDING

No comments received as of 4/18/2025.

PUBLIC WORKS

Public Works has no issues with this request. – Cliff Kelsey, 4/4/2025

HOUSING & REDEVELOPMENT

No comments received as of 4/18/2025.

LAKE COUNTY PUBLIC WORKS

I have no comment at this time and will defer review to future site plan. Richey Road is a county maintained paved road and any work along it will require permitting from Lake County Public Works Department. – Seth Lynch, 4/4/2025

LAKE COUNTY SCHOOLS

No comments on this non-residential project. – Heather Croney, 4/4/2025

PUBLIC RESPONSES

Approval

Approval with Requested Conditions

1

Disapproval

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (APPROVAL WITH REQUESTED CONDITIONS)

“Hello, my name is John Goodwin and I own the Urban Residential property which immediately abuts the property seeking the amendment.

I spoke with Chris Kelly when he purchased the property of my concern of seeing equipment or work vehicles

from my home located at 305 Richey Road that faces said property. When he purchased the property he installed a 6 ft vinyl fence and promised that there would be no lighting facing my property. All has been well since that point with no issues and he's been a good neighbor.

I am concerned in this current future land use amendment that Chris is wanting to store larger vehicle's such as RV's and boats and other equipment which in my opinion would be easily seen over a 6 foot fence. To not have my objection to this request I would like that there be a requirement to construct an 10ft vinyl fence in place of the current 6ft vinyl fence along the south property line (our shared property line). Also with some stipulation that any outside lighting must face away from my property and towards his as to not be obtrusive to my view.

Please confirm that you received my email and if you have further question feel free to contact me.

Sincerely," -- John Goodwin, 4/11/2025

PUBLIC COMMENTS (DISAPPROVAL)



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

DATE: April 24, 2025
OWNER: Kelley Holdings LLC
PETITIONER: Chris Kelley
PROJECT: Richey Road Storage
REQUEST: Rezoning from Lake County R-6 (Urban Residential) to City C-3 (Highway Commercial).
CASE NO.: RZ-25-1209

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); City of Leesburg C-3 (Highway Commercial), and CIP (Commercial Industrial Planned).
2. The proposed zoning is compatible with the proposed future land use designation amendment to City General Commercial, and the current surrounding Future Land Use designations, including Lake County Urban Medium Density; and City of Leesburg General Commercial.
3. The site is an extension of the existing business on the parcel directly north of the subject property.
4. The proposed request does not appear to create a detriment to surrounding properties, as conditioned in the PDO document, and based on the proximity to compatible development.

Action Requested:

1. Vote to approve the proposed rezoning from Lake County R-6 (Urban Residential District) to City C-3 (Highway Commercial), and forward this recommendation to the City Commission for consideration.

Extended Locator

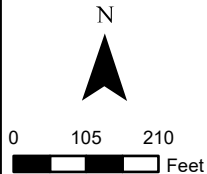


Legend

-  Parcels
-  Subject Property

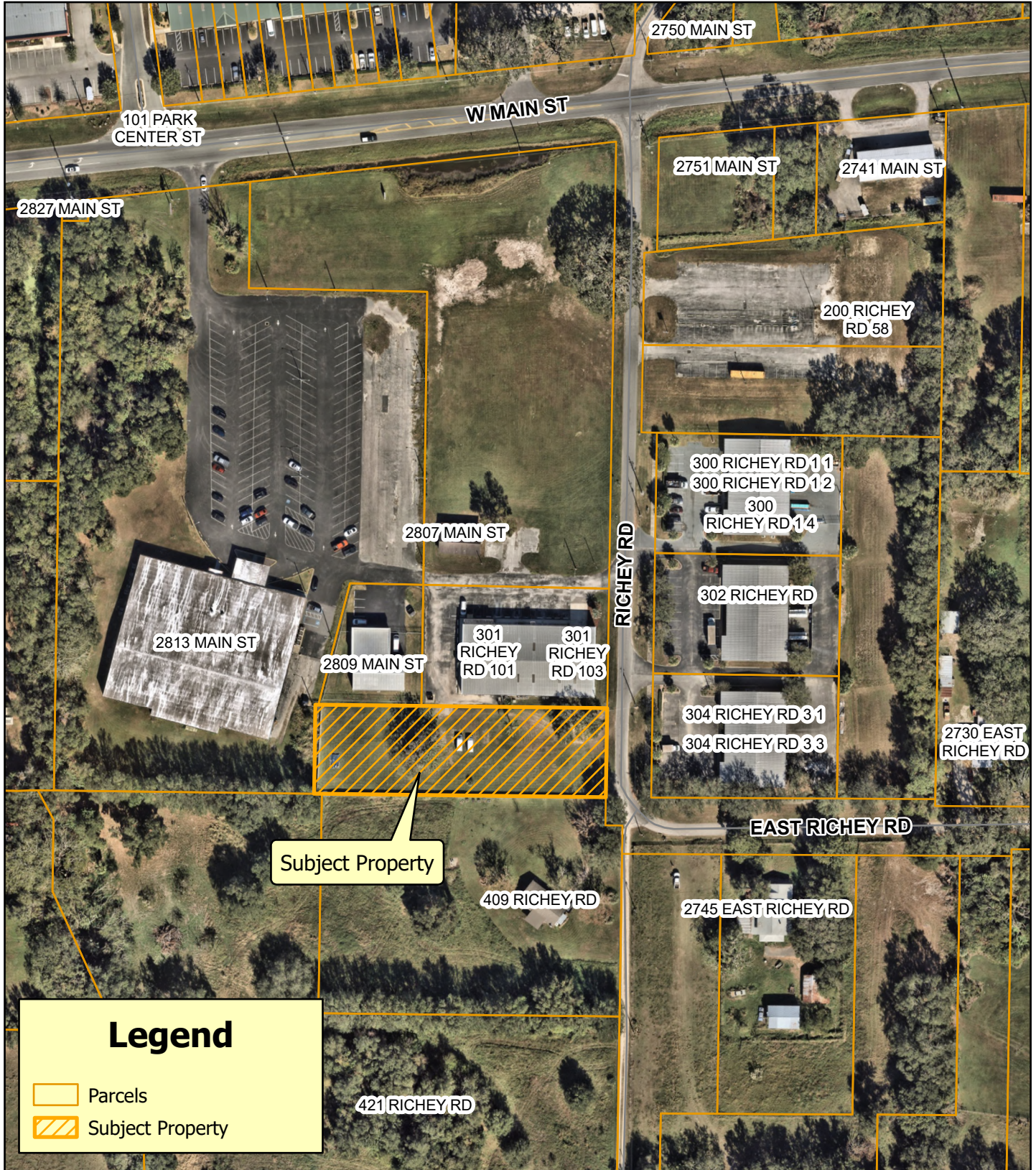


**Planning
& Zoning
Division**

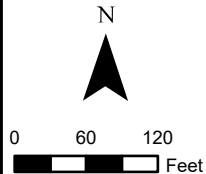


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Aerial

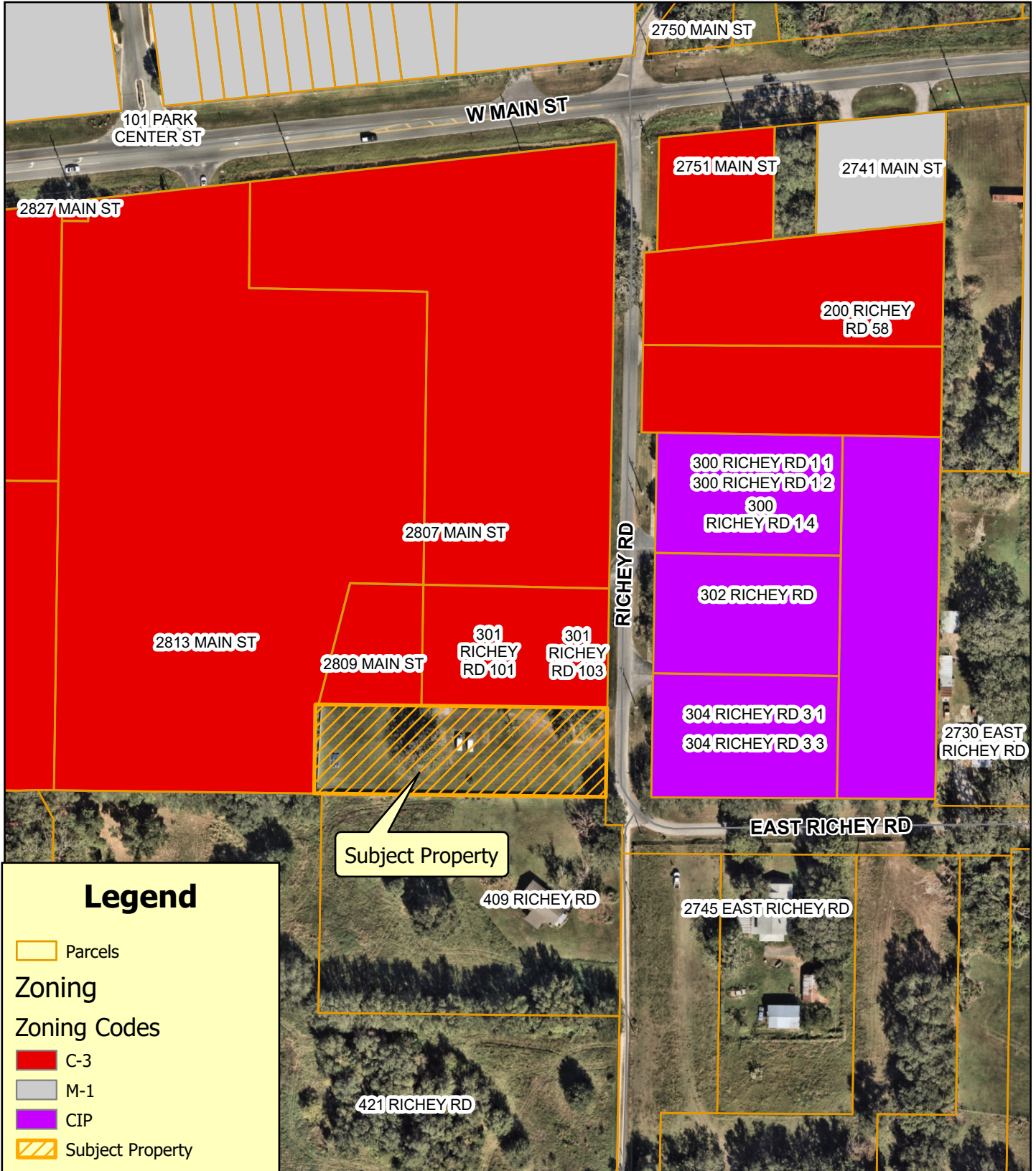


**Planning
& Zoning
Division**

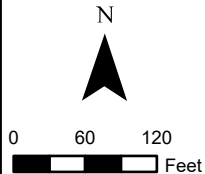


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Zoning

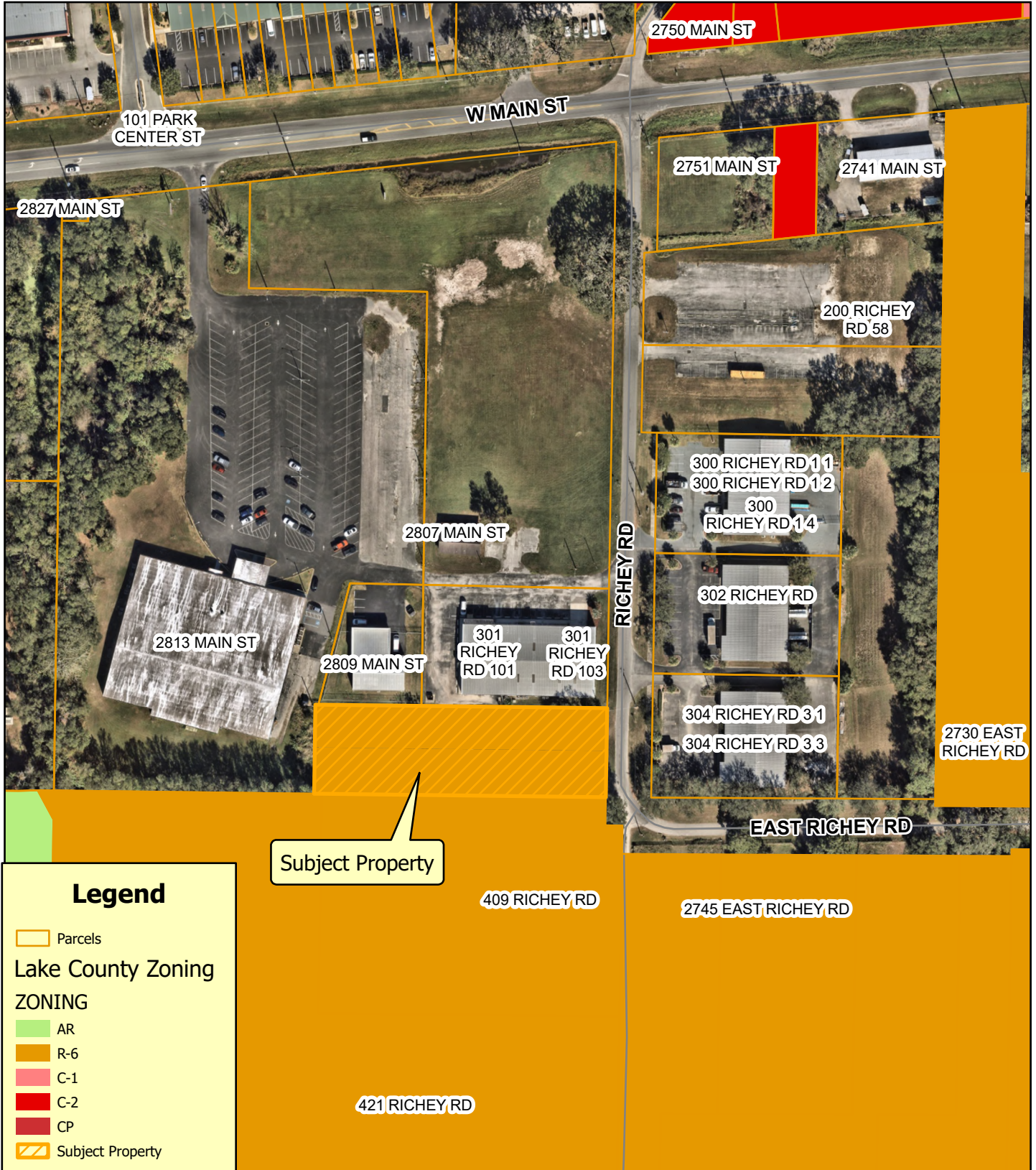


**Planning
& Zoning
Division**

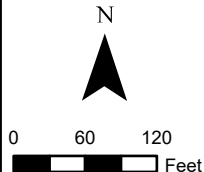


Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Lake County Zoning

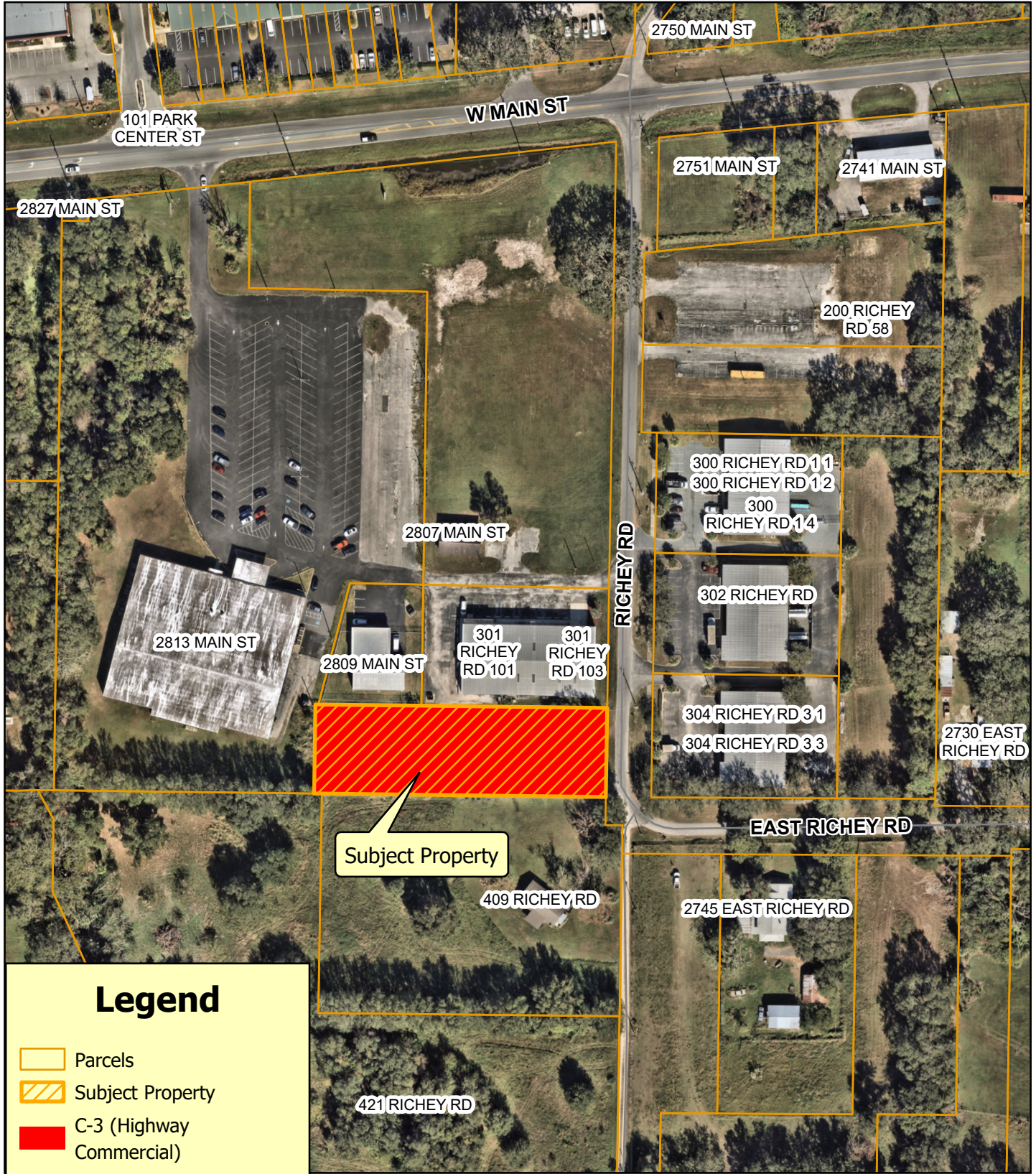


**Planning
& Zoning
Division**

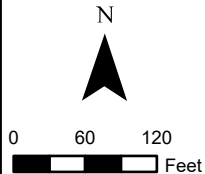


Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Proposed Zoning



**Planning
& Zoning
Division**

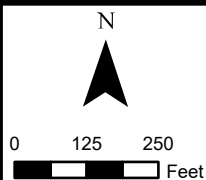


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Surrounding Land Uses

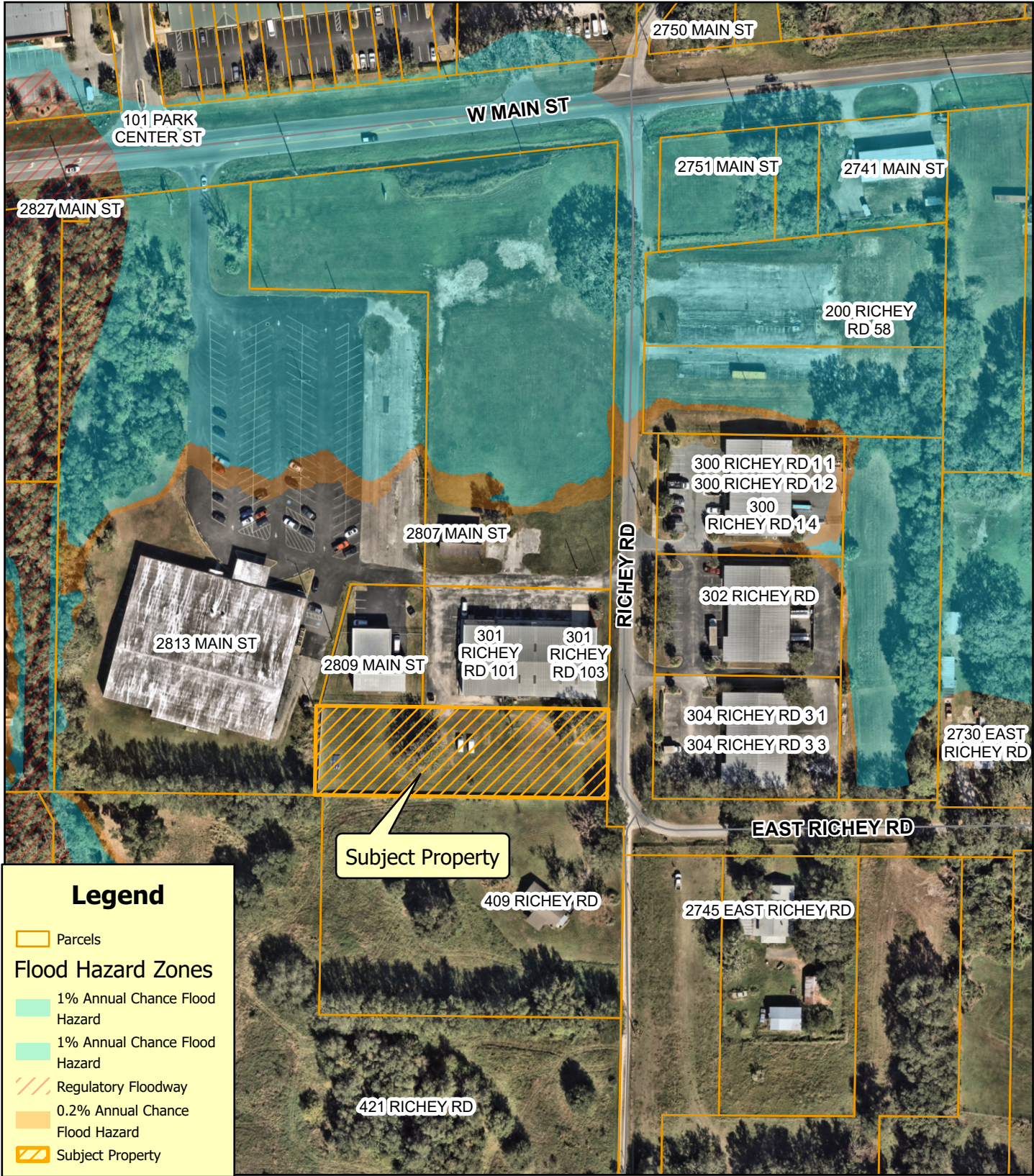


**Planning
& Zoning
Division**

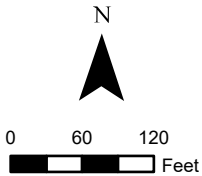


Richey Road Storage
 ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Flood Zone



**Planning
& Zoning
Division**

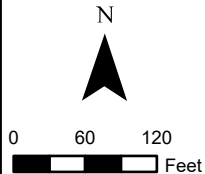


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Wetlands



**Planning
& Zoning
Division**



Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025



Close up of Sign on Property from Richey Road.



Looking north along Richey Road.



Looking east across Richey Road.



Looking south along Richey Road.



Looking west from Richey Road into the Subject Property.



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

Commissioner O’Kelley made a motion to APPROVE of case # CUP-25-505 – GULFSTREAM CORLEY ISLAND TOWER – CONDITIONAL USE PERMIT
Commissioner Bowersox SECONDED the motion.

The roll call vote was:

Commissioner Bowersox	Yes
Commissioner Sanders	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes
Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Marshall	Yes

Seven yeas, no nays, the Planning Commission approved case # CUP-25-505 – GULFSTREAM CORLEY ISLAND TOWER – CONDITIONAL USE PERMIT.

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

3) PUBLIC HEARING CASE # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY OF LEESBURG GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Richey Road Storage SSCP)

Chairman Sennett stated for the record to discuss all the cases together and vote separately.

Dan Miller introduced case number #SSCP-25-1208 – Richey Road Storage – Small Scale Comprehensive Plan Amendment, case number #RZ-25-1209 Rezoning, and case number #PUD-25-1210 into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, and went over the PDO requirements.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City Departments. Lake County School Board stated commercial project so it is not subject to school board review. Lake County Public Works has no comments. Public responses – we received one approval with the comment (neighbor) as long as there is a requirement for a large fence along the southern border of the property from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

Dan Miller read the Staff Recommendations into the record for the cases; Staff supports the cases; recommended approval.

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

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

Chairman Sennett called for a vote on the third case.

Commissioner Bowersox made a motion to APPROVE case # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Carter SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

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

4) PUBLIC HEARING CASE # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR**

MONDAY, JUNE 23RD, 2025) (Richey Road Storage RZ)

Chairman Sennett called for a vote on the fourth case.

Commissioner Bowersox made a motion to APPROVE case # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING Commissioner Kaplan SECONDED the motion.

The roll call vote was:

Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Marshall	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes

Seven yeas, no nays, the Planning Commission approved case # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING.

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

5) PUBLIC HEARING CASE # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY

A REQUEST FOR A PLANNED DEVELOPMENT OVERLAY FOR OUTDOOR STORAGE IN THE C-3 (HIGHWAY COMMERCIAL) ZONING DISTRICT ON 0.81 +/- ACRES FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Richey Road Storage PDO)

Chairman Sennett called for a vote on the fifth case.

Commissioner Bowersox made a motion to APPROVE case # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

Commissioner Carter	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Marshall	Yes
Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes

Seven yeas, no nays, the Planning Commission approved case # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY.

ANNOUNCEMENTS

Dan Miller stated to the Commission that Bikefest starts today, and our office and City Hall will not be open; Vice-Chairman Sanders invited the Commission to stop by and visit him downtown for the festivities.

ADJOURNMENT

Meeting was adjourned at 7:12 p.m.

Timothy H. Sennett, Chairman

Sabrina Mitchell, Executive Assistant I

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.B.10.

Meeting Date: May 12, 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 C-3 (Highway Commercial) Zoning on approximately 0.81 +/- acres to allow for outdoor storage uses for a property generally located west of Richey Road and South of W Main Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Richey Road PDO)

Staff Recommendation:

Planning and Zoning Staff and Planning Commission recommend approval of the request to add a PDO (Planned Development Overlay) to the C-3 (Highway Commercial) Zoning to allow for outdoor storage uses.

Analysis:

The project site is approximately 0.81 +/- acres, and is generally located west of Richey Road and south of W Main Street as shown on the attached maps. At this time, the property is undeveloped. The proposal will continue allow uses under the C-3 (Highway Commercial) Zoning as well as permit outdoor storage uses, including the storage of boats, vehicles, and RVs. The existing land uses surrounding the property are commercial, warehouse, residential, pasture improved hay acreage, and office. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on April 24, 2025, and recommended approval.

Procurement Analysis:

N/A

Options:

1. Approve the proposed PDO (Planned Development Overlay), as conditioned; 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 C-3 (HIGHWAY COMMERCIAL) ZONING ON APPROXIMATELY 0.81 +/- ACRES TO ALLOW FOR OUTDOOR STORAGE USES FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, LYING IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (RICHEY ROAD PDO)

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

Section 1.

Based upon the petition of Chris Kelley, Manager, Kelley Holdings LLC (Petitioner) of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, hereby adding a PDO (Planned Development Overlay) to the C-3 (Highway Commercial) Zoning, to-wit:

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

Section 2.

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

PASSED AND ADOPTED 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

EXHIBIT "A"

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/2 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN NORTH 00°25'10" EAST ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 341.00 FEET; THENCE RUN NORTH 00°25'10" EAST, FOR A DISTANCE OF 104.03 FEET; THENCE RUN SOUTH 89°48'05" EAST, FOR A DISTANCE OF 341.00 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN SOUTH 00°25'10" WEST, ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 104.03 FEET, TO THE POINT OF BEGINNING.

Richey Road Storage
PLANNED DEVELOPMENT OVERLAY ZONING
In a C-3 (Highway Commercial) Zoning District
April 24, 2025

These Planned Development Conditions for a PDO (Planned Development Overlay) District are granted by the City of Leesburg, Florida to **Chris Kelley, Kelley Holdings LLC**, whose address is **4525 Myrtle Street, Edgewater, FL 32141, "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 0.81-acre site within the City of Leesburg in accordance with their Planned Development Overlay application and supplemental information. The property is currently zoned C-3 (Highway Commercial), with a Future Land Use designation of City General Commercial. The site is currently undeveloped. The purpose is to utilize the property for outdoor storage uses.

REQUEST

1. Add a Planned Development Overlay (PDO) to the C-3 (Highway Commercial) zoning to allow outdoor storage uses.
2. A waiver from Section 25-282(a)(1), PDO 5-acre minimum requirement.

1. PERMISSION

Permission is hereby granted to the **Chris Kelley, Kelley Holdings LLC**, whose address is **4525 Myrtle Street, Edgewater, FL 32141, "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 west of Richey Road and south of W Main Street, and is more particularly described as shown in the attached legal description below.

2. LEGAL DESCRIPTION

See attached legal Exhibit "B"

3. LAND USES

The above-described property shall be used for the C-3 (Highway Commercial) 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 C-3 (Highway Commercial) Zoning District
 - b. Outdoor storage of vehicles and equipment
 - c. Accessory structures, such as shade structures, subject to requirements under City of Leesburg Code of Ordinances, Section 25-292 (2) *Accessory and temporary structures: minimum yard regulations*.
 - d. 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 C-3 (Highway Commercial) zoning district.
 - b. On-site retail and sales, including of vehicles
 - c. 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 C-3 (Highway Commercial) zoning district except as amended by these conditions, which may limit the permitted uses based on site plan and parking requirements.
- B. The property shall be fenced with a minimum 6-foot fence, which shall be opaque adjacent to Richey Road and any residential uses directly abutting the subject property.
 - a. Barbed wire is permitted provided the height of the fence, including the maximum three (3) strands of barbed wire at the top, do not exceed eight (8) feet in height.
- C. 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.

D. 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

Parcel ID Altkeys: 3933636

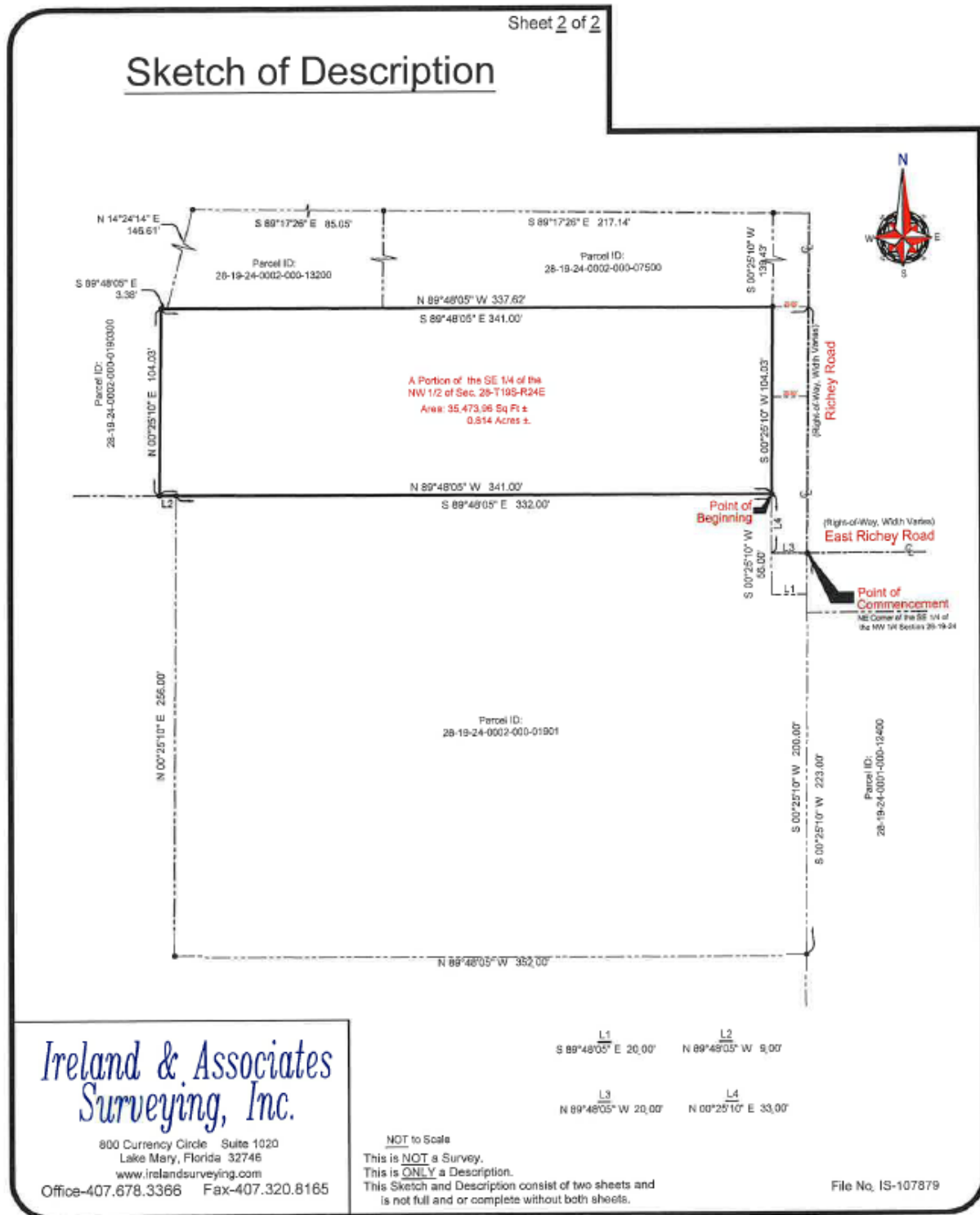
LEGAL DESCRIPTION:

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/2 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN NORTH 00°25'10" EAST ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 89°48'05" WEST, FOR A DISTANCE OF 341.00 FEET; THENCE RUN NORTH 00°25'10" EAST, FOR A DISTANCE OF 104.03 FEET; THENCE RUN SOUTH 89°48'05" EAST, FOR A DISTANCE OF 341.00 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF RICHEY ROAD; THENCE RUN SOUTH 00°25'10" WEST, ALONG SAID RIGHT OF WAY LINE, FOR A DISTANCE OF 104.03 FEET, TO THE POINT OF BEGINNING.

SURVEY





CITY OF LEESBURG PLANNING & ZONING DEPARTMENT RECOMMENDATIONS

DATE: April 24, 2025
OWNER: Kelley Holdings LLC
PETITIONER: Chris Kelley
PROJECT: Richey Road Storage
CASE NO.: PUD-25-1210

REQUEST

1. Add a Planned Development Overlay (PDO) to the C-3 (Highway Commercial) zoning to allow outdoor storage of vehicles, including boats and RVs.
2. A waiver from Section 25-282(a)(1), PDO 5-acre minimum requirement.

BACKGROUND

Based on the surrounding existing City zoning, rezoning the subject property to C-3 (Highway Commercial), with a Planned Development Overlay for outdoor storage use, is the most appropriate action for the requested uses. Any other straight zoning designation would constitute a spot zoning, and therefore be in conflict with the City's Comprehensive Plan. Rezoning to M-1 (Industrial) zoning to permit the outdoor storage uses, would also permit more intense uses, which would be potentially incompatible with the existing surrounding land uses.

The requested underlying C-3 (Highway Commercial) zoning district uses shall remain to allow both the above outdoor storage uses, and uses permitted by right under the C-3 Zoning.

Thus, 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.

THE PLANNING & ZONING DEPARTMENT RECOMMENDS:

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

1. The proposed request on the subject property for the addition of a Planned Development Overlay, is compatible with the proposed zoning district of C-3 (Highway Commercial) and the surrounding zoning districts including Lake County R-6 (Urban Residential); City of Leesburg C-3 (Highway Commercial), and CIP (Commercial Industrial Planned).
2. The proposed Future Land Use designation of City General Commercial is compatible with the proposed request for the addition of a Planned Development Overlay, and is with the current surrounding Future Land Use designations, including Lake County Lake County Urban Medium Density; and City of Leesburg General Commercial.
3. The addition of the proposed Planned Development Overlay will allow for outdoor storage uses compatible with the surrounding land uses of the surrounding properties, as conditioned,

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, as conditioned, 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 1.8, by considering adjacent land uses.

Action Requested:

1. Vote to **approve** the addition of a Planned Development Overlay on a C-3 (Highway Commercial) zoning, and forward this recommendation to the City Commission for consideration.

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

DATE: April 24, 2025

OWNER: Kelley Holdings LLC

PETITIONER: Chris Kelley

PROJECT: Richey Road Storage

REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial), with a Planned Development Overlay to allow outdoor storage of vehicles, including boats and RVs.

CASE NO.: (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210

GENERAL LOCATION: West of Richey Road and South of W Main Street.

FUTURE LAND USE DESIGNATION: Lake County Urban Medium

SURROUNDING FUTURE LAND USE DESIGNATION:

North – City of Leesburg General Commercial
South – Lake County Urban Medium Density
East – City of Leesburg General Commercial
West – City of Leesburg General Commercial

PROPOSED FUTURE LAND USE DESIGNATION: City General Commercial

EXISTING ZONING DESIGNATION: Lake County R-6 (Urban Residential)

SURROUNDING ZONING DESIGNATIONS:

North – City of Leesburg C-3 (Highway Commercial)
South – Lake County R-6 (Urban Residential)
East – City of Leesburg CIP (Commercial Industrial Planned)
West – City of Leesburg C-3 (Highway Commercial)

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

PROPOSED ACTION: Planned Development Overlay to allow outdoor storage uses.

EXISTING LAND USE: Undeveloped, no structures.

SURROUNDING LAND USE:

North – Commercial; Warehouse
South – Residential; Pasture improved Hay Acreage
East – Office
West – Commercial

PROPOSED LAND USE: Outdoor storage of vehicles, including boats and RVs.

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

DATE: April 24, 2025
OWNER: Kelley Holdings LLC
PETITIONER: Chris Kelley
PROJECT: Richey Road Storage
REQUEST: Small-scale Comprehensive Plan amendment to General Commercial and Rezoning to City C-3 (Highway Commercial), with a Planned Development Overlay to allow outdoor storage of vehicles, including boats and RVs.
CASE NO.: (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 4/18/2025.

FIRE

In reference to Case Number SSCP-25-1208; RZ-25-1209; PUD-25-1210

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-25-1208; RZ-25-1209; PUD-25-1210 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, 4/21/2025

ELECTRIC

Leesburg Electric has no objections. – Steve Davis, 4/7/2025

GAS

No comments received as of 4/18/2025.

GIS/ADDRESSING:

GIS has no comments. – Aidan Holmes, 4/4/2025

BUILDING

No comments received as of 4/18/2025.

PUBLIC WORKS

Public Works has no issues with this request. – Cliff Kelsey, 4/4/2025

HOUSING & REDEVELOPMENT

No comments received as of 4/18/2025.

LAKE COUNTY PUBLIC WORKS

I have no comment at this time and will defer review to future site plan. Richey Road is a county maintained paved road and any work along it will require permitting from Lake County Public Works Department. – Seth Lynch, 4/4/2025

LAKE COUNTY SCHOOLS

No comments on this non-residential project. – Heather Croney, 4/4/2025

PUBLIC RESPONSES

Approval

Approval with Requested Conditions

1

Disapproval

No comment

Notice of Appearance filed:

PUBLIC COMMENTS (APPROVAL)

PUBLIC COMMENTS (APPROVAL WITH REQUESTED CONDITIONS)

“Hello, my name is John Goodwin and I own the Urban Residential property which immediately abuts the property seeking the amendment.

I spoke with Chris Kelly when he purchased the property of my concern of seeing equipment or work vehicles

from my home located at 305 Richey Road that faces said property. When he purchased the property he installed a 6 ft vinyl fence and promised that there would be no lighting facing my property. All has been well since that point with no issues and he's been a good neighbor.

I am concerned in this current future land use amendment that Chris is wanting to store larger vehicle's such as RV's and boats and other equipment which in my opinion would be easily seen over a 6 foot fence. To not have my objection to this request I would like that there be a requirement to construct an 10ft vinyl fence in place of the current 6ft vinyl fence along the south property line (our shared property line). Also with some stipulation that any outside lighting must face away from my property and towards his as to not be obtrusive to my view.

Please confirm that you received my email and if you have further question feel free to contact me.

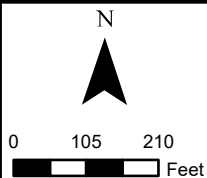
Sincerely,” -- John Goodwin, 4/11/2025

PUBLIC COMMENTS (DISAPPROVAL)

Extended Locator

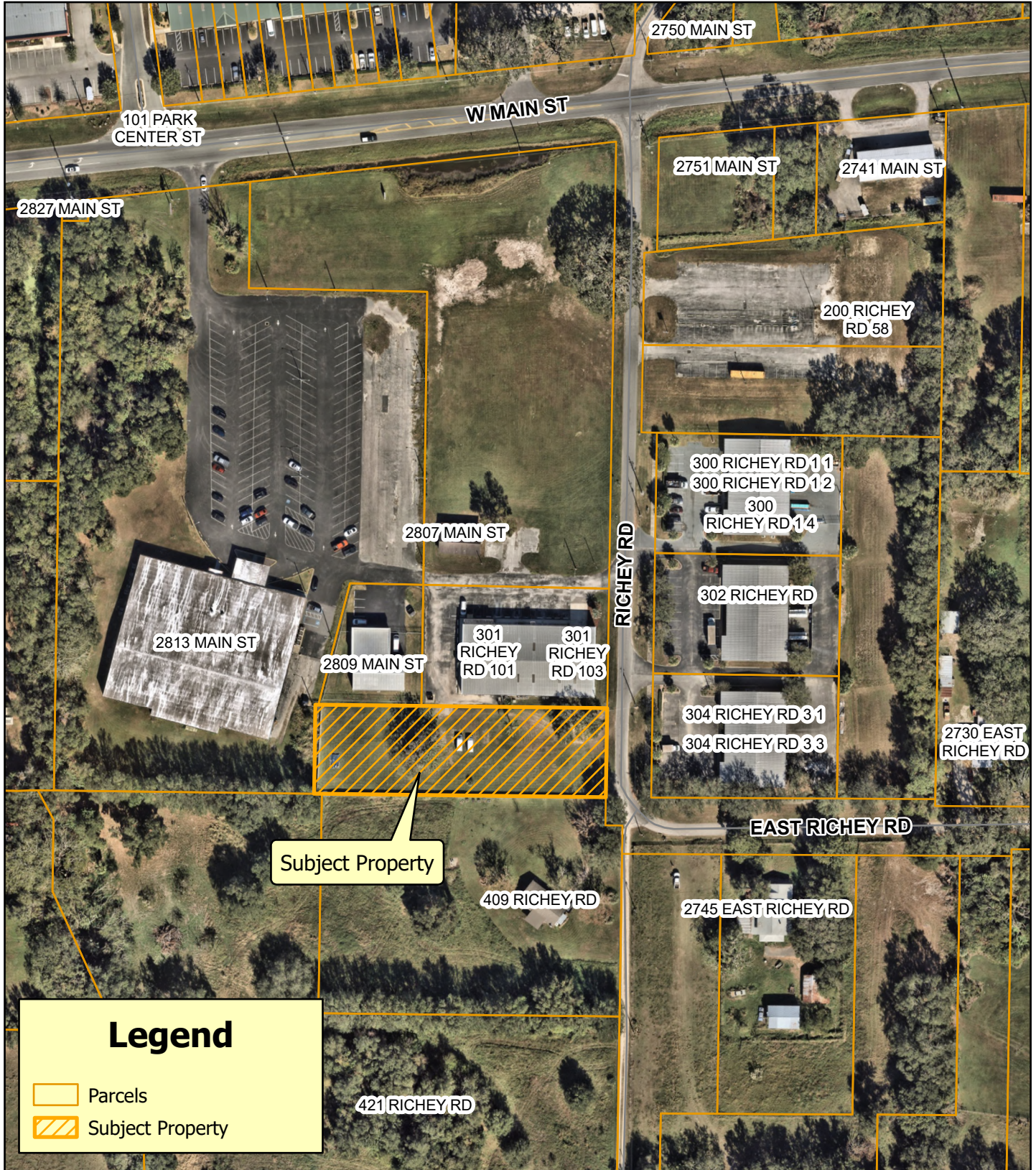


**Planning
& Zoning
Division**

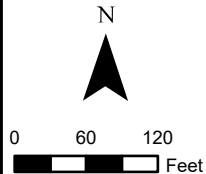


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
AK # 3933636
Section 28, Township 19 South, Range 24 East
April 3, 2025

Aerial



**Planning
& Zoning
Division**

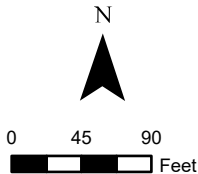


Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025

Proposed Action



**Planning
& Zoning
Division**

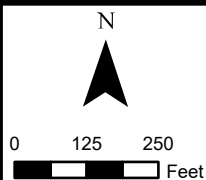


Richey Road Storage
ANNX-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210 AK # 3933636
Section 28, Township 19 South, Range 24 East
April 21, 2025

Surrounding Land Uses



**Planning
& Zoning
Division**



Richey Road Storage
 ANN-25-1207; SSCP-25-1208; RZ-25-1209; PUD-25-1210
 AK # 3933636
 Section 28, Township 19 South, Range 24 East
 April 3, 2025



Close up of Sign on Property from Richey Road.



Looking north along Richey Road.



Looking east across Richey Road.



Looking south along Richey Road.

*Richey Road Storage – (Annexation), Small Scale Comprehensive Plan Amendment, Rezoning, Planned Development Overlay
– (ANNX-25-1207); SSCP-25-1208; RZ-25-1209; PUD-25-1210*

Taken on 4/11/2025



Looking west from Richey Road into the Subject Property.



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, APRIL 24TH, 2025 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 24th, 2025, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Ze’Shieca Carter
Stewart Kaplan
Ken Simeone

The following Commission member was absent:

Darin Akkerman

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

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

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

Commissioner O'Kelley made a motion to APPROVE of case # CUP-25-505 – GULFSTREAM CORLEY ISLAND TOWER – CONDITIONAL USE PERMIT
Commissioner Bowersox SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # CUP-25-505 – GULFSTREAM CORLEY ISLAND TOWER – CONDITIONAL USE PERMIT.

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

3) PUBLIC HEARING CASE # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY OF LEESBURG GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Richey Road Storage SSCP)

Chairman Sennett stated for the record to discuss all the cases together and vote separately.

Dan Miller introduced case number #SSCP-25-1208 – Richey Road Storage – Small Scale Comprehensive Plan Amendment, case number #RZ-25-1209 Rezoning, and case number #PUD-25-1210 into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, and went over the PDO requirements.

Kandi Harper, Deputy Director utilized a power point presentation to demonstrate the area of the proposed site for the cases.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and Lake County School Board, from the City Departments; no substantive comments from the City Departments. Lake County School Board stated commercial project so it is not subject to school board review. Lake County Public Works has no comments. Public responses – we received one approval with the comment (neighbor) as long as there is a requirement for a large fence along the southern border of the property from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

Dan Miller read the Staff Recommendations into the record for the cases; Staff supports the cases; recommended approval.

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

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

Chairman Sennett called for a vote on the third case.

Commissioner Bowersox made a motion to APPROVE case # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Carter SECONDED the motion.

The roll call vote was:

Commissioner Marshall	Yes
Commissioner Carter	Yes
Chairman Sennett	Yes
Commissioner O’Kelley	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Commissioner Kaplan	Yes

Seven yeas, no nays, the Planning Commission approved case # SSCP-25-1208 – RICHEY ROAD STORAGE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT.

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

4) PUBLIC HEARING CASE # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 0.81 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR**

MONDAY, JUNE 23RD, 2025) (Richey Road Storage RZ)

Chairman Sennett called for a vote on the fourth case.

Commissioner Bowersox made a motion to APPROVE case # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING Commissioner Kaplan SECONDED the motion.

The roll call vote was:

Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes
Commissioner Marshall	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes

Seven yeas, no nays, the Planning Commission approved case # RZ-25-1209 – RICHEY ROAD STORAGE – REZONING.

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

5) PUBLIC HEARING CASE # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY

A REQUEST FOR A PLANNED DEVELOPMENT OVERLAY FOR OUTDOOR STORAGE IN THE C-3 (HIGHWAY COMMERCIAL) ZONING DISTRICT ON 0.81 +/- ACRES FOR A PROPERTY GENERALLY LOCATED WEST OF RICHEY ROAD AND SOUTH OF W MAIN STREET, AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, MAY 12TH, 2025 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JUNE 23RD, 2025)** (Richey Road Storage PDO)

Chairman Sennett called for a vote on the fifth case.

Commissioner Bowersox made a motion to APPROVE case # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

Commissioner Carter	Yes
Commissioner Sanders	Yes
Commissioner Bowersox	Yes
Chairman Sennett	Yes
Commissioner Marshall	Yes
Commissioner O’Kelley	Yes
Commissioner Kaplan	Yes

Seven yeas, no nays, the Planning Commission approved case # PUD-25-1210 – RICHEY ROAD STORAGE PDO – PLANNED DEVELOPMENT OVERLAY.

ANNOUNCEMENTS

Dan Miller stated to the Commission that Bikefest starts today, and our office and City Hall will not be open; Vice-Chairman Sanders invited the Commission to stop by and visit him downtown for the festivities.

ADJOURNMENT

Meeting was adjourned at 7:12 p.m.

Timothy H. Sennett, Chairman

Sabrina Mitchell, Executive Assistant I