

**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.