

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 23, 2026 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, February 23, 2026, at Leesburg City Hall. Mayor Berry called the meeting to order at 5:30 p.m. with the following members present:

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

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

INVOCATION

Mayor Berry 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. None

3. PRESENTATIONS:

A. None

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. 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!

Kimberly Shook, 220 South 9th Street, representing the Deaf Service Center of Lake County, said for many years, Bikefest was a significant source of funding for their organization as they ran a beer tent through the city. That revenue supported essential services for deaf and hard of hearing and speech-impaired individuals, including communication access, assisted technology, and interpreting services. Losing that event meant losing a major portion of their funding. As a small nonprofit, they do not have a large reserve or diversified revenue streams to absorb that kind of impact. They have reduced expenses and pursued new funding sources, but that loss has created immediate financial strain. There are over 400 deaf residents in Lake County alone who solely rely on American Sign Language and the services they provide ensure access to healthcare, education, employment, and public services. They are asking the commission to consider ways to help stabilize the situation, whether through identifying an alternative fundraising opportunity, temporary bridge support, or connecting them with partners who can assist. They are seeking collaboration to ensure these essential services continue without interruption. Thank you for your time and consideration.

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.2 - amending FY 2025-26 Budget for carryovers from FY 2024-25

5.C.5 - Utility Easement from THISISLEESBURG, LLC

Commissioner Reisman moved to adopt the Consent Agenda except for 5.C.2 and 5.C.5, and Commissioner Burry seconded the motion.

The roll call vote was:

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

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

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held February 9, 2026

B. PURCHASING ITEMS:

1. **Purchase Request for One (1) New E-One Typhoon Metro 100/Ladder.**
2. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an amendment to an existing contract with PRIME ELECTRIC, LLC; and providing an effective date.**

ADOPTED RESOLUTION 19,192

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc., for Airfield Signage Replacement Design Services, for the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 12,193

2. **Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2025-26 Budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Airport, Police Forfeiture and Fleet Services Funds for the carryovers from Fiscal Year 2024-25; and providing an effective date.**

ADOPTED RESOLUTION 12,194

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

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

Mayor Berry requested comments from the Commission.

Commissioner Connell said he pulled this item because he wanted to re-discuss the market street design and the downtown parking. He asked what that number is up to now for this project? **CM Minner** replied that this project is the downtown parking project as you mentioned, and it has two funding mechanisms that come from two separate fiscal years. In fiscal year 25, we budgeted 1.5 million, and in this fiscal year, we budgeted 1.5, so, we had both. There was about three million total and we have 2.6 left. We spent about half a million on engineering. The reason this specific funding item is on the agenda is because it is fiscal year 25 funding. So, all these items, and I am giving you a little more than you asked for commissioner, but all these items are rollovers. This is an SOP, standard operating procedure. If we do not finish a specific project from the previous fiscal year, you have to formally approve its funding through this process to be carried over. What this process does this evening is it ratifies your funding from last year, which couples your funding from this year. If you do not approve this item from last year, then ostensibly, you are cutting the funding for that project by half. So, I know we spoke on

the phone commissioner, and I said obstensively, it would kill the project. Maybe let me back off that because I do not know if it obstensively kills it, but it changes the funding obviously by that 25 amount. I do not know where the numbers will come in on the bids. I do not know specifically what each item of that project is going to cost, like how much the demolition of the old partnership building is going to cost? How much is asphalt paving going to cost? How much are trees going to cost? Those are all going to be line items in the bid that is out, but it is a significant portion of the funding. **Commissioner Connell** asked, so, basically a \$2 million project. **CM Minner** replied two and a half. **Commissioner Connell** said a \$2.5 million project for parking downtown. That is a lot of money for downtown parking that he just does not see as needed. Maybe once or twice a year. For \$2.5 million, he thinks the city, the commission anyway, should keep in mind that something is going to happen with the property taxes coming up. We are going to lose a significant amount of resources coming in. He really thinks we need to take a step back and look at how we are spending money, because our revenue source is going to dry up as everybody's is going to. He truly believes a portion of property taxes are going to be eliminated, and to spend that kind of money for downtown parking for maybe one or two events a year, at best one or two events, maybe just one, is just a tremendous amount of money for some additional parking downtown. He would like the commission to really reconsider spending this money right now on the downtown parking until we get a better handle on what is going on with this referendum coming up on property taxes. **Commissioner Burry** views the parking as not just for events. He is hoping that the parking we are creating will help the existing businesses there to generate more revenue. There are always two sides; some people think we do not need it, and some people believe we do. He believes putting the parking down there will help our downtown vibe or whatever you want to call it, to make it more prosperous. We spent a lot of money down there trying to improve downtown, and he does not think we need to kill the momentum on that. **Commissioner Reisman** echoed that and agrees with Commissioner Burry. He thinks it is not just for events. He was downtown over the weekend, and we had an event, and you could barely find a parking spot. There were so many people downtown. He thinks it is more than just one or two events a year, especially as special events continue to grow our events, but it is also for our downtown businesses; this will be really critical for the downtown to survive. **Commissioner Pederson** added he has been very vocal on this subject. He has been engaged downtown for 25 years, and has worked downtown for 10 years. This has been probably the biggest subject talked about by the downtown business owners and so forth. When we did the downtown study about five years ago, where we hired a consultant who sought the community's input on ideas of how to improve our downtown, improving parking was ranked number one by the community. He is proud to support it. **Commissioner Connell** said, so, it is the intent to spend \$2 and half million dollars to invest in some downtown parking. **Commissioner Pederson** added that he hopes one day they will need to go up and create more parking with multi-levels and this is the perfect location for it. **Mayor Berry** said she also, like Commissioner Connell, is concerned about the decision regarding property taxes. She thinks it is going to affect the city overall, not just for the parking and the expense that we pay. However, we do need parking spaces for the downtown area. It is something, like Commissioner Peterson said that has been on his agenda, and the need has been requested. Saturday night was a major event. She is not sure what to expect in the future, but knows this is needed. We should be able to discuss further once a decision is made in the legislation regarding property taxes. **Commissioner Pederson** said to keep it in perspective, this money is already budgeted for, already set aside. He does not know what is going to happen with property taxes. That is a whole other subject, but that is future. Some of the ideas are to phase it in over five years and there are a lot of crazy things being talked about. He thinks this is one of the craziest things he has ever heard come out of Tallahassee personally, but his point is this is funded. **Commissioner Connell** agreed it is funded, but it is money that does not have to be spent. He thinks with things coming up, we do not empty the piggy bank. He is actually in favor of reducing property taxes, so he is in favor of whatever Tallahassee comes up with.

Mayor Berry asked if there were any further comments. There were none.

The roll call vote was:

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

Four years, one nay, the Commission adopted the resolution.

- 3. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2025-26 Budget for the General, Greater Leesburg CRA, Carver Heights CRA, Capital Projects, Gas and Fleet Services Funds for the First Quarter; and providing an effective date.**

ADOPTED RESOLUTION 12,195

- 4. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute Public Transportation Grant Agreement 444873-3-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for the Fuel Tanks construction of the Fuel Farm Project at the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 12,196

- 5. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement affecting the property described therein from THISISLEESBURG, LLC, joined by Bank Ozk; and providing an effective date.**

ADOPTED RESOLUTION 12,197

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

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

Mayor Berry requested comments from the Commission and the audience.

Commissioner Burry stated the reason he introduced this, it is just an easement, but this piece of property, he wanted it on record to let Al explain the project a little bit of what is going on because, for five years, we have had this on the agenda, and it is a big thing the public comments about the negative impact on Leesburg and that is the old Holiday Inn. **CM Minner** said not his word choices, but maybe this is a sign that there is some progress. This obviously is in reference to the old hotel on 27 across from Ramshackles, which obviously has been a blight and an eyesore on the community for a long time and

different developers or prospects have come through kicking the tires on that. A few years ago, there was a company that came through, as a developer, who had the concept of converting the motel rooms into efficiency apartments. The way that property is zoned, C3, is pretty much a catch-all for most commercial activities that the city would host, from convenience stores to hotels to multifamily dwellings, which are permitted in that district. So, because of the way it is zoned, you will not see this come across your desk as a redevelopment project because it is zoned properly. So, whose desk it does come across, is the building officials' desk, Ann Kinsey, and she has worked with a group of developers to get permitting started on this project. They have been in and out of her office trying to get permits, and there are a number of permits that they need to receive from the building department and a lot of components that go along with electrical and so forth. On Ann's desk, it is still kind of the status quo; they are still outstanding on a couple of permits. Outstanding on permit issuance is not necessarily a good or bad thing. Ultimately, if they do not meet certain timeframes, then they do not get their permits and they kind of have to start at scratch to re-get their permits unless they get inspections to keep their permits live. They have started a permit process and have not completed it. On the other side of the equation, the developers are actually working with the electric department to get an easement. There are three buildings out there. There is the kind of main building that faces Ramshackles with the A-frame, there is an L-shaped building that faces the Wawa, and then there is a rectangular building on the north side. So, this easement specifically brings up an electric easement, so electric can be brought as an underground service from a pedestal that we have between us and the property line of the Lutheran church and the hotel to serve the backside of the hotel property. It is a good sign that they are getting the proper easements. They need to get electrical service out there, but they still have some permitting issues to go through. It is an easement that we should grant, and hopefully they take this thing to the hoop and start the redevelopment efforts over there by getting the proper permits from Ann's office. **Mayor Berry** asked how many years the hotel had been in that state. **CM Minner** replied at least for the 13 years he has been here, it has been like that, and probably longer. **Mayor Berry** said so it will definitely be another hotel. **CM Minner** replied No, what they are looking to do is convert the hotel rooms into kind of efficiency micro apartments for residential living rentals.

The roll call vote was:

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

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

- 6. Resolution of the City Commission of the City of Leesburg, Florida, approving the First Amendment to the Proportionate Share Mitigation Agreement entered into by and between the School Board of Lake County, Florida, TLC Whitemarsh, LLC, and the City of Leesburg, Florida to allow for payment of Lake County School Impact Fees; and providing an effective date. (Preservation Place)**

ADOPTED RESOLUTION 12,198

- 7. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Lease Agreement and Memorandum of Lease, with Southeastern Surveying and Mapping**

Corporation, for property located at 8404 U.S. Highway 441, Leesburg, Florida 34748; and providing an effective date.

ADOPTED RESOLUTION 12,199

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

During Public Hearings and Non-Routine Items, the Commission requests that those in attendance respect the process and maintain order. As such, in accordance with Robert's Rules of Order, please refrain from speaking out, cheering, or applauding during these proceedings. Your cooperation helps ensure a fair and respectful hearing.

Mayor Berry asked the city attorney to perform the swearing-in. CA Watson asked for anyone wishing to speak on Agenda Items 6.A.1, 6.B.3, or 6.B.6 to stand and raise their right hand. He swore them all in. CA Watson also reminded the Commission that since item 6.B.2 was a Large-Scale Comp Plan, it would need a motion to transmit to the State.

A. SECOND READING OF ORDINANCES:

- 1. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 2.98 +/- acres from City of Leesburg SPUD (Small Planned Unit Development) to SPUD (Small Planned Unit Development) to allow for light industrial uses for a property generally located north of Casteen Road and west of South Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Petalanda SPUD)**

ADOPTED ORDINANCE 26-04

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

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

Mayor Berry asked staff to give their presentation.

Planning and Zoning Director (PZD) Dan Miller said this rezoning project consists of 2.98 plus / minus undeveloped acres. It is generally located on the north side of Casteen Road and west of South Street.

The request is to change the zoning from small plan unit development to small plan unit development; just revising the conditions. There were no significant or substantive comments from the city departments. Lake County Public Works noted their standard comments, which would be for a commercial driveway permit and added right of way. The request is for future development of warehousing and storage as the proposed use. There were no public responses received. Under the terms of the SPUD agreement, the proposal is again 2.98 acres. It would be office, warehouse, distribution, logistics, light manufacturing, contractors and trade offices, things of that nature. It does allow for one single-family dwelling unit which exists on the property now. The proposal does have some design standards, including screening of mechanical equipment, 35% open space, dark sky-lighting, the standard things we use in all of our PUDs, a maximum building height of two floors, a code-compliant

landscaping plan, and the utilities will be on city water and wastewater. There is the standard phasing clause which allows four years, or it reverts to City RE1, which is one acre per unit. In closing, he said that Madelyn Damon, attorney with the Jones Law Firm in Clermont, is here to represent if the commission has any questions.

Mayor Berry asked if the petitioners had any further information; there was none. Mayor Berry then asked for any further commission or public comments. There were none.

The roll call vote was:

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

Five 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 202.6 +/- acres; and being generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 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 4; and providing an effective date. (Lake Bright-Brighurst ANNX)**

Mayor Berry asked for someone to introduce items 6.B.1, 6.B.2, and 6.B.3.

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

Mayor Berry said as a reminder, these are first readings, and they will come back on March 23rd. She then asked Dan to please provide staff information.

PZD Miller said by way of background, this project does consist of an annexation, a large-scale comp plan, and a rezoning. The site is 202.6 plus or minus acres, generally located east of County Road 33, south of Lake Bright Street, and west of County Road 33 and south of Desert Lane. The request is for approval of a future development consisting of 502 single-family dwelling units. Under the request, the future land use application for this project is requesting a change from Lake County Rural to City Estate Residential. The zoning application for the project is requesting a change from Lake County Agriculture to City of Leesburg Planned Unit Development. The lots would be 50x120, which is 6,000 square feet, and 60x120, which is 7,200. No substantive comments came back from the city departments. The property is outside the city of Leesburg electric service area. Water, wastewater, and natural gas all

indicated ability to service the proposed project. The school board has been contacted by the applicant as required, and they did issue an adequate public facilities' determination letter. It is still subject to concurrency review, so they may still have to come back at some time in the future with a mitigation payment. Lake County Public Works had a number of comments on the project. Overall, they noted that turn lanes will be required on County Road 33 at the development's proposed access points, and there are three of those. The additional right-of-way will be required for County Road 33 and a trail along the development road frontage for County Road 33 will need to be accommodated. Specifically, on County Road 33, they defined that as a functional road classification, rural major collector, and that all access management requirements must be met. That there would be left and right turn lanes required on 33 at the proposed entrances and the development would need to accommodate the West Lake Trail as we noted earlier along the county road 33 frontage. In addition to that, if there are any off-site road improvements, road drainage and future widening of County Road 33 would be required. For Lake Thomas Road, they noted that any roads being vacated must maintain accessibility and provide new right of way for any impacted properties. And as a note here, the developer has worked with Lake County, and they have agreed to a roadway improvement agreement with Lake County to improve the intersection of County Road 470, County Road 48, and County Road 33. There is a copy of that agreement in the packet. It describes the improvements to include the widening of the turn lanes and general improvements to the intersection. Since this is a private contract with the county and the developer, the applicant, they will be able to answer any specific questions you may have in regard to that intersection. This is approximately a \$2 million project. It should also be noted that if the project is eventually approved by the city commission, both the staff's recommendation and the PUD conditions would require the developer to initiate, construct, and complete the intersection work as described in that contract or the property again would revert to, as in other PUDs, the one acre per unit, RE1 zoning requirements. Staff received numerous written responses to this request and as we posted the signs, sent out the letters, and the advertisement. In summary, some of their concerns were wildlife peace and tranquility that the county area offers, leaving the area intact for agriculture. Some comments were: when will enough be enough for your board? Concerns about neighboring cattle and neighboring shooting range. Request for larger buffers and solid walls. Too many houses and small lots in the area. And one person did request that the conditions be changed to one acre per home site. Again, this is just a summary, as there were significant responses received.

Under the terms of the PUD agreement, the proposal is 502 single family units on 202.06 acres. That is 2.4 dwelling units per acre, which is consistent with everything else we have done over the last several years. No other uses are permitted, including duplexes, town homes, apartments, commercial, none of that. You end up with 299 50-foot lots, 203 60-foot lots for the 502. The project would have four phases. It includes design and zoning standards, including architectural requirements: 35% open space, dark sky lighting, the maximum height on any building would be two floors, gutters for side yards for anything less than five feet. Those are standards we have incorporated. Split rail fencing is required along County Road 33 at a height of four feet. Under site access, there are three primary access points, all of which have to be boulevard-style access, meaning the wider lanes with bidirectional turning options and landscaping area of a minimum eight feet wide in between the two lanes. The PUD also requires the developer to provide any and all expansions or upgrades to the access points and roadways as needed and required by FDOT and Lake County. We did talk about 25-foot buffers required all the way around the property which are not adjacent to an existing wetland or preserved area and all buffers are required to be either undisturbed or planted. Under transportation improvements they will be mandated by Lake County and, as stated earlier, as required in the PUD document. So, the developer will have to add any turn lanes, etc. Under recreation, 2.38 acres of park and recreational land is required. This includes two primary recreational areas, one on each side of 33 to include a swimming pool, cabana, and on-site parking. In addition, other uses, such as children's playgrounds, dog parks, barbecue, gazebos, those kinds of things are optional and can be put in there. The prime recreation facilities would have to be up and running by the time 50% of the houses are constructed. All the utilities would be on city water and wastewater, there

will be no wells or septic. And finally, we do have the phasing or expiration clause that would revert if the development did not move forward. Again, with the contract with Lake County and the city recommendations and PUD, the intersection improvements would have to be commenced almost immediately and completed. I believe it said start within 6 months and completed within 18. The planning commission did recommend denial in a split vote of three to three. Noting no improvement in the traffic pattern, and they want the area to stay rural in character. We do have some representatives for the project here, Mr. Ben Snyder and Tony Iorio of Hanover Homes and Mr. Andrew McCown of GAI Consultants in Orlando if you have any questions.

CM Minner stated he just wanted to underscore this and does not say this in a prejudiced way, but thinks it is important to kind of underscore what is different about this proposal than in the past. It is a factual commentary with a tick of his opinion, but again not meant in any prejudicial type of way. What is different about this proposal is really the agreement that the developer got with the county for the transportation impact fees. This is his opinion. One of the difficult things about growth that you hear all the time from the public, is how this affects traffic and those types of things. The difficult thing about that is really more so from a county perspective, in his opinion, than a municipal perspective, is the county is relying on certain revenues to make road improvements. Those revenues roughly are general fund revenues for the county like us, special option tax, gas taxes, that help with transportation improvements and impact fees. So, really what we see in the government world in development is we do not see major improvements come until development happens because of the reliance on impact fees to make those improvements. That is the process and that is the struggle we have with the process. What is different about this is the county, the developer has leveraged their impact fee credit. Remember, when a developer comes in, they pay a litany of impact fees which average around 20-grand-ish. The lion's share these days is about 20 grand because of the increase in impact fees we have seen from the school board and the county, and, for that matter, the city as well. But the lion share, over 50% of the impact fees, really goes to the school board. You know, there is a good chunk that goes to county road impact fees, and so this is really the first one that we have seen where the county is now if you make these improvements. So, what we have done differently in this agreement is we have taken that philosophy and put it into the PUD a few years ago, where the developer has four years to build and if they do not build, it reverts to one house per one acre, what Dan refers to as the RE1 zoning. That is a true one house, one acre and most of our PUDs that we have done in the last five years have that clause in there. So that clause is in this PUD, but we also kind of got two bites of the apple on this. Not only if they do not develop in four years, it goes back to RE1, but we stipulate in the transportation section of the PUD that if they do not cause this to be started in six months or completed in 18 months, it goes to RE1 as well. So, really, if they do not build the intersection improvements in 18 months, we preempt ourselves in this agreement, and they are forced to do the developments or if they do not get the intersection modified pursuant to the way the county says, which is an attachment to the PUD, they go to RE1. He thinks that is a reasonable stick to try to get transportation improvements done before development occurs. And on that schedule, if they get these things started in 18 months, many of the other subdivisions that have been approved along 33, this process should actually effectuate an improvement, hopefully, before those other subdivisions come in. Hopefully, this will be a development that gets some transportation improvements preemptively made, that is different. That was the non-prejudicial addition he wanted to add. Dan touched on it pretty well, but he wanted to really underscore that this is a significant language change in the PUD that is before you tonight. **Mayor Berry** asked which road would be determined to be done first. Would that be our determination or the county? **CM Minner** answered that it is the intersection improvement. The county currently has a designed plan to modify, going to call it the Okahumpka intersection, which is 470 and 33, and that calls for additional signalization and widening of lanes in each north and south sides, and on the 48 side for the widening of additional turn lanes. The county conducted a review and that is an improvement to help that area along 48. The county is also beneficiary of some of the land acquisition that they have done for the widening of 48. And of course, our PUDs that are

attached to 48, whether on the south side or the north side of 48, give the county, the city, the ability to grab frontage so that road can get widened. That would be kind of an improvement in the rear, that would occur at the time of permit issuance and those types of things. But this intersection improvement has to get done now. His guess is, by timing the way we linked this and the county linked this with that, that intersection improvement would be done before you see a lot of the other PUDs being constructed along the 48 and 38 corridors. **Mayor Berry** asked if this was some kind of game changer that we could look forward to as far as the concerns of the citizens in that area with the traffic. **CM Minner** replied he does not like the word game changer, but this is a significant step towards a better development pattern. He thinks it is probably the first time in Lake County that Lake has preemptively used sharing of impact fees to try to tackle a troubled area before construction actually starts.

Mayor Berry asked if the Petitioner would like to give his presentation.

Mr. Andrew McCown, of GAI Consultants, 618 East South Street, Orlando, stated he was here representing the developer, Hanover Land Company, who is also in attendance. Also, the traffic engineer and the civil engineer are present to answer any questions. Not to rehash everything Dan spoke of, but just a reminder of the property configuration. The project is on both sides of CR 33 and will be an overall unified PUD project. They are seeking a PUD with this and, as you see the concept plan, it might look familiar to you and that is because we were here a little over a year ago to discuss this project and at that time there were a number of concerns that were validly raised by the public, by the planning and zoning, and by the city commission. Since that time, we have gone back and addressed many of those comments. He would characterize those in kind of two different buckets. One is the concept plan-related comments, and the other is the traffic-related comments. As stated, one of the things we did was reduce the number of units somewhat from 516 to 502, and overall, reduced the number of 50-foot lots. There are considerably more 60-foot lots in this plan than there were in the previous plan, and those lots have been distributed around the exterior of the project adjacent to the property owners. What the increase in 60-foot lots also does is improve the compatibility, but also the market diversity of each of the phases. There will be four phases, two on each side, and by doing that, it is to improve on the overall diversity and sustainability of the project as a whole. The larger lots are moved to the perimeter to provide some additional compatibility buffers with the 25-foot buffers around all the adjacent properties. Also, the open space moved to the exterior with ponds, the trail and the preservation of the lake in Lake Bright here in the middle and then the trail connection along CR 33. There are some enhanced amenities and there will be similar amenities on each side of County Road 33 so that you do not have to cross over CR 33. There will be two class A zero entry pools, one on each side, with play elements and gazebos for each side of the project. There will be two shaded playgrounds, one on each side, and then multiple neighborhood parks throughout. As mentioned, there is also a trail around Lake Brite. There will be secure combined centralized mail kiosks serving the project and also entry monumentation. In the presentation, he showed an example of some of the amenities on other recent Hanover projects in the city to show the quality of the amenities that Hanover brings. Their playgrounds are all very family oriented, equipped with shade structures to improve the comfort and safety for the users.

As far as traffic, that was the other major consideration from the previous version a year ago. At the city's request, we did conduct a full TIA (Traffic Impact Analysis) completed by TMC, whose representative is here tonight. Using Lake County's methodology and all their required assumptions, that analysis was reviewed by Lake County staff and was found to be consistent with all the county standards for the growth rates and the background traffic and distribution, all checked out with Lake County. All the project impacts are going to be fully mitigated through the developer agreement that Mr. Minner mentioned. The developer-funded improvements will total about \$2.3 million at this intersection, the impacts on US 27 and the turnpike, which was a concern at the previous hearing. The traffic impact study determined that the impacts from the project at this intersection would be De minimis, so, basically no relevant impacts from this project would have to be addressed at this intersection. So, regarding the

actual project, at 470, 33, and 48 intersections, this was a project that was actually already under designed by the county when the developer approached the county about options for partnering on traffic improvements. The issue was that there was no funding allocated for this project. It was under design, but it was not funded, and it was not funded within the next 5 years. This was a project that Hanover was able to partner with the county and actually generate a funded project in the city which is very important. This project is being funded and built inside the city, which they feel is, if Mr. Minner is not going to say it, he will. They think it is a game changer for the city. The \$2.3 million project includes turn lanes, improved signalization, milling and repaving of the entire intersection, new shoulders, curbs, widening of various portions of the intersection, improving the overall geometry, and adding turn lanes. The intersection does not have crosswalks today, so those will be added and also improved drainage. The construction, as was mentioned, must start within six months of the approval of the PUD, and it must be finished within 18 months of that date. Based on all of those schedules, it should be fully constructed before any of the COs for Hanover homes in this corridor, certainly for this project, come online. Before a single home comes online from this project, this intersection will be finished and depending on how the different time frames work for any of the Hanover Homes that have been approved on this corridor. A little more about the access improvements. It was mentioned that the common entrance between the two sides and then the third entrance on the west side of County Road 33. There is a secondary entrance to that portion. Basically, there are turn lanes required in every direction, at every entrance, with accel and decel lanes.

Mayor Berry asked if there were any public comments.

The following public participants stated concerns regarding the privacy and safety of residents, traffic, rural protection, wildlife peace and tranquility that the county area offers, leaving the area intact for agriculture, flooding, light and noise pollution, concerns about neighboring cattle, a request for larger buffers and solid walls, too many houses and small lots in the area.

William Robertson of 23404 CR 33 – provided handouts	Lee Barnett – 3205 Thomas Cove Drive
Kayla Phillips – 3956 Lake Bright Street	Brantley Merritt – 3213 Desert Lane
Wayan Haggard - 3213 Desert Lane	Jerrill Robison – 3520 Desert Lane
James Revels – 3430 Desert Lane	Haley Cannon – 3213 Desert Lane

Mayor Berry asked if there were any further comments from the commission. There were none.

Commissioner Burry made a motion to transmit item 6.b.2, the large scale comprehensive plan, to the state and Commissioner Reisman seconded the motion.

The roll call vote was:

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

Four yeas, one nay, the Commission adopted the motion to transmit.

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 202.6 +/- acres from Lake County Rural to City of Leesburg Estate Residential, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright-Brighurst LSCP)

- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 202.6 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for 502 single-family residential lots, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright-Brighurst PUD)**

- 4. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 9.26 +/- acres; and being generally located north of Dewey Robbins Road and east of U.S. Highway 27, lying in Section 31, Township 20 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 4; and providing an effective date. (Cronin-Dewey Robbins Residential ANNX).**

Mayor Berry asked for someone to introduce items 6.B.4, 6.B.5, and 6.B.6.

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

Mayor Berry requested staff comments.

Mayor Berry said Again, these are all first readings, which will come back to the commission on March 23rd.

PZD Miller stated this is the Cronin Dewey Robbins residential project with an annexation, small scale comp plan, and rezoning consisting of 9.26 plus or minus acres generally located on the north side of Dewey Robbins Road and east of Highway 27. The request is for approval for future development of 26 single family dwelling units. Under the request, the future land use application for the project is requesting a change from Lake County Rural to City of Leesburg Estate Residential. The zoning application is requesting a change from Lake County A agriculture to city of Leesburg small plan unit development. Under city department responses, we received no substantive responses. Under public responses, we received numerous written responses and phone calls. Comments and concerns

summarized are 99% of the residents that live on Dewey Robbins and Turkey Lake roads enjoy the wildlife, peace, and tranquility. Hodges Reserve is not conforming to Dewey Robbins Road, ruining Dewey Robbins Road, the city of Leesburg is ruining our area, leave the county areas alone, the number of homes and lot sizes are too small, and ranch style homes on one acre lots would be better. Again, that is just a summary, but we try to highlight as many as possible.

Under the terms of the SPUD agreement, the proposal would consist of 26 detached single family residential units with no other uses permitted. There are design standards for the architecture, minimum 35% open space, dark sky lighting, code compliant landscaping plan, maximum height is two floors, gutters for the side yards, and a six-foot privacy fence is required on both the east side and west side of the property with a 4-foot split rail fence along Dewey Robbins Road. There is one access point because it is 26 units straight drive in and straight out. The PUD would require the developer to provide any and all expansions or upgrades to the access point as needed by Lake County. There is 5,200 square feet of recreational space required and utilities will all have to be on city water and wastewater. We also have the standard phasing clause which gives them four years to move forward substantially or revert to the RE1, which, again, is one acre per unit. Planning commission did recommend disapproval by a vote of three to three, which a tie is considered a loss in the way this works. They cited that this is not adjacent to existing development and that it should wait for further development of the area prior to annexing and developing the property. Mr. Tanner Kalebaugh of the Land Planning Group in Tavares is here tonight to answer any questions you may have. **Commissioner Reisman** asked if this had come before them months earlier. **PZD Miller** replied, it did come before you about a year ago and at that time it had town houses and some light commercial. It has been revised to straight single family only. **Commissioner Burry** asked if it was like 70 units or something. **PZD Miller** replied he forgets the exact number, but it was at least double.

Mayor Berry asked if the petitioner would like to speak.

Tanner Kalebaugh with LPG. Good evening. As Dan stated this is the second time this project has come before you and the planning and zoning board. It was pulled because there were rightly some issues with what was being proposed. It was not in character with what this board has approved in the past, so what we have done is brought it back as a PUD that way we can match exactly what is already approved in the area. We are the same in terms of lot size and in density. In addition to that, our use is so few in terms of traffic count, believe it is less than 100 trips a day or 100 peak hour trips, which is considered De minimis, essentially meaning that it is so small compared to what is already approved in the area. **Commissioner Reisman** asked if this will be an HOA. **Mr. Kalebaugh** replied, probably, but at this time they are not one hundred percent sure.

Mayor Berry asked if there were any public comments.

The following public participants stated concerns regarding usable acres, not compatible with putting smack in the middle of two 10-acre lots, cattle, a shooting range almost on the border, and privacy.

James Matthew Rail - 6429 Dewey Robbins Road Lori Brown - 6217 Dewey Robbins Road

Mayor Berry asked if there were any further commission comments. There were none.

Mayor Berry, again, stated this will come back to the commission on March 23rd.

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 9.26 +/- acres from Lake County Rural to City of Leesburg Estate Residential, for a property generally located north of Dewey Robbins Road and east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins Residential SSCP)

6. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 9.26 +/- acres from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development) to allow for single-family residential uses for a property generally located north of Dewey Robbins Road and east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins Residential SPUD)**

C. NON-ROUTINE ITEMS:

None

7. INFORMATIONAL REPORTS:

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

- A. **None**

8. CITY ATTORNEY ITEMS:

CA Watson gave a brief update on the shuffleboard lawsuit. The amended complaint was filed by the shuffleboard club and there was not much change other than they converted their argument from a written lease agreement to an oral lease agreement. We have taken essentially the same defensive stance, arguing that this was already dismissed for their failing to attach a lease agreement and that they have violated the statute of frauds by arguing for an oral lease that has existed for 50 years or something like that when one-year leases have to be in writing. At that time, when this would have been formed, as they allege, it would also have required two subscribing witnesses on the written lease agreement. So, essentially, our argument is the same as it was last time but adding you cannot have an oral lease because it violates Florida Statute. We are going to get that hearing scheduled as quickly as we can. He just filed that this afternoon. We do not have a hearing date yet, but as soon as we get that, he will let everybody know. The other thing, he added, is kind of an alternative argument. If the judge does not want to dismiss it, at least make them allege facts about what the contract is they claim existed so that we know what those terms are, and we can respond to those terms. Hopefully the response will be dismissal. If not, then he would hope the judge would require them to at least make some allegations about what this lease agreement was so that we would be able to respond to it. He asked if the Commission had any questions. Of course, he is welcome to a call anytime or shoot him an email or anything like that. **Commissioner Burry** asked if we did a search on lease agreements with them and found nothing in our records. **CA Watson** answered, Yes, the city has searched its records and found no record of any lease agreement whatsoever. But as far as the complaint goes, we have to accept their allegations as being true. So,

whether they are true or not at the initial stage is not something we can necessarily attack. Once we get past the initial stage, we can get into the truth of things and beyond the technical pleading rules.

9. CITY MANAGER ITEMS:

CM Minner had nothing further to discuss this evening.

10. ROLL CALL:

Commissioner Connell had nothing.

Commissioner Burry had nothing further.

Commissioner Pederson had no comment.

Commissioner Reisman gave a thank you to our Special Events division for the great events they put on over the weekend from the home run flicks at Pat Thomas and the Red White Blues BBQ downtown.

Also, a couple of things to have on your calendars. Thursday, the 26th, is the Chamber Breakfast, and Saturday, the 28th, is one of the Leesburg in Bloom initiatives that is partnering to bring back the pollinator garden to the Library. There will be a time for volunteerism and planting of plants. Then on March 7th there is the Black Heritage parade downtown, and that evening, he hopes everyone can make it to the Boys and Girls Gala.

Mayor Berry said she attended the Saturday event, the Blues and B-B-Q. It was a nice event, well attended, and she looks forward to doing it again next year. She also reminded everyone of the Black Heritage Gala on Friday, February 27th, at the Venetian Center starting at 7:00 p.m. She thanked everyone for another good meeting.

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 Reisman and a second by Commissioner Pederson, the meeting adjourned at 7:01 p.m.