

**AGENDA
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, DECEMBER 21, 2020 5:30 PM**

1. CALL TO ORDER

INVOCATION

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. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

5. CONSENT AGENDA:

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

A. CITY COMMISSION MEETING MINUTES:

1. NONE

B. PURCHASING ITEMS:

1. Purchase request by the Police Department for the purchase of two (2) new

Dodge Charger Pursuit vehicles from Garber Auto Mall for a total purchase cost of \$52,404.00.

- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Kelly Brothers, Inc. for the Venetian Cove Floating Docks for an amount of \$1,103,050.75; and providing an effective date.**
- 3. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Piggyback Agreement with US Submergent Technologies, LLC for structure cleaning services; and providing an effective date.**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida authorizing applying for and accepting, if awarded, a grant from the Florida Department of Health for the purchase of one (1) Physio-Control LifePak 15 Cardiac Monitor/Defibrillator; and providing an effective date.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida appointing one member to the Leesburg Police Pension Plan Trustee Board for a two-year term to expire December 31, 2022; and providing an effective date.**
- 3. Resolution of the City commission of the City of Leesburg, Florida appointing one member to the Leesburg Firefighters' Retirement Plan Board of Trustees for a two-year term to expire December 31, 2022; and providing an effective date.**
- 4. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Partial Release of Easement and Quitclaim Deed between the City of Leesburg and The Villages Land Company, LLC for the purpose of releasing a utility easement across property of The Villages which is no longer in active use due to previous relocation of the utility lines once within the easement; and providing an effective date.**

**6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW)
AVAILABLE**

A. SECOND READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, Annexing certain real property consisting of approximately 83.51 acres; and being generally located East of County Road 44 and South of Clark Street, lying in Sections 01, 09, 10, and 16, 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 1; and providing an effective date. (RO Residential AX)**
- 2. An Ordinance Amending Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map designation of certain property containing 83.51 +/- acres from Lake County Urban Low to City of Leesburg Estate Residential for a property generally located East of County Road 44 and South of Clark Street, as legally described in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (R O Residential)**
- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 83.51 +/- acres from Lake County A (Agriculture), Lake County R-1 (Rural Residential), Lake County R-3 (Medium Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for Single-Family Residential Neighborhood development for a property generally located East of County Road 44 and South of Clark Street as legally described in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (RO Residential PUD)**
- 4. An Ordinance of the City of Leesburg, Florida, Annexing certain real property consisting of approximately 18.5 acres; and being generally located east of Sunnyside Drive, lying in Section 33, 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 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 1; and providing an effective date. (Sunnyside Lake Land Holdings, LLC)**
- 5. An Ordinance of the City of Leesburg, Florida, amending the Comprehensive Plan Future Land Use Map of the City of Leesburg, changing the Future Land Use Map designation of certain property containing 18.5 +/- acres from Lake County Rural to City of Leesburg Estate, for a property generally located South of U.S. Highway 441, and East of Sunnyside Drive, as legally described in Section 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Sunnyside Lake Land Holdings LLC)**

6. **An Ordinance of the City of Leesburg, Florida, Rezoning approximately 137.35 acres from City PUD (Planned Unit Development) and Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for the development of 159 Detached Single Family Units, for a property generally located South of U.S. Highway 441 and East and West of Sunnyside Drive (South) as legally described in Sections 29, 32, and 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (SUNNYSIDE LAKE LAND HOLDINGS, LLC)**

B. FIRST READING OF ORDINANCES

1. **NONE**

C. NON-ROUTINE ITEMS

1. **NONE**

7. INFORMATIONAL REPORTS:

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

- A. NONE**

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

11. ADJOURN:

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

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

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.1.

Meeting Date: December 21, 2020

From: Mike Thornton, (Purchasing Manager), Robert Hicks, (Police Chief)

Subject: Purchase request by the Police Department for the purchase of two (2) new Dodge Charger Pursuit vehicles from Garber Auto Mall for a total purchase cost of \$52,404.00.

Staff Recommendation:

Staff recommends approval of this purchase to Garber Auto Mall for a total of \$52,404.00.

Analysis:

This purchase is for two (2) new 2021 Dodge Charger V8 Police Rated Sedans. These vehicles will be new additions to the fleet and do not replace existing vehicles. These vehicles are needed for the two new School Resource Officer positions approved in the 2021 budget.

Procurement Analysis:

The City will be using a cooperative contract for the purchase of these vehicles. The Procurement Division solicited pricing from several automotive dealers specializing in fleet/commercial sales and have been awarded a cooperative contract. Garber Auto Mall submitted the lowest pricing of the dealers pricing was requested.

Options:

1. Approve the purchase request to Garber Auto Mall for \$52,404.00; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Funds are available in the Police Impact Fee account listed here for this purchase. The equipment being purchased due to the creation of new officer positions is an appropriate use of Police Impact Fees.

Account No. 141-2111-521.64-10
Project No. GFASST
WF No. WF1312209/001 & WF1312208/001
Requisition 52746

Budget	\$53,088.00
Available	\$53,088.00

Submission Date and Time: 12/16/2020 12:33:56 PM

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.2.

Meeting Date: December 21, 2020

From: Mike Thornton, (Purchasing Manager), Cliff Kelsey, (Public Works Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Kelly Brothers, Inc. for the Venetian Cove Floating Docks for an amount of \$1,103,050.75; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution authorizing execution of the Construction Services Agreement with Kelly Brothers, Inc. for construction of the Venetian Cove Floating Docks for an amount not to exceed \$1,103,050.75.

Analysis:

The purpose of this project is to construct a floating dock along the waterfront at Venetian Cove. The project will provide a boardwalk with 2 public and 2 private gangways as well as a number of finger piers for boat tie-up and one finger pier for sea plane mooring.

On October 28, 2019 the City Commission approved Resolution 10,529 awarding a Request for Proposal to Kelly Brothers, Inc. and execution of a pre-construction services agreement. The Contractor and City have made several revisions to the dock design and the amenities such as electricity. The amount of \$1,103,050.75 is the final construction cost based on the current design.

This project is receiving funds from the Florida Wildlife Commission (FWC). The grant is a cost reimbursement grant for an amount not to exceed \$590,974.87. The City has been waiting for the FWC to process the grant application. The City Commission approved execution of the Grant at the December 14, 2020 Commission meeting.

Procurement Analysis:

Execution of the Construction Services Agreement is the next step in a Design-Build project delivery method for this project. The design has been completed and agreed to by the parties.

Options:

1. Approve the Resolution authorizing execution of the Construction Services Agreement with

- Kelly Brothers, Inc. for an amount not to exceed \$1,103,050.75; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

Funds are available in FY 20 and will be rolled into the current year.

Account No.	031-5193-519.63-10
Project No.	310051
WF No.	WF1049541 / 001
Requisition	51118
Budget	\$1,597,012.00
Available	\$1,475,774.50

Submission Date and Time: 12/16/2020 12:37:07 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
CONSTRUCTION SERVICES AGREEMENT WITH KELLY BROTHERS, INC.
FOR THE VENETIAN COVE FLOATING DOCKS FOR AN AMOUNT OF
\$1,103,050.75; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with KELLY BROTHERS, INC. whose address is 15775 Pine Ridge Road, Ft. Myers, Florida 33908 for construction services related to the construction of a floating dock system located along Venetian Cove pursuant to RFPO 190302.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 21st day of December 2020.

Mayor

ATTEST:

City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.B.3.

Meeting Date: December 21, 2020

From: Mike Thornton, (Purchasing Manager), Cliff Kelsey, (Public Works Director)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Piggyback Agreement with US Submergent Technologies, LLC for structure cleaning services; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the resolution authorizing execution of the Piggyback Agreement with U.S. Submergent Technologies, LLC (USST).

Analysis:

A by product of wastewater treatment is the accumulation of material in the bottom of the aeration ponds in the wastewater treatment facility (WWTF). This material is generally sand and grit that settles to the bottom of the aeration pods during the treatment process. Periodically this material must be removed in order to maintain the capacity of the aeration ponds. As the amount of sediment increases it reduces the available space for fluids to be aerated in the ponds. The aeration ponds at the Canal Street Wastewater Treatment Facility (WWTF) have reached the point where sediment reduction is needed.

The City has been working with US Submergent Technologies, LLC (USST) to obtain an estimated volume and cost to complete this work. The estimated cost is \$489,887.00. The City will be assisted by USST in applying for a grant from the Florida Department of Environmental Protection (FDEP). FDEP makes available grants for the removal and proper disposal of the sediment. FDEP is the regulatory agency over waste water treatment. Removal of aeration pond sediment is necessary to ensure the proper operation of a WWTF by maintaining higher capacities for treatment.

Procurement Analysis:

The City of Orlando has a competitively awarded contract with US Submergent Technologies, LLC. This contract was awarded following a competitive solicitation by the City of Orlando for structure cleaning services. Procurement staff have reviewed the City of Orlando Invitation for Bid and contract award. All processes were in accordance with their policy and followed Public Procurement Best Practices.

Procurement Staff recommend executing a Piggyback Agreement with USST for use of the City of Orlando Contract.

Options:

1. Approve the Resolution authorizing execution of the Piggyback Agreement with US Submergent Technologies, LLC; or
2. Such alternative action a the Commission may deem appropriate.

Fiscal Impact:

There is no fiscal impact with the approval of the this resolution. Approval only establishes a contract between the City and USST. There will be a fiscal impact if and when the City requests services under the Agreement. The intention is to use the Agreement for the sediment removal at the Canal Street WWTF. The City will be applying for a grant from the FDEP to fund the expense for that project. Should the project move forward that item will be brought back to commission for consideration.

Submission Date and Time: 12/16/2020 12:39:04 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A
PIGGYBACK AGREEMENT WITH US SUBMERGENT TECHNOLOGIES,
LLC FOR STRUCTURE CLEANING SERVICES; AND PROVIDING AN
EFFECTIVE DATE.**

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

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with U.S. SUBMERGENT TECHNOLOGIES, LLC whose address is 2153 Rayburn Street, Orlando, Florida 32824 for structure cleaning services pursuant to City of Orlando Invitation for Bid IFB18-0255.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 21st day of December 2020.

Mayor

ATTEST:

City Clerk

**AGREEMENT TO PIGGYBACK A CONTRACT FOR SERVICES
BID BY ANOTHER PUBLIC ENTITY**

THIS AGREEMENT is made as of the 21st day of December in the year 2020, between The City of Leesburg, a Florida Municipal Corporation, whose address is 501 West Meadow Street, Post Office Box 490630, Leesburg, Florida 34749-0630 (hereinafter referred to as the “CITY”), and **U.S. SUBMERGENT TECHNOLOGIES, LLC** whose address is 2153 Rayburn Street, Orlando, Florida 32824 (hereinafter referred to as the “CONTRACTOR”).

WHEREAS, CONTRACTOR, entered into an Agreement dated June 10, 2018 with the City of Orlando resulting from the award of the City of Orlando Invitation for Bid IFB18-0255.

WHEREAS, CONTRACTOR, and City of Orlando executed Amendment 1 to the Contract extended the term through June 10, 2019.

WHEREAS, CONTRACTOR, and City of Orlando executed Amendment 2 to the Contract extended the term through June 10, 2021.

WHEREAS, The City of Leesburg, a Florida municipal corporation (“CITY”) has the legal authority to “piggyback” a contract procured by another government entity when seeking to utilize the same or similar services provided by the said contract; and

WHEREAS, the CITY desires to “piggyback” the above referenced Contract (Attachment ‘A’) between the CONTRACTOR and the City of Orlando for utilization of the same or similar services for Structure Cleaning Services and the Contractor consents to the aforesaid “piggybacking”.

NOW THEREFORE, having found it to be in the public interest,

1. **Affirmation.** The Contractor affirms and ratifies the terms and conditions of the above referenced Contract with City of Orlando and agrees to perform the services set forth herein for the CITY in accordance with the terms of said Contract through the ending date of the Contract.

2. **Changes.** Services shall be provided in accordance with the terms of the Contract with City of Orlando except for the following changes. All other terms shall remain.

- a. **Point of Delivery.** Services for the CITY shall be made to the locations as designated by the CITY.
- b. **Party Substitution.** References to “City of Orlando” shall be replaced with City of Leesburg (CITY).

3. **Amendment.** Any Amendments to “piggybacked” Contract between CONTRACTOR and City of Orlando shall be automatically incorporated into this piggyback Agreement.

4. **Counterparts.** Counterparts. This Agreement may be executed in multiple counterparts, each of which may be considered an original, but all of which together shall constitute but one and the same instrument. This Agreement when signed by a party may be delivered by electronic mail or facsimile transmission with the same force and effect as if the same were an executed and delivered original, manually-signed counterpart.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date stated in the preamble to the Agreement.

U.S. SUBMERGENT TECHNOLOGIES, LLC

By: _____

Printed: _____

Its: _____
(Title)

CITY OF LEESBURG, FLORIDA

Elise Dennison, Mayor

ATTEST:

J. Andi Purvis, City Clerk

Approved as to form:

Fred A. Morrison, City Attorney

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.1.

Meeting Date: December 21, 2020

From: Joseph Mera, (Deputy Fire Chief)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing applying for and accepting, if awarded, a grant from the Florida Department of Health for the purchase of one (1) Physio-Control LifePak 15 Cardiac Monitor/Defibrillator; and providing an effective date.

Staff Recommendation:

Staffs recommends applying and acceptance, if awarded, of the Florida Department of Health grant and authorizing the purchase of one Physio-Control LifePak 15 Cardiac Monitor/Defibrillator.

Analysis:

The purpose of this grant project is to purchase one (1) Physio-Control LifePak 15 Cardiac Monitor/Defibrillator for providing advanced life support care on EMS calls for service.

Procurement Analysis:

None.

Options:

1. Approve the application and acceptance of the Florida Department of Health grant and authorize the purchase of one (1) Physio-Control LifePak 15; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

The total cost of the Physio-Control LifePak 15 is no greater than \$34,554.00. The State share, if awarded, is \$25,915.50 (75%) and the City of Leesburg match is \$8,638.50 (25%) which is available in the current budget. If approved, a budget adjustment will be processed to add the State funds to the current budget.

Account No. 001-0000-337-2200

Project No. FDOH21

Submission Date and Time: 12/16/2020 1:09:30 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA AUTHORIZING APPLYING FOR AND ACCEPTING, IF
AWARDED, A GRANT FROM THE FLORIDA DEPARTMENT OF HEALTH
FOR THE PURCHASE OF ONE (1) PHYSIO-CONTROL LIFEPAK 15
CARDIAC MONITOR/DEFIBRILLATOR; AND PROVIDING AN EFFECTIVE
DATE.**

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

THAT the Mayor and City Clerk are hereby authorized to execute an agreement with Florida Department of Health, for the purchase of one (1) LifePak 15 Cardiac Monitor/Defibrillator.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 21st day of December 2020.

Mayor

ATTEST:

City Clerk

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.2.

Meeting Date: December 21, 2020

From: Andi Purvis, (City Clerk)

Subject: Resolution of the City Commission of the City of Leesburg, Florida appointing one member to the Leesburg Police Pension Plan Trustee Board for a two-year term to expire December 31, 2022; and providing an effective date.

Staff Recommendation:

Staff recommends the appointment of one member to the Leesburg Police Pension Trustee Board for a two-year term to expire December 31, 2022.

Analysis:

The Police Pension Trustee Board consists of five regular members of which two members are City appointed positions.

The position was advertised in the Daily Commercial on November 30 and December 7, 2020.

Mr. Rolando Reyes has served as a member of the Police Pension Trustee Board since his appointment in 2016, and his term expires December 31, 2020. Mr. Reyes has expressed his desire to continue to serve on this board.

No other applications were received.

Procurement Analysis:

N/A

Options:

1. Appoint one member to the Police Pension Trustee Board; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None

Submission Date and Time: 12/16/2020 1:10:19 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA APPOINTING ONE MEMBER TO THE LEESBURG POLICE
PENSION PLAN TRUSTEE BOARD FOR A TWO-YEAR TERM TO EXPIRE
DECEMBER 31, 2022; AND PROVIDING AN EFFECTIVE DATE.**

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

THAT the City Commission of the City of Leesburg, Florida finds there is a vacancy for one City-appointed member to the Police Pension Board;

THAT the City Commission hereby appoints _____ as a regular member of the Police Pension Board to fill the vacancy with said term to expire December 31, 2022;

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 21st day of December 2020.

Mayor

ATTEST:

City Clerk



City of Leesburg Appointed Boards & Commission Application

Date:	10-12-2020	Name:	ROLANDO REYES
Mailing Address:	500 NEWELL HILL RD. LEESBURG FL 34748		
Home Address:	110A		
Home Telephone Number	407 376 1063		
Business Name & Type			
Business Address:			
Business Telephone Number:			
Position			
Education, Training Or Experience Related To The Activities Of The Advisory Body To Which Appointment Is Sought:			
Professional Organizations/Membership:			
Have You Served On A City Board Or Committee In The Past? ☒ Yes ☐ No			
If Yes - Dates Served: PENSION BOARD			
Name of Board or Committee: PENSION BOARD Policies Dept.			
Library Board		Historic Preservation Board	
Planning Commission		Greater Leesburg CRA	
Carver Heights & Vicinity CRA		General Employees Retirement Board of Trustees	
Fire Department Pension Board of Trustees		☒ Police Department Pension Board of Trustees	
Other (Specify):		Electric Advisory Board	
I will attend meetings in accordance with the adopted policies of the City of Leesburg. If at any time my business or professional interests conflict with the interests of the Advisory Body, I will not participate in such deliberations.			
Signature of Applicant		Return To:	City Clerk's Office City of Leesburg P.O. Box 490630 Leesburg, FL 34749-0630

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.3.

Meeting Date: December 21, 2020

From: Andi Purvis, (City Clerk)

Subject: Resolution of the City commission of the City of Leesburg, Florida appointing one member to the Leesburg Firefighters' Retirement Plan Board of Trustees for a two-year term to expire December 31, 2022; and providing an effective date.

Staff Recommendation:

Staff recommends the appointment of one member to the Leesburg Municipal Firefighters' Board of Trustees for a two-year term expiring December 31, 2022.

Analysis:

The position was advertised in the Daily Commercial on November 30 and December 7, 2020.

Mr. Ronny Goeler has served on the Firefighters' Board of Trustees since his appointment January 2017, and his term expires December 31, 2020. Mr. Goeler has expressed interest in continuing to serve on this board.

No other applications were received.

Procurement Analysis:

N/A

Options:

1. Appoint one member to the Leesburg Municipal Firefighters' Board of Trustees; or
2. Such alternative action as the Commission may deem appropriate.

Fiscal Impact:

None.

Submission Date and Time: 12/16/2020 1:11:37 PM

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG,
FLORIDA APPOINTING ONE MEMBER TO THE LEESBURG
FIREFIGHTERS' RETIREMENT PLAN BOARD OF TRUSTEES FOR A TWO-
YEAR TERM TO EXPIRE DECEMBER 31, 2022; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Section 6.2 (A) of the City of Leesburg Firefighters' Retirement Plan - "Appointment of the Retirement Committee" provides for the election/selection of five (5) persons to serve on the Board of Trustees, a/k/a Retirement Committee; and

WHEREAS, the Policy for Election of Board of Trustees approved September 14, 2011 directs that two resident trustees who are legal residents of the City of Leesburg are to be appointed by the City Commission; and

WHEREAS, it is also necessary for the City Commission to appoint a legal resident of the City of Leesburg to serve a two-year term for the period beginning January 1, 2021 and ending December 31, 2022;

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

THAT the City Commission hereby appoints _____ for a two-year term as Trustee to the Board of Trustees of the City of Leesburg Municipal Firefighters' Retirement Plan, ending December 31, 2022.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 21st day of December 2020.

Mayor

ATTEST:

City Clerk

City of Leesburg
Appointed Boards & Commission Application

Date: 09/30/2020

Name: Ronny Goeler

Home Phone: 315-263-8533

Mailing Address:

26910 Camerons Run

Home Address:

Leesburg Florida 34748

Business Name & Type:

Business Address:

Business telephone number: _____ ext. _____

Position: Trustee Fire Pension Board

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

Trustee of Leesburg Fire Pension Board - Looking for reappointment
Took new member training for trustees in Tallahassee

Professional Organizations/Memberships:

Retired Fire Captain Paramedic IAFF 2733 past President, I set up the 457 Plan that DeWitt Fire District still uses today.

Have you served on a city board or committee in the past? Yes

If yes, Dates Served September 2018 - Present

Name of Board or committee:

☐ Library Board ☐ Historic Preservation Board ☐ Planning Commission

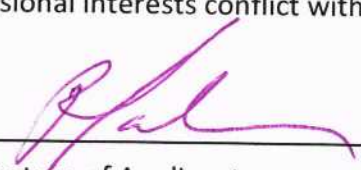
☐ Greater Leesburg CRA ☐ Carver Heights & Vicinity CRA

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

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

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

Ronny Goeler


Signature of Applicant

09/30/2020

Date

Return to: City Clerk's Office City of Leesburg

P.O. Box 490630

Leesburg, FL, 34739-0630

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 5.C.4.

Meeting Date: December 21, 2020

From: Al Minner, (City Manager)

Subject: Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Partial Release of Easement and Quitclaim Deed between the City of Leesburg and The Villages Land Company, LLC for the purpose of releasing a utility easement across property of The Villages which is no longer in active use due to previous relocation of the utility lines once within the easement; and providing an effective date.

Staff Recommendation:

Staff recommends approval of the Partial Release of Easement and Quitclaim Deed between the City of Leesburg and The Villages Land Company, LLC.

Analysis:

This Partial Release of Easement and Quitclaim Deed is for the purpose of releasing a utility easement across property of The Villages which is no longer in active use due to previous relocation of the utility lines once within the easement. The Villages is in the process of platting the area where the new line was placed.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

Submission Date and Time:

RESOLUTION NO. _____

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PARTIAL RELEASE OF EASEMENT AND QUITCLAIM DEED BETWEEN THE CITY OF LEESBURG AND THE VILLAGES LAND COMPANY, LLC FOR THE PURPOSE OF RELEASING A UTILITY EASEMENT ACROSS PROPERTY OF THE VILLAGES WHICH IS NO LONGER IN ACTIVE USE DUE TO PREVIOUS RELOCATION OF THE UTILITY LINES ONCE WITHIN THE EASEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

THAT the Mayor and City Clerk are hereby authorized and directed to execute a Partial Release of Easement and Quitclaim Deed between the City of Leesburg and The Villages Land Company, LLC, whose address is 3619 Kiessel Road, The Villages, FL 32163, for the purpose of releasing a utility easement across property of The Villages which is no longer in active use due to previous relocation of the utility lines once within the easement.

THAT this resolution shall become effective immediately.

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 21st day of December 2020.

Mayor

ATTEST:

City Clerk

Prepared by/Return to:
Erick D. Langenbrunner, Esq.
3619 Kiessel Road
The Villages, Florida 32163

PARTIAL RELEASE OF EASEMENT AND QUITCLAIM DEED

THIS PARTIAL RELEASE OF EASEMENT AND QUITCLAIM DEED, executed this ____ day of _____, 20____, by **THE CITY OF LEESBURG, FLORIDA**, a Florida municipal corporation, whose address is 501 West Meadow Street, Leesburg, Florida 34748 ("Grantor") in favor of **THE VILLAGES LAND COMPANY, LLC**, a Florida limited liability company, whose address is 3619 Kiessel Road, The Villages, Florida 32163 (hereinafter referred to as "Grantee").

(Wherever used herein, the terms "Grantor" and "Grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, that Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) in hand paid by Grantee, the receipt whereof is hereby acknowledged, does hereby release and quit-claim unto Grantee forever, all right, title, interest, claim and demand which Grantor has in and to the lot, piece or parcel of land, situate, lying and being in the County of Sumter, State of Florida, as described in the attached ***Exhibit "A"***.

This Partial Release of Easement and Quitclaim Deed is given to release and terminate a portion of the permanent easement and right-of-way granted to Grantor on April 25, 1980, pursuant to the Final Judgement recorded in Official Records Book 230, Page 326, Public Records of Sumter County, Florida.

IN WITNESS WHEREOF, Grantor has executed this Partial Release of Easement and Quitclaim Deed the day and year first above written.

ATTEST:

CITY OF LEESBURG, FLORIDA

By: _____
Name: _____
Title: City Clerk

By: _____
Name: _____
Title: _____

STATE OF FLORIDA
COUNTY OF SUMTER

The foregoing instrument was acknowledged before me by means of [] physical presence
or [] online notarization on this _____ day of _____, 20____, by
_____ as _____ of the City of Leesburg, Florida and
_____, as City Clerk of the City of Leesburg, Florida, who are [] personally
known to me or who [] produced _____ as identification and who did
not take an oath.

Notary Public – State of Florida
Print Name:_____
Commission Expires:_____
Commission Number:_____

SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT "A"
SHEET 1 OF 2

LEGAL DESCRIPTION

A PORTION OF AN EASEMENT TWENTY-FIVE (25) FEET WIDE WITHIN THE FINAL JUDGEMENT RECORDED IN OFFICIAL RECORDS BOOK 230, PAGE 326, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA. SAID PORTION OF EASEMENT BEING WITHIN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, AND LYING 12.50 FEET EACH SIDE OF THE FOLLOWING-DESCRIBED CENTERLINE:

COMMENCE AT A POINT EXTENDING S89°49'36"W, 809.25 FEET FROM THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 23 EAST, AND RUN THENCE S17°28'29"W, 2101.85 FEET; THENCE S00°03'38"W, 3319.8 FEET TO THE SOUTH LINE OF SECTION 36, TOWNSHIP 19 SOUTH, RANGE 23 EAST; THENCE S00°03'38"W, 618.3 FEET TO THE POINT OF BEGINNING OF CENTERLINE; THENCE CONTINUE S00°03'38"W, 122.8 FEET; THENCE S58°46'42"E 1654.17 FEET TO A POINT THAT BEARS S00°15'33"W, 1594.27 FEET FROM THE NORTHEAST CORNER OF AFORESAID SECTION 1 AND FALLS ON THE EAST LINE OF SAID SECTION 1 FOR THE POINT OF TERMINUS OF CENTERLINE.

11/19/2020
DATE

Kate M. Jameson
KATE M. JAMESON, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 5912

GENERAL NOTES

1. THE SKETCH OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
3. BEARINGS ARE BASED ON THE EAST LINE OF SECTION 1-20-23 AS BEING S00°15'33"W, AN ASSUMED MERIDIAN.



SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT "A"
SHEET 2 OF 2



S89°49'36"W 809.25'

36 31

POINT OF COMMENCEMENT

S17°28'29"W 2101.85'

POINT OF REFERENCE
NORTHEAST CORNER
OF SECTION 36-19-23

S00°03'38"W 3319.80'

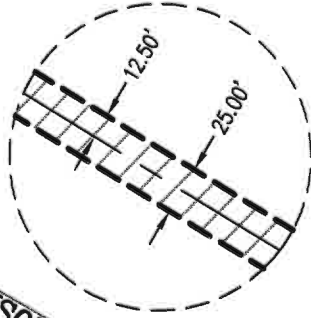
SOUTH LINE OF SECTION 36-19-23

36 31

S00°03'38"W 618.3'

POINT OF REFERENCE
NORTHEAST CORNER
OF SECTION 1-20-23

EASEMENT DETAIL
SCALE: 1"=100'



POINT OF BEGINNING

S00°03'38"W 122.8'

MEGGISON ROAD

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 71
(PROPOSED)

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 68
(PROPOSED)

S58°46'42"E 1654.17'

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 59
(PROPOSED)

SUMTER COUNTY - RANGE 23 EAST

EAST LINE OF SECTION 1-20-23

S00°15'33"W 1594.27'

LAKE COUNTY - RANGE 24 EAST

POINT OF TERMINUS



CFB
CLYMER FARNER BARLEY, Inc.
4450 NE 83RD RD. WILLOWOOD, FL 34785
(352) 748-3128
WWW.CFB-INC.COM GA #4709

CLYMER FARNER BARLEY

SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT " — "
SHEET 1 OF 2

LEGAL DESCRIPTION

A PORTION OF AN EASEMENT TWENTY-FIVE (25) FEET WIDE WITHIN THE FINAL JUDGEMENT RECORDED IN OFFICIAL RECORDS BOOK 230, PAGE 326, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA. SAID PORTION OF EASEMENT BEING WITHIN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, AND LYING 12.50 FEET EACH SIDE OF THE FOLLOWING-DESCRIBED CENTERLINE:

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11/19/2020
DATE

Kate M. Jameson
KATE M. JAMESON, PROFESSIONAL SURVEYOR & MAPPER
FLORIDA REGISTRATION NO. 5912

GENERAL NOTES

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3. BEARINGS ARE BASED ON THE EAST LINE OF SECTION 1-20-23 AS BEING S00°15'33"W, AN ASSUMED MERIDIAN.



SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)

EXHIBIT " — "
SHEET 2 OF 2



S89°49'36"W 809.25'

36 31

POINT OF COMMENCEMENT

S17°28'29"W 2101.85'

POINT OF REFERENCE
NORTHEAST CORNER
OF SECTION 36-19-23

S00°03'38"W 3319.80'

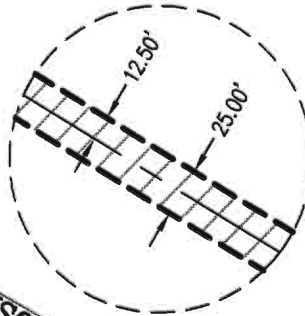
SOUTH LINE OF SECTION 36-19-23

36 31

S00°03'38"W 618.3'

POINT OF REFERENCE
NORTHEAST CORNER
OF SECTION 1-20-23

EASEMENT DETAIL
SCALE: 1"=100'



POINT OF BEGINNING

S00°03'38"W 122.8'

MEGGISON ROAD

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 71
(PROPOSED)

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 68
(PROPOSED)

S58°46'42"E 1654.17'

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 59
(PROPOSED)

SUMTER COUNTY - RANGE 23 EAST

EAST LINE OF SECTION 1-20-23

S00°15'33"W 1594.27'

LAKE COUNTY - RANGE 24 EAST

POINT OF TERMINUS

CFB CLYMER FARNER BARLEY
CLYMER FARNER BARLEY, Inc.
4450 NE 83RD RD. WILLOWOOD, FL 34785
(352) 748-3128
WWW.CFB-INC.COM GA #4709

EXHIBIT OF RELOCATED EFFLUENT



36 31

36 31
1 6

SOUTH LINE OF SECTION 36-19-23

EXISTING EASEMENT RECORDED IN ORB 230 PAGE 326 TO REMAIN

EXISTING 20" EFFLUENT MAIN

PORTION OF ORB 230 PAGE 326 TO BE VACATED

RELOCATED 20" EFFLUENT MAIN

MEGGISON ROAD

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 71
(PROPOSED)

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 68
(PROPOSED)

UNPLATTED
VILLAGES OF SOUTHERN OAKS
UNIT NO. 59
(PROPOSED)

SUMTER COUNTY - RANGE 23 EAST

EAST LINE OF SECTION 1-20-23

LAKE COUNTY - RANGE 24 EAST



CFB

CLYMER FARNER BARLEY, Inc.
4450 NE 83RD RD. WILDWOOD, FL 34785
(352) 748-3126
WWW.CFB-INC.COM #4709

CLYMER
FARNER
BARLEY

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.1.

Meeting Date: December 21, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: **An Ordinance of the City of Leesburg, Florida, Annexing certain real property consisting of approximately 83.51 acres; and being generally located East of County Road 44 and South of Clark Street, lying in Sections 01, 09, 10, and 16, 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 1; and providing an effective date. (RO Residential AX)**

Staff Recommendation:

The Planning and Zoning staff recommends approval of the proposed ordinance for annexation of the RO Residential Property.

Analysis:

The applicant has submitted a request for annexation of approximately 83.51 acres of land generally located east of County Road 44 and south of Clark Street, as shown on the attached General Location Map. At this time, the property is pasture, orange grove, timber, and vacant residential. The current zoning is Lake County A (Agriculture); Lake County R-1 (Rural Residential); Lake County R-3 (Medium Residential District); the proposed zoning is City PUD (Planned Unit Development). The reason for this request is to develop under the rules and regulations of the City of Leesburg. The proposal of the property is for a single-family residential subdivision.

Also on this City Commission agenda, is a Large Scale Comprehensive Plan Amendment, which along with the Planned Unit Development Application, had recommendations for approval from the staff. The Planning Commission held a public hearing on this request on September 24, 2020, and by a vote of 5-1 recommended DENIAL of those two related cases.

Procurement Analysis:

N/A

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation and development of this property due to increased tax revenue added to the General Fund. Future development of the property will increase this anticipated impact through the collection of impact and utility fees.

Submission Date and Time: 12/16/2020 1:13:27 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 83.51 ACRES; AND BEING GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND SOUTH OF CLARK STREET, LYING IN SECTIONS 01, 09, 10, AND 16, 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 1; AND PROVIDING AN EFFECTIVE DATE. (RO RESIDENTIAL AX)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LESSBURG, FLORIDA, THAT:

Section 1.

Based upon the petition of The Galvin Company, Inc, (Kathy Hattaway, Poulos & Bennett, LLC, Agent) for the property hereinafter described, shall be annexed into the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situated in Lake County, Florida, is more particularly described as:

**Legal Description
(See Exhibit A)**

Section 2.

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

Section 3.

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

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 21st day of December 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

(ANNEXATION PARCEL - PORTION OF ALT KEY: 1273552)

That part of Lot 3, Block 20, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

BEGIN at the Northwest corner of Lot 3, Block 20 of said SILVER LAKE ESTATES; thence run South 89°26'57" East along the North line of said Lot 3, a distance of 663.80 feet to the Northeast corner of said Lot 3; thence South 00°47'07" West along the East line of said Lot 3, a distance of 895.72 feet; thence departing said East line North 89°57'21" West, 65.48 feet; thence South 00°02'39" West, 83.53 feet to the South line of Lot 3, Block 20 of said SILVER LAKE ESTATES; thence run along the Southerly boundary of said Lot 3 the following three (3) courses: thence North 88°26'57" West, 13.49 feet; thence South 86°37'35" West, 274.64 feet; thence South 86°26'36" West, 312.75 feet to the Southwest corner of said Lot 3; thence North 00°46'40" East along the West line of said Lot 3, 1020.78 feet to the POINT OF BEGINNING.

Containing 15.075 acres, more or less.

(ANNEXATION PARCEL - PORTION OF ALT KEY: 1806101)

That part of Lot 4, Block 20, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

BEGIN at the Northwest corner of Lot 4, Block 20 of said SILVER LAKE ESTATES; thence run South 89°26'57" East along the North line of said Lot 4, a distance of 450.69 feet to the Northeast corner of said Lot 4; thence South 00°38'40" East along the East line of said Lot 4, a distance of 891.72 feet; thence departing said East line North 89°57'21" West, 472.97 feet to the West line of said Lot 4; thence North 00°47'07" East along said East line, 895.72 feet to the POINT OF BEGINNING.

Containing 9.475 acres, more or less.

(ANNEXATION PARCEL - PORTION OF ALT KEY: 1273587)

That part of Lot 5, Block 20, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

BEGIN at the Northwest corner of Lot 5, Block 20 of said SILVER LAKE ESTATES; thence run South 89°26'57" East along the North line of said Lot 5, a distance of 223.33 feet to the Northeast corner of said Lot 5; thence South 00°49'47" West along the East line of said Lot 5, a distance of 200.00 feet; thence departing said East line North 89°26'57" West,

218.18 feet to the West line of said Lot 5; thence North 00°38'40" West along said West line, 200.04 feet to the POINT OF BEGINNING.

Containing 1.014 acres, more or less.

(ANNEXATION PARCEL - PORTION OF ALT KEY: 1273609)

That part of Lot 6, Block 20, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

COMMENCE at the Northeast corner of Lot 6, Block 20 of said SILVER LAKE ESTATES; thence run North 89°26'57" West along the North line of said Lot 6, a distance of 592.00 feet to the POINT OF BEGINNING; thence departing said North line South 04°56'57" East, 175.81 feet; thence North 89°26'57" West, 52.58 feet; thence South 00°33'03" West, 25.00 feet; thence North 89°26'57" West, 23.25 feet to the East line of Lot 5, Block 20 of said SILVER LAKE ESTATES; thence North 00°49'47" East along said East line, 200.00 feet to the Northeast corner of said Lot 5; thence South 89°26'57" East, 58.00 feet to the POINT OF BEGINNING.

Containing 0.282 acres, more or less.

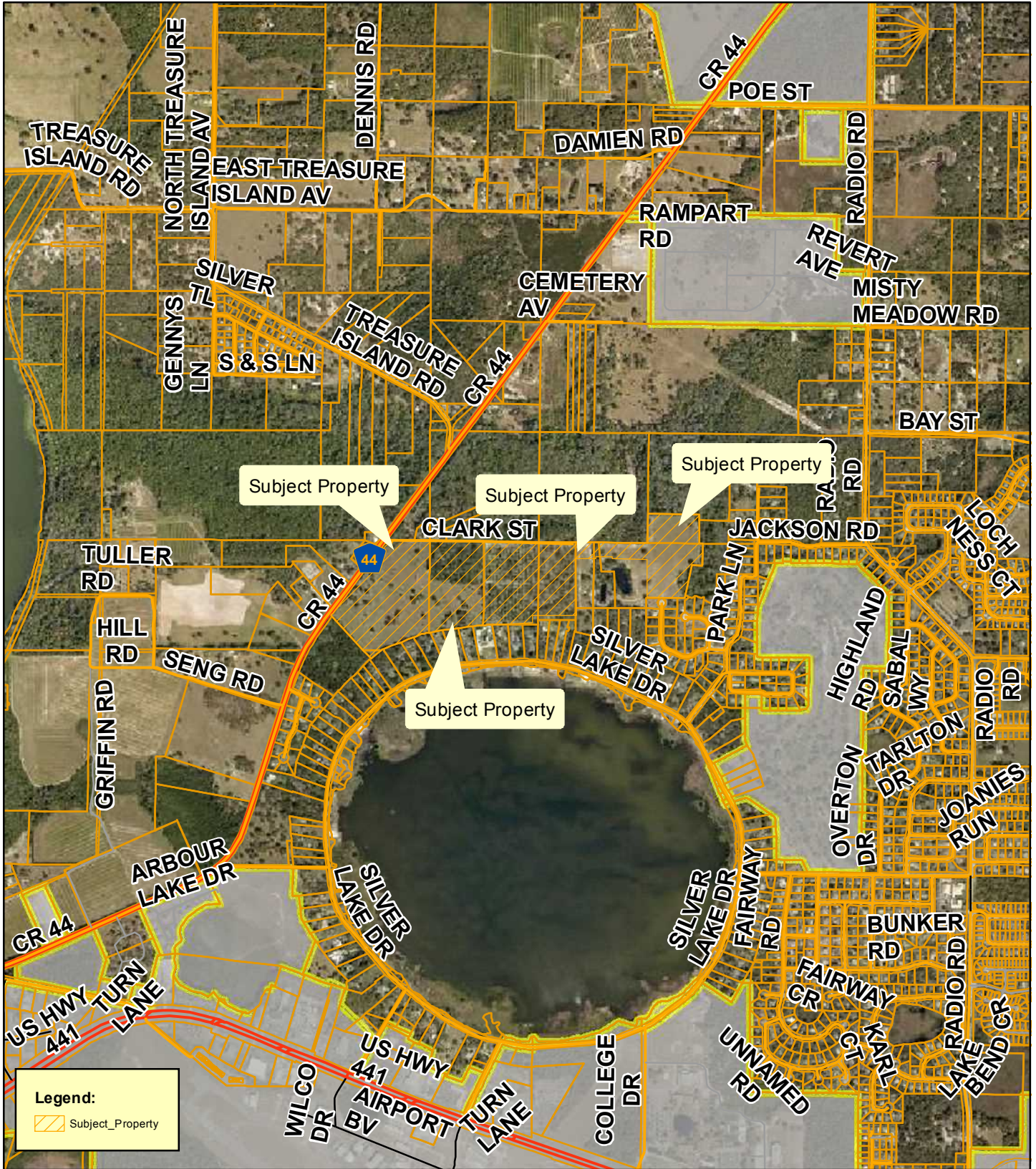
(ANNEXATION PARCEL - PORTION OF ALT KEY: 2534010)

That part of Lot 6, Block 20 and part of Lots 1, 2 AND 3, Block 21, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, all lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

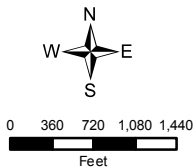
BEGIN at the Northeast corner of Lot 6, Block 20 of said SILVER LAKE ESTATES; thence South 89°13'19" East along the North line of Block 21 of said SILVER LAKE ESTATES, 674.72 feet to the Northwest corner of Tract E, SILVER LAKE MEADOWS, as recorded in Plat Book 50, Pages 17 and 18, Public records of Lake County, Florida; thence along the Westerly and Northerly boundary of said SILVER LAKE MEADOWS the following four (4) courses: South 01°24'01" West, 258.97 feet; thence North 89°21'22" West, 131.67 feet; thence South 12°06'58" West, 407.81 feet; thence North 89°18'28" West, 460.66 feet to the Northwest corner of said SILVER LAKE MEADOWS and the West line of Lot 1, Block 21 of said SILVER LAKE ESTATES; thence North 00°49'47" East along said West line, 459.80 feet; thence departing said West line North 89°26'57" West, 426.75 feet; thence North 00°33'03" East, 25.00 feet; thence North 89°26'57" West, 147.42 feet; thence North 04°56'57" West, 175.81 feet to the North line of the aforesaid Lot 6; thence South 89°26'57" East along said North line, 592.00 feet to the POINT OF BEGINNING.

Containing 11.194 acres, more or less.

City Boundary



Planning & Zoning Division

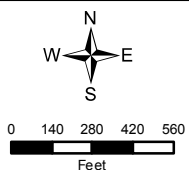


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
Sections 01, 09, 10, 16, Township 19 South, Range 25 East
July 23, 2020

Aerial



**Planning
& Zoning
Division**



ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
Sections 01, 09, 10, 16, Township 19 South, Range 25 East
July 23, 2020

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.2.

Meeting Date: December 21, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: **An Ordinance Amending Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map designation of certain property containing 83.51 +/- acres from Lake County Urban Low to City of Leesburg Estate Residential for a property generally located East of County Road 44 and South of Clark Street, as legally described in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (R O Residential)**

Staff Recommendation:

The Planning Staff recommends approval, while the Planning Commission recommended DENIAL of the proposed large-scale comprehensive plan amendment to the City's adopted Growth Management Plan.

Analysis:

The project site is approximately 83.51 acres. The property is generally located east of County Road 44 and south of Clark Street. Currently, the property is a pasture, orange grove, timber and vacant residential. The proposed use is for a single-family residential subdivision. The surrounding Future Land Use Map designation around the subject property of Lake County Urban Low Density is compatible, as conditioned in the PUD zoning, with the proposed future land use designation of City Estate Residential. The proposed zoning designation of City PUD (Planned Unit Development) will provide for development that is consistent with the City's adopted Growth Management Plan and would allow an appropriate use for the property.

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

The Planning Commission held a public hearing on the application on September 24, 2020 and by a vote of 5 to 1, recommended denial.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

There is no direct fiscal impact to the City for this action. Future development of the property will create a positive impact through ad valorem taxes, plus impact and utility fees.

Submission Date and Time: 12/16/2020 1:14:01 PM

ORDINANCE NO. _____

AN ORDINANCE AMENDING FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 83.51 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND SOUTH OF CLARK STREET, AS LEGALLY DESCRIBED IN SECTIONS 01, 09, 10, AND 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (R O RESIDENTIAL)

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

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

NOW, THEREFORE,

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

Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner:

The Future Land Use Map is amended by changing the designation of an approximate 158 acres parcel of land generally located east of County Road 44 and south of Clark Street, as shown on Attachment 1, the revised map of said area., lying in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida, legally described as:

Legal Description

(See Exhibit A)

Section 2.

All ordinances or part of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 3.

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

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 21st day of December 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

(OSTRANDER PARCEL)

All of FOREST AT SILVER LAKE, according to the Plat thereof, as recorded in Plat Book 62, Page 34, of the Public Records of Lake County, Florida.

Containing 41.692 acres, more or less.

(ROBUCK PARCEL)

That part of the Southeast 1/4 of Section 10, Township 19 South, Range 25 East, Lake County, Florida; part of Lots 3, 4, 5 and 6, Block 20 and part of Lots 1, 2 AND 3, Block 21, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, all lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

COMMENCE at the Southwest corner of the Northwest 1/4 of the Southwest 1/4, of Section 10, Township 19 S, Range 25 E also being the Northeast corner of Block 19, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida and the North line of FOREST AT SILVER LAKE, as recorded in Plat Book 62, Page 34, Public records of Lake County, Florida; thence run South 89°21'46" East along said North line of FOREST AT SILVER LAKE, 660.22 feet to the POINT OF BEGINNING at the Northeast corner of said FOREST AT SILVER LAKE also being the Northwest corner of Lot 3, Block 20 of said SILVER LAKE ESTATES; thence run South 89°26'57" East along the North line of Block 20 of said SILVER LAKE ESTATES, 1987.81 feet to the Northeast corner of said Block 20 also being the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 10; thence run North 00°49'47" East along the West line of said Northwest 1/4 of the Southeast 1/4 of section 10 a distance of 350.00 feet; thence departing said West line run South 89°13'19" East, 625.00 feet; thence South 00°52'31" West, 350.00 feet to the North line of Block 21 of said SILVER LAKE ESTATES; thence South 89°13'19" East along said North line, 50.00 feet to the Northwest corner of Tract E, SILVER LAKE MEADOWS, as recorded in Plat Book 50, Pages 17 and 18, Public records of Lake County, Florida; thence along the Westerly and Northerly boundary of said SILVER LAKE MEADOWS the following four (4) courses: South 01°24'01" West, 258.97 feet; thence North 89°21'22" West, 131.67 feet; thence South 12°06'58" West, 407.81 feet; thence North 89°18'28" West, 460.66 feet to the Northwest corner of said SILVER LAKE MEADOWS and the West line of Lot 1, Block 21 of said SILVER LAKE ESTATES; thence North 00°49'47" East along said West line, 459.80 feet; thence departing said West line North 89°26'57" West, 426.75 feet; thence North 00°33'03" East, 25.00 feet; thence North 89°26'57" West, 200.00 feet; thence South 00°33'03" West, 25.00 feet; thence North 89°26'57" West, 241.43 feet to the East line of Lot 4, Block 20 of said SILVER LAKE ESTATES; thence South 00°38'40" East along the said East line, 691.68 feet; thence departing said East line North 89°57'21" West, 538.46 feet; thence South 00°02'39" West, 83.53 feet to the South line of Lot 3, Block 20 of said SILVER LAKE ESTATES; thence run along the Southerly boundary of said Lot 3 the following three (3) courses: North 88°26'57"

West, 13.49 feet; thence South $86^{\circ}37'35''$ West, 274.64 feet; thence South $86^{\circ}26'36''$ West, 312.75 feet to the Southwest corner of said Lot 3 also being the Southeast corner of aforesaid FOREST AT SILVER LAKE; thence North $00^{\circ}46'40''$ East along the West line of said Lot 3 and East line of said FOREST AT SILVER LAKE, 1020.78 feet to the POINT OF BEGINNING.

Containing 42.060 acres, more or less.



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

DATE: September 24, 2020
OWNER: H. D. Robuck, Ted R & Gail A. Ostrander, Jr, and Charlotte R. De Laune
PETITIONER: Mike Galvin, The Galvin Company, Inc
PROJECT: Robuck/Ostrander PUD
REQUEST: Large Scale Comprehensive Plan
CASE NO.: LSCP-20-125

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Large Scale Comprehensive Plan Amendments.
2. The proposed request, as conditioned in the associated PUD (Planned Unit Development Zoning) is compatible with the adjacent future land use designations of Lake County Urban Low Density and Lake County Rural Transition.
3. The proposed request, as conditioned in the associated PUD (Planned Unit Development) zoning, is compatible with the current surrounding zoning districts of Lake County AR (Agricultural Residential), Lake County R-1 (Rural Residential), Lake County R-3 (Medium Residential District) and Lake County C-1 (Neighborhood Commercial).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the Large Scale Comprehensive Plan designation from Lake County Urban Low Density to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

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

DATE: September 24, 2020
OWNER: Ted R. Ostrander Jr., and Gail A. Ostrander; Horace D. Robuck, III and Charlotte R. De Laune; H. D. Robuck, Jr., and Iris H. Robuck
PETITIONER: Mike Galvin, The Galvin Company, Inc.
PROJECT: R O Residential
REQUEST: Future Land Use amendment to Estate Residential and zoning to PUD (Planned Unit Development)
CASE NO.: LSCP 20-125; PUD-20-126

GENERAL LOCATION: The property is generally located east of C. R. 44 and north and south of Clark Street.

FUTURE LAND USE DESIGNATION:
Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Urban Low Density
South – Urban Low Density
East – Urban Low Density
West – Rural Transition

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture); Lake County R-1 (Rural Residential); Lake County R-3 (Medium Residential District)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County A (Agriculture)
South – Lake County R-1 (Rural Residential)
East – Lake County R-1 (Rural Residential); Lake County R-2 (Estate Residential)
West – Lake County C-1 (Neighborhood Commercial); Lake County CFD (Community Facility District); Lake County R-1 (Rural Residential)

PROPOSED ZONING DESIGNATION:
PUD (Planned Unit Development)

EXISTING LAND USE: Pasture, Orange Grove, Timber, Residential (vacant).

SURROUNDING LAND USE:

North – Residential; Timber
South – Residential
East – Residential
West – Residential; Timber

PROPOSED LAND USE: Single Family Residential development

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

DATE: September 4, 2020
OWNER: Ted R. Ostrander Jr., and Gail A. Ostrander; Horace D. Robuck, III and Charlotte R. De Laune; H. D. Robuck, Jr., and Iris H. Robuck
PETITIONER: Mike Galvin, The Galvin Company, Inc
PROJECT: R O Residential
REQUEST: Future Land Use amendment to Estate Residential and zoning to PUD (Planned Unit Development)
CASE NO.: LSCP 20-125; PUD-20-126

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 9/18/20

FIRE

No comments from Fire Department. Amanda Stevenson 9/4/20

ELECTRIC

Electric has no objections. We can service the new subdivision. Steve Davis 9/3/20

GAS

No comments received as of 9/18/20

GIS

No comments received as of 9/18/20

BUILDING

No comments received as of 9/18/20

PUBLIC WORKS

No issues from Public Works. Clifford Kelsey 9/3/20

ADDRESSING

No comments received as of 9/18/20

ECONOMIC DEVELOPMENT

No comments received as of 9/18/20

LAKE COUNTY PUBLIC WORKS

No comments received as of 9/18/20

LAKE COUNTY SCHOOLS

The proposed residential subdivision is subject to school concurrency review. Thanks, Helen LaValley
9/3/20

PUBLIC RESPONSES

Approval

2 approvals

Disapproval

14 disapprovals 13 with comments

No comment

1 no comment

Notice of Appearance filed: 6

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)

Christopher F. Lunsford DMD – Environmental Degradation.

Cary V. Stinson – While I am not opposed to responsible growth. I strongly oppose the current plan with nearly 300 homes. I also strongly oppose using Mid Summer Lane as an access to the proposed development. We live in a private, quiet, residential gated community. The amount of traffic this would bring not only to our street but to Wedgewood and Silver Lake Drive would be unsafe for our children and the many people who walk/ride bikes often. I am also concerned about the impact this will have on our already outdated and full schools. When an agreement was made with the current owner to utilize Mid Summer Lane the property was/is zoned Agriculture, Rural residential, medium residential. If the property is rezoned to a PUD, this is much different use of the road which cannot handle that much traffic.

Scott Stinson – Living in a gated community I didn't think we would even have to worry about this insane traffic in our neighborhood. This would be fine if we used in manner that the agreement for use was intended to access pasture and cattle not 300 homes!

John Fisher – Development too dense, ESP w/ Lots adjacent to Silver Lake homes (min lot width 150'), traffic: no access to development via Mid Summer Lane very very concern w/traffic (addition) on Silver Lake Dr (less safe for walkers, joggers, bicyclists, etc.). Present design will significantly impact value of my home and all properties ESP on Silver Lake Dr. Need buffer between Silver Lake owners & adjacent properties.

Cynthia Clark – My husband & I did not receive a notice. However, we have home on Silver Lake Dr & 16 acres on Hwy 44. Please see comment from Jacqueline Clark 9243 Silver Lake Dr & we post the same the same message our address is 9145 Silver Lake Dr & 8541 CR 44. Property under Cynthia Clark & second is Daniel Devries & Cynthia Clark will be at meeting.

Jacqueline B. Clark – Negative effects to entire Silver Lake Area. How many people received notice. No vote approved unless entire neighborhood knows, please. Size of lots, how many & size of homes. Traffic – 2 deaths w/in 1 mile of Clark St this year. Too much traffic. Barrier – proposed?? Access from where?? Were in county – why is this city?? Property value. Could probably list 5 more.

Charles F. Hill Jr Member – STRONGLY DISAPPROVE

John Hammond – I disapprove of this because of the extra traffic and as Leesburg can't take care of the problems that they have with traffic (441 Noles Golf Cart North to where 441 widens out to six lanes) Also I have lived here since 1968 when has East Main Street been resurfaced from Canal St (East) to 44 bypass by Romakh Cutrely that care of that first.

Barbara C. Wolf, M.D. – The petition calls for the development of 83.51 acres of land adjacent to Silver Lake Meadows. On quarter acre lots this amounts to approximately 334 new homes. The density population, additional traffic, and infrastructure will adversely affect the quality of living we enjoy. Furthermore, any attempt to access the cul-de-sac on Mid Summer Lane will be met with immediate legal action.

Eduard De Felder – No need for this on Silver Lake. Keep the peaceful environment.

Ken Stark – Increased traffic via Silver Lake Road to Silver Lk Road 44 and 441 is very dangerous to current pedestrians on Silver Lk Drive. No amenities exist on the road for walkers, strollers, bikers.

Charles F Hill Jr – I STRONGLY DISAPPROVE!! I bought my property on Silver Lake and enjoy the “Country” feel of the area. This proposed subdivision will be a negative impact on all that live on Silver Lake and will lower home values. There are many places in Lake County to develop without impacting the existing residents!!

13 August 2020

City of Leesburg Planning and Zoning Division
P. O. Box 490630
Leesburg, FL 34749-0630

Re: Project- Roebuck/Ostrander PUD
Request- Large Scale Comprehensive Plan
LSCP-20-125

RECEIVED
COL 8/18/20
LSCP-20-125

To Whom it may concern,

I am writing to express my shock and dismay at the projected re-zoning in Case No. LSCP-20-125. I am a resident of Silver Lake Meadows which abuts the proposed development. I purchased my lot in 2007 with the understanding that this was to be in a gated community of homes on lots averaging 0.5 acres with no thoroughfare. Our development was entirely in keeping with the surrounding neighborhoods in the Silver Lake Area, which has historically been one of medium-size, relatively low density housing. The property proposed for re-zoning in this request was agricultural and expected to remain so.

The project development plan shows that the property will have 273 single family homes. This is outrageous. Viewing the schematic of the plan, the contrast between the high density, small lot proposal and that of our development is striking and, to be candid, jarring. 273 homes means 273 families with all the demands for infrastructure that goes with this. The need/demand for everything from utilities to schools will increase dramatically. With conservatively, 500 additional automobiles, traffic flow in the area will similarly increase greatly.

I do not deny the owners the right to sell/develop their property but it seems to me that this is an attempt to cram as many houses as possible into the property without regard to whether this is a good fit for the surrounding neighborhoods or not. It just smacks of greed to squeeze every dollar out of the property. Has the impact of so many single family homes on such a small parcel been truly assessed?

I strongly oppose this project as it is now planned. At a minimum, the density of the houses must be decreased significantly. I also take strong issue with the indicated plan to use the cul-de-sac on Mid Summer Lane in Silver Lake Meadows for access to the development. This will greatly increase through traffic and disturb an otherwise quiet residential neighborhood that was intended to be closed to through traffic. With the main entrance to this development on C.R. 44, why is this additional access even necessary?

I urge you to deny this request as presently described.

Respectfully,



Richard T. Bosshardt



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, SEPTEMBER 24TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, September 24th, 2020, at Venetian Center.

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

The following Commission members were present:

Ted Bowersox – Chairman
Clell Coleman – Vic Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, Careylee Murray, Planner, Kandi Harper, Senior Planner, and City Attorney Fred Morrison was also present.

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

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

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, AUGUST 13TH, 2020**

Commissioner O'Kelley moved to APPROVE the draft minutes from the AUGUST 13TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, AUGUST 20TH, 2020

Commissioner Wood moved to APPROVE the draft minutes from the AUGUST 20TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

1. PUBLIC HEARING CASE # LSCP-20-125 – R O RESIDENTIAL – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 83.51 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH AND SOUTH OF CLARK STREET, AS LEGALLY DESCRIBED IN SECTIONS 01, 09, 10, AND 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)** (R O Residential)

Mr. Miller stated these cases are related, with the Chairman's permission, staff requesting that we go over both cases as a whole and then afterward the Commission could vote on each case separately, so it will be easier to understand that way.

Dan Miller introduced case number #LSCP-20-125 – R O Residential – Large Scale Comprehensive Plan Amendment and case number #PUD-20-126 – R O Residential – Planned Unit Development into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, location current zoning, requests, and stated both of these future land uses do allow 4 units per acres; gave a brief explanation of the (PUD) Planned Unit Development document and conditions.

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

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments received. Under Public responses numerous responses to this request. In summary, the concerns staff received are road, traffic, property values, lots sizes, density, schools, and access. A number of people are here to comment.

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

Cathy Hattaway with Poulos & Bennett representing the developer and applicant for the Robuck/Ostrander applications;, explained the three applications moving through the City process, gave a detailed presentation of the subject property, compared proposed and existence; current future land use, under Lake County jurisdiction on the property; urban low density residential; allows up to 4 units per acre, present along east side of CR 44; future land use surrounds the property along the north, east and south side, down Lake Silver; same future land use, R-3 zoning; allows up to 3 units per acre; western side of the property, R-1 zoning on the remainder of the property, proposing exactly analogist future land use of the City of Leesburg; City of Leesburg estate future land use; just like County future land use; allows up to 4 unit no increase on the maximum allowable development on the property, PUD; density; 3.2 per acre, Ostrander portion; western side; subject property, approved plat in Lake County; entitlements, approved plat on property, vacated, homebuilder wanted to be released from financial obligation; under plat; released.

Forest at Silver Lake; 125 units on 41.69 acres, 3 units per acre; approved; reviewed the Forest at Silver Lake Plat; previously approved; portion of subject property, southern boundary of plat; Silver Lake, 65' lot width; previously approved, adjacent on southern boundary; current proposed; PUD plan, CR 44; left side; access to development, three different sizes of lots; based on colors on map; two yellow colored lots; 50' in width, lots on southern boundary; brownish color, 80' in width; 15' wider; previously approved, green 25' buffer; surrounding all sides of the property; required by the City, proposed (PUD) plan features, 80' wide lots on southern boundary, 50' wide lots interior and northern border, 25 perimeter buffer; natural or planted, 15' lot rear setback; not a part of a lot; 25' perimeter buffer and minimum of 15', until encounter structure; home; 40' from property line to closed structure; southern boundary, 26.52 ac open space; exceeds City's requirement of 30% of the project, only access; CR 44, option Boulevard entrance with three lanes; eliminate need for emergency access; southeast portion of the property; single access point on CR 44.

Mr. Bowersox stated if any Commissioner's have any questions of the petitioner.

Commissioners and Mr. Miller discussed open space, road ROW, wetlands, Mid Summer Lane access; not asking for the access, impacting any of the neighborhoods on the east side or southeast portion of property; only access on CR44, buffers, no home builder; price point in mind, price of the homes, south side far east; Silver Lake Meadows; no longer be access point, site plan modification, ingress and egress problem; not required by City of Leesburg; other than CR 44 for emergency purposes; Mr. Miller clarified access; significant feedback from the Public; utilizing option that's within the code; require Boulevard type entrance; no longer need that access; based on public input; gated; emergency purposes; not for public use; Mr. Miller replied the only option supportable emergency only; activated by Fire/Police, traffic study required by developer; traffic study done, no put out money it takes to get studies done; step one, school impacts; quite of few things, lots of hoops to jump through; North Silver Lake Drive project.

Mr. Miller read into the record the conditions of approval for the project; lot sizes, modification to current proposed plan, land has right to be developed; properly, sell land; develop land, planning mind set; cares about Leesburg, come back; consider plan, no home builder, project; not yet annexed into Leesburg, existing zoning in Lake County; project, R-1 zoning in County; allows how many units per acre, agricultural allows 1 home per 5 acres; portion; agricultural and a portion R-1; combine density; not density asking for in the County, consider ingress and egress from the development using the single entrance on 44; part of traffic study; no rear entrance, impact fees; 55 over community.

Cathy Hattaway gave a presentation to address comments from Commissioners regarding development; she stated open space doesn't include road ROW's; comprised of part tracts, open space buffer tracts, wetlands buffers, stormwater, wetlands; half an acre total; impacting half of that for stormwater needs; very little wetlands on property, hammer head codisac configuration; comes down to Mid Summer Lane; not have emergency access, one entrance only, no homebuilder right now; remain within those setback perimeters; price range consistent with general market; Leesburg, similar to Radio Road project, the intent of the City and plans; promote development, sewer line extending on CR 44; applicant provided; 75K contribution, requirement of the City for the Radio Road project, existing zoning in Lake County; little piece jugs up; agricultural, portion of Ostrander piece; R-3; allows up to 3 units per acre, and the remainder R-1, overall density; 3.2, not decision maker on this application; planning consultant; not possibility for this property; change proposed plan.

City ISBA; eligible for development, size of lots/homes; residential development; compatible, certified AICP planner, familiar with both the State statue definition of compatibility, existing future land use/existing zoning; portion of property; higher development and density in this area, not have 4 units per acre; allowable, Silver Lake Meadows; no longer be access point, reader/pointer road comes down to Mid Summer; last green square pass the last lot; left side of the road; larger green space, reader line addresses; hammer head turnaround will be placed there, required by the City to conduct a

traffic study; traffic engineer; address any questions regarding traffic or trip generation for the project

Mr. Shahidi traffic engineer gave a presentation to address traffic comments and concerns from citizens, and stated a traffic study has been submitted to the City for review; review process, received comments; Agent Planning Council, in process to incorporate the comments, traffic study; follows guidelines of the Lake Sumter MPO; reviewed and approved; by Lake Sumter MPO, traffic issues; intersection US 441 and CR 44; proposing some improvements; roadway capacity; there's capacity on the road, traffic counts done by County and State; capacity adopted by County and City; CR 44 and US 441, adopted capacity; level service D, exiting traffic; lower than capacity on the road, compacity on the roads, still in process of responding to comments; updating according to counts, separate type of analysis done; cut through traffic; cutting through Silver Lake; analysis not done, traffic analysis done; one entrance, requirement for exclusive right turn/left turn lane at entrance at 44; get traffic light; single one study; requirements, and we met demand just by traffic directed by this development.

Citizens' comments and concerns were based on current proposed plan, no capability; property value, supporter of development/growth; see something more blended, traffic study; since January through now several fatalities; North Silver Lake towards Clark Street, North Silver Lake Drive; already has been approved for 256 apartments; taken in consideration for CR 44 and Silver Lake; serious problem, road packed improve property value, traffic; CR 44, push to build these types of homes; add to quality; currently; 1 acre lots, schools; full, increase value of Leesburg, property value, rather than attracting the current proposed plan, accidents; directing traffic, CR 44; mind field, Leesburg rated; top ten dangerous cities, Lake County Zoning Board Meeting; September 7, 2005; read into the record, Greg Belliveau with LPG of Mount Dora, studying on golf course; apartments; comments read into the record, 200 units; The Arbor; building on 44, same route, transition with property sizes going into the neighborhood; accountability, committee, protection, smallest square footage house; allowed, awful plan, unbridle development, high density housing; not maintained, quality of life, trac homes, d-evaluation, set back, annexed into Leesburg, noise, 25' property; maintains, HOA; planning, in opposition of development, and impact fees.

Cathy Hattaway gave a presentation to address comments and concerns from citizens and stated no access from project directly to Silver Lake Drive; will not directly serve this project, property within City annexation area; apart of City of Leesburg, any City has urban density, unincorporated; medium density residential; much higher, areas currently within the County and Mid Summer Lane; County, not come into the City at any point, areas undeveloped and designated for the City, no increase in density; currently and approved on a portion of this property; previously, type of development, and size of lots, developer responds to market demand; provides a response to that market, homes for families, neighborhood; sidewalks, recreation facilities, open space, buffers, and other areas; owned and maintained by a HOA, comply with City of Leesburg architectural standards, not slight,

worked with Staff on a number of projects, developers and home builders they clench on architectural demands, and appreciate Board support on applications.

Chairman Bowersox close the discussion to the public, and then stated if the Commission had any discussion.

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

Commissioner Fitzpatrick made a MOTION for DENIAL of case # LSCP-20-125 – R O RESIDENTIAL – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner O’Kelley SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5 - 1.

2. PUBLIC HEARING CASE # PUD-20-126 – R O RESIDENTIAL – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 83.51 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE), LAKE COUNTY R-1 (RURAL RESIDENTIAL), AND LAKE COUNTY R-3 (MEDIUM RESIDENTIAL DISTRICT), TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR SINGLE FAMILY USES FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH AND SOUTH OF CLARK STREET, AS LEGALLY DESCRIBED IN SECTIONS 01, 09, 10, AND 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)** (R O Residential)

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

Commissioner Wood made a MOTION for DENIAL of case # PUD-20-126 – R O RESIDENTIAL – PLANNED UNIT DEVELOPMENT Commissioner Haliday SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5- 1.

DISCUSSION

None

ANNOUNCEMENTS

Mr. Miller apologizes for the split meeting and stated we did have a scheduling conflict and thanks Commission and City Attorney and Staff for pulling this off. Staff really appreciates you.

Commissioner O'Kelley made a motion to adjourn meeting.

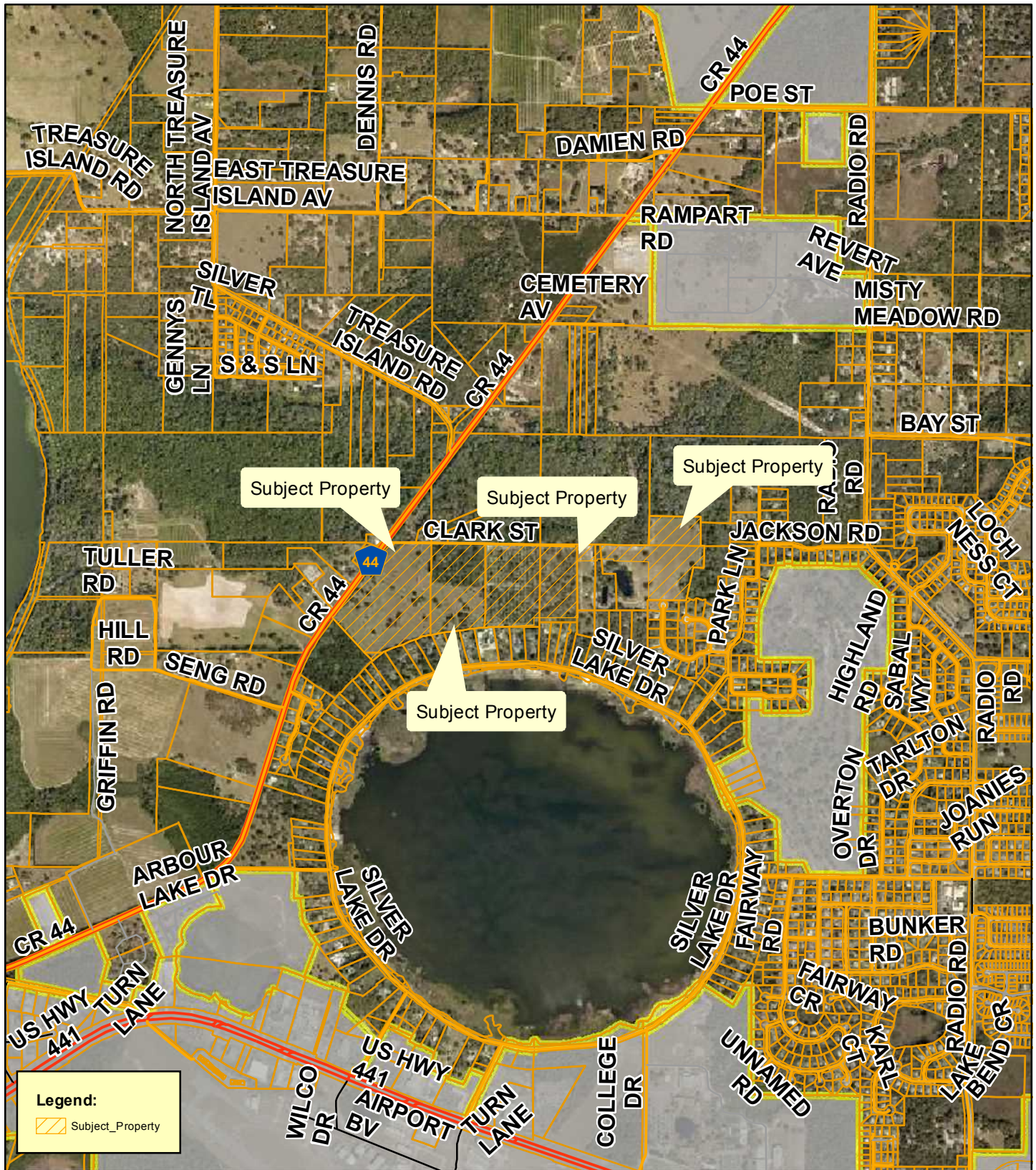
ADJOURNMENT

Approximately 7:08 p.m.

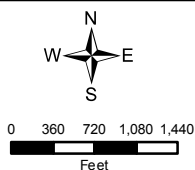
Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

City Boundary



**Planning
& Zoning
Division**

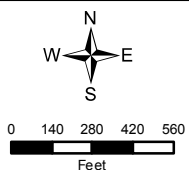


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
 Alternate Key #: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
 Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
 Sections 01, 09, 10, 16, Township 19 South, Range 25 East
 July 23, 2020

Aerial

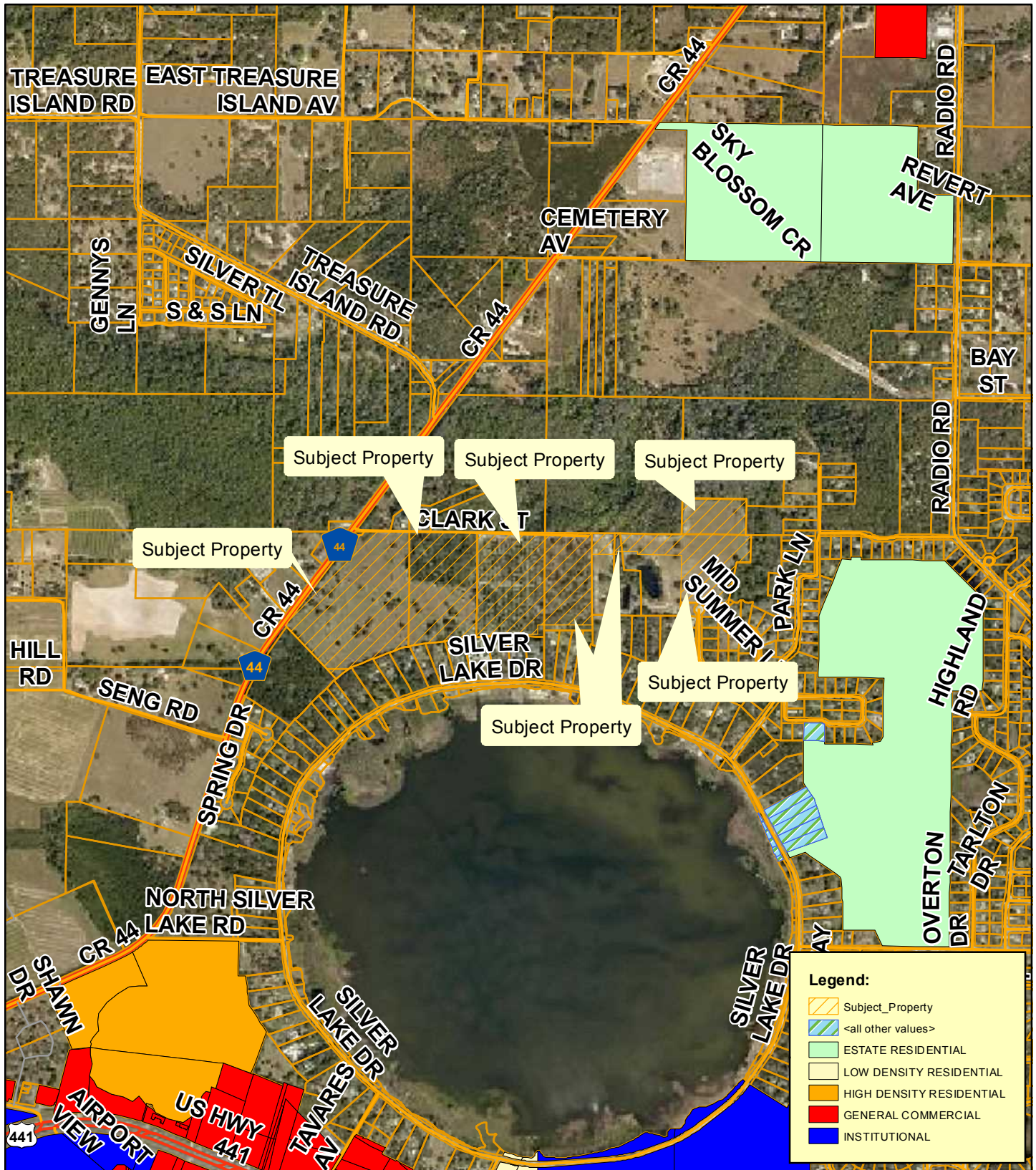


**Planning
& Zoning
Division**

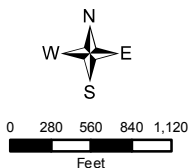


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
 Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
 Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
 Sections 01, 09, 10, 16, Township 19 South, Range 25 East
 July 23, 2020

Future Land Use

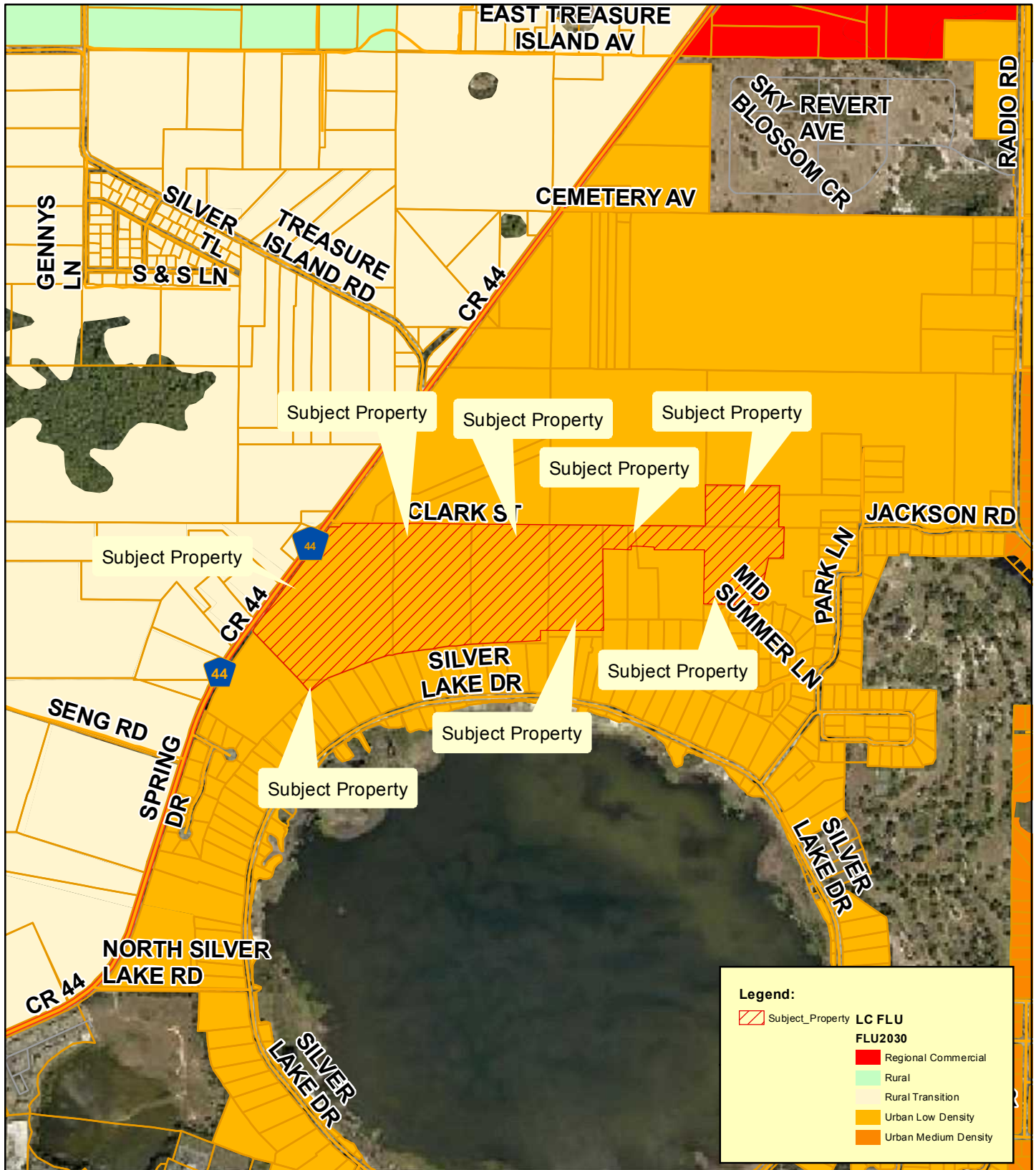


**Planning
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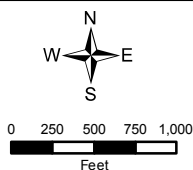


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LAKE COUNTY FUTURE LAND USE

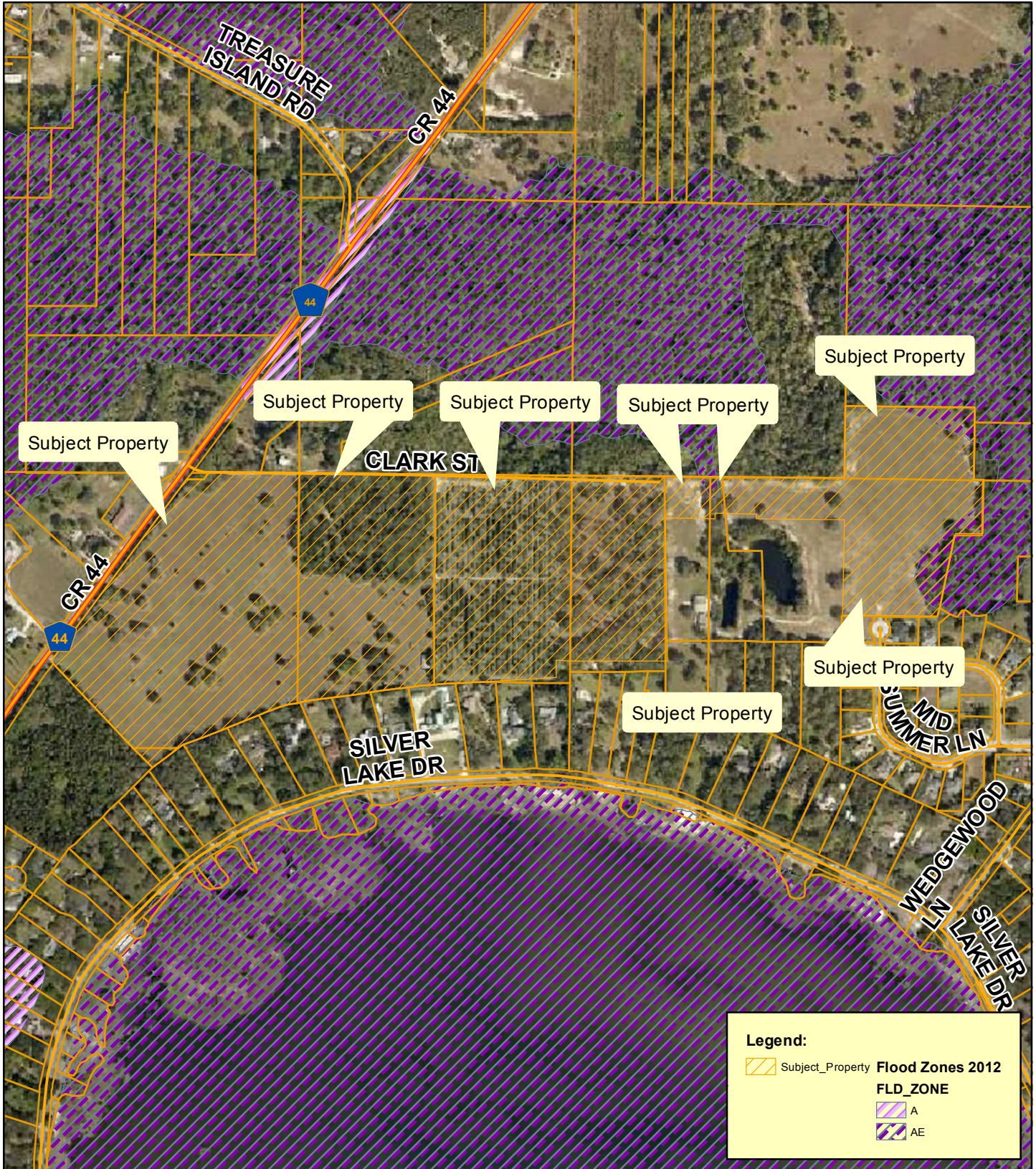


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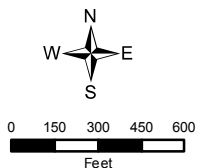


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 July 23, 2020

Flood Zones



**Planning
& Zoning
Division**

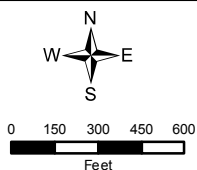


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 Sections 01, 09, 10, 16, Township 19 South, Range 25 East
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Surrounding Land Uses

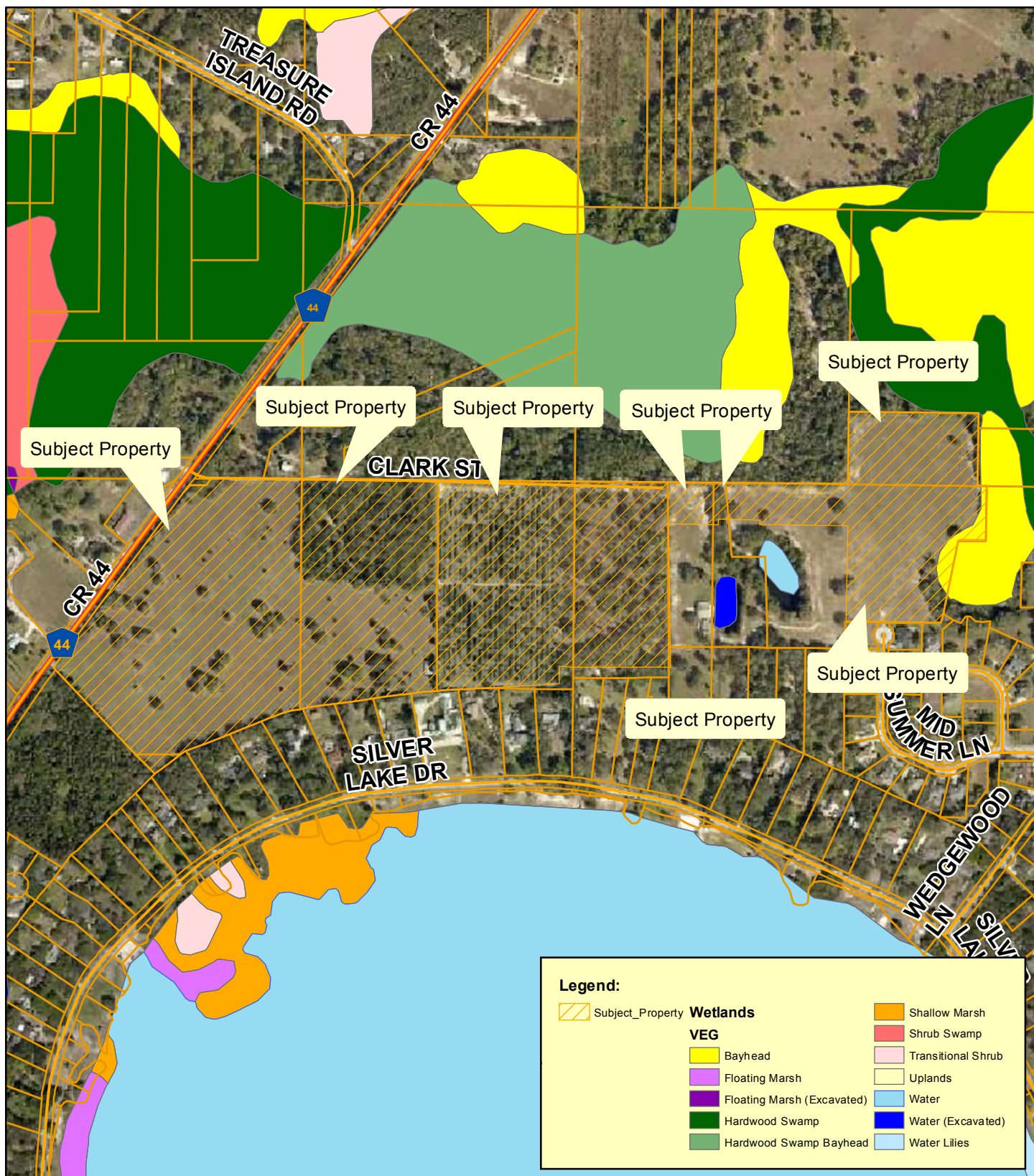


**Planning
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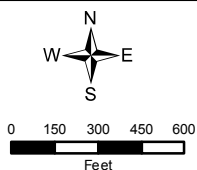


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Wetlands

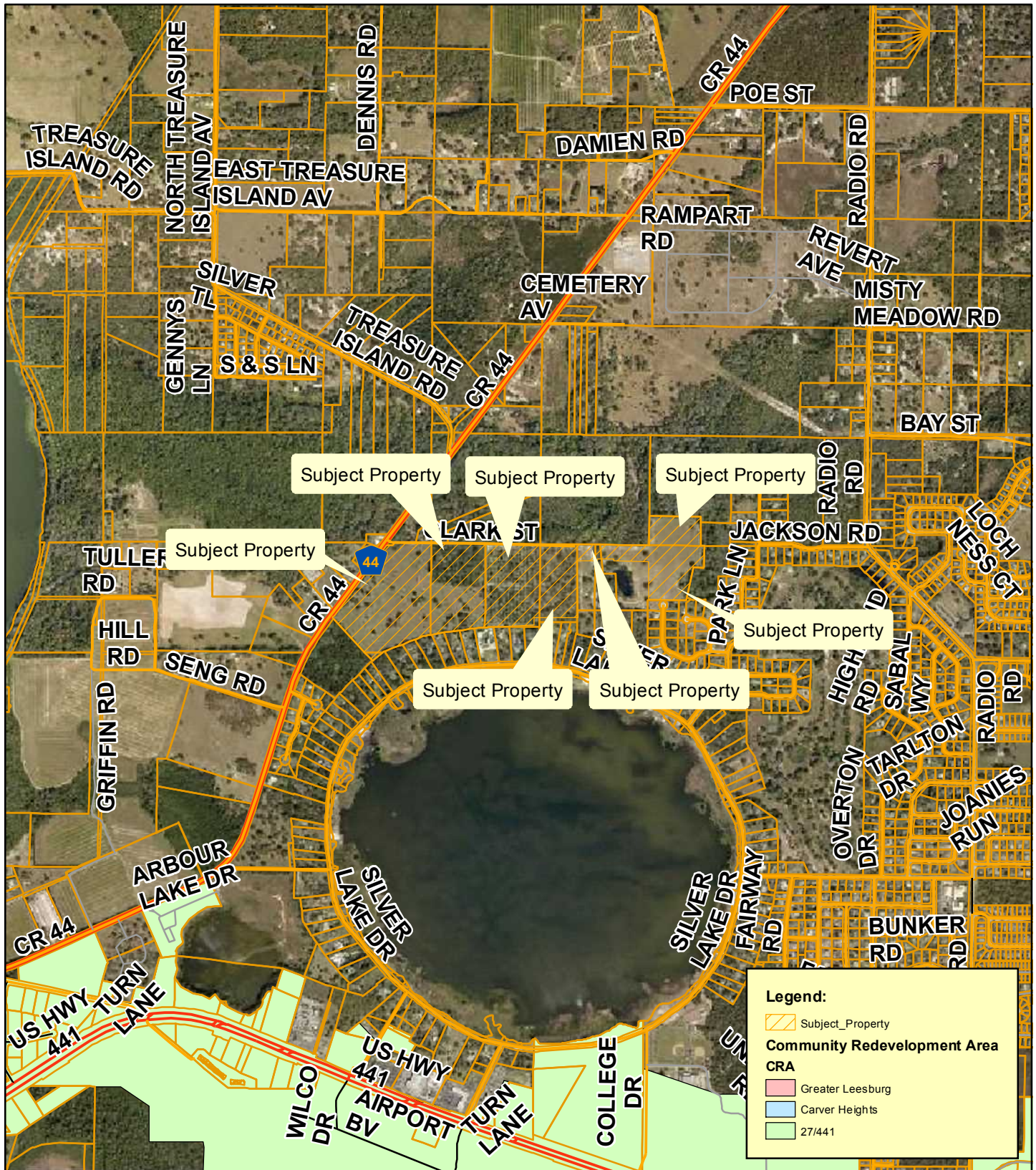


Planning & Zoning Division

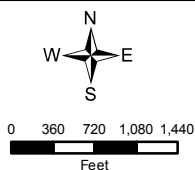


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Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
Sections 01, 09, 10, 16, Township 19 South, Range 25 East
July 23, 2020

COMMUNITY REDEVELOPMENT AREA



**Planning
& Zoning
Division**



ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
Sections 01, 09, 10, 16, Township 19 South, Range 25 East
July 23, 2020

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.3.

Meeting Date: December 21, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 83.51 +/- acres from Lake County A (Agriculture), Lake County R-1 (Rural Residential), Lake County R-3 (Medium Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for Single-Family Residential Neighborhood development for a property generally located East of County Road 44 and South of Clark Street as legally described in Sections 01, 09, 10, and 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (RO Residential PUD)**

Staff Recommendation:

The Planning staff recommends approval, while the Planning Commission recommended DENIAL for the the subject property to City of Leesburg PUD (Planned Unit Development).

Analysis:

The project site is approximately 83.51 +/- acres. The property is generally located east of County Road 44 and south of Clark Street, as shown on the attached General Location Map. Presently, the property is zoned Lake County A (Agriculture); Lake County R-1 (Rural Residential); Lake County R-3 (Medium Residential District). The current use of the property is pasture, orange grove, timber, and vacant residential. The request is to rezone to City PUD (Planned Unit Development). The proposal is for a single-family residential subdivision.

Surrounding the property are the zoning designations Lake County A (Agriculture), Lake County R-1 (Rural Residential), Lake County R-2 (Estate Residential) Lake County C-1 (Neighborhood Commercial), and Lake County CFD (Community Facility District).

The surrounding Future Land Use Map designation is Lake County Urban Low Density, and Lake County Rural Transition.

The Planning Commission held a public hearing on the application on September 24, 2020 and by a vote of 5 to 1, recommended denial. The Planning Commission specifically mentioned that the sizes of the lots were too small, and noted a recommended minimum of 15,000 square foot lots.

Procurement Analysis:

N/A

Options:

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

Fiscal Impact:

Should the property be developed, a significant fiscal impact is expected in the form of ad valorem taxes plus utility service charges.

Submission Date and Time: 12/16/2020 1:15:00 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 83.51 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE), LAKE COUNTY R-1 (RURAL RESIDENTIAL), LAKE COUNTY R-3 (MEDIUM RESIDENTIAL DISTRICT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND SOUTH OF CLARK STREET AS LEGALLY DESCRIBED IN SECTIONS 01, 09, 10, AND 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (RO RESIDENTIAL PUD)

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

Section 1.

Based upon the petition of The Galvin Company, Inc.,(Kathy Hattaway, Poulos & Bennett, LLC, Agent) the petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County A (Agriculture); Lake County R-1 (Rural Residential); Lake County R-3 (Medium Residential District) to City PUD (Planned Unit Development), to-wit:

(Legal Description)
(See Exhibit B)

Section 2.

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

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 21st day of December 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

**R.O. RESIDENTIAL
PLANNED UNIT DEVELOPMENT CONDITIONS
September 24, 2020**

These Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Mike Galvin, The Galvin Company, Inc. 1901 Ulmerton Road, Ste. 475, Clearwater, Florida** (Kathy Hattaway, Poulos & Bennett, LLC, Orlando Florida, Agent) "Permittee" for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Unit Development" of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is desirous of obtaining a Planned Unit Development (PUD) zoning district to allow future construction of a proposed mixed use residential development consisting of a maximum of 265 single family residential units on approximately 83.75 acres, generally located east of County Road 44, and north and south of Clark Street, on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

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

CONDITIONS

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

1. **PERMISSION** is hereby granted to **Mike Galvin, The Galvin Company, Inc. 1901 Ulmerton Road, Ste. 475, Clearwater, Florida** (Kathy Hattaway, Poulos & Bennett, LLC, Orlando Florida, Agent) to construct, operate, and maintain a Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.
3. **LAND USE**
The above-described property, containing approximately 83.75, shall be used for platted single-family residential development, pursuant to City of Leesburg development codes and standards.

- A. Permitted Uses
 - 1. Detached single family residential units
 - 2. Accessory structures for residential uses
 - 3. Sales office in a single family unit
 - 4. Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar.
 - 5. Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.
- B. Prohibited Uses
 - 1. Townhouses
 - 2. Multi-family units (Apartments)
 - 3. Commercial uses (as a primary use)
 - 4. All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. DEVELOPMENT STANDARDS

- A. The project shall contain a maximum of 265 single family residential units, at a gross density not to exceed 3.2 units per acre on the approximately 83.75 acre site, as shown on **Exhibit C, Master Development Plan**.
- B. Lot sizes shall be varied, to include 50 and 80 foot widths. Table 1 allows for a mix of lot sizes, shows required minimums and maximums permitted of each lot size. The mix of lot sizes may change as long as it remains consistent with the requirements for minimum width and depth and location requirements in paragraph C below.

Table 1

Lot Size	80 feet	50x110 feet	50x120 feet
Minimum Required	25	0	0
Maximum Permitted	all	60	180

- C. For lots along the southern most property boundary, the minimum lot width shall be 80 feet, as shown on the Master Development Plan.
- D. Along each street, homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement. The maximum impervious surface for the project shall be 70%. Community and private swimming pools shall not count toward the impervious surface calculation.

E. The minimum lot development standards shall be:

1. For 50 foot lots:

- a. 50 foot lots shall not be located directly adjacent to the 25-foot property buffer on the south side of the property.
- b. Minimum house size: 1600 square feet.
- c. Each additional bedroom added to the above minimum house size shall be a minimum of 120 square feet.
- d. Minimum lot size shall 5500 square feet for 110-foot lot depths and 6000 square feet for 120-foot lot depths.
- e. Minimum width 50 feet for 110-foot lot depths and 6000 square feet for 120-foot lot depths.
- f. Minimum depth 110 or 120 feet as shown in Table 1 above
- g. Minimum building setbacks:
Front – 20 feet;
Rear – 18 feet;
Side – 5 feet;
Corner Side – 15 feet; and
Porches – 14 feet (porch must be a minimum width of 6 feet).

2. For 80 foot lots:

- a. Minimum house size: 1900 square feet.
- b. Each additional bedroom added to the above minimum house size shall be a minimum of 120 square feet.
- c. Minimum lot size shall be 9600 square feet.
- d. Minimum width 80 feet
- e. Minimum depth 120 feet
- f. Minimum building setbacks:
Front – 20 feet;
Rear – 18 feet;
Side – 5 feet;
Corner Side – 15 feet.
Porch – 14 feet (porch must be a minimum width of 6 feet).

3. For all structures:

- a. Each residential structure shall have a minimum two car garage.
- b. Minimum distance between structures shall be 10 feet; measured from building wall to building wall, and the roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
- c. Maximum building height: two (2) stories or 35 feet.
- d. Accessory structures shall have a minimum rear and side setback of 5 feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.
- e. Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached

swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.

- f. Solid roof structures attached to the residence must meet the required rear setback as noted under “Minimum building setbacks.”
- g. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein.

5. DESIGN/ARCHITECTURAL STANDARDS

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

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

B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:

- 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
- 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
- 3) All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco. Unique

design features shall be reviewed by the Community Development Director for compliance.

- C. Other similar design variations meeting the intent of this section may be approved by the Community Development Director or designee.
- D. The architectural styles and facades shown in **Exhibit D, Building Elevations** herein are considered to meet the requirements of this section.

6. LANDSCAPING & BUFFER REQUIREMENTS

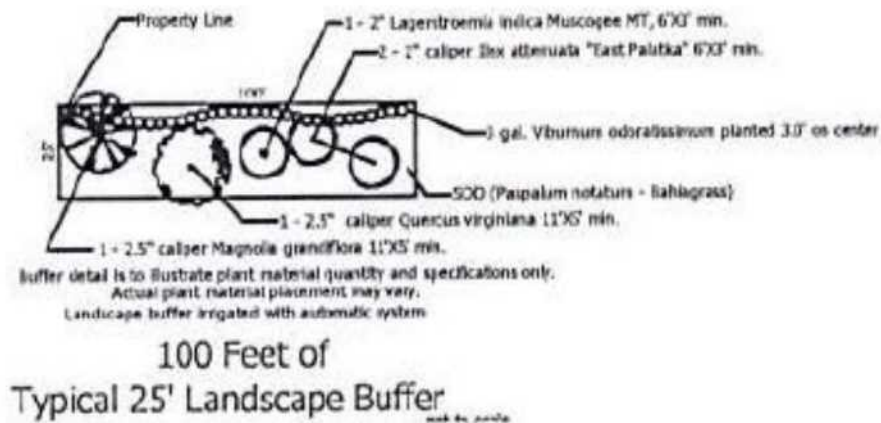
- A. A minimum twenty-five (25) foot buffer tract with plantings as shown in Figures A and B below, shall be provided along the entire boundary of the property, unless otherwise provided for within these standards.
- B. In areas of the project not directly adjacent to existing single family homes on the adjacent parcel, the final width of the required buffer may be reduced to fifteen (15) feet during the site plan review process.
- C. Along the southern boundary of the property, the 25-foot buffer may be a natural, undisturbed buffer if it provides adequate buffering. This requirement will be reviewed during the site plan review process. Required buffers shall not be part of the lots, and shall be separately owned and maintained by a Home Owners association.
- D. A six (6) foot high privacy fence shall be provided along the rear lot lines of all lots, as shown on the Master Development Plan. This fence shall not intrude into the required buffer areas. This fence shall be constructed of PVC, or other such synthetic material that allows for an opaque barrier. This fence shall be constructed on the rear property line of each individual lot. For the southern boundary of the property, one of two options shall be available. Either a 25 foot fully landscaped and fenced buffer as shown in Figures A and B below, or an undisturbed spatial buffer with a fence constructed on top of a four-foot-tall earth berm which is either sodded or seeded.
- E. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
- F. In addition to the requirements herein, all landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below:

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height

Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



- G. Variations to the landscape requirements of the code may be approved by the Community Development Director or designee, as long as the intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.
- H. The surveying of trees on the property shall be conducted as follows:
- 1) All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
 - 2) Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements.
- Tree sample plots shall be located and trees identified by a registered landscape architect, certified arborist, or certified forester or licensed surveyor

7. **SITE ACCESS AND SIGNAGE**

- A. The main vehicular access to the project site shall be a divided boulevard type entrance road with two exit lanes plus deceleration and/or stacking as required by Lake County.
- B. A secondary access point is normally required if the development exceeds 99 units. This secondary access shall be used for emergency life safety entry only, to include police, fire and ambulance services. This access may be waived based on construction of the divided boulevard type entrance along CR44, which will provide appropriate emergency and life safety access.
- C. Access locations depicted on the Master Development Plan are conceptual and subject to Lake County approval. Actual location and design of the roads shall be determined at the site plan review process and shall include consideration of, and connection to, sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and requirements through Lake County and the City of Leesburg development and permitting processes. All access points shall be subject site plan application review process.
 - 1) Offsite road improvements on CR 44 at the main access point shall be required that may include both left and right turn lanes as well as other improvements per Lake County requirements.
 - 2) Adequate right of way along the secondary access point shall be required to ensure adequate emergency vehicle access.
 - 3) Additional improvements on CR 44 may be required to accommodate the increase in the additional trips the site will produce, per Lake County requirements. Such improvements may include, but are not limited to, left and right turn lanes, right-of-way dedication, and pavement rehabilitation. Any proposed offsite road improvements must be approved by Lake County Public Works.
 - 4) Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
 - 5) The Master Development Plan, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.
- D. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
- E. The required main access point shall provide a decorative entry feature to include a concrete, brick or stucco wall at least five (5) feet in height, on each side of the entryway. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
- D. Alternative designs for the ground enclosure supports and bases of a monument sign may be approved by the Community Development Director or designee,

where the architectural style would be in keeping with the intent of these sign regulations.

8. TRANSPORTATION IMPROVEMENTS

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

9. UTILITIES

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

grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
- C. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development.
- D. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

10. STORMWATER/DRAINAGE MANAGEMENT

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowners association is an acceptable maintenance entity.
- D. The existing 100-year flood plain shown shall be shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and /or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.

- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.
- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

11. WETLANDS, FLOOD ZONES & WILDLIFE

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a homeowners association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowners association for ownership and maintenance.
- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary, or as determined by the appropriate governing agency.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in

accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.

- G. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- H. A map indicating the location of the 100-year flood plain.
- I. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and/or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
- J. There are currently FEMA flood zones located throughout the parcel. Through the site plan review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. IRRIGATION & WATER USAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.
- C. For purposes of water conservation, all irrigated areas shall meet the requirements of section 25-337(c)(4), City of Leesburg Code of Ordinances.

13. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall consist of not less than 200 square feet of space per dwelling unit or 3.47 total acres, whichever is greater.
- B. Recreational requirements shall include at least one primary active recreation area, to include a swimming pool and cabana with onsite parking. Other recreation areas may include such uses as a children's playground with equipment, dog park area or gazebo. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of the first 150 residential units.
- C. Credit for recreational space shall be given for areas dedicated to recreational space, to include items such as a clubhouse with recreation room, swimming pool, outdoor cooking facilities such as grills, youth playgrounds, play courts, dog parks or other

similar uses which will meet the intent of this document. Other similar uses which will meet the intent of this document may be supplied by the developer.

- D. Active recreational activity space shall be calculated at a rate of 1.25 times for activities such as, but not limited to:
 - 1) Trails, playgrounds, basketball, tennis, handball courts, etc.
 - 2) Community swimming pool, including the deck area surrounding such pools.
 - 3) Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.
 - 4) Other active recreational activities may be used for credit, subject to approval by the City of Leesburg.

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A homeowners association shall serve as an appropriate entity for all common properties within the development.

15. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. Implementation of the project shall substantially commence within twenty-four (24) months of the approvals of this PUD (Planned Unit Development.)
- C. Satisfaction of the substantial implementation requirements above shall be attained at such point as the developer has performed the following:
 - 1) Completed and received approval from the City of Leesburg for the site plan review process for one (1) phase of the development, to include permits from regional and State of Florida agencies as required by law, and;
 - 2) Applied for and received a building permit and diligently pursued completion of a new roadway, or other infrastructure as shown on the approved site plan;
- D. Should the satisfaction of implementation as noted above in Section 15.C. not take place within the specified time period, the City of Leesburg shall reserve the option to rezone the property to RE-1 or some other such category as may be appropriate as approved by the City Commission.

16. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be

specifically authorized in accordance with the Planned Development amendment process.

- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this PUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. LEVELS OF SERVICE

- A. Levels of Service
 - 1) As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid waste. No final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.
- B. Utilities
 - 1) Projected Capacities
 - a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
 - b. If the development requires construction of new distribution or collection lines, the developer will be required to construct such

facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.

- 2) Commitment of Capacity
 - a. There are no previous commitments of any existing or planned excess capacity for this property.
- 3) Ability to Provide Services
 - a. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
 - b. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

Legal Description:

All of FOREST AT SILVER LAKE, according to the Plat thereof, as recorded in Plat Book 62, Page 34, of the Public Records of Lake County, Florida.

Containing 41.692 acres, more or less.

(ROBUCK PARCEL)

That part of the Southeast 1/4 of Section 10, Township 19 South, Range 25 East, Lake County, Florida; part of Lots 3, 4, 5 and 6, Block 20 and part of Lots 1, 2 AND 3, Block 21, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida, all lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida being more particularly described as follows:

COMMENCE at the Southeast corner of the Northwest 1/4 of the Southwest 1/4, of Section 10, Township 19 S, Range 25 E also being the Northeast corner of Block 19, SILVER LAKE ESTATES (revised and corrected Plat of re-subdivision of SILVER LAKE ESTATES) as recorded in Plat Book 10, Pages 66 through 69, Public records of Lake County, Florida and the North line of FOREST AT SILVER LAKE, as recorded in Plat Book 62, Page 34, Public records of Lake County, Florida; thence run South 89°21'46" East along said North line of FOREST AT SILVER LAKE, 660.22 feet to the POINT OF BEGINNING at the Northeast corner of said FOREST AT SILVER LAKE also being the Northwest corner of Lot 3, Block 20 of said SILVER LAKE ESTATES; thence run South 89°26'57" East along the North line of Block 20 of said SILVER LAKE ESTATES, 1987.81 feet to the Northeast corner of said Block 20 also being the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 10; thence run North 00°49'47" East along the West line of said Northwest 1/4 of the Southeast 1/4 of section 10 a distance of 350.00 feet; thence departing said West line run South 89°13'19" East, 625.00 feet; thence South 00°52'31" West, 350.00 feet to the North line of Block 21 of said SILVER LAKE ESTATES; thence South 89°13'19" East along said North line, 50.00 feet to the Northwest corner of Tract E, SILVER LAKE MEADOWS, as recorded in Plat Book 30, Pages 17 and 18, Public records of Lake County, Florida; thence along the Westerly and Northerly boundary of said SILVER LAKE MEADOWS the following four (4) courses: South 01°24'01" West, 258.97 feet; thence North 89°21'22" West, 131.67 feet; thence South 12°06'58" West, 407.81 feet; thence North 89°18'28" West, 460.66 feet to the Northwest corner of said SILVER LAKE MEADOWS and the West line of Lot 1, Block 21 of said SILVER LAKE ESTATES; thence North 00°49'47" East along said West line, 439.80 feet; thence departing said West line North 89°26'57" West, 426.75 feet; thence North 00°33'03" East, 25.00 feet; thence North 89°26'57" West, 200.00 feet; thence South 00°33'03" West, 25.00 feet; thence North 89°26'57" West, 241.43 feet to the East line of Lot 4, Block 20 of said SILVER LAKE ESTATES; thence South 00°38'40" East along the said East line, 691.48 feet; thence departing said East line North 89°57'21" West, 538.46 feet; thence South 00°02'39" West, 83.33 feet to the South line of Lot 3, Block 20 of said SILVER LAKE ESTATES; thence run along the Southerly boundary of said Lot 3 the following three (3) courses: North 88°26'57" West, 13.49 feet; thence South 86°37'35" West, 274.64 feet; thence South 86°26'36" West, 312.75 feet to the Southwest corner of said Lot 3 also being the Southeast corner of aforesaid FOREST AT SILVER LAKE; thence North 00°46'40" East along the West line of said Lot 3 and East line of said FOREST AT SILVER LAKE, 1020.78 feet to the POINT OF BEGINNING.

Containing 42.060 acres, more or less.

City of Leesburg, FL

Legal Description:

ALL OF FOREST AC. ARRIVED LATE, according to the plac. showed, as omitted in PLAC BOOK 62, Page 28, of the Public Records of Galn County, Florida.

INSIGHT: PARENTS

That part of the northeast 1/4 of section 10, Township 18 North, Range 2 East, T8S, R2E, S18N, E2E, is located east of lots 1, 2 and 3, Block 28 and east of lots 4, 5 and 6, Block 29, which have previously been conveyed and are included in certain land interests owned by the State of Minnesota. The northeast 1/4 of section 10, Township 18 North, Range 2 East, T8S, R2E, S18N, E2E, is located east of lots 1, 2 and 3, Block 28 and east of lots 4, 5 and 6, Block 29, which have previously been conveyed and are included in certain land interests owned by the State of Minnesota. The northeast 1/4 of section 10, Township 18 North, Range 2 East, T8S, R2E, S18N, E2E, is located east of lots 1, 2 and 3, Block 28 and east of lots 4, 5 and 6, Block 29, which have previously been conveyed and are included in certain land interests owned by the State of Minnesota.

[illegible]

Containing 42,000 photos, more or less

Agustin Pomeroy/Civil Engineers
Poulos & Bennett, LLC
2602 E. Livingston Street
Deland, FL 32803
407.487.2594

Geotechnical Engineer
Faulkner Engineering Services, Inc.
2734 Causeway Center Drive
Tampa, FL 33619
813.621.8168

Bio-Tech Consulting Inc.
3025 East South Street
Orlando, FL 32803
407.894.5369
407.894.5973

Atlantic Surveying, LLC
3008 S. Dillard Street
Winter Garden, FL 34787
407.212.9310

Parcel ID No(s):

161925000100000200
091925000400004100
101925000300002900

011925050002000300 (Portion Of)
011925050002000401 (Portion Of)
011925050002000501 (Portion Of)
011925050002000600 (Portion Of)
011925050002000601 (Portion Of)
1019250004000002200

Applicant:

The Galvin Company, LLC c/o Mike Galvin
1901 Elmerston Road, Suite 475
Cincinnati, OH 45229

Agent

Poulos & Bennett, LLC c/o Kathy Hartaw, AICP
2602 E. Livingston Street
Orlando, FL 32803



Vicinity Map
Scale: 1" = 3,000'

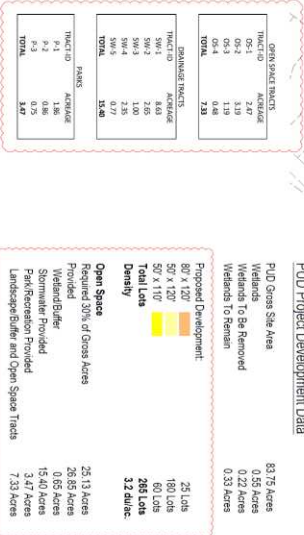
Owner:
H.D. Robuck Jr. and Iris H. Robuck
610 E. Main Street
Leesburg, FL 34748

Owner:
Horace D. Robuck III and Charlotte R. DeLaune
610 E. Main Street
Leesburg, FL 34748

Owner:
Ted R. Ostrander Jr. and Gail A. Ostrander
9263 Silver Lake Dr.
Leesburg, FL 34748

Sheet Id.	Sheet Index	Sheet Title	Solnum/Ref
			1 2 3 4 5
100		Empty Sheet	■
100		Empty Comments	■
100		Conceptual Size & Damage Plan	■
200		San Durs & Dents	■
300		Boundary Sherry	■
1,2			■
<u>Date</u>	<u>Postscript</u>		
(06/07/20)	Sketch To City Of Lansing		
1	Revised to City of Lansing		
1	9/15/200		

POULOS & BENNETT
2002 E. Livingston Street, Orlando, FL 32803
Tel: 407-587-2934 www.poulosandbennett.com
Eag. Bus. No. 2016®
Pub. Feb. No. 16176



NOTES

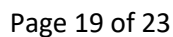
POULOS & BENNETT

CITY OF LEESBURG, FL
Sheet Title:
CONCEPTUAL SITE
& DRAINAGE PLAN
Sheet No.:
2.00

**ROBUCK
OSTRANDER
PROPERTY**

DATE TITLED	10/25/2007	TO OPEN	11/23/2006
DATE OF 2ND	10/26/2007	TO CLOSURE	11/23/2006
NO. 2010	10/26/2007		
VERTICAL MATCH			
SECTION ON BOTTOM			
JOB NO.	10-17		
DEIGNED BY	HE		
DRAWN BY	HE		
CHECKED BY	HE		
APPVED BY	HE		
SCALE IN HERE	1" = 20'		

Consulting



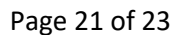




Exhibit D Home Façade Samples (Building Elevations)



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

DATE: September 24, 2020
OWNER: H. D. Robuck, Ted R & Gail A. Ostrander, Jr, and Charlotte R. De Laune
PETITIONER: Mike Galvin, The Galvin Company, Inc
PROJECT: Robuck/Ostrander PUD
REQUEST: Planned Unit Development
CASE NO.: PUD-20-126

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request, as conditioned in the associated PUD (Planned Unit Development) zoning, is compatible with the current surrounding zoning districts of Lake County AR (Agricultural Residential), Lake County R-1 (Rural Residential), Lake County R-3 (Medium Residential District) and Lake County C-1 (Neighborhood Commercial).
2. The proposed request, as conditioned in the PUD (Planned Unit Development Zoning) is compatible with the adjacent future land use designations of Lake County Urban Low Density and Lake County Rural Transition.
3. The proposed zoning designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the zoning designation from Lake County R-1 (Rural Residential) and Lake County R-3 (Medium Residential District) to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

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

DATE: September 24, 2020
OWNER: Ted R. Ostrander Jr., and Gail A. Ostrander; Horace D. Robuck, III and Charlotte R. De Laune; H. D. Robuck, Jr., and Iris H. Robuck
PETITIONER: Mike Galvin, The Galvin Company, Inc.
PROJECT: R O Residential
REQUEST: Future Land Use amendment to Estate Residential and zoning to PUD (Planned Unit Development)
CASE NO.: LSCP 20-125; PUD-20-126

GENERAL LOCATION: The property is generally located east of C. R. 44 and north and south of Clark Street.

FUTURE LAND USE DESIGNATION:
Lake County Urban Low Density

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Urban Low Density
South – Urban Low Density
East – Urban Low Density
West – Rural Transition

PROPOSED FUTURE LAND USE DESIGNATION: Estate Residential

EXISTING ZONING DESIGNATION: Lake County A (Agriculture); Lake County R-1 (Rural Residential); Lake County R-3 (Medium Residential District)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County A (Agriculture)
South – Lake County R-1 (Rural Residential)
East – Lake County R-1 (Rural Residential); Lake County R-2 (Estate Residential)
West – Lake County C-1 (Neighborhood Commercial); Lake County CFD (Community Facility District); Lake County R-1 (Rural Residential)

PROPOSED ZONING DESIGNATION:
PUD (Planned Unit Development)

EXISTING LAND USE: Pasture, Orange Grove, Timber, Residential (vacant).

SURROUNDING LAND USE:

North – Residential; Timber
South – Residential
East – Residential
West – Residential; Timber

PROPOSED LAND USE: Single Family Residential development

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

DATE: September 4, 2020
OWNER: Ted R. Ostrander Jr., and Gail A. Ostrander; Horace D. Robuck, III and Charlotte R. De Laune; H. D. Robuck, Jr., and Iris H. Robuck
PETITIONER: Mike Galvin, The Galvin Company, Inc
PROJECT: R O Residential
REQUEST: Future Land Use amendment to Estate Residential and zoning to PUD (Planned Unit Development)
CASE NO.: LSCP 20-125; PUD-20-126

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 9/18/20

FIRE

No comments from Fire Department. Amanda Stevenson 9/4/20

ELECTRIC

Electric has no objections. We can service the new subdivision. Steve Davis 9/3/20

GAS

No comments received as of 9/18/20

GIS

No comments received as of 9/18/20

BUILDING

No comments received as of 9/18/20

PUBLIC WORKS

No issues from Public Works. Clifford Kelsey 9/3/20

ADDRESSING

No comments received as of 9/18/20

ECONOMIC DEVELOPMENT

No comments received as of 9/18/20

LAKE COUNTY PUBLIC WORKS

No comments received as of 9/18/20

LAKE COUNTY SCHOOLS

The proposed residential subdivision is subject to school concurrency review. Thanks, Helen LaValley
9/3/20

PUBLIC RESPONSES

Approval

2 approvals

Disapproval

14 disapprovals 13 with comments

No comment

1 no comment

Notice of Appearance filed: 6

PUBLIC COMMENTS (APPROVAL WITH REQUESTS)

PUBLIC COMMENTS (DISAPPROVAL)

Christopher F. Lunsford DMD – Environmental Degradation.

Cary V. Stinson – While I am not opposed to responsible growth. I strongly oppose the current plan with nearly 300 homes. I also strongly oppose using Mid Summer Lane as an access to the proposed development. We live in a private, quiet, residential gated community. The amount of traffic this would bring not only to our street but to Wedgewood and Silver Lake Drive would be unsafe for our children and the many people who walk/ride bikes often. I am also concerned about the impact this will have on our already outdated and full schools. When an agreement was made with the current owner to utilize Mid Summer Lane the property was/is zoned Agriculture, Rural residential, medium residential. If the property is rezoned to a PUD, this is much different use of the road which cannot handle that much traffic.

Scott Stinson – Living in a gated community I didn't think we would even have to worry about this insane traffic in our neighborhood. This would be fine if we used in manner that the agreement for use was intended to access pasture and cattle not 300 homes!

John Fisher – Development too dense, ESP w/ Lots adjacent to Silver Lake homes (min lot width 150'), traffic: no access to development via Mid Summer Lane very very concern w/traffic (addition) on Silver Lake Dr (less safe for walkers, joggers, bicyclists, etc.). Present design will significantly impact value of my home and all properties ESP on Silver Lake Dr. Need buffer between Silver Lake owners & adjacent properties.

Cynthia Clark – My husband & I did not receive a notice. However, we have home on Silver Lake Dr & 16 acres on Hwy 44. Please see comment from Jacqueline Clark 9243 Silver Lake Dr & we post the same the same message our address is 9145 Silver Lake Dr & 8541 CR 44. Property under Cynthia Clark & second is Daniel Devries & Cynthia Clark will be at meeting.

Jacqueline B. Clark – Negative effects to entire Silver Lake Area. How many people received notice. No vote approved unless entire neighborhood knows, please. Size of lots, how many & size of homes. Traffic – 2 deaths w/in 1 mile of Clark St this year. Too much traffic. Barrier – proposed?? Access from where?? Were in county – why is this city?? Property value. Could probably list 5 more.

Charles F. Hill Jr Member – STRONGLY DISAPPROVE

John Hammond – I disapprove of this because of the extra traffic and as Leesburg can't take care of the problems that they have with traffic (441 Noles Golf Cart North to where 441 widens out to six lanes) Also I have lived here since 1968 when has East Main Street been resurfaced from Canal St (East) to 44 bypass by Romakh Cutrely that care of that first.

Barbara C. Wolf, M.D. – The petition calls for the development of 83.51 acres of land adjacent to Silver Lake Meadows. On quarter acre lots this amounts to approximately 334 new homes. The density population, additional traffic, and infrastructure will adversely affect the quality of living we enjoy. Furthermore, any attempt to access the cul-de-sac on Mid Summer Lane will be met with immediate legal action.

Eduard De Felder – No need for this on Silver Lake. Keep the peaceful environment.

Ken Stark – Increased traffic via Silver Lake Road to Silver Lk Road 44 and 441 is very dangerous to current pedestrians on Silver Lk Drive. No amenities exist on the road for walkers, strollers, bikers.

Charles F Hill Jr – I STRONGLY DISAPPROVE!! I bought my property on Silver Lake and enjoy the “Country” feel of the area. This proposed subdivision will be a negative impact on all that live on Silver Lake and will lower home values. There are many places in Lake County to develop with out impacting the existing residents!!

13 August 2020

City of Leesburg Planning and Zoning Division
P. O. Box 490630
Leesburg, FL 34749-0630

Re: Project- Roebuck/Ostrander PUD
Request- Large Scale Comprehensive Plan
LSCP-20-125

RECEIVED
COL 8/18/20
LSCP-20-125

To Whom it may concern,

I am writing to express my shock and dismay at the projected re-zoning in Case No. LSCP-20-125. I am a resident of Silver Lake Meadows which abuts the proposed development. I purchased my lot in 2007 with the understanding that this was to be in a gated community of homes on lots averaging 0.5 acres with no thoroughfare. Our development was entirely in keeping with the surrounding neighborhoods in the Silver Lake Area, which has historically been one of medium-size, relatively low density housing. The property proposed for re-zoning in this request was agricultural and expected to remain so.

The project development plan shows that the property will have 273 single family homes. This is outrageous. Viewing the schematic of the plan, the contrast between the high density, small lot proposal and that of our development is striking and, to be candid, jarring. 273 homes means 273 families with all the demands for infrastructure that goes with this. The need/demand for everything from utilities to schools will increase dramatically. With conservatively, 500 additional automobiles, traffic flow in the area will similarly increase greatly.

I do not deny the owners the right to sell/develop their property but it seems to me that this is an attempt to cram as many houses as possible into the property without regard to whether this is a good fit for the surrounding neighborhoods or not. It just smacks of greed to squeeze every dollar out of the property. Has the impact of so many single family homes on such a small parcel been truly assessed?

I strongly oppose this project as it is now planned. At a minimum, the density of the houses must be decreased significantly. I also take strong issue with the indicated plan to use the cul-de-sac on Mid Summer Lane in Silver Lake Meadows for access to the development. This will greatly increase through traffic and disturb an otherwise quiet residential neighborhood that was intended to be closed to through traffic. With the main entrance to this development on C.R. 44, why is this additional access even necessary?

I urge you to deny this request as presently described.

Respectfully,



Richard T. Bosshardt



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, SEPTEMBER 24TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, September 24th, 2020, at Venetian Center.

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

The following Commission members were present:

Ted Bowersox – Chairman
Clell Coleman – Vic Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood

The following Commission members were absent:

Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, Careylee Murray, Planner, Kandi Harper, Senior Planner, and City Attorney Fred Morrison was also present.

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

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

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, AUGUST 13TH, 2020**

Commissioner O'Kelley moved to APPROVE the draft minutes from the AUGUST 13TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, AUGUST 20TH, 2020

Commissioner Wood moved to APPROVE the draft minutes from the AUGUST 20TH, 2020 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

Chairman Bowersox called for the first case under new business be brought forward.

1. PUBLIC HEARING CASE # LSCP-20-125 – R O RESIDENTIAL – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 83.51 +/- ACRES FROM LAKE COUNTY URBAN LOW TO CITY OF LEESBURG ESTATE RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH AND SOUTH OF CLARK STREET, AS LEGALLY DESCRIBED IN SECTIONS 01, 09, 10, AND 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)** (R O Residential)

Mr. Miller stated these cases are related, with the Chairman's permission, staff requesting that we go over both cases as a whole and then afterward the Commission could vote on each case separately, so it will be easier to understand that way.

Dan Miller introduced case number #LSCP-20-125 – R O Residential – Large Scale Comprehensive Plan Amendment and case number #PUD-20-126 – R O Residential – Planned Unit Development into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, location current zoning, requests, and stated both of these future land uses do allow 4 units per acres; gave a brief explanation of the (PUD) Planned Unit Development document and conditions.

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

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments received. Under Public responses numerous responses to this request. In summary, the concerns staff received are road, traffic, property values, lots sizes, density, schools, and access. A number of people are here to comment.

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

Cathy Hattaway with Poulos & Bennett representing the developer and applicant for the Robuck/Ostrander applications;, explained the three applications moving through the City process, gave a detailed presentation of the subject property, compared proposed and existence; current future land use, under Lake County jurisdiction on the property; urban low density residential; allows up to 4 units per acre, present along east side of CR 44; future land use surrounds the property along the north, east and south side, down Lake Silver; same future land use, R-3 zoning; allows up to 3 units per acre; western side of the property, R-1 zoning on the remainder of the property, proposing exactly analogist future land use of the City of Leesburg; City of Leesburg estate future land use; just like County future land use; allows up to 4 unit no increase on the maximum allowable development on the property, PUD; density; 3.2 per acre, Ostrander portion; western side; subject property, approved plat in Lake County; entitlements, approved plat on property, vacated, homebuilder wanted to be released from financial obligation; under plat; released.

Forest at Silver Lake; 125 units on 41.69 acres, 3 units per acre; approved; reviewed the Forest at Silver Lake Plat; previously approved; portion of subject property, southern boundary of plat; Silver Lake, 65' lot width; previously approved, adjacent on southern boundary; current proposed; PUD plan, CR 44; left side; access to development, three different sizes of lots; based on colors on map; two yellow colored lots; 50' in width, lots on southern boundary; brownish color, 80' in width; 15' wider; previously approved, green 25' buffer; surrounding all sides of the property; required by the City, proposed (PUD) plan features, 80' wide lots on southern boundary, 50' wide lots interior and northern border, 25 perimeter buffer; natural or planted, 15' lot rear setback; not a part of a lot; 25' perimeter buffer and minimum of 15', until encounter structure; home; 40' from property line to closed structure; southern boundary, 26.52 ac open space; exceeds City's requirement of 30% of the project, only access; CR 44, option Boulevard entrance with three lanes; eliminate need for emergency access; southeast portion of the property; single access point on CR 44.

Mr. Bowersox stated if any Commissioner's have any questions of the petitioner.

Commissioners and Mr. Miller discussed open space, road ROW, wetlands, Mid Summer Lane access; not asking for the access, impacting any of the neighborhoods on the east side or southeast portion of property; only access on CR44, buffers, no home builder; price point in mind, price of the homes, south side far east; Silver Lake Meadows; no longer be access point, site plan modification, ingress and egress problem; not required by City of Leesburg; other than CR 44 for emergency purposes; Mr. Miller clarified access; significant feedback from the Public; utilizing option that's within the code; require Boulevard type entrance; no longer need that access; based on public input; gated; emergency purposes; not for public use; Mr. Miller replied the only option supportable emergency only; activated by Fire/Police, traffic study required by developer; traffic study done, no put out money it takes to get studies done; step one, school impacts; quite of few things, lots of hoops to jump through; North Silver Lake Drive project.

Mr. Miller read into the record the conditions of approval for the project; lot sizes, modification to current proposed plan, land has right to be developed; properly, sell land; develop land, planning mind set; cares about Leesburg, come back; consider plan, no home builder, project; not yet annexed into Leesburg, existing zoning in Lake County; project, R-1 zoning in County; allows how many units per acre, agricultural allows 1 home per 5 acres; portion; agricultural and a portion R-1; combine density; not density asking for in the County, consider ingress and egress from the development using the single entrance on 44; part of traffic study; no rear entrance, impact fees; 55 over community.

Cathy Hattaway gave a presentation to address comments from Commissioners regarding development; she stated open space doesn't include road ROW's; comprised of part tracts, open space buffer tracts, wetlands buffers, stormwater, wetlands; half an acre total; impacting half of that for stormwater needs; very little wetlands on property, hammer head codisac configuration; comes down to Mid Summer Lane; not have emergency access, one entrance only, no homebuilder right now; remain within those setback perimeters; price range consistent with general market; Leesburg, similar to Radio Road project, the intent of the City and plans; promote development, sewer line extending on CR 44; applicant provided; 75K contribution, requirement of the City for the Radio Road project, existing zoning in Lake County; little piece jugs up; agricultural, portion of Ostrander piece; R-3; allows up to 3 units per acre, and the remainder R-1, overall density; 3.2, not decision maker on this application; planning consultant; not possibility for this property; change proposed plan.

City ISBA; eligible for development, size of lots/homes; residential development; compatible, certified AICP planner, familiar with both the State statue definition of compatibility, existing future land use/existing zoning; portion of property; higher development and density in this area, not have 4 units per acre; allowable, Silver Lake Meadows; no longer be access point, reader/pointer road comes down to Mid Summer; last green square pass the last lot; left side of the road; larger green space, reader line addresses; hammer head turnaround will be placed there, required by the City to conduct a

traffic study; traffic engineer; address any questions regarding traffic or trip generation for the project

Mr. Shahidi traffic engineer gave a presentation to address traffic comments and concerns from citizens, and stated a traffic study has been submitted to the City for review; review process, received comments; Agent Planning Council, in process to incorporate the comments, traffic study; follows guidelines of the Lake Sumter MPO; reviewed and approved; by Lake Sumter MPO, traffic issues; intersection US 441 and CR 44; proposing some improvements; roadway capacity; there's capacity on the road, traffic counts done by County and State; capacity adopted by County and City; CR 44 and US 441, adopted capacity; level service D, exiting traffic; lower than capacity on the road, compacity on the roads, still in process of responding to comments; updating according to counts, separate type of analysis done; cut through traffic; cutting through Silver Lake; analysis not done, traffic analysis done; one entrance, requirement for exclusive right turn/left turn lane at entrance at 44; get traffic light; single one study; requirements, and we met demand just by traffic directed by this development.

Citizens' comments and concerns were based on current proposed plan, no capability; property value, supporter of development/growth; see something more blended, traffic study; since January through now several fatalities; North Silver Lake towards Clark Street, North Silver Lake Drive; already has been approved for 256 apartments; taken in consideration for CR 44 and Silver Lake; serious problem, road packed improve property value, traffic; CR 44, push to build these types of homes; add to quality; currently; 1 acre lots, schools; full, increase value of Leesburg, property value, rather than attracting the current proposed plan, accidents; directing traffic, CR 44; mind field, Leesburg rated; top ten dangerous cities, Lake County Zoning Board Meeting; September 7, 2005; read into the record, Greg Belliveau with LPG of Mount Dora, studying on golf course; apartments; comments read into the record, 200 units; The Arbor; building on 44, same route, transition with property sizes going into the neighborhood; accountability, committee, protection, smallest square footage house; allowed, awful plan, unbridle development, high density housing; not maintained, quality of life, trac homes, d-evaluation, set back, annexed into Leesburg, noise, 25' property; maintains, HOA; planning, in opposition of development, and impact fees.

Cathy Hattaway gave a presentation to address comments and concerns from citizens and stated no access from project directly to Silver Lake Drive; will not directly serve this project, property within City annexation area; apart of City of Leesburg, any City has urban density, unincorporated; medium density residential; much higher, areas currently within the County and Mid Summer Lane; County, not come into the City at any point, areas undeveloped and designated for the City, no increase in density; currently and approved on a portion of this property; previously, type of development, and size of lots, developer responds to market demand; provides a response to that market, homes for families, neighborhood; sidewalks, recreation facilities, open space, buffers, and other areas; owned and maintained by a HOA, comply with City of Leesburg architectural standards, not slight,

worked with Staff on a number of projects, developers and home builders they clench on architectural demands, and appreciate Board support on applications.

Chairman Bowersox close the discussion to the public, and then stated if the Commission had any discussion.

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

Commissioner Fitzpatrick made a MOTION for DENIAL of case # LSCP-20-125 – R O RESIDENTIAL – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner O’Kelley SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5 - 1.

2. PUBLIC HEARING CASE # PUD-20-126 – R O RESIDENTIAL – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 83.51 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE), LAKE COUNTY R-1 (RURAL RESIDENTIAL), AND LAKE COUNTY R-3 (MEDIUM RESIDENTIAL DISTRICT), TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR SINGLE FAMILY USES FOR A PROPERTY GENERALLY LOCATED EAST OF COUNTY ROAD 44 AND NORTH AND SOUTH OF CLARK STREET, AS LEGALLY DESCRIBED IN SECTIONS 01, 09, 10, AND 16, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, OCTOBER 12, 2020 AND SECOND READING ON MONDAY, DECEMBER 14, 2020)** (R O Residential)

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

Commissioner Wood made a MOTION for DENIAL of case # PUD-20-126 – R O RESIDENTIAL – PLANNED UNIT DEVELOPMENT Commissioner Haliday SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5- 1.

DISCUSSION

None

ANNOUNCEMENTS

Mr. Miller apologizes for the split meeting and stated we did have a scheduling conflict and thanks Commission and City Attorney and Staff for pulling this off. Staff really appreciates you.

Commissioner O'Kelley made a motion to adjourn meeting.

ADJOURNMENT

Approximately 7:08 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II



Posting of sign on site along County Road 44



Looking northeast along County Road 44 from sign posting



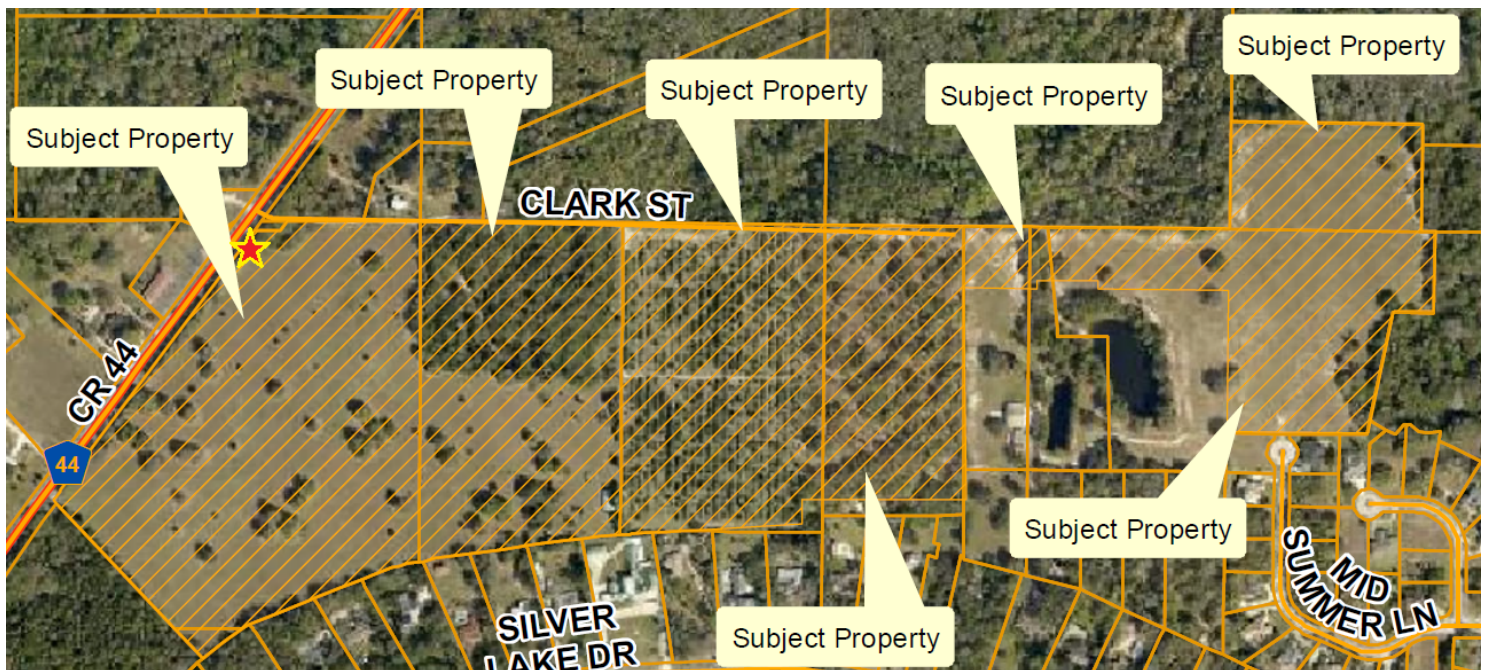
Looking west across County Road 44 from sign posting.



Looking southwest along County Road 44 from sign posting.



Close up of sign posting.

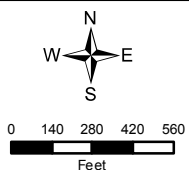


Approximate location of sign posting.

Aerial

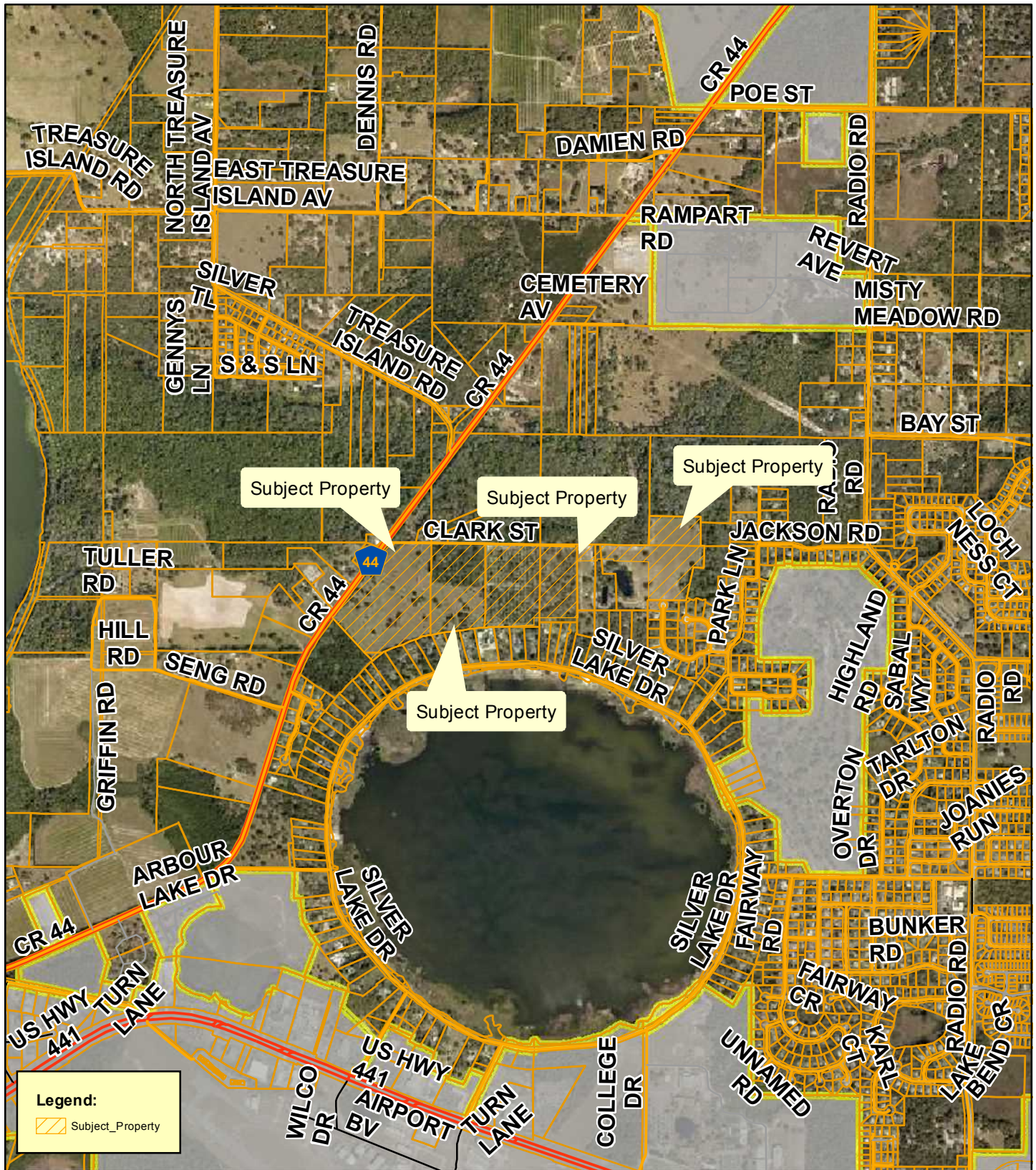


**Planning
& Zoning
Division**

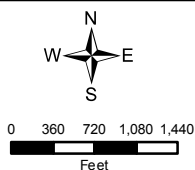


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
Sections 01, 09, 10, 16, Township 19 South, Range 25 East
July 23, 2020

City Boundary

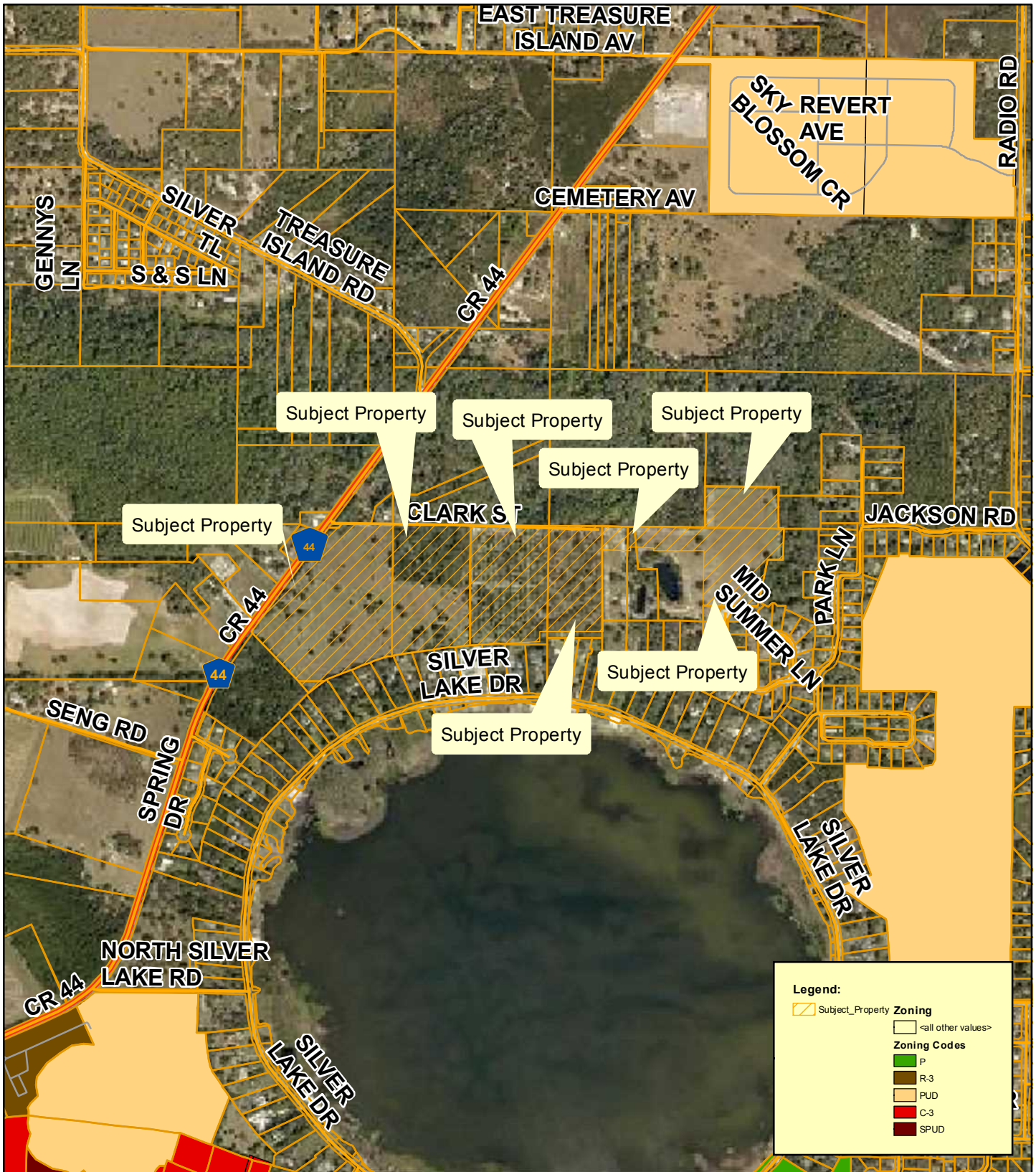


**Planning
& Zoning
Division**

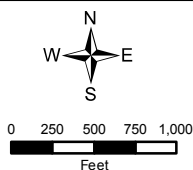


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
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 Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
 Sections 01, 09, 10, 16, Township 19 South, Range 25 East
 July 23, 2020

ZONING

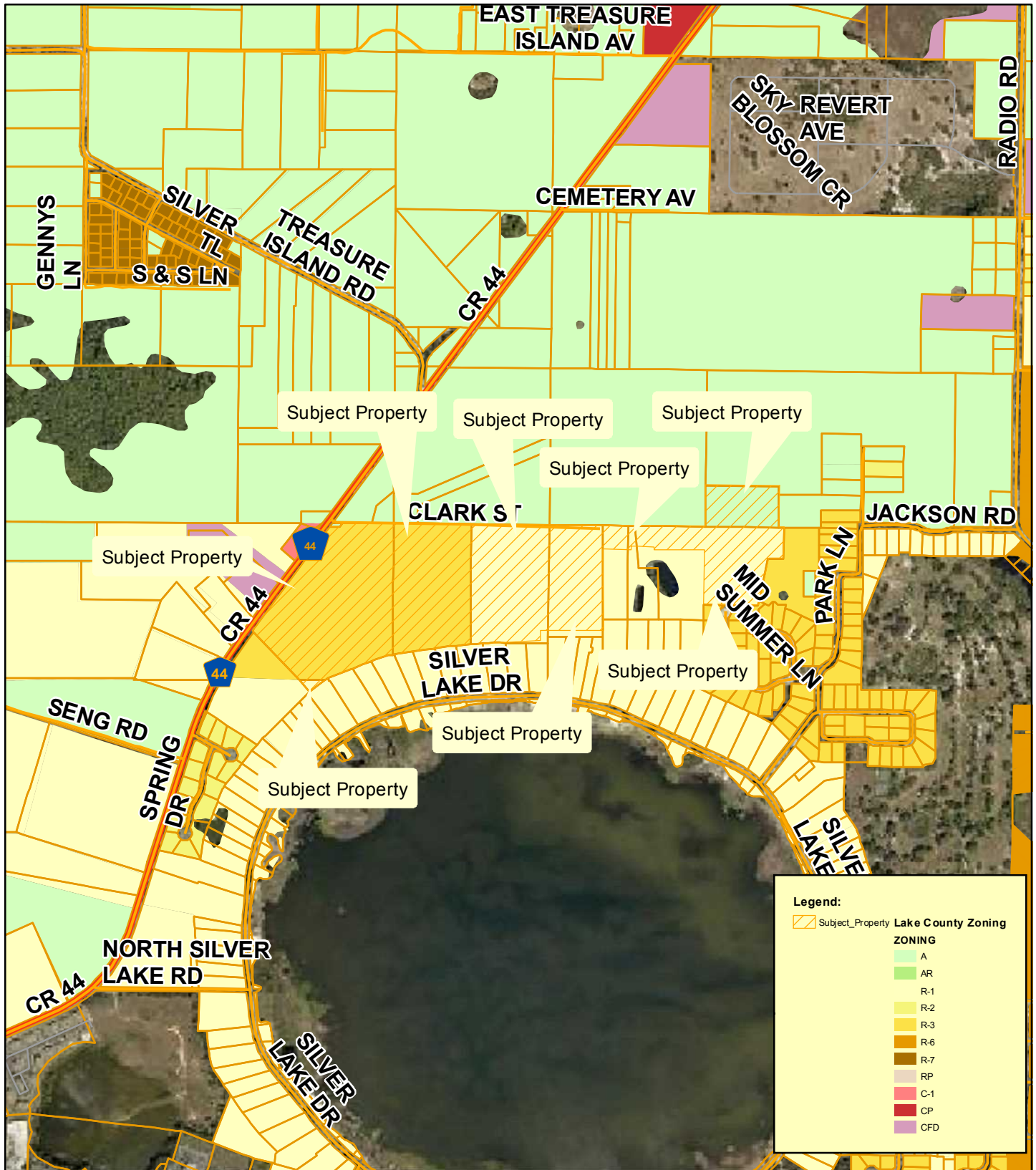


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Division**

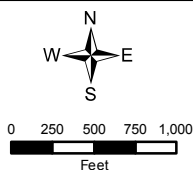


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
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 Sections 01, 09, 10, 16, Township 19 South, Range 25 East
 July 23, 2020

LAKE COUNTY ZONING

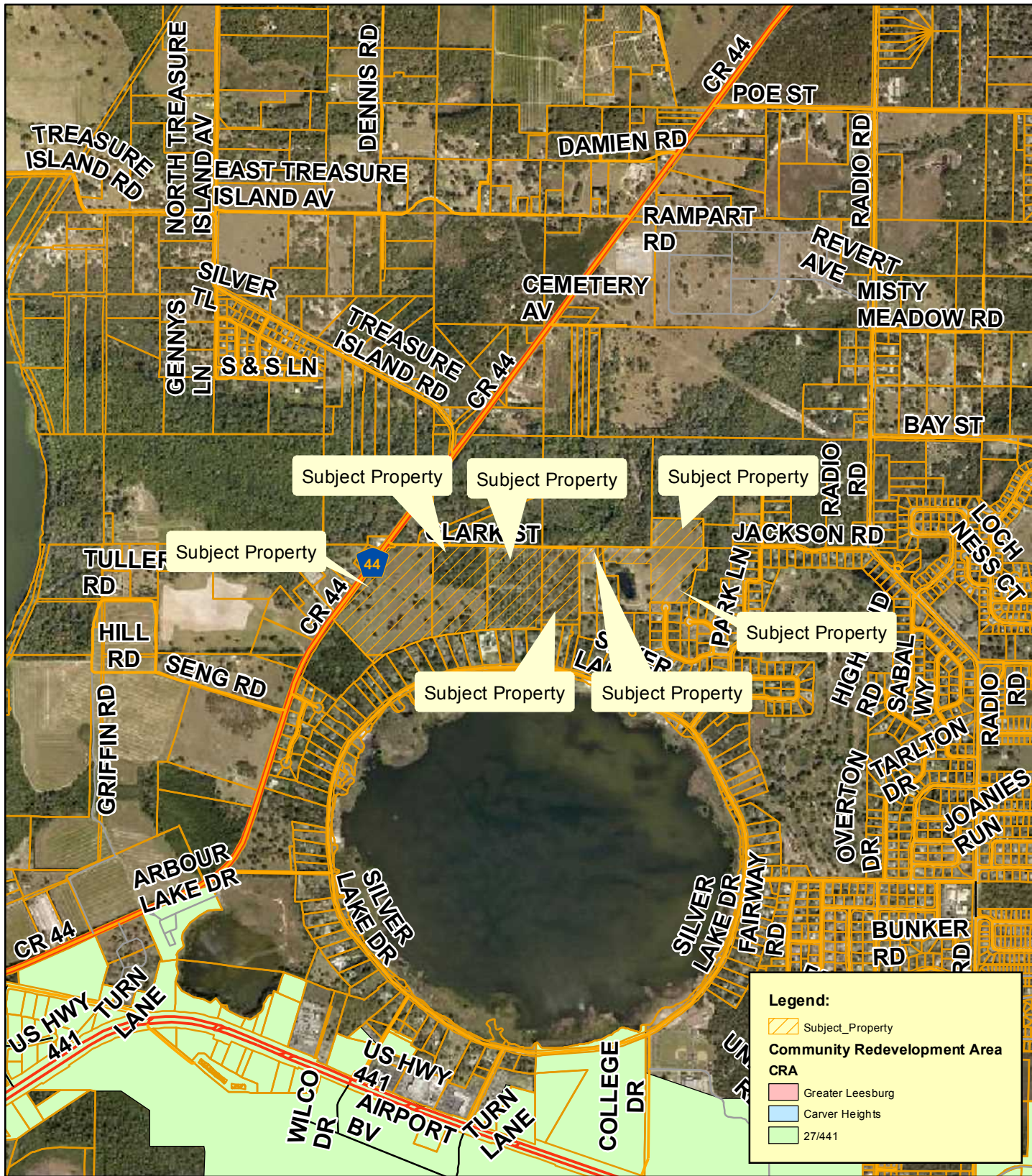


**Planning
& Zoning
Division**

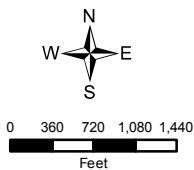


ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
 Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
 Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
 Sections 01, 09, 10, 16, Township 19 South, Range 25 East
 July 23, 2020

COMMUNITY REDEVELOPMENT AREA



Planning & Zoning Division



ANNX-20-124; LSCP-20-125; PUD-20-126 - R O Residential
Alternate Key #s: 3874332, 3874330, 3874331, Portion of 1273552, 1806101,
Portion of 2534010, 1389135, Portion of 1273587, Portion of 1273609
Sections 01, 09, 10, 16, Township 19 South, Range 25 East
July 23, 2020

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.4.

Meeting Date: December 21, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, Annexing certain real property consisting of approximately 18.5 acres; and being generally located east of Sunnyside Drive, lying in Section 33, 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 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 1; and providing an effective date. (Sunnyside Lake Land Holdings, LLC)

Staff Recommendation:

The Planning and Zoning staff recommends approval of the proposed annexation for 18.5 +/- acres on the east side of Sunnyside Drive.

Analysis:

The applicant has submitted a request for annexation of approximately 18.5 acres of land generally located on the east side of Sunnyside Drive, as shown on the attached map. The property contains one single family residence and is otherwise undeveloped. The current zoning is Lake County R-1 (Rural Residential District) and the proposed zoning is City (PUD (Planned Unit Development)). The proposed use is detached single family residential development.

This request is part of a larger PUD totaling approximately 137 acres which is located on both sides of Sunnyside Drive. The proposed Future Land Use designation is City Estate, which allows a maximum of four (4) units per acre.

Also, on this City Commission agenda is a Large-Scale Comprehensive Plan Map Amendment and a Rezoning application for this property. On January 23, 2020, by a vote of 6-0, the Planning Commission, recommended **DENIAL** of this request.

Procurement Analysis:

Options:

1. Approve the requested annexation. This would give the City jurisdiction over the use and future development of the subject site and provide for the application of City standards to this property; or
2. Disapprove the proposed annexation and allow the property to remain in the County.

Fiscal Impact:

A positive fiscal impact will result from the annexation of this property due to increased tax revenues added to the General Fund.

Submission Date and Time: 12/16/2020 1:20:47 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 18.5 ACRES; AND BEING GENERALLY LOCATED EAST OF SUNNYSIDE DRIVE, LYING IN SECTION 33, 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 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 1; AND PROVIDING AN EFFECTIVE DATE. (SUNNYSIDE LAKE LAND HOLDINGS, LLC)

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

Section 1.

Based upon the petition of Sunnyside Lake Land Holdings, LLC, (Greg Beliveau, Petitioner), for the property hereinafter described, shall be annexed to the city limits of the City of Leesburg, Florida, which petition has heretofore been approved by the City Commission of the City of Leesburg, Florida, pursuant to the provisions of the Laws of Florida, the hereinafter described property is hereby annexed and made a part of the city limits of the City of Leesburg, Florida. The subject property lying and situate in Lake County, Florida, is more particularly described as:

Legal Description
(See EXHIBIT A)

Section 2.

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

Section 3.

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

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the _____ day of _____ 2020.

THE CITY OF LEESBURG

Mayor

ATTEST:

City Clerk

LEGAL DESCRIPTION
SUNNYSIDE LAKE LAND HOLDING, LLC

Begin at the Northwest corner of Section 33, Township 19 South, Range 25 East of the Tallahassee Meridian, run thence East on Section line 1263.8 feet to the center line of Seaboard Air Line Railroad; thence continue East on Section line to Lake Harris; thence back to point of beginning and run South on Section 870 feet; thence East 850.3 feet to center line of Seaboard Air Line Railroad; run thence East to Lake Harris; thence in a Northeasterly direction along lake to North line above described;

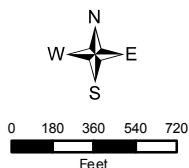
LESS the West 10 feet for road right of way,

AND LESS the South 150 feet of the North 870 feet of Governmental Lot 1.

Zoning



**Planning
& Zoning
Division**



LSCP-19-221
Sunnyside Lake Land Holding, LLC
AK#: 1704006
Section 33, Township 19 South, Range 25 East
October 8, 2019

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.5.

Meeting Date: December 21, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, amending the Comprehensive Plan Future Land Use Map of the City of Leesburg, changing the Future Land Use Map designation of certain property containing 18.5 +/- acres from Lake County Rural to City of Leesburg Estate, for a property generally located South of U.S. Highway 441, and East of Sunnyside Drive, as legally described in Section 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Sunnyside Lake Land Holdings LLC)

Staff Recommendation:

The Planning staff recommends approval of the proposed large-scale comprehensive plan amendment to the City's adopted Growth Management Plan.

Analysis:

The project site is approximately 18.5 acres. The property is generally located south of U.S. Highway 441 and east of Sunnyside Drive.

Currently, the property is vacant/undeveloped with the exception of one single family home. The proposed use is for detached single family residences. The proposed Future Land Use designation of City of Leesburg Estate is compatible with the surrounding city and county Future Land Use Map designations of Lake County Rural, Rural Transition, and City of Leesburg Estate. The proposed zoning district is PUD (Planned Unit Development).

The Planning Commission held a public hearing on the application on January 23, 2020 and by a vote of 6 to 0, recommended **DENIAL**.

Procurement Analysis:

Options:

1. Approve the requested large-scale comprehensive plan amendment to City Estate; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

There is no direct fiscal impact to the City for this action.

Submission Date and Time: 12/16/2020 1:17:03 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 18.5 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG ESTATE, FOR A PROPERTY GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 441, AND EAST OF SUNNYSIDE DRIVE, AS LEGALLY DESCRIBED IN SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (SUNNYSIDE LAKE LAND HOLDINGS LLC)

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

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

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

NOW, THEREFORE,

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that;
Section 1.

The Growth Management Plan of the City of Leesburg, adopted by the City of Leesburg on December 10, 2012, pursuant to the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes, after public hearings by the City of Leesburg Planning Commission, is hereby amended in the following manner;

The Future Land Use Map is hereby amended by changing the designation of approximately 18.5 acres of land generally located south of U.S. Highway 441 on the east side of Sunnyside Drive from Lake County Rural to City of Leesburg Estate, as shown on the revised map of said area, lying in Sections 33, Township 19 South, Range 25 East.

Section 2.

That this amendment was transmitted to the Department of Economic Opportunity as required by the Community Planning Act of 2011, Chapter 163, Part II, Florida Statutes;

Section 3.

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

Section 4.

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

PASSED AND ADOPTED by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 14th day of December 2020.

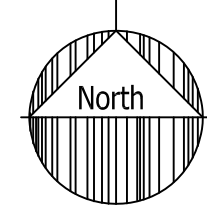
Mayor

ATTEST:

City Clerk

Sunnyside Landing Concept Plan

Leesburg, FL



October 04, 2019
GRAPHIC SCALE

(IN FEET)
1 inch = 200 ft.

RECEIVED City of Leesburg
October 4, 2019
ANNX-19-220; LSCP-19-221; PUD-19-222

LEGAL DESCRIPTION: (FROM TITLE COMMITMENT)

BEGINNING AT A POINT 220 YARDS WEST AND 153 YARDS SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SE 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 25 EAST, RUN THENCE SOUTH 177 YARDS, THENCE WEST 220 YARDS, THENCE NORTH 30 YARDS, THENCE WEST 64 1/2 YARDS, THENCE NORTH 147 YARDS, THENCE EAST 284 1/2 YARDS TO POINT OF BEGINNING.

BEGINNING 1660 FEET WEST AND 422 3/4 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 29, RUN THENCE NORTH 891.76 FEET TO NORTH BOUNDARY OF SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29, THENCE WEST 660 FEET, THENCE SOUTH 36.75' EAST 1117 FEET TO POINT OF BEGINNING.

BEGINNING 7 1/2 CHAINS NORTH OF SOUTHEAST CORNER OF SAID SECTION 29, RUN THENCE NORTH 37.50 FEET, THENCE WEST 220 YARDS, THENCE SOUTH 37.50 FEET, THENCE EAST 220 YARDS TO THE POINT OF BEGINNING.

BEGIN ON EASTERN BOUNDARY OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 26 EAST, AT A POINT 10 CHAINS NORTH OF THE SOUTHWEST CORNER THEREOF, RUN SOUTH 2 CHAINS MORE OR LESS TO POINT HALF WAY BETWEEN 2 ROWS OF ORANGE TREES, THENCE WEST BETWEEN SAID ROWS OF ORANGE TREES 10 CHAINS, THENCE SOUTH OF EAST TO A STAKE 16 CHAINS NORTH OF THE SOUTHEAST CORNER OF SAID SECTION, THENCE SOUTH TO POINT OF BEGINNING.

BEGIN AT A POINT 485 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 25 EAST, RUN THENCE WEST 660 FEET, THENCE SOUTH 495 FEET, THENCE SOUTH 82' AND 08' E. 660 FEET TO THE EAST LINE OF SAID SECTION 29, THENCE NORTH 10 FEET TO THE POINT OF BEGINNING.

BEGIN AT THE NORTHEAST CORNER OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, RUN S 400.8 FT., WEST 1320 FT., SOUTH 488.4 FT., SOUTH 75 DEED 50 MIN W 885' NORTH 115.77', WEST 452 FT. NORTH TO THE NORTHWEST CORNER OF THE NE 1/4 EAST 2640 FT TO THE POB, AND, FROM THE NORTHEAST CORNER OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, SOUTH ALONG THE EAST LINE 400.8 FT., WEST 1320 FT TO WEST LINE OF THE NE 1/4 OF SE 1/4 SOUTH ALONG SAID WEST LINE OF THE NE 1/4 OF THE NE 1/4 A DISTANCE OF 488.4 FT FOR POB, RUN S 75-50-0 W 885 FT TO PT A, RETURN TO THE POB, RUN SOUTH TO A POINT 894.4 FT SOUTH OF THE NORTHWEST CORNER OF THE NE 1/4 OF THE NE 1/4, CONTINUE SOUTH 0-43-01 W 20.78FT, S 76-23-48 W 880.64 FT, NORTH TO POINT A.

BEGIN AT THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 25 EAST RUN THENCE NORTH 7 1/2 CHAINS, THENCE WEST 10 CHAINS, THENCE SOUTH 2 1/2 CHAINS, THENCE WEST 10 CHAINS, THENCE SOUTH 5 CHAINS, THENCE EAST 20 CHAINS TO POINT OF BEGINNING, CONTAINING 12.5 ACRES; ALSO THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST 1/4 (SE 1/4) OF SAID SECTION 29, LESS THE LAND CONVEYED TO R.T. GARDNER BY DEED RECORDED AT PAGE 348 IN DEED BOOK 11 IN OFFICE OF THE CLERK OF THE CIRCUIT COURT OF SUMTER COUNTY, FLORIDA, AND LESS THE LAND CONVEYED TO J. L. GARDNER BY DEED RECORDED IN DEED BOOK 8, PAGE 139 IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF LAKE COUNTY, FLORIDA, AND LESS THE LAND CONVEYED TO ERNEST KINZIE BY DEED RECORDED AT PAGE 275 OF DEED BOOK 14, IN OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LAKE COUNTY, FLORIDA.

ALSO LESS: BEGIN AT A POINT 495 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 25 EAST, RUN THENCE WEST 660 FEET; THENCE SOUTH 890'8" EAST 660 FEET TO THE EAST LINE OF SAID SECTION 29, THENCE NORTH 10 FEET TO THE POINT OF BEGINNING. THIS SAME PIECE OF PROPERTY IS ALSO DESCRIBED AS: BEGIN AT THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 19 SOUTH, RANGE 25 EAST RUN THENCE NORTH 7 1/2 CHAINS, THENCE WEST 10 CHAINS, THENCE SOUTH 2 1/2 CHAINS, THENCE WEST 10 CHAINS, THENCE SOUTH 5 CHAINS, THENCE EAST 20 CHAINS TO POINT OF BEGINNING, CONTAINING 12.5 ACRES MORE OR LESS.

ALSO THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 29 LESS: BEGIN AT A POINT ON THE EAST LINE OF SW 1/4 OF THE SE 1/4 420 FEET NORTH OF THE SE CORNER OF SAID SW 1/4 OF THE SE 1/4 RUN THENCE NORTH 800 FEET TO THE NE CORNER OF SW 1/4 OF SE 1/4, THENCE ALONG THE NORTH LINE OF SAID SW 1/4 OF SE 1/4 857.5 FEET, THENCE SOUTHEASTERLY TO A POINT 193.5 FEET WEST AND 897.75 FEET SOUTH OF THE NE CORNER OF SW 1/4 OF SE 1/4 THENCE SOUTH 2.25 FEET THENCE EAST TO POINT OF BEGINNING.

ALL LANDS IN THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 25 EAST LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCE AT THE NORTHEAST CORNER OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, THENCE 5.00 DEGREES 01'15"W, ALONG THE EAST LINE OF SAID SECTION 32, A DISTANCE OF 574.70 FEET TO A NAIL AND CAP ON A PROJECTION OF A ROW OF CITRUS TREES FOR THE POINT OF BEGINNING, THENCE RUN S00°43'05"W ALONG SAID WEST RIGHT OF WAY LINE, 580.16 FEET TO A CONCRETE MONUMENT MARKED "FERN 3715" ON A PROJECTION OF A ROW OF CITRUS TREES, THENCE RUN S77°47'19"W ALONG SAID PROJECTION, 1353.23 FEET, THENCE RUN S02°05'59"W, 20.78 FEET; THENCE RUN S80°31'58"W, 870.15 FEET; THENCE RUN N00°46'47"E, 132.85 FEET; THENCE RUN N89°13'33"W, 457.71 FEET TO THE MONUMENT WEST LINE OF THE NORTHEAST 1/4 OF SECTION 32, THENCE RUN N00°40'34"E, ALONG SAID MONUMENT WEST LINE, 895.11 FEET TO A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF THE NORTHEAST 1/4; THENCE RUN N01°33'7"E, ALONG THE MONUMENT WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 29, 1370.86 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, THENCE RUN S89°22'16"E, ALONG THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 1133.47 FEET TO A CONCRETE MONUMENT, THENCE RUN S00°49'36"W, 459.00 FEET; THENCE RUN S83°20'08"E, 861.44 FEET; THENCE RUN N00°55'10"E, 506.66 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SUNNYSIDE DRIVE, A MAINTENANCE RIGHT OF WAY, THENCE RUN S87°24'2"E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 586.83 FEET TO A CURVE ON THE WEST RIGHT OF WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST, THENCE RUN SOUTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 68°15'25", A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 178.61 FEET, A CHORD BEARING OF S33°08'00"E AND A CHORD DISTANCE OF 168.24 FEET, THENCE RUN S01°00'43"W ALONG SAID WEST RIGHT OF WAY LINE, 934.51 FEET TO THE POINT OF BEGINNING.

BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS: (A COMPILATION OF THE ABOVE DESCRIBED PARCELS AS WRITTEN BY SURVEYOR.)

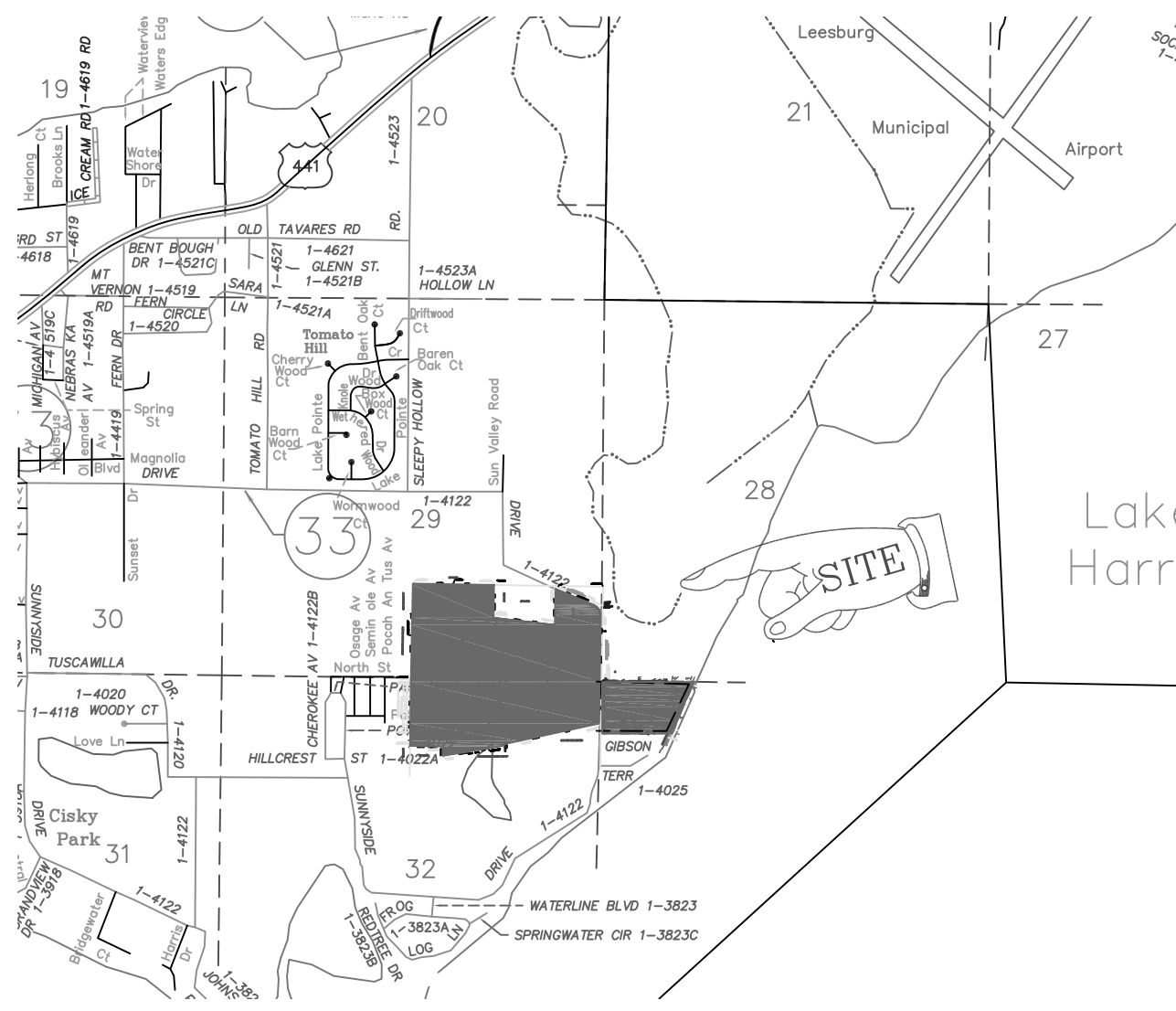
A PORTION OF SECTIONS 29 AND 32, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 29, ALSO BEING THE NORTHEAST CORNER OF SECTION 32, THENCE RUN S89°55'30"W ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 32, 25.00 FEET TO THE WEST RIGHT OF WAY LINE OF SUNNYSIDE DRIVE, A MAINTENANCE RIGHT OF WAY, FOR THE POINT OF BEGINNING, THENCE RUN S00°43'05"W ALONG SAID WEST RIGHT OF WAY LINE, 580.16 FEET TO A CONCRETE MONUMENT MARKED "FERN 3715" ON A PROJECTION OF A ROW OF CITRUS TREES, THENCE RUN S77°47'19"W ALONG SAID PROJECTION, 1353.23 FEET, THENCE RUN S02°05'59"W, 20.78 FEET; THENCE RUN S80°31'58"W, 870.15 FEET; THENCE RUN N00°46'47"E, 132.85 FEET; THENCE RUN N89°13'33"W, 457.71 FEET TO THE MONUMENT WEST LINE OF THE NORTHEAST 1/4 OF SECTION 32, THENCE RUN N00°40'34"E, ALONG SAID MONUMENT WEST LINE, 895.11 FEET TO A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF THE NORTHEAST 1/4; THENCE RUN N01°33'7"E, ALONG THE MONUMENT WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 29, 1370.86 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, THENCE RUN S89°22'16"E, ALONG THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 1133.47 FEET TO A CONCRETE MONUMENT, THENCE RUN S00°49'36"W, 459.00 FEET; THENCE RUN S83°20'08"E, 861.44 FEET; THENCE RUN N00°55'10"E, 506.66 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SUNNYSIDE DRIVE, A MAINTENANCE RIGHT OF WAY, THENCE RUN S87°24'2"E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 586.83 FEET TO A CURVE ON THE WEST RIGHT OF WAY LINE, SAID CURVE BEING CONCAVE TO THE SOUTHWEST, THENCE RUN SOUTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 68°15'25", A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 178.61 FEET, A CHORD BEARING OF S33°08'00"E AND A CHORD DISTANCE OF 168.24 FEET, THENCE RUN S01°00'43"W ALONG SAID WEST RIGHT OF WAY LINE, 934.51 FEET TO THE POINT OF BEGINNING.

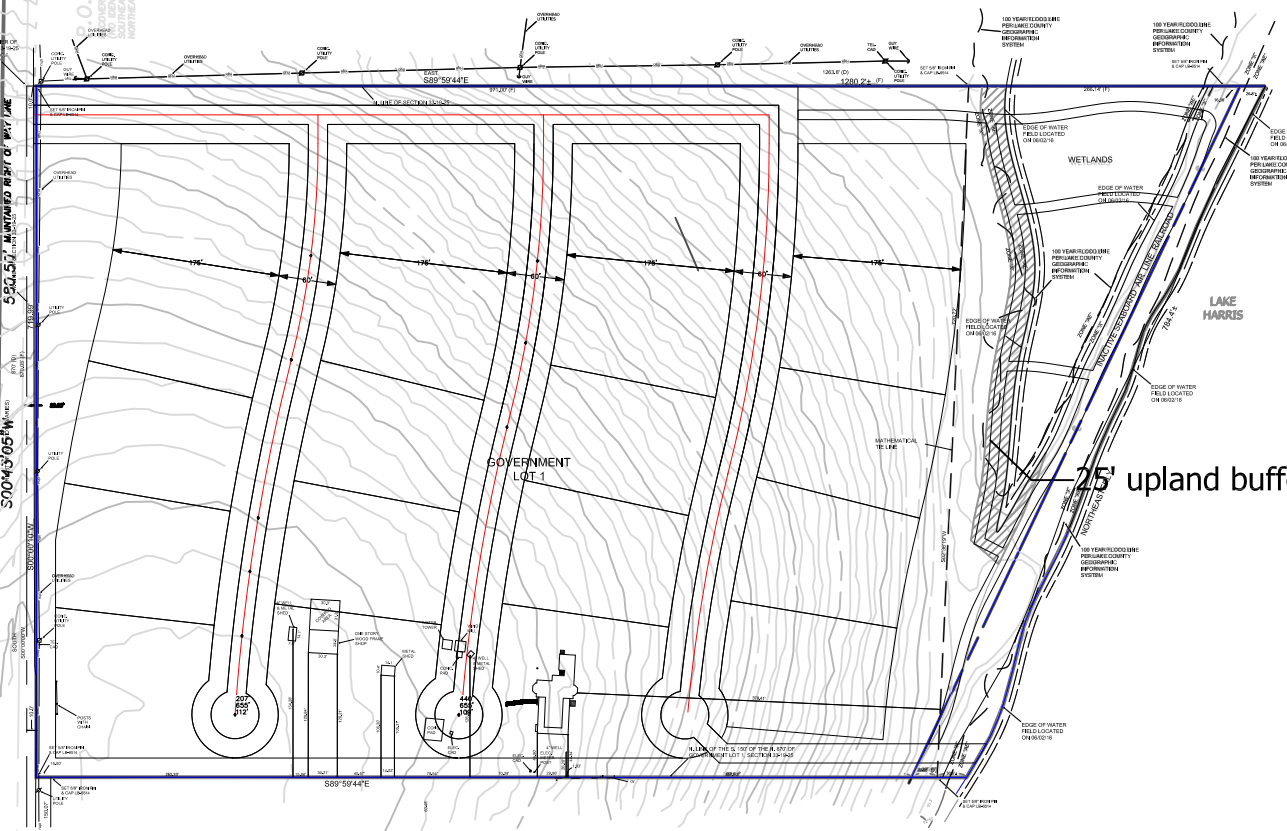
AND BEGIN AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, OF THE TALLAHASSEE MERIDIAN, LAKE COUNTY, FLORIDA, RUN THENCE EAST ON SECTION LINE 1263.8 FEET TO THE CENTER LINE OF SEABOARD AIR LINE RAILROAD, THENCE CONTINUE EAST ON SECTION LINE TO LAKE HARRIS, THENCE BACK TO POINT OF BEGINNING AND RUN SOUTH ON SECTION LINE 870 FEET, THENCE EAST 850.3 FEET TO CENTER LINE OF SEABOARD AIR LINE RAILROAD, RUN THENCE EAST TO LAKE HARRIS, THENCE IN A NORTHEASTERLY DIRECTION ALONG LAKE TO NORTH LINE ABOVE DESCRIBED, LESS THE WEST 150 FEET FOR ROAD RIGHT-OF-WAY, AND LESS: THE SOUTH 150 FEET OF THE NORTH 870 FEET OF GOVERNMENT LOT 1 OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

AND BEGIN AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, OF THE TALLAHASSEE MERIDIAN, LAKE COUNTY, FLORIDA, RUN THENCE EAST ON SECTION LINE 1263.8 FEET TO THE CENTER LINE OF SEABOARD AIR LINE RAILROAD, THENCE CONTINUE EAST ON SECTION LINE TO LAKE HARRIS, THENCE BACK TO POINT OF BEGINNING AND RUN SOUTH ON SECTION LINE 870 FEET, THENCE EAST 850.3 FEET TO CENTER LINE OF SEABOARD AIR LINE RAILROAD, RUN THENCE EAST TO LAKE HARRIS, THENCE IN A NORTHEASTERLY DIRECTION ALONG LAKE TO NORTH LINE ABOVE DESCRIBED, LESS THE WEST 150 FEET FOR ROAD RIGHT-OF-WAY, AND LESS: THE SOUTH 150 FEET OF THE NORTH 870 FEET OF GOVERNMENT LOT 1 OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

Owner:
**Cenizo Ventures, LLC and
Sunnyside Lake Land Holding, LLC**
Dr. Eric Coe
114 Sleepy Hollow Road
Leesburg, Florida 34748
Agent:
LPG Urban and Regional Planners, Inc.
Greg Beliveau
1162 Camp Avenue
Mount Dora, Florida, 34757
(352) 385-1940



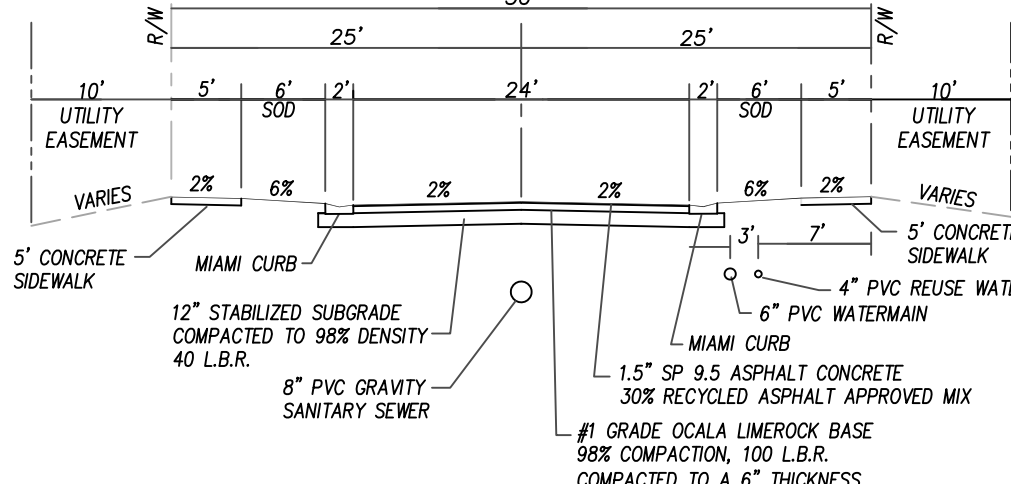
location map
no scale



25' upland buffer

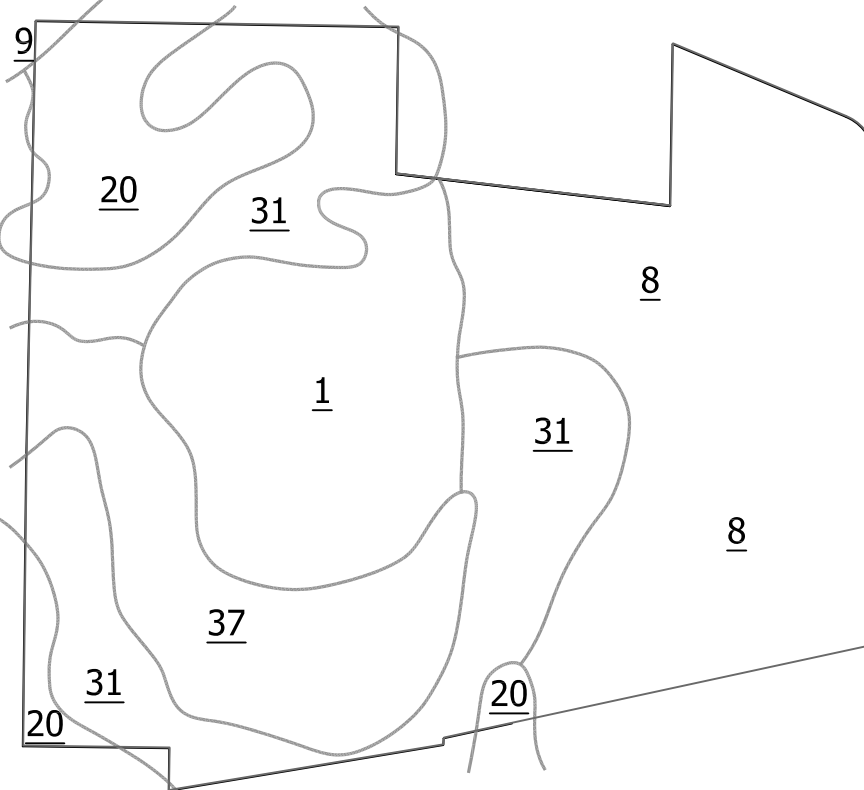
Soils:

- 1 Sparr Sand, 0 to 5% slopes
- 8 Candler sand, 0 to 5% slopes
- 9 Candler sand, 5 to 12% slopes
- 20 Immokalee sand
- 31 Ocoee mucky peat
- 37 Ellzey sand
- 44 Swamp
- 99 water



TYPICAL ROADWAY SECTION

general soils map no scale



Notes

Total Project Acreage: 137.35 Acres± (5,982,966 sq ft±)
Existing Zoning: City of Leesburg PUD, Lake County A
Proposed Zoning: City of Leesburg PUD
Adjacent Zoning: North - Lake County R-1
South - Lake County R-1
East - Lake County R-1
West - City of Leesburg R1-A
Existing Future Land Use: Estate Residential and LC Rural
Proposed Future Land Use: Estate Residential
Proposed Use: 231 single family residential lots
Gross density 1.7 DU/AC
Flood Zone: As noted on survey
Wetlands: 44.4 acres
Open Space: 41.20 acres - 30%
Soils as noted: Shown on soils map
Sewer and water service from the City of Leesburg, re-use water service when it becomes available.
Landscaping buffers as required
City of Leesburg Electric
All Easements will be maintained by the POA
Stormwater management will be through a system of swales and dry retention ponds.

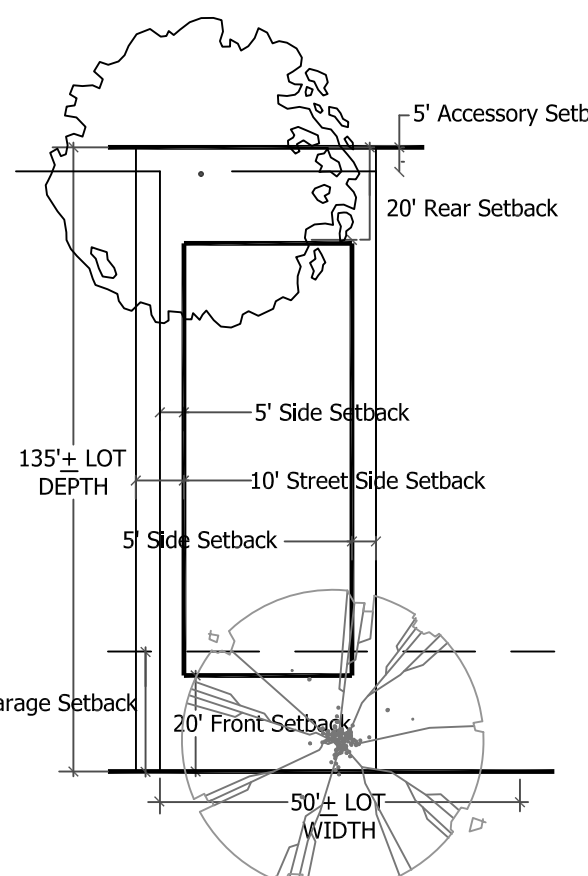


conservation easement/
open space

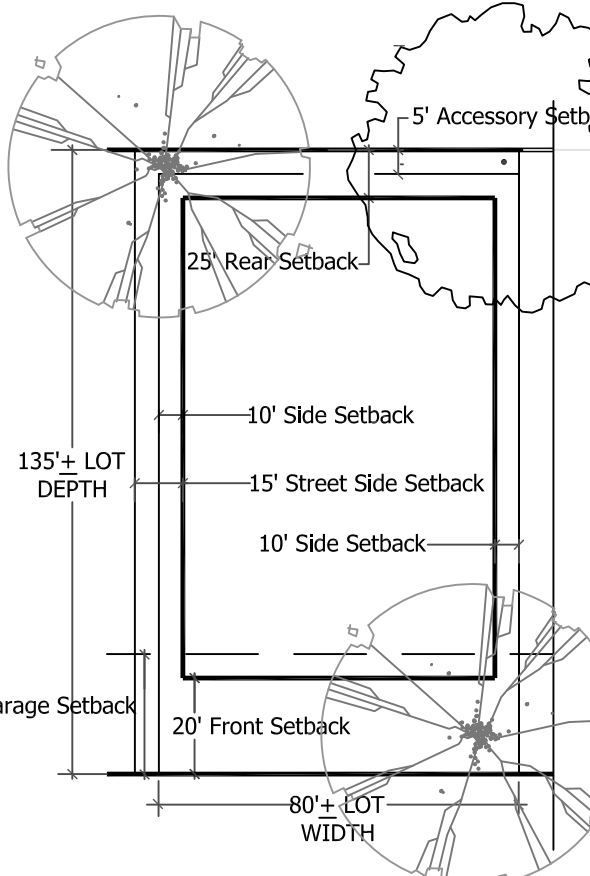
25' upland buffer

conservation easement/
open space

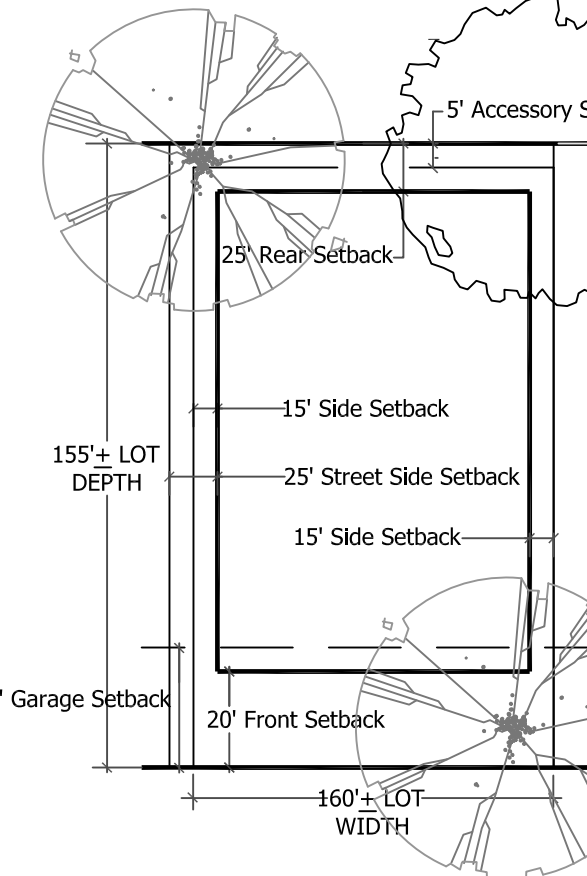
25' upland buffer



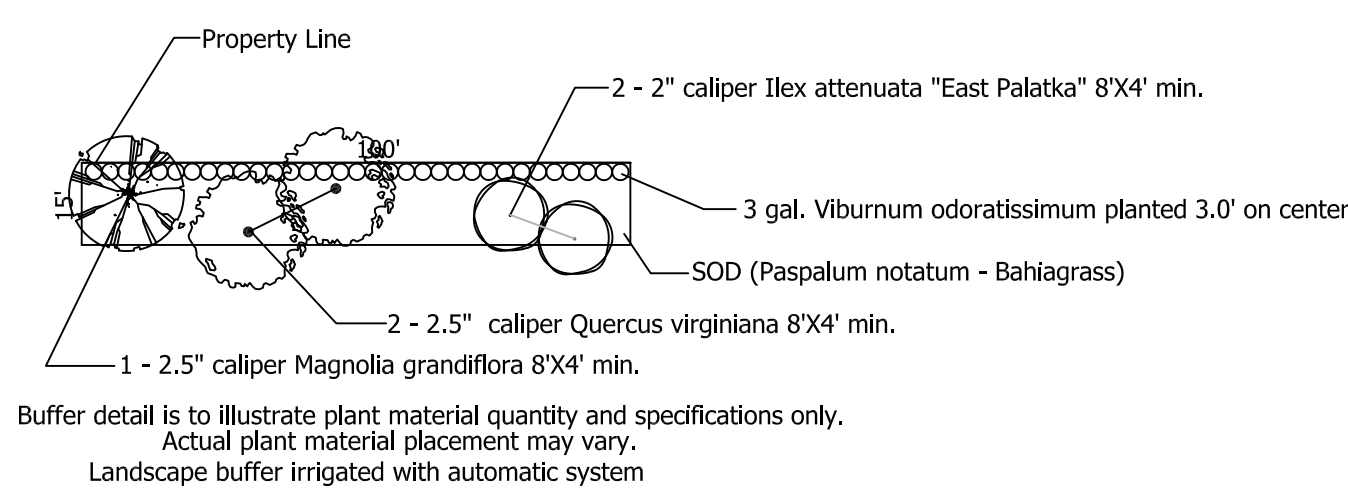
TYPICAL 50' SINGLE FAMILY LOT
6,750 SQ FT±



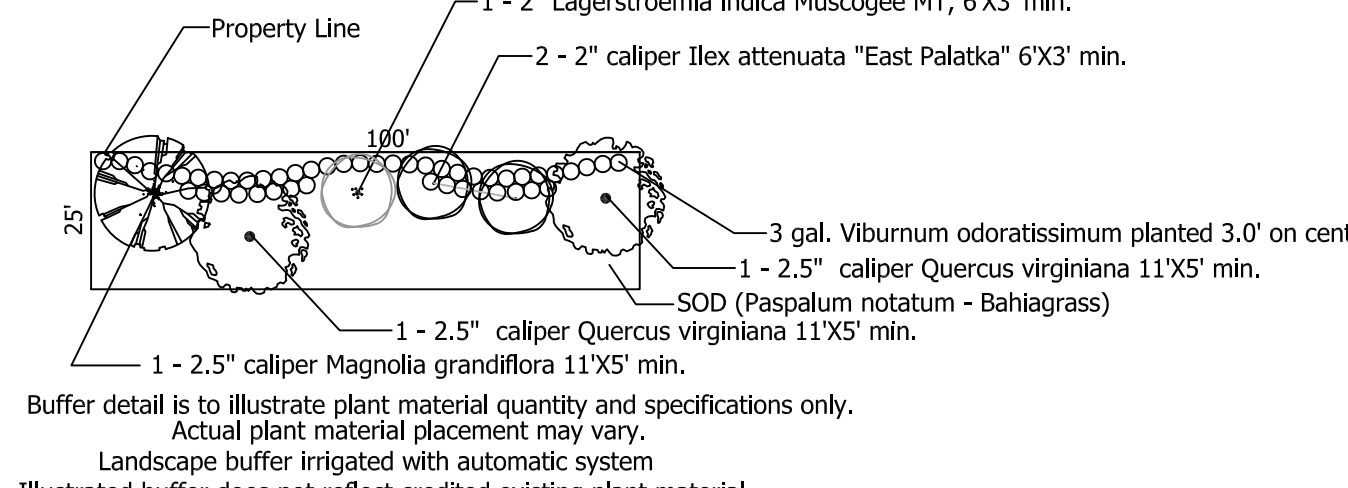
TYPICAL 80' SINGLE FAMILY LOT
10,800 SQ FT±



TYPICAL 1/2 ACRE SINGLE FAMILY LOT
21,780 SQ FT±



100 Feet of
Typical 15' Landscape Buffer B
not to scale



100 Feet of
Typical 25' Landscape Buffer
not to scale

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

DATE: October 25, 2019
OWNER: Sunnyside Lake Land Holding, LLC; Eric Coe
PETITIONER: Sunnyside Lake Land Holding, LLC; Eric Coe
PROJECT: Sunnyside Landing
REQUEST: Large Scale Comprehensive Plan
CASE NO.: LSCP-19-221

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 11/15/19

FIRE

“Nothing from Fire.” Chief David Johnson 10/28/19

ELECTRIC

“Power is available. There will be costs involved for installation. Those costs will be figured per the City Code. No other issues at this time.” Steve Davis 10/25/19

GAS

No comments received as of 11/15/19

GIS

No comments received as of 11/15/19

BUILDING

No comments received as of 11/15/19

PUBLIC WORKS

“Developer will be responsible for connecting to City system. Connection points are roughly 4,800 ft away. Developer will also be responsible for mitigating any other system impacts. While we currently have sufficient capacity, we do not reserve capacity and make no promises regarding future capacity. Dual water distribution system (potable and irrigation) will be required. Developer responsible for following Leesburg Landscape Ordinance.” DC Mauldin 10/28/19

ADDRESSING

No comments received as of 11/15/19

ECONOMIC DEVELOPMENT

No comments received as of 11/15/19

LAKE COUNTY

No comments received as of 11/15/19

LAKE COUNTY SCHOOLS

“Please find attached the school district’s Adequate Public Facilities letter for the LSCP and PUD. If you have any questions please let me know.” Thanks, Helen LaValley 11/1/19

PUBLIC RESPONSES

Approval

Disapproval

4 disapproval 4 with comments

Notice of Appearance filed: 3

PUBLIC COMMENTS (DISAPPROVAL)

Edward Riddle – Increased traffic is a danger to animals and children unless plans include building roads, dog parks, playgrounds and total infrastructure to accommodate the number of homes.

If infrastructure and amenities that equal the number of homes are not included and plans to keep them up to standards the area can easily become what is known as slum. Sunnyside does not need any more slum areas. Build quality homes quality infrastructure and quality amenities to meet the number and Sunnyside will be glad to approve. Thanks Ed & Catherine Riddle

Richard B. Clark, DVM – The roadway in the Sunnyside area cannot handle the additional traffic. The roads are too narrow and are not thick enough to handle the additional car, heavy truck motor homes etc. There are no street lights, sidewalks, etc. to support such urban development. Some of the proposed property is still zoned county. This development would environmental concerns as well. There are wetlands involved. There would be substantial cost to the City of Leesburg (and the Taxpayer) if this development were allowed.

Kenneth L. Johnson & Cleo D. Johnson – Sunnyside is not equipped to handle amount of traffic needed on roadway. School bus traffic would be dangerous with the narrow, curving turns and amount of hills in area. The traffic is at 30-35 MPH now. What would it with another 500 cars on roadway. ONE LARGE TRAFFIC JAM!!!! A large piece of acreage is not in the city. They should not be annexed into the city.

The other matter is the environment impact to our neighborhood.

We have a large amount wildlife in this area. We have 16 young turkeys that we enjoy daily and would loss them due to traffic and vehicles.

Our quiet neighborhood would be congested and loud. Please do not let us not turn into an overpopulated traffic filled area that we can not enjoy life. We moved here 25 years ago. My grandparents moved here in the early 1900. Orange groves covered most of the property. Let us make improvements by turning it into places that people can enjoy. Walkways, gardens we can enjoy and social places that can be shared by all. Many of the neighbors walk daily. Traffic only adds to the dangers. I was nearly runover by a driver in the neighborhood next to ours that I walked daily every day, early in A.M. Traffic! Traffic! We are closed area with only a few areas that traffic can exit. Dixie is not an option, It is already congested/ Traffic backs up into our area during peak times.

With waterways closing up suitable new highways, expansion should not add to the problem.

Travis Whitley – Proposed developments are inconsistently with the current landscape in the area. (2-5 ac lots) or 1/2+ on lake access.

- What is the proposal median home value in each development?



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

DATE: January 23, 2020
OWNER: Sunnyside Lake Land Holding, LLC; Dr. Eric Coe
PETITIONER: Sunnyside Lake Land Holding, LLC; Dr. Eric Coe
PROJECT: Sunnyside Landing
REQUEST: Large Scale Comprehensive Plan
CASE NO.: LSCP-19-221

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Large Scale Comprehensive Plan Amendments.
2. The proposed request for a Future Land Use of Estate Residential is compatible with the adjacent future land use designations of Lake County Rural Transition, Lake County Rural, and City of Leesburg Estate Residential.
3. The proposed request for a PUD (Planned Unit Development) zoning is compatible with the current surrounding zoning districts of Lake County R-1 (Rural Residential), Lake County R-3 (Medium Density Residential), and City of Leesburg PUD (Planned Unit Development).
4. The proposed future land use designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

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



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY COMMISSION CHAMBERS, CITY HALL
THURSDAY, JANUARY 23RD, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, January 23rd, 2020, in the Commission Chambers at City Hall.

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

The following Commission members were present:

Ted Bowersox – Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Ze’Shieca Carter

The following Commission members were absent:

Clell Coleman
Chris Wood

City staff in attendance included Dan Miller, Planning & Zoning Manager, Dianne Pacewicz, Planner, CareyLee Murray, Planner, Kandi Harper, Senior Planner, Adrian Parker, Development Review Coordinator, Sabrina Mitchell, Administrative Assistant II, and City Attorney Fred Morrison was also present.

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

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

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, DECEMBER 19TH, 2019**

Commissioner Carter moved to APPROVE the draft minutes from the DECEMBER 19TH, 2019 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

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

OLD BUSINESS

**1. PUBLIC HEARING CASE # LSCP-19-221 – SUNNYSIDE LANDING –
LARGE SCALE COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 18.5 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 441 AND EAST OF SUNNYSIDE DRIVE (SOUTH) AS LEGALLY DESCRIBED IN SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, FEBRUARY 10TH, 2020 AND SECOND READING IS SCHEDULED FOR MONDAY, APRIL 27TH, 2020)**

Mr. Miller stated he would like to give an overview of these requests, then upon completion the Commission can do separate motions for each of the two cases.

Dan Miller introduced case number #LSCP-19-221 Sunnyside Landing Large Scale Comprehensive Plan Amendment and the next related case #PUD-19-222 Sunnyside Landing Planned Unit Development Zoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, and a detailed explanation on the types of cases. He stated this property is already in the City of Leesburg and was zoned in 2005 under Ord 05-124; the applicant requested 159 total units on 137 acres, which is an overall density of 1.16 units per acre, versus the previously approved one unit per acre.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site.

(Position 14:15) Department Review Summary – This case was sent out to all the different departments for review. Lake County responded there will be significant upgrades required to the roadway along Sunnyside; the City will require connection to water/wastewater; significant public responses.

Mr. Miller read the Staff Recommendations into the record for both cases; staff recommendations and then went over the PUD (Planned Unit Development) zoning.

Mr. Greg Beliveau of LPG (Land Planning Group) on behalf of the applicant gave a presentation on the subject property.

Planning Commissioners and Mr. Miller discussed specifications on vacant acreage, wetland acreage, retention areas, open space, road, size of larger lots; Dan Miller stated that there are 80 acres of wetlands and open space, need for improved roads; Mr. Miller stated that a task force was created in 2004 and a resolution was approved in 2005; Mr. Miller stated that staff would research the 2004 cases to verify information.

Mr. Miller clarified zoning; Mr. Miller stated the requirements of the City water/sewer connection is only required if well/septic failed: sewer connection required if property is within 1000 feet of a sewer line and water connection if within 800 feet.

Mr. Miller, Fred Morrison, City Attorney, and the Commissioners continued discussion on the expired 2005 PUD and zoning; expiration requires action to be taken to correct expiration; still zoned PUD in 2005; expiration clause, density not grandfathered in; not necessarily, 1.0 to 1.16, wetlands considered; gross acreage; City Commission passed the PUD in 2005; determination to have one house per acre, Westside of Sunnyside; Commission determined in 2005 that it was appropriate to have 120 homes on the westside; Planning Commission will make a recommendation to the City Commission regarding this PUD; based on the merits, City Commission will make a determination.

Mr. Beliveau stated that Lake County Public Works advised that was no need to fix the roads as Level of Service was not adversely affected based on the assigned Level of Service (LOS) D; informed citizens to get with Lake County.

Fred Morrison City Attorney clarified the resolution; and stated that technically it meets the terms of the written resolution based on the wording.

Citizen comments were based on: PUD, Lakefront property, task force; approve signage, zoning, eagles nesting, gopher turtles, traffic study, staff recommendations; another year or two before the roads get done; hold up development until the roads get fixed, joint agreement, triple density around it; Sleepy Hollow light, traffic issues, dense housing, let's keep Sunnyside interior a rural area, questioned when the property became part of the City; when/why; annexed, questioned notice, investigate history

Citizen comments continued; City water and sewer, forced to join in, negative effect on drinking water, sewer systems setup, switch to following City and County ordinances; concern (volume of people), road issues, environmental impact study, wetlands, wild life issues, buffers; federal regulations, electric issues, sidewalks plans along Sunnyside, 2004 agreement changed; 2004-2005 things can be changed drastically, needs to be reviewed again, crime issues, property value, smaller lots, emergency services; impact, Police Dept; doesn't cover zone, schools; roads.

(Position 50:51) Fred Morrison City Attorney stated under current State of Florida law you could not be involuntarily annexed; you're too big, annexations are voluntary; on the water and sewer the ordinances would require that you connect, in the real world nobody is required to do that, unless your package plants fail and you need water, substantial upgrade to your well or treatment package plant, then you might be required to connect; as long as your well is functioning properly and permitted – no requirement to connect.

Greg Belliveau gave a detailed explanation of subject property; reviewed density, housing need in Lake County is critical, not a high density project, not in rural Lake County, smaller lots relate to the historical development pattern; not abnormal along the Sunnyside area, based on a study in 2005, adopted PUD; done by previous property owners; housing needs, hospital/school board recruitment; no places for people to live, new job and employment, environmental assessment was performed by a Professional Environmentalist that visited the site on more than one occasion; Leesburg schools have plenty of capacity; (public school systems).

(Position 1:51:48) Chairman Bowersox closed the public comment portion of the meeting; asked for Commission questions.

Commissioner Marshall questioned the proposed density, City services such as Police and Fire; Mr. Miller explained the proposed density.

Michael Rankin Deputy City Manager stated it is his assumption that as growth occurs in the area needs will be assessed to provide services.

Fred Morrison asked Dan Miller if the 2005 PUD have the normal expiration clause – and if the PUD expired.

Dan Miller replied that the 2005 PUD, Ordinance 05-124, had expired; Section 6.F, 24 months. Fred Morrison asked Mr. Miller if construction had begun on the site; Mr. Miller replied in the negative.

Fred Morrison stated the PUD is essentially expired; Mr. Miller confirmed.

Mr. Greg Beliveau stated it has R-1 zoning, allow one unit per acre; which is equivalent of 120 units per acre.

Fred Morrison stated that the prior PUD is irrelevant; this is a new PUD; the PUD entitlements have expired; citizens questioned previous public notice from cases in 2004/2005.

Dan Miller stated miscellaneous conditions clause ordinance 05-124 there is an expiration within 24 months of the approval; as City Attorney indicated that will be 2007, at that point you would either need to do a new PUD as Mr. Beliveau is representing tonight or the property could be rezoned based on the wording presented; doesn't automatically default to RE-1.

Fred Morrison stated this is a new case unrelated to the former PUD; Mr. Morrison proceeded to give clarification on the zoning (PUD) expiration; and mentioned what Greg Beliveau is presenting is a new PUD.

Commissioner Carter questioned expired zoning and current proposal; if the current proposal is in opposition to the former, approved PUD.

(Position 2:05:21) Chairman Bowersox asked for a motion on the LSCP (18.5 acres).

Commissioner Haliday made a MOTION for APPROVAL of case # LSCP-19-221–SUNNYSIDE LANDING – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT.

Chairman Bowersox asked for Second on the Motion for Approval; there was none. *(Position 2:06:13)* Chairman Bowersox stated that the **motion died** for lack of a second.

Fred Morrison stated that since this is a recommendation to the City Commission, it would be appropriate at this point, if the approval didn't get a second, to entertain a motion to disapprove, if anybody inclined to make that motion, because there has to be something on the record that the Planning Commission disposed of the case.

(Position 2:06:41)

Commissioner Haliday made a MOTION for DISAPPROVAL of case # LSCP-19-221 – SUNNYSIDE LANDING – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT, Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6 - 0.

(Position 2:07:20) Chairman Bowersox asked for the next case on the agenda.

DISCUSSION

None

ANNOUNCEMENTS

Dan Miller announce that Mr. Coleman was not going to be here, due to health issues.

Mr. Miller announced Kandi Harper's birthday.

Motion made to adjourn meeting by Commissioner Marshall and seconded by Commissioner Carter.

ADJOURNMENT

Approximately 7:22 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

City Boundary

City Boundary

Subject Properties:

- Subject Property (Park St)
- Subject Property (Silver Charm Ct)
- Subject Property (Sunny Side Dr)
- Subject Property (Sunny Side Dr)
- Subject Property (Sunny Side Dr)
- Subject Property (Sunny Side Dr)

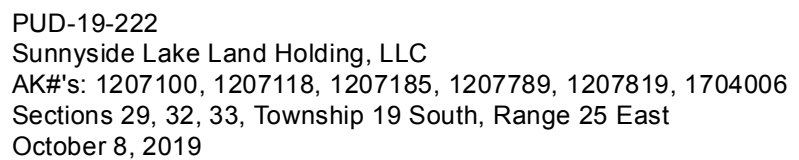
Legend:

- City Boundary

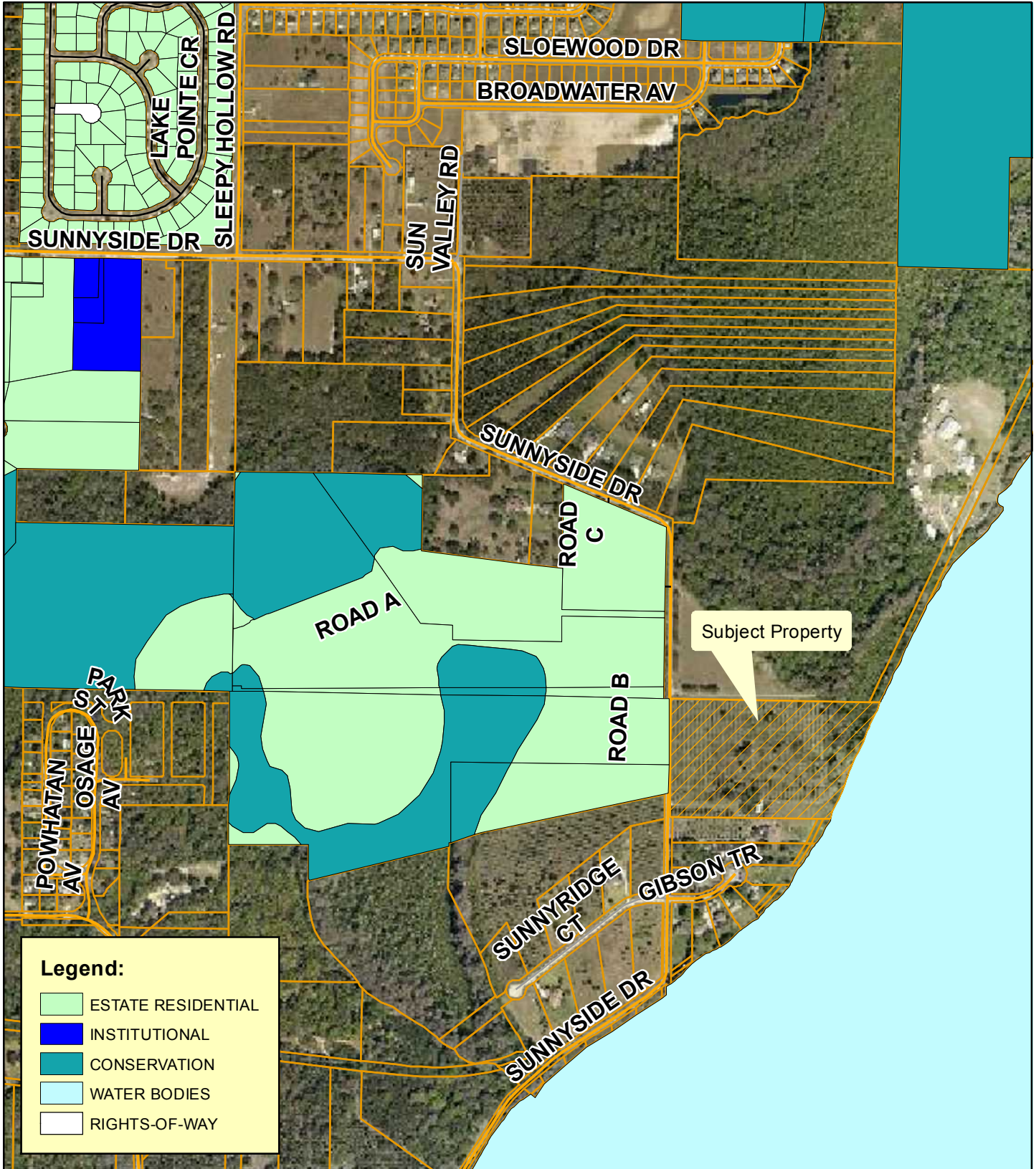
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Project Information:

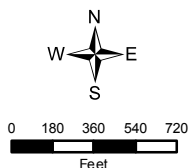
PUD-19-222
 Sunnyside Lake Land Holding, LLC
 AK#'s: 1207100, 1207118, 1207185, 1207789, 1207819, 1704006
 Sections 29, 32, 33, Township 19 South, Range 25 East
 October 8, 2019



Future Land Use

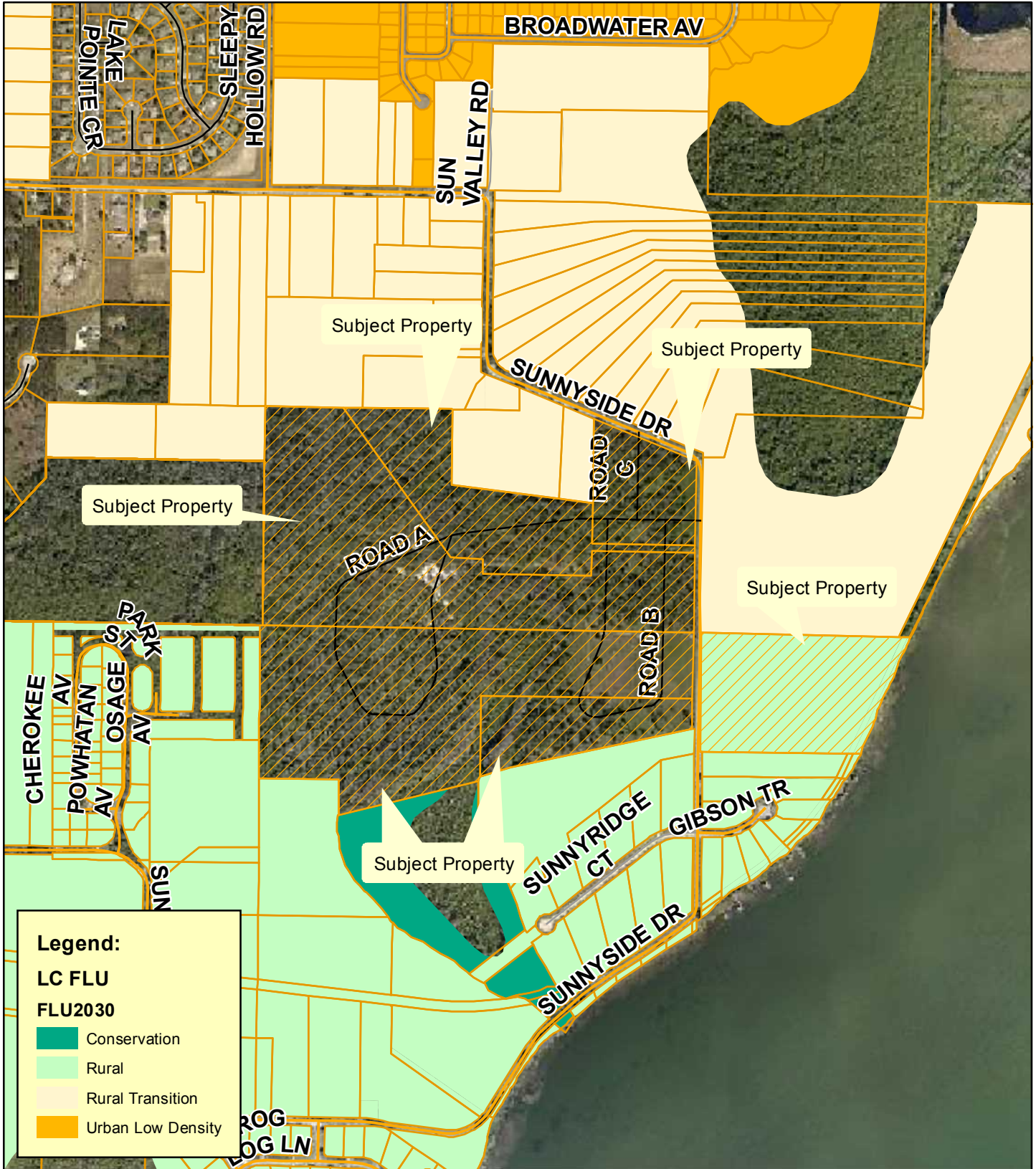


**Planning
& Zoning
Division**

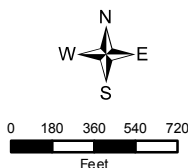


LSCP-19-221
Sunnyside Lake Land Holding, LLC
AK#: 1704006
Section 33, Township 19 South, Range 25 East
October 8, 2019

Lake County Future Land Use



**Planning
& Zoning
Division**



PUD-19-222

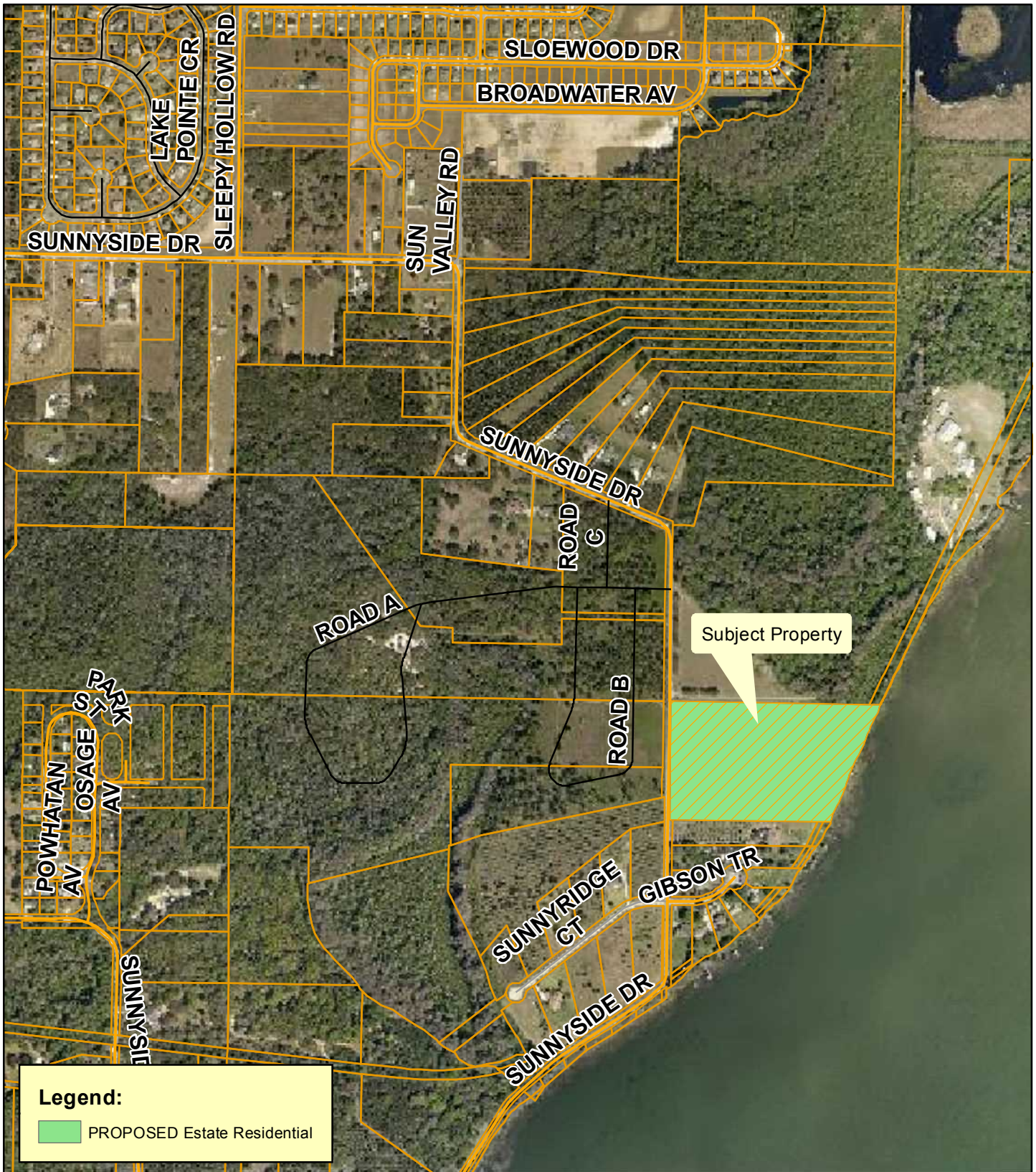
Sunnyside Lake Land Holding, LLC

AK#'s: 1207100, 1207118, 1207185, 1207789, 1207819, 1704006

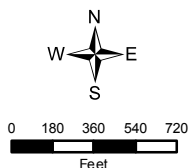
Sections 29, 32, 33, Township 19 South, Range 25 East

October 8, 2019

PROPOSED FUTURE LAND USE



**Planning
& Zoning
Division**

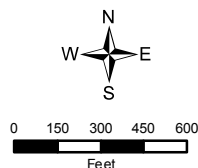


LSCP-19-221
Sunnyside Lake Land Holding, LLC
AK#: 1704006
Section 33, Township 19 South, Range 25 East
October 8, 2019

Surrounding Land Uses



**Planning
& Zoning
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PUD-19-222

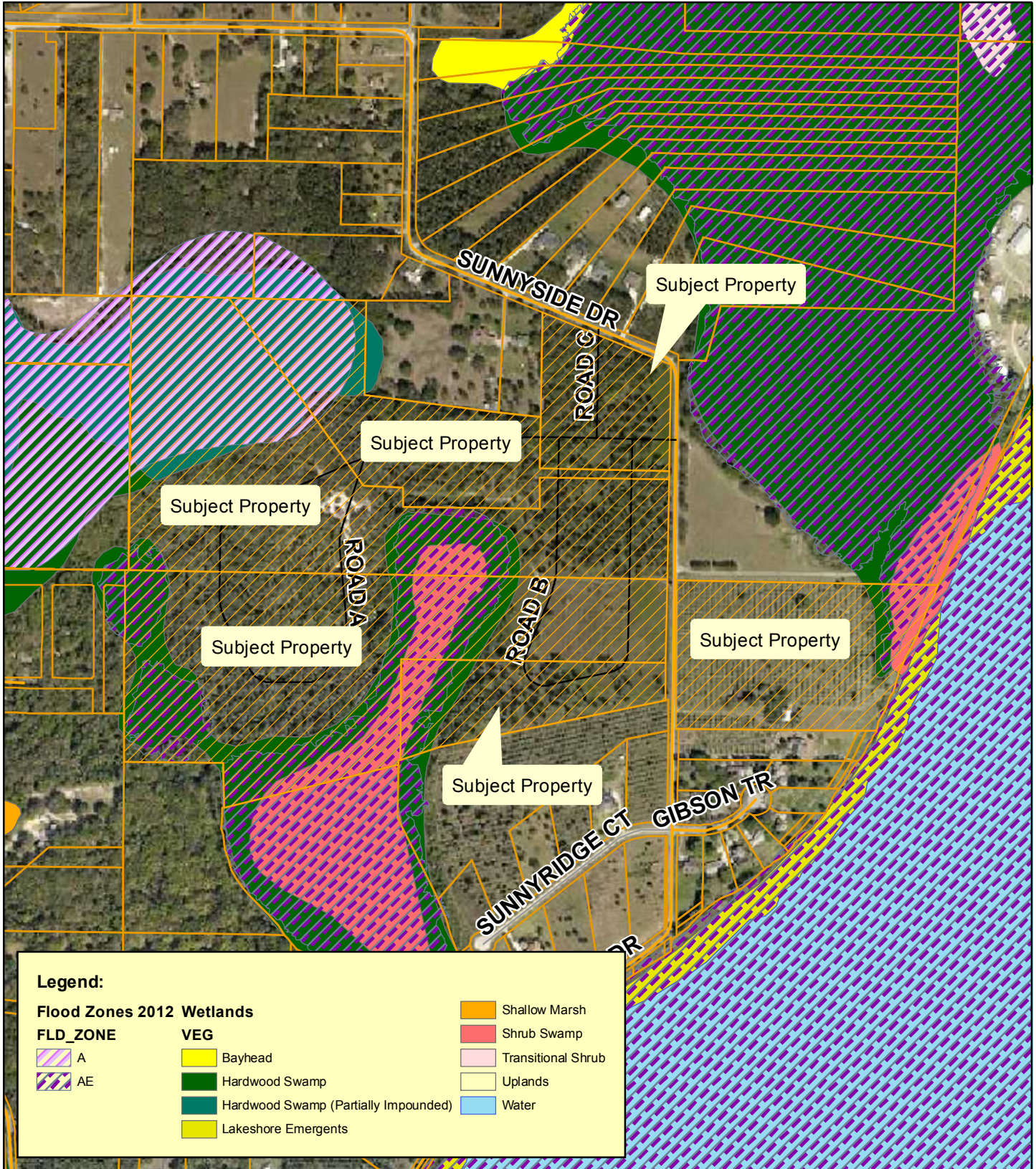
Sunnyside Lake Land Holding, LLC

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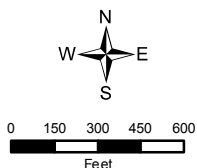
Sections 29, 32, 33, Township 19 South, Range 25 East

October 8, 2019

Wetlands and Flood Zones



**Planning
& Zoning
Division**



PUD-19-222

Sunnyside Lake Land Holding, LLC

AK#'s: 1207100, 1207118, 1207185, 1207789, 1207819, 1704006

Sections 29, 32, 33, Township 19 South, Range 25 East

October 8, 2019

City of Leesburg Lake Front City

Agenda Memorandum

Item No: 6.A.6.

Meeting Date: December 21, 2020

From: Dan Miller, (Planning and Zoning Manager)

Subject: An Ordinance of the City of Leesburg, Florida, Rezoning approximately 137.35 acres from City PUD (Planned Unit Development) and Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for the development of 159 Detached Single Family Units, for a property generally located South of U.S. Highway 441 and East and West of Sunnyside Drive (South) as legally described in Sections 29, 32, and 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (SUNNYSIDE LAKE LAND HOLDINGS, LLC)

Staff Recommendation:

The Planning staff recommends approval to rezone approximately 137.35 +/- acres from City PUD (Planned Unit Development) and Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development).

Analysis:

The project site is approximately 137.35+/- acres. The property is generally located south of U.S. Highway 441 and east and west of Sunnyside Drive (south), as shown on the attached General Location Map. Presently, the property is zoned City PUD (Planned Unit Development) and Lake County R-1 (Rural Residential). The current use of the property is one single-family residence and undeveloped, vacant land. The proposal is the development of 159 single-family detached residential lots.

Surrounding the property is Lake County R-1 (Rural Residential District), Lake County R-2 (Estate Residential District), Lake County R-3 (Medium Residential District), and City of Leesburg R-1-A (Single Family Residential).

The surrounding Future Land Use Map designation is Lake County Rural Transition, Lake County Rural, Lake County conservation, City of Leesburg Estate Residential, and City of Leesburg Conservation.

The existing land uses surrounding the property are residential, timber, public land, church, and pasture. City of Leesburg utilities are available nearby.

The Planning Commission held a public hearing on the application on August 13, 2020 and by a vote of 1 to 5, recommended **DENIAL**. The major concern voiced by the Planning Commission was the condition

of Sunnyside Drive and the traffic created by the development. Public opposition to this proposal was extensive.

Procurement Analysis:

N/A

Options:

1. Approve the request to amend the PUD (Planned Unit Development) zoning conditions; or
2. Other such action as the Commission may deem appropriate.

Fiscal Impact:

Should the property be developed, a significant fiscal impact is expected in the form of ad valorem taxes plus utility service charges.

Submission Date and Time: 12/16/2020 1:22:59 PM

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 137.35 ACRES FROM CITY PUD (PLANNED UNIT DEVELOPMENT) AND LAKE COUNTY R-1 (RURAL RESIDENTIAL) TO CITY PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR THE DEVELOPMENT OF 159 DETACHED SINGLE FAMILY UNITS, FOR A PROPERTY GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 441 AND EAST AND WEST OF SUNNYSIDE DRIVE (SOUTH) AS LEGALLY DESCRIBED IN SECTIONS 29, 32, AND 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (SUNNYSIDE LAKE LAND HOLDINGS, LLC)

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

Section 1.

Based upon the petition of Greg Beliveau, LPG Urban & Regional Planners, Inc., the petitioner of the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, hereby is rezoned from City PUD (Planned Unit Development) and Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development, to-wit:

(Legal Description)
(See Exhibit B)

Section 2.

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

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 21st day of December 2020.

Mayor

ATTEST:

City Clerk

Previous Case: 068-1-062305/Ord. 05-124

Current Case: PUD 19-222

EXHIBIT A

**SUNNYSIDE LANDING
PLANNED UNIT DEVELOPMENT CONDITIONS
January 23, 2019**

These Planned Unit Development Conditions for a PUD (Planned Unit Development) zoning district are granted by the City of Leesburg Planning Commission, Lake County, Florida to **Cenizo Ventures, LLC and Sunnyside Lake Land Holding, LLC**, (Greg Beliveau, LPG, Petitioner), "Permittee" for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 "Zoning", Section 25-278 "Planned Unit Development" of the City of Leesburg Code of Ordinances, as amended.

BACKGROUND

The "Permittee" is desirous of obtaining a Planned Unit Development (PUD) zoning district to allow future construction of a proposed residential development consisting of a maximum of 159 single family residential units on approximately 137.35 acres, generally located on east and west of Sunnyside Drive on a site within the City of Leesburg in accordance with their PUD application and supplemental information.

PURPOSE

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

CONDITIONS

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

1. **PERMISSION** is hereby granted to **to Cenizo Ventures, LLC and Sunnyside Lake Land Holding, LLC**, (Greg Beliveau, LPG, Petitioner), "Permittee" to construct, operate, and maintain a Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.
2. **LEGAL DESCRIPTION**
See attached **Exhibit B, Legal Description**.
3. **LAND USE**
The above-described property, containing approximately 137.35 acres, shall be used for platted single-family residential development, pursuant to City of Leesburg development codes and standards.

- A. Permitted Uses
 - 1. Detached single family residential units
 - 2. Accessory structures for residential uses
 - 3. Sales office in a single family unit
 - 4. Accessory retail within a recreation center or clubhouse, intended for the primary use of residents, such as a snack bar.
 - 5. Temporary modular sales center office (during construction and sales of new units) not to exceed one year, and construction office not to exceed two years from the approval of the final plat of the final phase for the subdivision. Model homes may be used as sales centers during the duration of the project.
- B. Prohibited Uses
 - 1. Townhouses
 - 2. Condominium units
 - 3. Multi-family units (Apartments)
 - 4. Commercial uses (as a primary use)
 - 5. All other uses not specifically permitted within these conditions under Permitted Uses above shall be prohibited.

4. DEVELOPMENT STANDARDS

- A. The project shall contain a maximum of 159 single family residential units, at a gross density not to exceed 1.2 units per acre on the approximately 137.35-acre site, as shown on **Exhibit C, Master Development Plan**.
- B. Lot sizes shall be varied, to include 70 and 80 foot widths on the west side of Sunnyside Drive, as shown on the attached **Exhibit C, Master Development Plan**. All lots east of Sunnyside Drive shall be a minimum of 160 feet wide.
- C. All lots west of, and immediately adjacent to Sunnyside Drive, shall be a minimum of 80 feet wide.
- D. Along each street, homes with the same architectural design shall not be immediately adjacent (side by side) or directly across from a lot with the same design. Facades may be varied to meet this requirement. The maximum impervious surface for the project shall be 70%. Community and private swimming pools shall not count toward the impervious surface calculation.
- E. The minimum lot development standards shall be:
 - 1. For 70 foot lots:
 - a. 70 foot lots shall be located on the interior of the subdivision or in areas that are adjacent to Conservation/Open Space as shown on the Conceptual Master Plan, Exhibit C. They shall not be located anywhere which is directly adjacent to the required 25-foot landscape buffer as required in Section 6, *Landscape & Buffer Requirements* this document, or

in areas directly adjacent to existing single-family residential development

- b. Minimum house size: 1,800 square feet.
 - c. Each additional bedroom added to the above minimum house size shall be a minimum of 120 square feet.
 - d. Minimum lot size shall be 8,750 square feet.
 - e. Minimum width 70 feet
 - f. Minimum depth 125 feet
 - g. Minimum building setbacks:
 - Front – 25 feet; ~~setback to the garage, 20 feet setback to the residence~~
 - Rear – 18 feet;
 - Side – 7.5 feet;
 - Corner Side – 15 feet; and
 - Porch – 20 feet (porch must be a minimum width of 6 feet).
2. For 80 foot lots:
- a. 80 foot lots shall be permitted anywhere within the subdivision, and shall be required on all lots adjacent to Sunnyside Drive.
 - b. Minimum house size: 2,000 square feet.
 - c. Each additional bedroom to the above the minimum house size shall be a minimum of 120 square feet.
 - d. Minimum lot size shall be 5000 square feet.
 - e. Minimum width 50 feet
 - f. Minimum depth 100 feet
 - g. Minimum building setbacks:
 - Front – 25 feet; ~~setback to the garage, 20 feet setback to the residence~~
 - Rear – 18 feet;
 - Side – 7.5 feet;
 - Corner Side – 15 feet.
 - Porch – 20 feet (porch must be a minimum width of 6 feet).
3. For 150 foot lots:
- a. Minimum house size: 2,400 square feet.
 - b. Each additional bedroom added to the above minimum house size shall be a minimum of 120 square feet.
 - c. Minimum lot size shall be 20,000 square feet.
 - d. Minimum width 150 feet
 - e. Minimum depth 155 feet
 - f. Minimum building setbacks:
 - Front – 20 feet;
 - Rear – 18 feet;
 - Side – 7.5 feet;
 - Corner Side – 15 feet.
 - Porch – 14 feet (porch must be a minimum width of 6 feet).
4. For all structures:
- a. Each residential structure shall have a minimum two car garage.

- b. Minimum distance between structures shall be 10 feet; measured from building wall to building wall, and the roof overhang shall not exceed forty (40) percent of the distance between the building wall and the property line.
- c. Maximum building height: two (2) stories or 35 feet.
- d. Accessory structures shall have a minimum rear and side setback of 5 feet and single accessory structures that are not attached to the principal structure shall not occupy more than 30 percent of the required rear yard.
- e. Attached screened enclosures (no solid roof) must maintain a minimum setback of five (5) feet from the side and rear property line. Attached swimming pool screened enclosure shall also maintain a minimum setback of five (5) feet from the side or rear property lines.
- f. Solid roof structures attached to the residence must meet the required rear setback as noted under "Minimum building setbacks."
- g. As part of the site plan approval process, city staff shall review final site design standards in accordance with the approved PUD (Planned Unit Development) zoning conditions set forth herein.

5. DESIGN/ARCHITECTURAL STANDARDS

- A. All buildings shall utilize at least three of the following design features to provide visual relief along all elevations of the single family units. Designs may vary throughout the development.
 - 1) Dormers
 - 2) Gables
 - 3) Recessed or raised entries
 - 4) Covered porch entries
 - 5) Cupolas
 - 6) Pillars or decorative posts
 - 7) Bay window (minimum 12 inch projections)
 - 8) Eaves (minimum 6-inch projections)
 - 9) Front windows with arched glass tops and minimum 4-inch trim.
 - 10) Garage vehicle doors shall incorporate the following elements: raised decorative panels, decorative glass panels or panes, decorative hinges, etc.
 - 11) Front doors shall incorporate the following decorative elements: raised decorative panels, decorative glass panels or panes, decorative handles, etc.
 - 12) Stone accents
 - 13) Shutters
 - 14) Board and batten siding
 - 15) Hardy board siding
 - 16) Raised banding
 - 17) Craftsman style garage doors
- B. Exterior building materials contribute significantly to the visual impact of a building on the community. These materials shall be well designed and integrated into a comprehensive design style for the project. The total exterior wall area of each building elevation shall be composed of one of the following:

- 1) At least thirty-five percent (35%) full-width brick or stone (not including window and door areas and related trim areas), with the balance being any type of lap siding and/or stucco.
 - 2) At least thirty percent (30%) full-width brick or stone, with the balance being stucco and/or a “cementitious” lap siding. (A “cementitious” lap siding product is defined as a manufactured strip siding composed of cement-based materials rather than wood fiber-based or plastic-based materials. For example, Masonite or vinyl lap siding would not be allowed under this option.).
 - 3) All textured stucco, provided there are unique design features such as recessed garages, tile or metal roofs, arched windows, porches, etc. in the elevations of the buildings or the buildings are all brick stucco. Unique design features shall be reviewed by the Community Development Director for compliance.
- C. Other similar design variations meeting the intent of this section may be approved by the Community Development Director or designee.

~~D. The architectural styles and facades shown in Exhibit D, Building Elevations herein are considered to meet the requirements of this section.~~

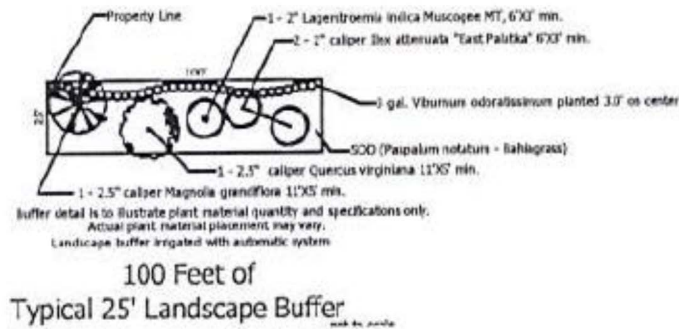
6. LANDSCAPING & BUFFER REQUIREMENTS

- A. A minimum twenty-five (25) foot buffer planted as shown in Figure A below, shall be provided along the east and west side of the Sunnyside Road boundary of the property, unless otherwise provided for within these standards.
- B. Land uses allowed within the upland buffers are limited to hiking trails, walkways, passive recreation activities and stormwater facilities as permitted by St. Johns River Water Management District.
- C. All landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-329, and at a minimum shall contain the following plantings as noted in Figures A and B below:

Figure A

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

Figure B



- H. Variations to the landscape requirements of the code may be approved by the Community Development Director or designee, as long as the intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.
- I. The surveying of trees on the property shall be conducted as follows:
 - 1) If existing on the property, all specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
 - 2) A survey of 100 feet by 100 feet plots, indicating all protected trees 4" DBH and larger, shall be surveyed for each distinct vegetative area, for use in replacement calculations.
 - 3) Site areas that are to preserve existing trees do not need to be included in the survey plots unless the trees are to be used in preservation/replacement requirements.
 - 4) The tree survey shall be completed by a licensed surveyor.
 - 5) Tree sample plots shall be located and trees identified by a registered landscape architect, certified arborist, or certified forester.

7. SITE ACCESS AND SIGNAGE

- A. To meet Lake County access management requirements the main vehicular access to the project site shall be provided by an access point from Sunnyside Road. This access point shall be a divided boulevard type entrance road with one lane in each direction. For the property on the west side of Sunnyside Road, a secondary emergency only access point shall be provided from Sunnyside Road. Actual location and design of the roads shall be determined at the site plan review process and shall include consideration of, and connection to existing or planned sidewalks, recreation paths, etc. All other access shall be reviewed for necessity and

requirements through the City of Leesburg development and permitting processes. Any additional access points shall be subject site plan application review process.

- 1) Adequate right of way along Sunnyside Road shall be required to ensure adequate roadway paving and access.
- 23) Additional improvements on Sunnyside Road may be required to accommodate the increase in the additional trips the site will produce per Lake County requirements.
- 34) Prior to completion of the subdivision design plans, the developer shall work with the Lake County Department of Public Works to ensure all appropriate required roadway and access improvements for the development are made part of the plans submitted to the City of Leesburg.
- 45) The conceptual plan exhibits, and the access points proposed thereon, are considered conceptual until the appropriate engineering and site plan reviews, along with any required upgrades are completed for the project.

- B. All access points are subject to review and approval by the appropriate permitting agency, including FDOT, Lake-Sumter Metropolitan Planning Organization, Lake County and the City of Leesburg as applicable. The developer shall be responsible for on and offsite improvements required as a result of any access points. The developer shall be responsible for all on and offsite improvements required as a result of any access points.
- C. Each required access point shall provide a decorative entry feature to include a concrete, brick or stucco wall at least five (5) feet in height, on each side of the entryway. This may be used for signage per City of Leesburg Code of Ordinances, as amended.
- D. Alternative designs for the ground enclosure support and base ~~of monument of~~ monument/entryway signs may be approved by the Community Development Director or designee, where the architectural style would be in keeping with the intent of these sign regulations.

8. TRANSPORTATION IMPROVEMENTS

- A. Any transportation improvements or rights-of-way that may be required shall be based on projected needs and shall be contingent upon site plan approval by City staff during the development review and permitting process. The plan review process shall include consideration of sidewalks, recreation paths etc.
- B. A traffic/transportation study shall be submitted prior to site plan approval for review and determination of any necessary access improvements, including any off-site improvements required by Lake County, the Lake-Sumter MPO or the City of Leesburg. Said improvements will be the responsibility of the Permittee.
- C. The Permittee shall provide necessary traffic improvements within and adjacent to the development as required by Lake County, the Lake-Sumter MPO and City of Leesburg.

- D. All roads within the development shall be designed and constructed to meet the City of Leesburg requirements.
- E. The Permittee shall be responsible for obtaining all necessary Lake County permits and a copy of all permits shall be provided to the City of Leesburg.
- F. The City of Leesburg will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements. Should the Permittee desire to dedicate the proposed project's internal road system to the City of Leesburg; the City, at its discretion, may accept or not accept the road system. Prior to acceptance, the Permittee shall demonstrate to the City that the road system is in suitable condition and meets City of Leesburg requirements. As a condition of accepting the roadway system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project, and may require bonds or other financial assurance of maintenance for some period of time.
- G. Sidewalks shall be provided on both sides of the boulevard entrance road and shall provide cross connections to all recreation and residential areas. Internal road rights-of-ways shall be of sufficient width to contain one sidewalk. All sidewalks shall be constructed in accordance with City of Leesburg Codes.

9. UTILITIES

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

- A. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
- B. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
- C. Developer shall be responsible for the installation of a natural gas water heater and natural gas furnace in eighty percent (80%) of all homes in the development.
- D. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection

and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

10. STORMWATER/DRAINAGE MANAGEMENT

All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

- A. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
- B. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
- C. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowners association is an acceptable maintenance entity.
- D. The existing 100-year flood plain shown shall be shown on all plans and lots.
- E. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and /or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
- F. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.
- G. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

11. WETLANDS, FLOOD ZONES & WILDLIFE

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management

District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.

- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a homeowners association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowners association for ownership and maintenance.
- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
- G. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- H. A map indicating the location of the 100-year flood plain.
- I. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100 year flood plain is altered and/or a new 100 year flood elevation is established in reference to the applicable flood insurance rate map.
- J. There are currently FEMA flood zones located throughout the parcel. Through the site plan review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

12. IRRIGATION & WATER USAGE

- A. All landscaped areas shall be irrigated and designed to meet Section 25-337, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.

13. RECREATIONAL REQUIREMENTS

- A. Recreational development provided on the site may include active and passive uses, as well as enclosed or unenclosed recreational space, devoted to the joint use of the residents. Such recreational space shall consist of not less than 200 square feet of space per dwelling unit or 0.75 total acres, whichever is greater.
- B. Recreational requirements shall include at least one primary active recreation area, to ~~include a swimming pool and cabana with onsite parking. Other recreation areas may include such uses as a children's playground with equipment, dog park area or gazebo; include two of the following recreation amenities such as BBQ grills, picnic tables, equipped play area, or a basketball court. The primary recreational facility shall be constructed in conjunction with and completed no later than the completion of the first 150 residential units.~~
- C. Credit for recreational space shall be given for areas dedicated to recreational space, to include items such as a clubhouse with recreation room, swimming pool, outdoor cooking facilities such as grills, youth playgrounds, play courts, dog parks or other similar uses which will meet the intent of this document. Other similar uses which will meet the intent of this document may be supplied by the developer.
- D. Active recreational activity space shall be calculated at a rate of 1.25 times for activities such as, but not limited to:
 - 1) Trails, playgrounds, basketball, tennis, handball courts, etc.
 - 2) Community swimming pool, including the deck area surrounding such pools.
 - 3) Indoor recreation rooms provided such rooms are permanently maintained for the use of residents for recreational purposes.
 - 4) Other active recreational activities may be used for credit, subject to approval by the City of Leesburg.

Commented [LM1]: How is this calculated?

14. MAINTENANCE

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A homeowners

association shall serve as an appropriate entity for all common properties within the development.

15. DEVELOPMENT PHASING & IMPLEMENTATION

- A. The proposed project may be constructed in phases in accordance with the Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.

16. MISCELLANEOUS CONDITIONS

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Conditions. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development conditions set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in this PUD Agreement shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.
- E. These PUD Conditions shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

17. LEVELS OF SERVICE

- A. Levels of Service
 - 1) As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid waste. However, no final

development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.

B. Utilities

1) Projected Capacities

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

2) Commitment of Capacity

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

3) Ability to Provide Services

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

EXHIBIT B

CONCEPT PLAN

Cenizo ventures, LLC

Legal Description

Parcel 1:

Beginning at a point 220 yards West 153 yards South of the Northeast corner of the Southeast Quarter of SE $\frac{1}{4}$ of Section 29, Township 19 South, Range 25 East, run thence South 177 Yards, thence West 220 yards, thence North 30 yards, thence West 64 $\frac{1}{2}$ yards, thence North 147 yards, thence East 284 $\frac{1}{2}$ yards to the Point of Beginning, Lake County, Florida.

Parcel 2:

Beginning 1660 feet West and 422 $\frac{3}{4}$ feet North of the Southeast corner of said Section 29, Township 19 South, Range 25 East, run thence North 897.76 feet to the North boundary of Southwest Quarter of the Southeast $\frac{1}{4}$ of said Section 29, thence West 660 feet, thence South 36.75° East 1117 feet to the Point of Beginning, Lake County, Florida.

Parcel 3:

Beginning 7 $\frac{1}{2}$ chains North of Southeast corner of Section 29, Township 19 South, Range 25 East, run thence North 37.50 feet, thence West 220 yards, thence South 37.50 feet, thence East 220 yards to the Point of Beginning, Lake County, Florida.

Parcel 4:

Begin on Eastern boundary of Section 29, Township 19 South, Range 25 East, at a point 10 chains North of the Southeast corner thereof, run South 2 chains more or less to point half way between 2 rows or orange trees; thence West between said rows of orange trees 10 chains, thence North 12 chains, thence South of East to a stake 16 chains North of the Southeast Corner of said Section, thence South to the Point of Beginning, Lake County, Florida.

Parcel 5:

Begin at a point 495 feet North of the Southeast corner of Section 29, Township 19 South, Range 25 East, run thence West 660 feet; thence South 89° and 08' East 660 feet to the East line of said Section 29, thence North 10 feet to the Point of Beginning, Lake County, Florida.

Parcel 6:

Begin at the Northeast corner of Section 29, Township 19 South, Range 25 East, Lake County, Florida, run South 400.8 feet; thence West 1320 feet, thence South 488.4 feet, South 75 degrees 50 minutes West 885 feet, North 115.7 feet, thence West 462 feet, thence North to the Northwest corner of the Northwest $\frac{1}{4}$, thence East 2640 feet to the Point of Beginning; and from the Northeast corner of Section 32, Township 19 South, Range 25 East, Lake County, Florida, run South along East line 400.8 feet, thence West 1320 feet to the West line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$. thence South along West line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ a distance of 488.4 feet for Point of Beginning, run South 75°50'0" West 885 feet to Point A, return to the Point of Beginning, run South to a point 894.4 feet South of the Northeast corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, continue South 0°43'01" West 20.78 feet, South 76°23'48" West 880.64 feet, North to Point A.

Parcel 7:

Begin at the Southeast corner of Section 29, Township 19 South, Range 25 East run thence North 7 $\frac{1}{2}$ chains, thence West 10 chains, thence South 2 $\frac{1}{2}$ chains, thence West 10 chains, thence South 5 chains, thence East 20 chains to Point of Beginning. Also the Southwest quarter (SW $\frac{1}{4}$) of the Southeast $\frac{1}{4}$ (SE $\frac{1}{4}$) of said Section 29, Less the land conveyed to R.T. Gardner by Deed recorded at Page 349 in Deed Book D, in Office of the Clerk of the Circuit Court of Sumter County, Florida, and Less the land conveyed to J.J Gardner by Deed recorded in Deed Book 8, Page 138 in the Office of the Clerk of Circuit Court of Lake County, Florida; and Less the land conveyed to Ernest Kinzie by Deed recorded at Page 275 of Deed Book 14, in Office of the Clerk of the Circuit Court of Lake County, Florida.

Parcel 8:

The Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 29 LESS: Begin at a point East line SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ 420 feet North of the Southeast corner of said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ run the North 900 feet to the NE corner of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ thence West along the North line of said Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ 857.5 feet, thence Southeasterly to a point 193.5 feet West and 897.75 feet South of the NE corner of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$ thence 2.25 feet thence East to the Point of Beginning, Lake County, Florida.

Parcel 9:

All lands in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 32, Township 19 South, Range 25 East. Lying Northerly of the following described line:

Commence at the Northeast corner of Section 32, Township 19 South, Range 25 East, Lake County, Florida, thence South 00 degreed 01'15" West along the East line of said Section 32, a distance of 574.70 feet to a nail and cap on a projection of a row of citrus trees for the Point of Beginning thence South 77°39'09" West along said projection and the row of citrus trees, thence 1162.02 feet to a iron rod on the edge of swamp, thence Southwesterly to a point on the West line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 32 that is 894.40 feet Southerly of the Northwest corner of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, said point also begin the terminus of the description line.

LESS that portion conveyed to Lake County by Statutory Warranty Deed recorded in Official; Records Book 2866, Page 1909, Public Records of Lake County, Florida described as follows:

A portion of Section 29 and 32, Township 19 South, Range 25 East, Lake County, Florida being described as follows:

Commence at the Southeast corner of said Section 29, also being the Northeast corner of Section 32; thence run S89°55'30" W, along North line of the Northeast $\frac{1}{4}$ of said Section 32, 25.00 feet to the West right of way line of Sunnyside Drive, a maintained right of way, for the Point of Beginning; thence run Northerly and Westerly along the Westerly and Southerly right of way lines of said Sunnyside Drive the following courses; thence run N00°43'05" E, 0.34 feet; thence run N01°00'43" E, 934.17 feet to a curve concave to the West; thence run Northwesterly along said curve having a central angle of 68°13'25", a radius of 150 feet, an arc length of 178.61 feet, a chord bearing of N33°06'00" W and a chord distance of 168.24 feet; thence run N 67°12'42" W, 586.83 feet; thence leaving said Southerly right of way line run N00°55'10" E, 37.93 feet; thence sun S67°12'42" E, 715.42 feet to the East line of aforesaid Section 29; thence run S01°00'43" W along said East line, 1063.62 feet to the point of commencement and the East line of said Section 32; thence run S00°43'05" W along said East line, 574.70 feet; thence leaving said East line, run S77°47'19" W, 25.65 feet, to aforesaid Westerly right of way line of Sunnyside Drive; thence run N00°43'05" E, along said Westerly right of way line, 580.16 feet to the Point of Beginning.

LEGAL DESCRIPTION
SUNNYSIDE LAKE LAND HOLDING, LLC

Begin at the Northwest corner of Section 33, Township 19 South, Range 25 East of the Tallahassee Meridian, run thence East on Section line 1263.8 feet to the center line of Seaboard Air Line Railroad; thence continue East on Section line to Lake Harris; thence back to point of beginning and run South on Section 870 feet; thence East 850.3 feet to center line of Seaboard Air Line Railroad; run thence East to Lake Harris; thence in a Northeasterly direction along lake to North line above described;

LESS the West 10 feet for road right of way,

AND LESS the South 150 feet of the North 870 feet of Governmental Lot 1.



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

DATE: August 13, 2020
OWNER: Sunnyside Lake Land Holding, LLC; Dr. Eric Coe
PETITIONER: Sunnyside Lake Land Holding, LLC; Dr. Eric Coe
PROJECT: Sunnyside Landing
REQUEST: Planned Unit Development
CASE NO.: PUD-19-222

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

for the following reason(s):

1. The proposed request for a PUD (Planned Unit Development) zoning is compatible with the current surrounding zoning districts of Lake County R-1 (Rural Residential), Lake County R-3 (Medium Density Residential), and City of Leesburg PUD (Planned Unit Development).
2. The proposed request for a Future Land Use of Estate Residential is compatible with the adjacent future land use designations of Lake County Rural Transition, Lake County Rural, and City of Leesburg Estate Residential.
3. The proposed zoning designation for the site is consistent with the City's Growth Management Plan, Future Land Use Element, Goal I, Objective 1.6.

Action Requested:

1. Vote to approve the proposed rezoning from Lake County R-1 (Rural Residential) and City of Leesburg PUD (Planned Unit Development) to City of Leesburg PUD (Planned Unit Development) and forward the recommendation to the City Commission for consideration.

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

DATE: July 30, 2020
OWNER: Sunnyside Lake Land Holding, LLC and Cenizo Ventures, LLC
PETITIONER Greg Beliveau, LPG Urban & Regional Planners, Inc.
PROJECT: Sunnyside Landing
REQUEST: Planned Unit Development
CASE NO.: PUD-19-222

GENERAL LOCATION: The property is generally located south of U.S. Highway 441 and lies east and west of Sunnyside Drive.

FUTURE LAND USE DESIGNATION: City of Leesburg Conservation, City of Leesburg Estate Residential; and Lake County Rural

SURROUNDING FUTURE LAND USE DESIGNATION:

North – Lake County Rural Transition
South – Lake County Rural; Lake County Conservation
East – Lake County Rural Transition; Lake County Rural
West – City of Leesburg Estate Residential; City of Leesburg Conservation; Lake County Rural

PROPOSED FUTURE LAND USE DESIGNATION:

Estate Residential

EXISTING ZONING DESIGNATION: Lake County R-1 (Rural Residential) and City of Leesburg PUD (Planned Unit Development)

SURROUNDING ZONING DESIGNATIONS:

North – Lake County R-1 (Rural Residential District), Lake County R-3 (Medium Residential District)
South – Lake County R-1 (Rural Residential District); Lake County R-2 (Estate Residential District); Lake County R-3 (Medium Residential District)
East – Lake County R-1 (Rural Residential District)
West – City of Leesburg R-1-A (Single Family Residential); Lake County R-1 (Rural Residential District)

PROPOSED ZONING DESIGNATION:

PUD (Planned Unit Development)

EXISTING LAND USE: Residential and undeveloped, vacant land.

SURROUNDING LAND USE:

North – Residential; Timber
South – Residential, Public land
East – Residential; Church
West – Residential, Pasture

PROPOSED LAND USE: Development of 159 single family detached residential lots.

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

DATE: August 6, 2020
OWNER: Sunnyside Lake Land Holdings, LLC and Cenizo Ventures, LLC
PETITIONER: Greg Beliveau, LPG Urban & Regional Planners, Inc
PROJECT: Sunnyside Landing
REQUEST: Planned Unit Development
CASE NO.: PUD-19-222

THE FOLLOWING COMMENTS RECEIVED FROM EACH DEPARTMENT:

POLICE

No comments received as of 08/07/20

FIRE

“Nothing from Fire.” Chief David Johnson 10/28/19

ELECTRIC

“Power is available. There will be costs involved for installation. Those costs will be figured per the City Code. No other issues at this time.” – Steve Davis – 10/25/19

GAS

No comments received as of 08/07/20

GIS

No comments received as of 08/07/20

BUILDING

No comments received as of 08/07/20

PUBLIC WORKS

No issues from Public Works! Cliff Kelsey 8/5/20

ADDRESSING

No comments received as of 08/07/20

ECONOMIC DEVELOPMENT

No comments received as of 08/07/20

LAKE COUNTY

No comments received as of 08/07/20

LAKE COUNTY SCHOOLS

“Please find attached the school district’s Adequate Public Facilities letter for the LSCP and PUD. If you have any questions please let me know.” Thanks, Helen LaValley 11/1/19

PUBLIC RESPONSES

Approval

2 approval

Disapproval

12 disapprovals 10 with comments

Notice of Appearance filed: 6

PUBLIC COMMENTS (DISAPPROVAL)

Michelle Viveiros –

1. I do not want more traffic on our quiet roads.
2. My own street doesn’t have proper infrastructure such as sewer/gas lines.
3. Don’t want to see more loss of natural habitat.

Maggie Herrera – Too dense, too many units, already too much traffic in this area.

Peggy M. Bilskie Larry R. Bilskie –

1. Demands on public facilities will exceed capacity of the roads, sewage, water supply, drainage, schools, emergency medical facilities, police and fire rescue.
2. There will be an extensive adverse impact on the natural environment including wildlife and wetlands. Such as wild hog, black bears, coyotes, and wild turkeys, and other species.
3. This will be a significant adverse impact on property values already established in the area.
4. It is not compatible with the current rural residential community because of the # (159) homes and size of lot planned.

Brian Gamble – This zoning is not comparative to our area. We are not opposed to growth, but it needs to be like the area. No less than 1 acre per house. This butts up to on both ends of 5 acres per house. Does not fit the area!

Ruthann Blom – Not enough information has been shared with Sunnyside residents.

Michelle Viveiros – The roads in Sunnyside cannot handle 159 houses worth of traffic (2 cars per home that’s 300 extra). I moved to a rural area to enjoy quiet and nature. This type of subdivision will destroy quality of life for humans and nature alike! Do not allow this destruction!

Larry Biliskic – My boat dock access is directly from Sunnyside dr. and already receives many people enjoying the lake view from between my house & lake (dock)., adding 159+ families will be 4x what happens currently. Will the City make an effort to keep traffic flowing? The same thing happens on Sunnyside CT. but to a lesser degree. A “Dead END” sign may help there.

H. Pratt Carter, M.D. – 50-75 houses may not be too many. People need space. Also, provision should be made for wildlife. There are turkeys, bob cats, bear, opossums, racoons, squirrels and many other four legged creatures that call that property home.

Lauren Tafur – Area is too congested – too much traffic already.

Thomas Ruggie – the county has ignored their own guidelines set forth for the land use. The decision to change the land use to small residential lots will not be a positive change for the Sunnyside area. Furthermore, the county is not willing to update the roads and current infrastructure will not support additional 318 vehicles in the area.



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY COMMISSION CHAMBERS, CITY HALL
THURSDAY, JANUARY 23RD, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, January 23rd, 2020, in the Commission Chambers at City Hall.

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

The following Commission members were present:

Ted Bowersox – Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Ze’Shieca Carter

The following Commission members were absent:

Clell Coleman
Chris Wood

City staff in attendance included Dan Miller, Planning & Zoning Manager, Dianne Pacewicz, Planner, CareyLee Murray, Planner, Kandi Harper, Senior Planner, Adrian Parker, Development Review Coordinator, Sabrina Mitchell, Administrative Assistant II, and City Attorney Fred Morrison was also present.

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

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

**DRAFT SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING
FOR THURSDAY, DECEMBER 19TH, 2019**

Commissioner Carter moved to APPROVE the draft minutes from the DECEMBER 19TH, 2019 meeting. Commissioner Fitzpatrick SECONDED the motion, which PASSED by a vote of 6 - 0.

Sabrina Mitchell swore in staff as well as anyone in the audience wishing to speak.

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

OLD BUSINESS

**1. PUBLIC HEARING CASE # LSCP-19-221 – SUNNYSIDE LANDING –
LARGE SCALE COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING 18.5 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED SOUTH OF U.S. HIGHWAY 441 AND EAST OF SUNNYSIDE DRIVE (SOUTH) AS LEGALLY DESCRIBED IN SECTION 33, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, FEBRUARY 10TH, 2020 AND SECOND READING IS SCHEDULED FOR MONDAY, APRIL 27TH, 2020)**

Mr. Miller stated he would like to give an overview of these requests, then upon completion the Commission can do separate motions for each of the two cases.

Dan Miller introduced case number #LSCP-19-221 Sunnyside Landing Large Scale Comprehensive Plan Amendment and the next related case #PUD-19-222 Sunnyside Landing Planned Unit Development Zoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Mr. Miller gave a background of the subject property, and a detailed explanation on the types of cases. He stated this property is already in the City of Leesburg and was zoned in 2005 under Ord 05-124; the applicant requested 159 total units on 137 acres, which is an overall density of 1.16 units per acre, versus the previously approved one unit per acre.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site.

(Position 14:15) Department Review Summary – This case was sent out to all the different departments for review. Lake County responded there will be significant upgrades required to the roadway along Sunnyside; the City will require connection to water/wastewater; significant public responses.

Mr. Miller read the Staff Recommendations into the record for both cases; staff recommendations and then went over the PUD (Planned Unit Development) zoning.

Mr. Greg Beliveau of LPG (Land Planning Group) on behalf of the applicant gave a presentation on the subject property.

Planning Commissioners and Mr. Miller discussed specifications on vacant acreage, wetland acreage, retention areas, open space, road, size of larger lots; Dan Miller stated that there are 80 acres of wetlands and open space, need for improved roads; Mr. Miller stated that a task force was created in 2004 and a resolution was approved in 2005; Mr. Miller stated that staff would research the 2004 cases to verify information.

Mr. Miller clarified zoning; Mr. Miller stated the requirements of the City water/sewer connection is only required if well/septic failed: sewer connection required if property is within 1000 feet of a sewer line and water connection if within 800 feet.

Mr. Miller, Fred Morrison, City Attorney, and the Commissioners continued discussion on the expired 2005 PUD and zoning; expiration requires action to be taken to correct expiration; still zoned PUD in 2005; expiration clause, density not grandfathered in; not necessarily, 1.0 to 1.16, wetlands considered; gross acreage; City Commission passed the PUD in 2005; determination to have one house per acre, Westside of Sunnyside; Commission determined in 2005 that it was appropriate to have 120 homes on the westside; Planning Commission will make a recommendation to the City Commission regarding this PUD; based on the merits, City Commission will make a determination.

Mr. Beliveau stated that Lake County Public Works advised that was no need to fix the roads as Level of Service was not adversely affected based on the assigned Level of Service (LOS) D; informed citizens to get with Lake County.

Fred Morrison City Attorney clarified the resolution; and stated that technically it meets the terms of the written resolution based on the wording.

Citizen comments were based on: PUD, Lakefront property, task force; approve signage, zoning, eagles nesting, gopher turtles, traffic study, staff recommendations; another year or two before the roads get done; hold up development until the roads get fixed, joint agreement, triple density around it; Sleepy Hollow light, traffic issues, dense housing, let's keep Sunnyside interior a rural area, questioned when the property became part of the City; when/why; annexed, questioned notice, investigate history

Citizen comments continued; City water and sewer, forced to join in, negative effect on drinking water, sewer systems setup, switch to following City and County ordinances; concern (volume of people), road issues, environmental impact study, wetlands, wild life issues, buffers; federal regulations, electric issues, sidewalks plans along Sunnyside, 2004 agreement changed; 2004-2005 things can be changed drastically, needs to be reviewed again, crime issues, property value, smaller lots, emergency services; impact, Police Dept; doesn't cover zone, schools; roads.

(Position 50:51) Fred Morrison City Attorney stated under current State of Florida law you could not be involuntarily annexed; you're too big, annexations are voluntary; on the water and sewer the ordinances would require that you connect, in the real world nobody is required to do that, unless your package plants fail and you need water, substantial upgrade to your well or treatment package plant, then you might be required to connect; as long as your well is functioning properly and permitted – no requirement to connect.

Greg Belliveau gave a detailed explanation of subject property; reviewed density, housing need in Lake County is critical, not a high density project, not in rural Lake County, smaller lots relate to the historical development pattern; not abnormal along the Sunnyside area, based on a study in 2005, adopted PUD; done by previous property owners; housing needs, hospital/school board recruitment; no places for people to live, new job and employment, environmental assessment was performed by a Professional Environmentalist that visited the site on more than one occasion; Leesburg schools have plenty of capacity; (public school systems).

(Position 1:51:48) Chairman Bowersox closed the public comment portion of the meeting; asked for Commission questions.

Commissioner Marshall questioned the proposed density, City services such as Police and Fire; Mr. Miller explained the proposed density.

Michael Rankin Deputy City Manager stated it is his assumption that as growth occurs in the area needs will be assessed to provide services.

Fred Morrison asked Dan Miller if the 2005 PUD have the normal expiration clause – and if the PUD expired.

Dan Miller replied that the 2005 PUD, Ordinance 05-124, had expired; Section 6.F, 24 months. Fred Morrison asked Mr. Miller if construction had begun on the site; Mr. Miller replied in the negative.

Fred Morrison stated the PUD is essentially expired; Mr. Miller confirmed.

Mr. Greg Beliveau stated it has R-1 zoning, allow one unit per acre; which is equivalent of 120 units per acre.

Fred Morrison stated that the prior PUD is irrelevant; this is a new PUD; the PUD entitlements have expired; citizens questioned previous public notice from cases in 2004/2005.

Dan Miller stated miscellaneous conditions clause ordinance 05-124 there is an expiration within 24 months of the approval; as City Attorney indicated that will be 2007, at that point you would either need to do a new PUD as Mr. Beliveau is representing tonight or the property could be rezoned based on the wording presented; doesn't automatically default to RE-1.

Fred Morrison stated this is a new case unrelated to the former PUD; Mr. Morrison proceeded to give clarification on the zoning (PUD) expiration; and mentioned what Greg Beliveau is presenting is a new PUD.

Commissioner Carter questioned expired zoning and current proposal; if the current proposal is in opposition to the former, approved PUD.

(Position 2:05:21) Chairman Bowersox asked for a motion on the LSCP (18.5 acres).

Commissioner Haliday made a MOTION for APPROVAL of case # LSCP-19-221–SUNNYSIDE LANDING – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT.

Chairman Bowersox asked for Second on the Motion for Approval; there was none. *(Position 2:06:13)* Chairman Bowersox stated that the **motion died** for lack of a second.

Fred Morrison stated that since this is a recommendation to the City Commission, it would be appropriate at this point, if the approval didn't get a second, to entertain a motion to disapprove, if anybody inclined to make that motion, because there has to be something on the record that the Planning Commission disposed of the case.

(Position 2:06:41)

Commissioner Haliday made a MOTION for DISAPPROVAL of case # LSCP-19-221 – SUNNYSIDE LANDING – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT, Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6 - 0.

(Position 2:07:20) Chairman Bowersox asked for the next case on the agenda.

DISCUSSION

None

ANNOUNCEMENTS

Dan Miller announce that Mr. Coleman was not going to be here, due to health issues.

Mr. Miller announced Kandi Harper's birthday.

Motion made to adjourn meeting by Commissioner Marshall and seconded by Commissioner Carter.

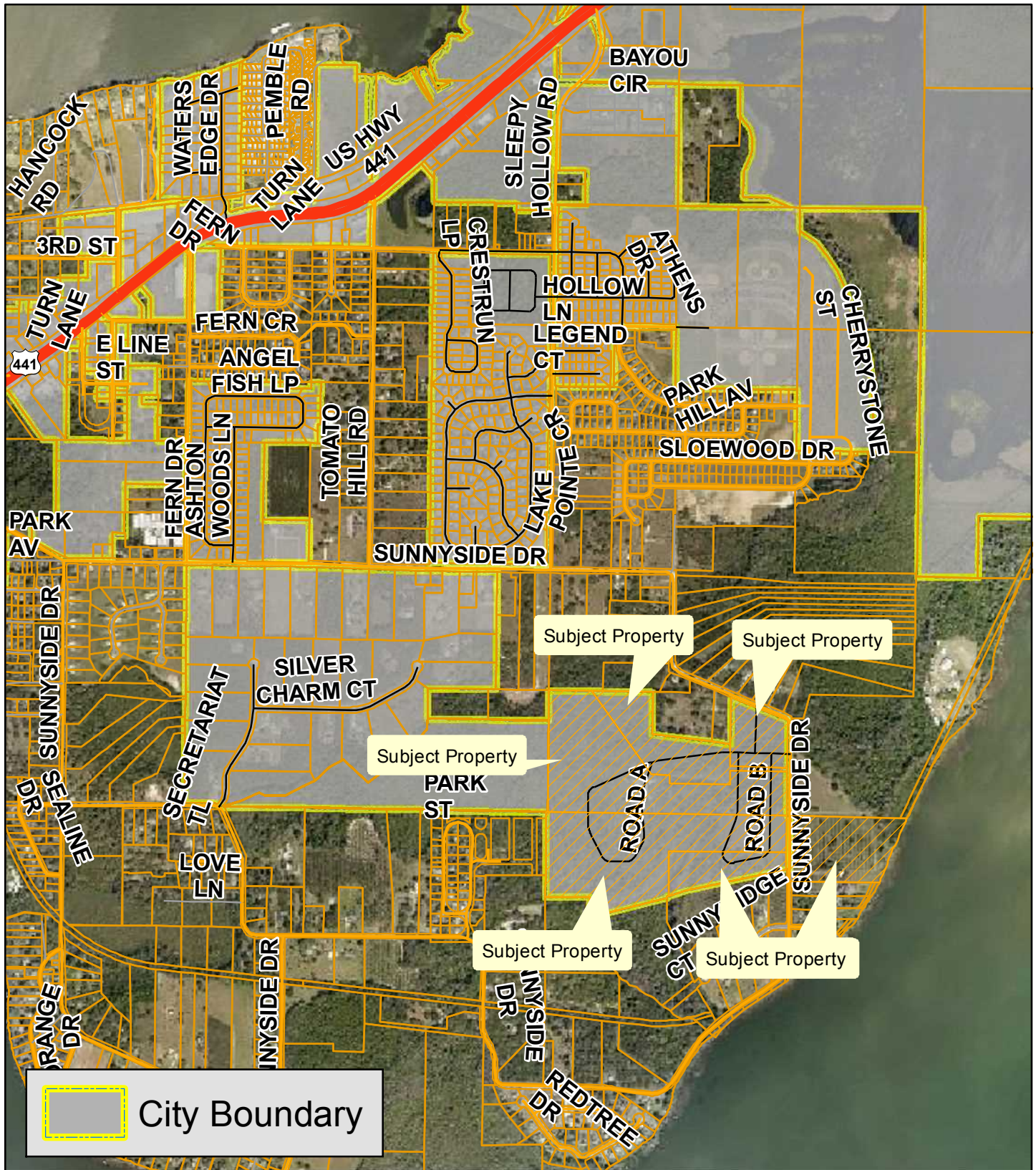
ADJOURNMENT

Approximately 7:22 p.m.

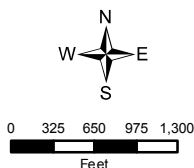
Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II

City Boundary



**Planning
& Zoning
Division**



PUD-19-222

Sunnyside Lake Land Holding, LLC

AK#'s: 1207100, 1207118, 1207185, 1207789, 1207819, 1704006

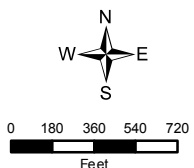
Sections 29, 32, 33, Township 19 South, Range 25 East

October 8, 2019

Zoning



**Planning
& Zoning
Division**



PUD-19-222

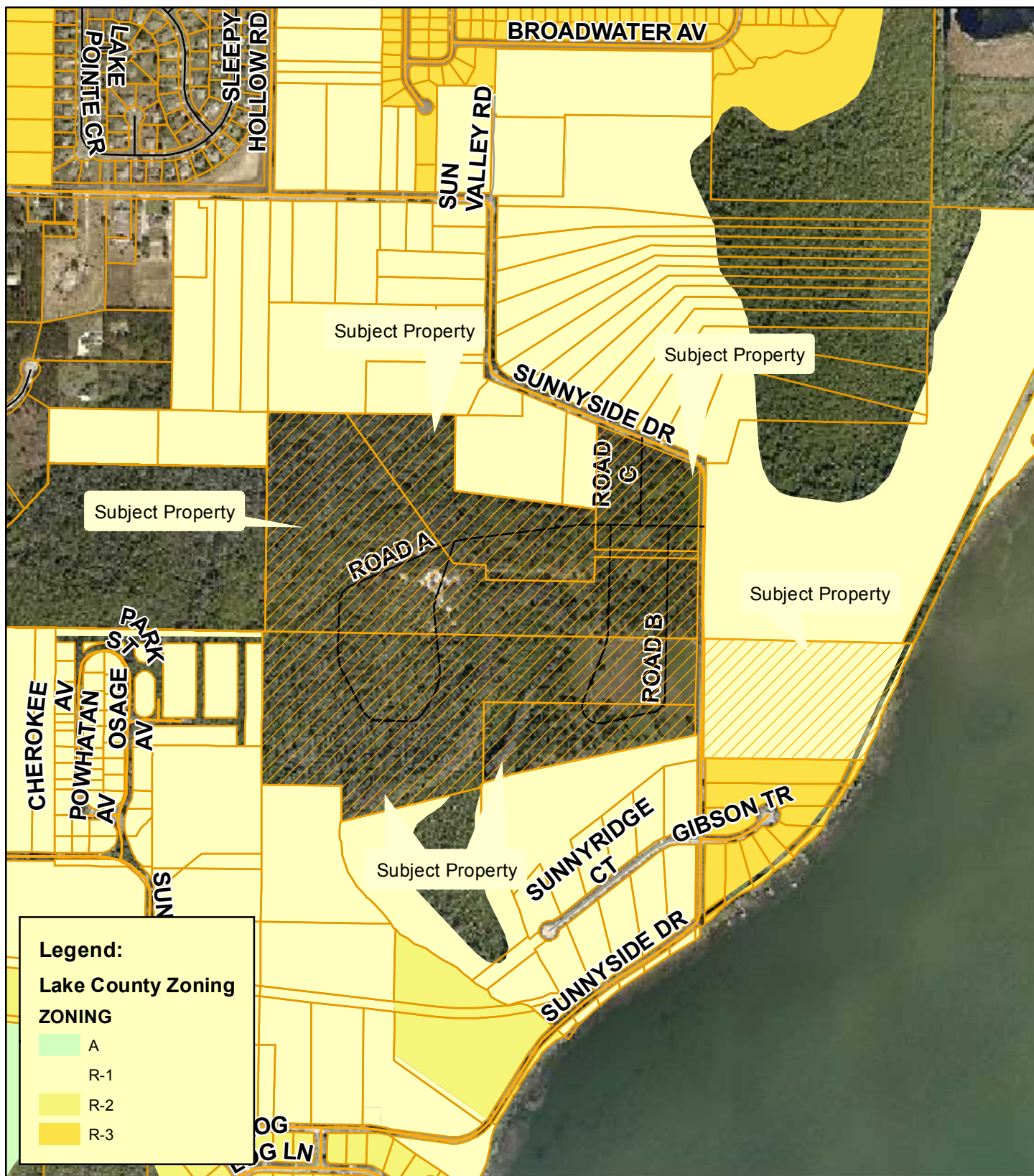
Sunnyside Lake Land Holding, LLC

AK#'s: 1207100, 1207118, 1207185, 1207789, 1207819, 1704006

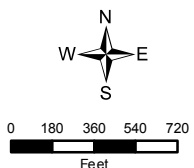
Sections 29, 32, 33, Township 19 South, Range 25 East

October 8, 2019

Lake County Zoning



**Planning
& Zoning
Division**



PUD-19-222

Sunnyside Lake Land Holding, LLC

AK#'s: 1207100, 1207118, 1207185, 1207789, 1207819, 1704006

Sections 29, 32, 33, Township 19 South, Range 25 East

October 8, 2019

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October 8, 2019

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October 8, 2019