



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, JUNE 22ND, 2023 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, June 22nd, 2023, at City Hall.

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

The following Commission members were present:

Tim Sennett - Chairman
Ted Bowersox – Vice-Chairman
John O’Kelley
Nathaniel Sanders
Frazier Marshall
Stewart Kaplan
Ken Simeone
Rosalind Peeples-Johnson

The following Commission members were absent:

Ze’ Shieca Carter

City staff in attendance included Sabrina Mitchell, Administrative Assistant II, Kandi Harper, Acting Planning and Zoning Director, Christine Rock, Senior Planner, Max Van Allen, Planner, Melissa Medders, Planner and City Attorney Grant Watson was also present.

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

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

SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, MAY 18TH, 2023.

Vice-Chairman Bowersox moved to APPROVE the minutes from the MAY 18TH, 2023 meeting. Commissioner Sanders SECONDED the motion, which PASSED by a vote of 7-0.

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

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

NEW BUSINESS

1) PUBLIC HEARING CASE # SSCP-23-230 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY CONTAINING 1.45 +/- ACRES FROM LAKE COUNTY RURAL TRANSITION TO CITY OF LEESBURG INSTITUTIONAL FOR A PROPERTY GENERALLY LOCATED WEST OF WHITNEY ROAD AND NORTH OF STATE ROAD 44, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 12TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JULY 24TH, 2023)** (City of Leesburg Electric Substation SR 44 Davis)

Grant Watson, City Attorney requested to discuss the next two cases together and vote on each case separately.

Ms. Harper introduced case number #SSCP-23-230 – City of Leesburg Electric Substation SR 44 Davis – Small Scale Comprehensive Plan Amendment and case number #RZ-23-231 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Ms. Harper gave a background and explanation of the subject property, location, zoning, and request.

Max Van Allen 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 City departments, Lake County Public Works, and the School Board there were no substantive comments from the City Departments. Public responses – no comments from the City of Leesburg notice requirements, Staff did receive one written response for disapproval which recommended a different site to the north to the posted signs and newspaper.

Ms. Harper read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

Greg David, Electric Superintendent stated they looked at 11 different properties in the area, couple properties; purchased, property; best location, transmission line; right across the street; requirement from Duke Energy; feed substation, back of property; northside, old railroad ROW; City of Leesburg easements; put 2 brand new feeders; help with feed; Pennbrooke and Saint Catherine's, 1000 homes; got from Villages, vital to put substation in this location, allows flexibility new sub; flexibility to refeed Center sub to North sub; catastrophic failure, most economical; for the City, attractive substation, wall around it, landscaped, not intrusive, do due diligence; appealing, new style; low profile, look pleasing; not inclusive as some of the older ones; hope Commission approves case.

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

Commissioners' discussed comment submitted by Mr. McCabe regarding another site to the northeast; right across the ROW; Greg David reviewed aerial map with the Commission, location; problem, no access to the transmission line, no path for us to get to the transmission line, property owner; Greg David stated they tried to purchase property; from citizen; turned down asking price, moved on to another location, important applicant mentioned; make attractive, Greg David stated to the Commission he has pictures, and packets if Commission wants to review; not chain link fence; Center Street; mural; Greg David replied it's actually a blast wall; Duke Energy put up, nice screen looking wall, decorative fence panels; like the Villages puts around their property; substation control house; built on the front side, look like; building, fancy nice wall around it, landscape after that, on west side of the property; DOT ditch; runs through their; good barrier separation to the property to the west.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Chairman Sennett closed the discussion from the Public, entertained a motion, and then the voting took place.

Commissioner Sanders made a MOTION for APPROVAL of case # SSCP-23-230 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Kaplan SECONDED the MOTION which CARRIED by a vote of 7-0.

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

2) **PUBLIC HEARING CASE # RZ-23-231 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – REZONING**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 1.45 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG P (PUBLIC), FOR A PROPERTY GENERALLY LOCATED WEST OF WHITNEY ROAD AND NORTH OF STATE ROAD 44, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 12TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JULY 24TH, 2023)** (City of Leesburg Electric Substation SR 44 Davis)

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

Commissioner Sanders made a MOTION for APPROVAL of case # RZ-23-231 – CITY OF LEESBURG ELECTRIC SUBSTATION SR 44 DAVIS – REZONING Commissioner Kaplan SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the third case under new business be brought forward.

3) **PUBLIC HEARING CASE # SSCP-23-242 – MAIN-BUTLER PROPERTIES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING 0.4 +/- ACRES GENERAL COMMERCIAL AND LOW DENSITY RESIDENTIAL TO GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED SOUTH OF W MAIN STREET AND NORTH OF BUTLER STREET, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 14TH, 2023)** (Main-Butler Properties SSCP)

Grant Watson, City Attorney stated for the record to discuss the next two cases together and vote on each case separately.

Ms. Harper introduced case number #SSCP-23-242 – Main-Butler Properties – Small Scale Comprehensive Plan Amendment and case number #RZ-23-243 Rezoning 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.

Ms. Harper gave a background and explanation of the subject property, location, zoning, and requests.

Max VanAllen 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 City departments, Lake County Public Works, and the School Board there were no substantive comments were received from the City Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Ms. Harper read the Staff Recommendations into the record for both cases; Staff recommended approval.

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

Shawn Symphorien at 5 Paerdegat 3rs Street Brooklyn, NY, 11236 stated as a city, community look at something that will benefit the City, changes asking for; bring growth, property more useful, bring happiness to the neighborhood, as we expand in the community, help the City grow; working with Staff; to ensure better use out of the property.

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

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Ken Simeone at 1425 Mosswood Drive Leesburg, FL stated just as an understanding .4 acres for both commercial/low density residential; how much residential can you put on two tenth of an acre.

Ms. Harper stated during the review of this request Dan Miller and Max Van Allen looked at Code to make sure the properties met the requirements of the Code along the street, lot sizes; Max Van Allen replied when we were writing the agenda caption the Commission is only looking at the northern parcel created through the minor subdivision; administratively, so we wrote agenda caption to reflect only that northern portion so the .4 acre; only referring to commercial section, southern portion excluded the total lot acreage for existing parcels; greater than that at this time; only looking at the north.

Mario Archila representing the applicant stated to the Commission he has a map of with sketch of lot split; Max Van Allen stated we did not include this particular image, pertains administrative lot split, but the measurements shown on the maps and figures reflects where the split is and if the Commission wants to see for reference, they certainly may; Mario Archila thanks all the committee

for the opportunity.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner Kaplan made a MOTION for APPROVAL of case # SSCP-23-242 – MAIN-BUTLER PROPERTIES – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner O’Kelley SECONDED the MOTION which CARRIED by a vote of 7-0.

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

4) **PUBLIC HEARING CASE # RZ-23-243 – MAIN-BUTLER PROPERTIES – REZONING**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.4 +/- ACRES FROM C-1 (NEIGHBORHOOD COMMERCIAL) AND R-1 (LOW DENSITY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL), FOR A PROPERTY GENERALLY LOCATED SOUTH OF W MAIN STREET AND NORTH OF BUTLER STREET, AS LEGALLY DESCRIBED IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 14TH, 2023)** (Main-Butler Properties RZ)

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

Commissioner Kaplan made a MOTION for APPROVAL of case # RZ-23-243 – MAIN-BUTLER PROPERTIES – REZONING Commissioner Marshall SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

Chairman Sennett called for the fifth case under new business be brought forward.

5) **PUBLIC HEARING CASE # CUP-22-439 – LOVE THY NEIGHBOR – CONDITIONAL USE PERMIT**

REQUEST FOR A CONDITIONAL USE PERMIT IN THE M-1 (INDUSTRIAL) ZONING DISTRICT TO ALLOW A TEMPORARY OVERNIGHT FOSTER CARE USE, FOR A PROPERTY GENERALLY LOCATED EAST OF THOMAS AVENUE AND NORTH OF CARVER DRIVE, AS LEGALLY DESCRIBED IN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING**

COMMISSION (Love Thy Neighbor)

Ms. Harper introduced case number #CUP-22-439 – Love Thy Neighbor – Conditional Use Permit into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, departmental review summary, and staff recommendations.

Ms. Harper gave a background and explanation of the subject property, location, zoning, and requests.

Melissa Medders utilized a power point presentation to demonstrate the area of the proposed site for the case.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comment from City the Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Ms. Harper read the Staff Recommendations into the record for the case; Staff recommended approval.

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

Belinda Fashaw stated for the record she is the owner of the property and also works for Love Thy Neighbor, thank you for the consideration, business; operated several group homes for the last 23 years; in City of Leesburg, partnered with local foster care agencies; disabilities, and trauma, asking for a change of use; property, assist, police called, perfect location; need for temporary use, asking Commission; consideration for approval; most valuable children; needs, foster care replacement, transportation; school or vocational provided, spot; in case foster care contact them in the middle of the night, location; keeps family members; to protect the children with disabilities, leasing property out; to Love Thy Neighbor; thanks Commission; hopes for vote of approval.

Commissioners' thanks applicant for what you are doing for the children; wonderful thing that the applicant is doing that.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Commissioner O'Kelley made a MOTION for APPROVAL of case # CUP-22-439 – LOVE THY NEIGHBOR – CONDITIONAL USE PERMIT
Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

Chairman Sennett called for the sixth case under new business be brought forward.

6) **PUBLIC HEARING CASE # SSCP-23-262 – VOWL 0.33 ACRE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY CONTAINING 0.33 +/- ACRES FROM LAKE COUNTY PUBLIC SERVICE FACILITY AND INFRASTRUCTURE TO CITY OF LEESBURG AGE RESTRICTED DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 28TH, 2023)** (VOWL 0.33 ACRE SSCP)

Ms. Harper introduced case number #SSCP-23-262 – VOWL 0.33 acre – Small Scale Comprehensive Plan Amendment and case number #RZ-23-263 Rezoning into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Ms. Harper gave a background and explanation of the subject property, location, zoning, and requests.

Christine Rock utilized a power point presentation to demonstrate the area of the proposed site for both cases, and stated for clarification purposes the Rezoning case number; and read into the record.

Department Review Summary: This case was sent out to all the different City departments, Lake County Public Works, and the School Board there were no substantive comments from the City Departments. Public responses - no responses were received from the City of Leesburg notice requirements, posted signs and newspaper.

Ms. Harper read the Staff Recommendations into the record for both cases; Staff supports both cases; recommended approval.

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

Marty Dzuro stated for the record representing the Villages Land Company 3601 Kiessel Road The Villages, FL 32163 and thanks Planning Staff and City Manager's Office for helping assist with this project, got to platting stage; Villages West Lake Unit 74, after six years ago, land use change, zoning, bringing this all into the (ARD) development, missed 0.33 acres, Staff did a good job seeing this and bringing this up, housing cleaning; action, and here to answer any questions.

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

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Chairman Sennett closes discussion from the Public, entertained a motion, and then the voting took place.

Vice-Chairman Bowersox made a MOTION for APPROVAL of case # SSCP-23-262 – VOWL 0.33 ACRE – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.

Chairman Sennett called for the seventh case under new business be brought forward.

- 7) **PUBLIC HEARING CASE # RZ-23-263 – VOWL 0.33 ACRE – REZONING**
AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 0.33 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG ARD (AGE RESTRICTED DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED APPROXIMATELY ONE MILE EAST OF THE FLORIDA TURNPIKE AND ADJACENT TO COUNTY ROAD 470, AS LEGALLY DESCRIBED IN SECTION 17, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JULY 24TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, AUGUST 28TH, 2023)** (VOWL 0.33 ACRE RZ)

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

Vice-Chairman Bowersox made a MOTION for APPROVAL of case # RZ-23-263 – VOWL 0.33 ACRE – REZONING Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.

DISCUSSION

None

ANNOUNCEMENTS

Ms. Harper announced to the Commission that Dan Miller is doing well and will be back soon.

Chairman Sennett entertained a motion to adjourn.

Motion to adjourn made by Commissioner Kaplan and seconded by Commissioner O’Kelley.

ADJOURNMENT

Meeting was adjourned at 5:28 p.m.

Tim Sennett, Chairman

Sabrina Mitchell, Administrative Assistant II