



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, NOVEMBER 16TH, 2023 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, November 16th, 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
Nathaniel Sanders – Vice-Chairman
Ted Bowersox
Frazier Marshall
John O’Kelley
Stewart Kaplan
Ze’ Shieca Carter
Darin Akkerman

The following Commission members were absent:

Ken Simeone

City staff that was present included Dan Miller, Planning & Zoning Director, Sabrina Mitchell, Executive Assistant I, Kandi Harper, Deputy Director, Christine Rock, Senior Planner, Dianne Yekel, Senior Planner, and Max Van Allen, Planner. Jennifer Cotch City Attorney was also present.

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

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

MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY,

OCTOBER 19TH, 2023.

Commissioner Carter moved to APPROVE the minutes from the October 19th, 2023 meeting. Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

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

Five yeas, no nays, the Planning Commission approved the minutes from the October 19, 2023 meeting.

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

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

NEW BUSINESS

1) **PUBLIC HEARING CASE # LSCP-23-438 – VILLAGE PALMS HOLDINGS – LARGE 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 316 +/- ACRES FROM LAKE COUNTY RURAL AND REGIONAL OFFICE TO CITY OF LEESBURG NEIGHBORHOOD MIXED USE FOR A PROPERTY GENERALLY LOCATED SOUTH OF STATE ROAD 44 AND WEST OF WHITNEY ROAD, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST AND SECTION 30, 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, DECEMBER 18TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 12TH, 2024)** (Village Palms Holdings LSCP)

Chairman Sennett stated for the record to discuss the first two cases together, and then vote separate.

Dan Miller introduced case number #LSCP-23-438 – Village Palms Holdings – Large Scale Comprehensive Plan and case number #PUD-23-439 Planned Unit Development into the record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, went over conditions of the PUD (Planned Unit Development) and site plan.

Max Van Allen, Planner 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, and School Board there were no substantive comments from the City Departments. Lake County School Board and the Lake County Public Works comments noted; read into the record. Public responses – no comments were received from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

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

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

Commissioners' and Dan Miller discussed if duplexes; villas as sellable or duplexes as rented; sold per unit; Dan Miller replied duplex has to be sold per lot; 2 living units; one lot; Max VanAllen stated the duplexes will be fee simple per unit; per applicant, fourth access point; Dan Miller replied we anticipate that to be a ride out; up to FDOT, plans for guest parking; Dan Miller went over site for guest parking, public safety; Whitney Road emergency exits, roundabouts; Dan Miller stated to add language to work with applicant to preserve trees along the edge; good idea, security; visual; Dan Miller replied the City doesn't allow any new development on well/septic, all water/wastewater, retention ponds; required fountains; each retention pond, maximum slope; 4:1 City regulation, fairly large ponds, refer to engineer; dry/wet; feature, environmental study; done, road clarification; neighbors, the entry/exits; from 44, glad no exits on Whitney, emergency purposes, major impact, road 44 addressed by FDOT/County; Dan Miller replied that roadway under FDOT authority; involved every step, changes; made by FDOT; Dan Miller replied that's correct and went over the zoning; Crossing at 44, stop light; warrant stop light, big difference, more traffic/people; light safer, developer will take care, letter; from Lake County Schools; Dan Miller stated he mentioned the mitigation agreement between the developer and the School Board; due to letter, very dense, 5 units per acre; see reduced, total living area, 4 acres total, not in favor; multi-family development, concerned; road conditions, increased 1260 units, and small band wetlands; in center; charter schools, amount of housing, consideration; kids coming; more favorable project, all Leesburg schools at capacity; impacts the community, more plans; leaning on school system; school solution.

Greg Beliveau with LPG representing the applicant stated the original design; retention ponds further inland, moved to south east; recognition to homes, no residential units, property owners; protected, buffers, water retention ponds; landscaping/open space, earlier plans; access to Whitney Road, met with Seth Lynch; County, no impact; move all impacts to 44, consented to ROW; to Whitney Road; adequate ROW, designed; north/south orientation, existing PUD; mixed use, mirror; no conflicts, commercial, multi-family, 3 tracts; mirror each other; along 44, went over site plan; interconnectivity, warrant; traffic signal; applicant responsibility, traffic/environmental study; completed, LOS; on 44, visitor parking, reviewed chart on map; parking, recreation; accommodate residents; each phase recreation component; built into it, large lots; perimeter, open space, small lots; interior, PUD; reflects; as condition, all SF, rentals; north demarcation line; Greg Beliveau stated went over site plan; concerning the roundabouts for clarification purposes; he will work on the roundabouts, record number of attachments; landscaping, consideration for amendment; on fence or location, along property line; canopies of trees; existing canopy; opeg trees, leave them, pick up fence; between those tree canopies, COL Staff; come out, only change to PUD, communities; got away from; putting up fence, neighbors; utilize services; perimeter fences not allowed.

Greg Beliveau addressed comments from citizens' and stated the retention area anticipated to be wet, property maintained, tree canopy; condition not to cut trees down, City of Leesburg; fence condition, firearms; learned to live with it, on central water/sewer, environmental study; done, input from Staff, parking ratios; accommodated, neighbors; open space, larger lots; not impacting Whitney Road, donating ROW, no accesses, all buffer along Whitney Road; check sent in 2 days ago; in the process of working up the mitigation, density; 4 acres total, less than 3 in SF, wetlands; small band in center; traffic analysis done; level of service, fine on 44, Lake County Schools doesn't do charter schools; public schools, pre-pay impact fees, compute impacting negatively, included all development to be built; south of 48, book all the children may arrive; based on the projects that has been approved, charter schools hopefully would come; land available.

Citizens' comments were based on COL; water/sewer; plants going in somewhere, drain fields, tree canopy, enjoy privileges; firearms, consider, concern, retention ponds, wild life study, and doesn't won't development.

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

Chairman Sennett called for a vote on the first case.

Vice-Chairman Sanders made a motion to APPROVE case # LSCP-23-438 – VILLAGE PALMS HOLDINGS – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Kaplan SECONDED the motion.

The roll call vote was:

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

Four yeas, three nays, the Planning Commission approved case # LSCP-23-438 – VILLAGE PALMS HOLDINGS – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT.

Chairman Sennett called for a vote on the second case.

2) PUBLIC HEARING CASE # PUD-23-439 – VILLAGE PALMS HOLDINGS – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 316 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) AND MP (PLANNED INDUSTRIAL) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED SOUTH OF STATE ROAD 44 AND WEST OF WHITNEY ROAD, AS LEGALLY DESCRIBED IN SECTION 19, TOWNSHIP 19 SOUTH, RANGE 24 EAST AND SECTION 30, 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, DECEMBER 18TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 12TH, 2024**). (Village Palms Holdings PUD)

Vice-Chairman Sanders made a motion to APPROVE case # PUD-23-439 – VILLAGE PALMS HOLDINGS – PLANNED UNIT DEVELOPMENT with amendment working with applicant in regards to trees and fences. Commissioner Kaplan SECONDED the motion.

The roll call vote was:

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

Four yeas, three nays, the Planning Commission approved case # PUD-23-439 – VILLAGE PALM HOLDINGS – PLANNED UNIT DEVELOPMENT.

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

3) PUBLIC HEARING CASE # RZ-23-454– CAC CANAL STREET TRACT B RZ – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 0.08 +/- ACRES FROM CITY OF LEESBURG SPUD (SMALL PLANNED UNIT DEVELOPMENT) AND R-3 (HIGH DENSITY RESIDENTIAL) TO P (PUBLIC), FOR A PROPERTY GENERALLY LOCATED SOUTH OF PINE STREET AND EAST OF SOUTH CANAL STREET, AS LEGALLY DESCRIBED IN SECTION 26, 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, NOVEMBER 27TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, DECEMBER 11TH, 2023)** (CAC Canal Street Tract B RZ)

Dan Miller introduced case number #RZ-23-454 – CAC Canal Street Tract B RZ – 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.

Dan Miller gave a background and explanation of the subject property, location, zoning, and requests.

Max Van Allen, Planner 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, and Lake County Public Works there were no substantive comments from the City Departments or the County. Public responses – no comments were received from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

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

Dan Miller stated for the record we have Ms. Meredith Kriste of the Law Firm of Leesburg is here to represent this case and answer any questions you may have.

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

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

Commissioner Marshall abstained from voting; due to a conflict of interest.

Chairman Sennett called for a vote on the third case.

Commissioner Bowersox made a motion to APPROVE case # RZ-23-454 – CAC CANAL STREET TRACT B RZ – REZONING Commissioner O’Kelley SECONDED the motion.

The roll call vote was:

Commissioner Bowersox	Yes
Commissioner Kaplan	Yes
Chairman O’Kelley	Yes
Commissioner Sanders	Yes
Chairman Sennett	Yes
Commissioner Carter	Yes

Six yeas, no nays, the Planning Commission approved case # RZ-23-454 – CAC CANAAL STREET TRACT B RZ– REZONING.

Commissioner Marshall abstained from voting; due to a conflict of interest.

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

4) PUBLIC HEARING CASE # SSCP-23-461 – RIVER FOX COMMONS – SMALL SCALE COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 15.34 +/- ACRES FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY OF LEESBURG LOW DENSITY RESIDENTIAL, FOR A PROPERTY GENERALLY LOCATED EAST OF MONTCLAIR ROAD AND SOUTH OF COLONIAL STREET, AS LEGALLY DESCRIBED IN SECTION 21, 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, DECEMBER 18TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JANUARY 22ND, 2023)** (River Fox Commons)

Dan Miller introduced case number #SSCP-23-461 – River Fox Commons – Small Scale Comprehensive Plan and case number #PUD-23-462 Planned Unit Development into the

record and entered the exhibits into the record with maps and photo exhibits including aerial, zoning, future and surrounding land use, wetlands/flood zone maps, CRA maps, staff summary, and staff recommendations.

Dan Miller gave a background and explanation of the subject property, location, zoning, requests, went over conditions of the PUD (Planned Unit Development), permitted uses, same density; under Lake County R-6 zoning, and site plan.

Christine Rock, Senior Planner 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 there were no substantive comments from the City Departments. Lake County Public Works we did not get any comments back; we will resend and ask again, expect significant roadway improvements; contact Seth Lynch. Public responses – we received numerous comments back from the Public noted; read into the record from the State of Florida and City of Leesburg notice requirements, posted signs, and newspaper.

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

Chairman Sennett if the Commission have any question of Staff.

Commissioners' and Dan Miller discussed age restricted; Dan Miller replied senior living 55+community, sent to the School Board; noted as well; if you are in 55+ community; no impact fees, letter from County attorney; covenants/restrictions; requirement 55+ cuts down on noise/traffic, green area undisturbed; Dan Miller replied yes sir, lighting; affect neighbors; Dan Miller replied nothing in the PUD dark sky lighting, conceptual; might shift, significant buffers, residents; along Maridel, Deborah, and Amanda, Gregory Road; no other way in/out, not a ton of traffic, reason complex; further south, alleviate problems; north border; Dan Miller replied if the soil can handle it, if applicant wish to speak on that, and Staff has no objection bringing it south, actual borings; not done, added to motion; Dan Miller stated fine with Staff; come up with wording to increase buffer, proximity objections; Dan Miller replied one objection read into the record; and stated new development; no well/septic allowed, City of Leesburg water/wastewater, issue ingress/egress; one way in for emergency vehicles, considered any access along Colonial, important for fire safety, emergency exit, straight single car road; boulevard type road; on Gregory; Dan Miller replied Gregory is a straight SF two lane; anticipating that Lake County; upgrade, boulevard; option; Dan Miller replied it would be tough; taking property from neighbors, subject property; Dan Miller replied you normally would have subdivision entrance type sign; not requirement, nice entry way feature, emergency side exit, easement agreement, in place; emergency type access, yelp frequency; Fire/Police; frequency clicker, no access, cut through; on Gregory, dead end, gated entry option; nice addition, stop; a lot of traffic; calm road, traffic study; County; Dan Miller gave a brief explanation on the traffic study, road improvements; significant.

Stephen Bien representing the applicant stated adding more to buffer; conceptual drawing, exceptional senior product; throughout southeast, design; jetting the bldg., explore with Staff; move bldg. around including neighbors, 55+ senior project; can't afford, low traffic, property; wellness center, visiting physicians, small grocery shopping, medical matters, excited about opportunity, partner, no greater density, buffer, undisturbed tree and natural area; as possible, work with setbacks, open to working with Staff & Commission; to benefit all; Stephen Bien addressed comments from the Commission and stated willing to consider access on Colonial; easement agreement with seller, no problem exploring/expanding to add secondary ingress/egress, households with seniors; visiting, we will make that on Colonial emergency ingress/egress, break away gate; if County allow; prepared to upgrade; on Gregory Road, add gated entry; neighbors, no pass through, put gated entrance; no objection.

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

Chairman Sennett stated if anyone from the Public wants to speak on the case.

Citizens' comments were based on how many units; Chairman Sennett replied 92 units, using Gregory Road frequently; road study done; down played, road used; taken into consideration.

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

Chairman Sennett called for a vote on the fourth case.

Commissioner Kaplan made a motion to APPROVE case # SSCP-23-461 – RIVER FOX COMMONS – SMALL SCALE COMPREHENSIVE PLAN Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # SSCP-23-461 – RIVER FOX COMMONS – SMALL SCALE COMPREHENSIVE PLAN.

Chairman Sennett called for a vote on the fifth case.

5) PUBLIC HEARING CASE # PUD-23-462 – RIVER FOX COMMONS – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING OF APPROXIMATELY 15.34 +/- ACRES FROM LAKE

COUNTY R-6 (URBAN RESIDENTIAL DISTRICT)) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), FOR A PROPERTY GENERALLY LOCATED EAST OF MONTCLAIR ROAD AND SOUTH OF COLONIAL STREET, AS LEGALLY DESCRIBED IN SECTION 21, 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, DECEMBER 18TH, 2023 AND SECOND READING IS TENTATIVELY SCHEDULED FOR MONDAY, JANUARY 22ND, 2023)**
(River Fox Commons)

Commissioner Kaplan made a motion to APPROVE case # PUD-23-462 – RIVER FOX COMMONS – PLANNED UNIT DEVELOPMENT Vice-Chairman Sanders SECONDED the motion.

The roll call vote was:

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

Seven yeas, no nays, the Planning Commission approved case # PUD-23-462 – RIVER FOX COMMONS – PLANNED UNIT DEVELOPMENT.

DISCUSSION ITEMS

ANNOUNCEMENTS

Chairman Sennett entertained a motion to adjourn.

ADJOURNMENT

Meeting was adjourned at 6:07 p.m.

Tim H. Sennett, Chairman

Sabrina Mitchell, Executive Assistant I