



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, NOVEMBER 19TH, 2020 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, November 19th, 2020, at Venetian Center.

Chairman Ted Bowersox called the meeting to order at 4:33 p.m.

The following Commission members were present:

Ted Bowersox – Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Chris Wood
Nathaniel Sanders
Tim Sennett

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, OCTOBER 22ND, 2020

Commissioner Marshall moved to APPROVE the draft minutes from the OCTOBER 22ND, 2020 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 Bowersox called for the first case under new business be brought forward.

NEW BUSINESS

1. SWEARING-IN OF PLANNING COMMISSION MEMBERS – TIM SENNETT

Sabrina Mitchell swore in the new members of the Planning Commission Board.

1. PUBLIC HEARING CASE # LSCP-20-221 – 470 Leesburg LLC – 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 36.9 +/- ACRES FROM INDUSTRY AND TECHNOLOGY COMMERCE PARK (ITCP) TO NEIGHBORHOOD MIXED USE FOR A PROPERTY GENERALLY LOCATED EAST OF FLORIDA'S TURNPIKE AND SOUTH OF 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, JANUARY 11TH, 2021 AND SECOND READING ON MONDAY, MARCH 8, 2021)** (470 LLC)

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-20-221 – 470 Leesburg LLC – Large Scale Comprehensive Plan Amendment and case number #PUD-20-220 – 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 and explanation of the subject property, location current zoning, requests, went over the (PUD) Planned Unit Development and Comprehensive Plan Amendment standards.

Chairman Bowersox stated for the record the City Commission tentative dates for the Comprehensive Plan Amendment. Mr. Miller stated for the record the Large-Scale Comprehensive Plan has to be transmitted and it takes approximately 45-60 days; review and send back within 30 days.

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 or objections received from the departments. Outside City of Leesburg electric area, Lake County noted access will be from the existing paved road to the east. Public responses - no comments from the public.

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

Mr. Phil Smith of McIn-Burnsed in Leesburg gave a presentation of the subject property and stated the 470 Leesburg interested in taking this property and being a good neighbor; nice addition, and will be happy to answer any questions; appreciate the Board support on behalf of the applicant.

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

John O'Kelley expressed concern if the Villages owned the property. Mr. Phil Smith stated it's owned by another individual.

Chairman Bowersox called for any other questions from the applicant.

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

Commissioner Marshall made a MOTION for APPROVAL of case # LSCP-20-221 – 470 Leesburg LLC – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sennett SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 8-0.

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

2. PUBLIC HEARING CASE # PUD-20-220 – 470 Leesburg LLC – PLANNED UNIT DEVELOPMENT ZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING

THE ZONING ON APPROXIMATELY 36.9 +/- ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR MIXED USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED EAST OF FLORIDA'S TURNPIKE AND SOUTH OF COUNTY ROAD 470 AS LEGALLY DESCRIBED IN SECTIONS 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, JANUARY 11TH, 2021 AND SECOND READING ON MONDAY, MARCH 8, 2021)** (470 LLC)

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

Commissioner Sennett made a MOTION for APPROVAL of case # PUD-20-220 – 470 Leesburg LLC – PLANNED UNIT DEVELOPMENT ZONING
Commissioner Wood SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 8-0.

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

3. PUBLIC HEARING CASE # PUD-20-219 – MANUELA APARTMENTS – PLANNED UNIT DEVELOPMENT ZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 20.63 +/- ACRES FROM C-3 (HIGHWAY COMMERCIAL) AND R-2 (MEDIUM DENSITY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR MIXED USE DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED WEST OF U. S. HIGHWAY 27 AND NORTH OF COUNTY ROAD 25A AS LEGALLY DESCRIBED IN SECTION 34, 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, JANUARY 11TH, 2021 AND SECOND READING ON MONDAY, JANUARY 25, 2021)** (Manuela Apartments)

Dan Miller introduced case number #PUD-20-219 – Manuela Apartments – 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 and explanation of the subject property, location current zoning, requests, went over the (PUD) Planned Unit Development conditions and standards.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for the case, and then Mr. Miller went over the zoning map for the record.

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

Greg Beliveau gave a detailed presentation of the subject property with exhibits for the record; noted that these are not standard apartments; will be held as condominium; will have a meeting next month, December, with Superintendent of Schools and school board, neighbors; will be built for teacher housing project, noted shortage of workforce housing; environmental assessment completed; worked with MPO & City of Leesburg regarding transportation and traffic study; noted level of service, road improvements on CR-25A, driveway; completed tree survey prior to site plan; wetlands (on-site) western part; noted 25' buffer, existing trees around site; preserved, 25' buffer; entire property, fence west side, had meeting with property owners, spoke about allowed uses; animal clinic, indoor recreation, office/medical uses, personal services, restaurant, retail sales, car wash, gas (convenient) etc. allowed 15,000 sq. ft., condominiums project; specific market, and continue to work with neighbors through this process.

Commissioner Sanders asked about the price range. Greg Beliveau replied come in around 175k-230k; depends on (city waivers), impact fees and gave a detailed explanation of government waiving fees. Commissioner Fitzpatrick expressed concern regarding parking spaces per unit. Greg Beliveau replied regarding parking requirements; less parking required would be less impervious surface, but current design meets code; reduce parking; by 25% would reduce water retention.

Chairman Bowersox expressed concern regarding access points, traffic light, Planning stage; (Hwy 27), homes on north end; two story structures, increased traffic, wall, and fence. Greg Beliveau replied reviewed access points, improving multiple intersections, if required by FDOT; traffic light on Hwy 27, Lone Oak bypass; constrained on the south and east side, improvements; everything two story, no balconies; back of buildings, and 6' wall along western boundary; fence against next to neighborhood with the 25-foot buffer.

Chairman O'Kelley stated will the only access be on CR-25A, site plan shows entrance on Middlesex; and will Southwind have any traffic going into subdivision. Greg Belliveau replied that there is no access into Southwind.

Citizens' comments and concerns were based on: recommendation by Mr. Miller, explanation from Greg Beliveau, community wish to maintain property values; community is made up of patio homes in a stable neighborhood; there is one way in and out; density is 8 units per acre; Southwind community is maintained; stated they are most directly impacted by development; asked that fence be 8-feet instead of 6-feet; landscaping is by code requirements of City of Leesburg Land Development Regulations; pictures were provided to the commission; stated that development is keeping trees in back, replacing tree, larger trees; traffic signals; questioned building schedule;

questioned teacher's pay to afford 175k-230k price range in Leesburg; questioned affordability on teacher's pay; questioned wetland preservation, sink holes, investigations, light, and access on Middlesex.

Greg Beliveau gave a presentation to address comments from citizens regarding proposed development, including: tree survey had been addressed, school board agreement, site plan; approval process, St. Johns River Water Management District; approval process of environmental assessment; identified wetlands, jurisdictional wetland lines complete, conservation easements (all wetlands); preservation in southwest portion property; undeveloped, lighting issue; dark sky (City of Leesburg), parking lots, site lighting will be focused on site per Code, Middlesex driveway access; City of Leesburg approvals to cut housing costs would need waiver of school impact fees/building impact fees, may cut costs to 150k range, will not reduce quality of product.

Chairman Bowersox asked if the Commissioners have any questions.

Commissioner Sennett asked if the -foot' fence is doable. Greg Beliveau replied that the applicant could consider the 8-foot fence.

Chairman Bowersox closed the discussion to the public and entertain a motion.

Commissioner Haliday made a motion to approve PUD-20-219 as amended to allow a gas station on the corner.

Mr. Miller clarified for the record the request is to add a convenience store with gas and 8-foot fence to the permitted use.

Commissioner Haliday made a MOTION for APPROVAL of case # PUD-20-219 – MANUELA APARTMENTS – PLANNED UNIT DEVELOPMENT ZONING AS AMENDED; Commissioner Wood SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 8- 0.

Chairman Bowersox announced the case# PUD-20-229 under new business has been postponed.

4. PUBLIC HEARING CASE # PUD-20-229 – THE LAKES AT ROYAL PALM PHASE I AND PHASE II – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 31 +/- ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR MULTIFAMILY APARTMENTS FOR A PROPERTY GENERALLY LOCATED SOUTH OF EAST DIXIE AVENUE AND WEST OF SOUTH LAKE STREET, AS LEGALLY DESCRIBED IN SECTIONS 25, 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, JANUARY 11, 2021 AND SECOND READING ON MONDAY, JANUARY 25, 2021)** (Lakes at Royal Palm PH I and PH II)
POSTPONED TO DECEMBER 17, 2020 PLANNING COMMISSION MEETING

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

5. **PUBLIC HEARING CASE # PUD-20-230 – FOX POINTE AT RIVERS EDGE, PUD – REZONING**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 14.09 ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) FOR A PROPERTY GENERALLY LOCATED EAST OF U.S. HIGHWAY 27, NORTH OF COUNTY ROAD 48 AND SOUTH OF COMMANDER ROAD AS LEGALLY DESCRIBED IN SECTIONS 14, 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, JANUARY 11, 2021 AND SECOND READING ON MONDAY, JANUARY 25, 2021)** (Fox Pointe)

Dan Miller introduced case number #PUD-20-230 – Fox Pointe At Rivers Edge – Planned Unit Development 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.

Mr. Miller gave a background and explanation of the subject property, location current zoning, requests, changes, and then went over the (PUD) Planned Unit Development conditions.

Kandi Harper utilized a power point presentation to demonstrate the area of the proposed site for the case, and then Mr. Miller went over the zoning map for the record.

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

Chad Moorhead project engineer stated he agrees with staff recommendations.

Mark, a resident at Hawthorne; wanted to clarify lots.

Mr. Miller replied it should be 56 lots; previous PUD 42 single family units and the rest town houses.

Commissioners, Fred Morrison, and Mr. Miller discussed that the notice of surrounding property owners' letter; defective notice and need to be advertised again; 42 lots on conceptual plan, if developer willing to go with the 42 units; Fred Morrison strongly recommends it's postponed and advertised again.

Chad Moorhead stated 42 units comes from the conceptual plan. If you do the maximum density per land use; 4 units times 14 acres; 56 lots; carryover from the previous PUD.

Fred Morrison stated if the proposal is to only build 42 units and the developer is willing to accept an amendment to the PUD, reducing the density to 42 units, then it can proceed. Chad Moorhead replied he is willing to do that.

Mark, a resident of Hawthorne stated he lives in the house within 200-feet of the development; noted the sensitive and beneficial creek; that it is narrow, 16 boat docks; there is wildlife present, his favorite spot; wants good stewardship; wants to ensure open spaces and buffers, and conservation easement to be maintained; wanted to establish when easement was recorded, approved; wanted to ensure it is in the current proposed language; wants proposal to be modified to include Army Core engineers review and to recommend language in PUD; wanted to ensure undisturbed easement to protect waterway residents and wildlife, wanted to clarify number of boat docks proposed and current and size on property how big; and clarification on 5' dock.

Chad Moorhead stated that conservation easements are recorded during development, and done later on in the process.

Mr. Miller replied the conservation easement is recorded, but not recorded as part of a plat until later in the process which includes the site plan, construction plans and then the plat is prepared; recorded, and conservation easement recorded.

Chad Moorhead replied that the ACOE (Army Core of Engineers), a government body has jurisdiction of Palatka River; impacts on wetlands/waterway/wetland buffers; development is proposed outside of easement except 5-foot walkway across easement to the dock at the river; proposing 16 docks; 1 dock per house on the waterway and community dock; they are permitted 1000-square foot docks or less but cannot block waterways.

Mr. Miller stated we can amend to the 42 lots and add back the Army Core of Engineers language. Chad Moorhead stated he has no issues with the 42 lots.

Chairman Bowersox closed the discussion to the public and entertained a motion.

Commissioner O'Kelley expressed concern regarding the previous PUD; lowering density and docks permitted and size of docks.

Mr. Miller replied previous PUD had 56 lots, this proposal is lowering density, residential docks are permitted; St. Johns River Water Management District allows a maximum of 1000 square foot docks on individual waterways.

Fred Morrison, City Attorney, stated there's a provision in the PUD that requires the docks to meet the accessory structure setbacks; look at the width along the river and factor in setbacks will not allow for a very big dock.

Commissioner Sanders made a MOTION for APPROVAL of case # PUD-20-230 – FOX POINTE AT RIVERS EDGE, PUD – REZONING Commissioner Sennett SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 8- 0.

DISCUSSION

Chairman Bowersox announced that Clell Coleman will be recognized for his 42 years of service at the City Commission meeting on November 23, 2020 at 5:30 p.m. and wants Commissioners to attend; he recommended having Planning Commission meetings in the small room because of noise in the large room, unless we have larger crowds. Mr. Miller replied he will call Travis the Director of Parks & Recreation to discuss the matter.

ANNOUNCEMENTS

Commissioner Wood made a motion to adjourn meeting.

ADJOURNMENT

Approximately 6:00 p.m.


Ted W. Bowersox, Chairman


Sabrina Mitchell, Administrative Assistant II