



DRAFT SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, APRIL 22ND, 2021 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 22nd, 2021, at Venetian Center.

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

The following Commission members were present:

Ted Bowersox – Chairman
Frazier Marshall
John O’Kelley
Michael Fitzpatrick
Nathaniel Sanders
Tim Sennett
Ze’ Shieca Carter

The following Commission members were absent:

Chris Wood
Alfred Haliday

City staff in attendance included Dan Miller, Planning & Zoning Manager, Sabrina Mitchell, Administrative Assistant II, Dianne Pacewicz, Planner, Careylee Simonds, Planner, Kandi Harper, Senior Planner, Christine Rock, Senior Planner, 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, MARCH 18TH, 2021

Vice-Chairman Sennett moved to APPROVE the draft minutes from the MARCH 18TH, 2021 meeting. Commissioner Marshall 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) PUBLIC HEARING CASE # LSCP-21-29 – SUNDANCE SUBDIVISION – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 32.68 +/- ACRES FROM LAKE COUNTY REGIONAL OFFICE TO ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 48, EAST OF COUNTY ROAD 33 AS LEGALLY DESCRIBED IN SECTION 15, 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, JUNE 14, 2021 AND SECOND READING ON MONDAY, AUGUST 23, 2021)** (Sundance Subdivision)

Mr. Miller stated staff would like to describe and discuss both cases together and have the votes taken at the end of discussion with Chairman's permission.

Dan Miller introduced case number #LSCP-21-29 - Sundance Subdivision – Large Scale Comprehensive Plan Amendment and case number #PUD-21-28 – 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, and went over the (PUD) Planned Unit Development.

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. Lake County Public Works comment in regard to some work on access points and the trail master plan; the development would

have accommodate that. Lake County School Board comment sent over their Adequate Public Facilities Determination letter. Public responses – we received one approval and one disapproval from the SPO letters from the neighbor to the east.

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

Christopher Germana with Germana Engineering in Clermont, FL stated we are in support of staff recommendation of approval highlight regarding the parking area; 0.6 acres, opportunity increased parking to 2.05 acres parking; front of property; green area; exhibit, save large majestic trees; homes, and focal point for the project.

Chairman Bowersox called for any other questions from the applicant.

Commissioners expressed concern regarding the plan provided in packet, exhibit presented, and the number of units.

Dan Miller explained the plan presented to the Commission; and gave clarification for the record; and stated the plan in the packet and the exhibit presented; correct one.

Chairman Bowersox stated if anymore questions from the Commissioners, and any comment from the Public.

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

Vice-Chairman Sennett made a MOTION for APPROVAL of case # LSCP-21-29 – SUNDANCE SUBDIVISION – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.

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

2. PUBLIC HEARING CASE # PUD-21-28 – SUNDANCE SUBDIVISION – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 32.68 +/- ACRES FROM LAKE COUNTY AGRICULTURE TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR RESIDENTIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 48, EAST OF COUNTY ROAD 33 AS LEGALLY DESCRIBED IN SECTION 15, 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, JUNE 14, 2021 AND SECOND READING ON MONDAY, AUGUST 23, 2021)** (Sundance Subdivision)

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

Vice-Chairman Sennett made a MOTION for APPROVAL of case # PUD-21-28 – SUNDANCE SUBDIVISION – REZONING Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.

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

3. PUBLIC HEARING CASE # LSCP-21-53 – HODGES RESERVE – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING 148.67 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND ON THE NORTH SIDE OF DEWEY ROBBINS ROAD AS LEGALLY DESCRIBED IN SECTIONS 31 AND 32, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 14TH, 2021 AND SECOND READING ON MONDAY, AUGUST 23, 2021)** (Hodges Reserve)

Mr. Miller stated staff would like to describe and discuss both cases together and have the votes taken at the end of discussion with Chairman's permission.

Dan Miller introduced case number #LSCP-21-53 – Hodge Reserve – Large Scale Comprehensive Plan Amendment and case number #PUD-21-54 – Planned Unit 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, 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.

Chairman Bowersox stated how much of that property are wetlands; in acreage, Kandi Harper replied she don't have those numbers, but can have them prepared for City Commission; will provide information to the Chairman.

Department Review Summary: This case was sent out to all the different departments for review, no substantive comments or objections received from the departments. Public responses – as seen in your packets, staff did receive a very large public response in the negative in regard to this case; that include responses from the SPO letters, posted signs, and legal ad; also, in your packet you will see a petition; 50 or more signatures; against this particular proposal.

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

Ben Snyder with Hanover Land Company stated we appreciate the opportunity to present some information on the project, introduced staff, who they are, projects; recent development, and recent approvals on Windsong/McElyea project; final stage; excited about producing another project the City could be proud of, charitable organization, and available to answer any questions.

Andrew McCown Planner, GAI of Orlando and gave a detailed presentation of the subject property with exhibits for the record; a lot of issues involved; approving/denying project, respectfully disagree with staff recommendations, opportunity to make case for approval; here to answer questions along the way, requested applications, map; project lies east of the City current ISBA, address part of the staff comments; item one; commercial village; approved; South of project; US 27 and turnpike, commercial projects; roof tops; need to happen concurrently, help booster the number of units; within service area; approved; commercial and multifamily, developing, intensifying, White Marsh Phase II and III; townhomes, review diagram; less than a mile of US 27; close to where we are; timing of future developments; north and east; future annexations; potential, no roads adjacent to Dewey Robbins Road; not a case; being premature; next, transportation related, utilities related; extend utilities; northern areas; make this project; more compatible; not there yet.

Dewey Robbins Road; improved County collector; exist today, access; north very limited, properties; develop/position themselves; development, timing; backwards, take time; approval, three phase; built out; over a number of years; concept plan, wetlands; northern tip; acreage 19.22 acres; not proposing any wetlands impacts as a part of this project, two entrances; proposed, main amenities; phase one, stormwater placement; existing utility easements; road; eastern corner, 50' lots; proposed, 40' lots; around amenities, park space; both phases, circulation systems; 44.9 acres of open Space & Recreation; 30% including wetlands, stormwater, buffers, amenities/park space, Leesburg/Lake County compatibility considerations, conceptual open space plan; 3.9 acres of park space, typical perimeter buffer, buyer preferences; it's not just about cost, conceptual phasing plan, amenity center, some of the proposed home elevations; type of homes.

Commissioners, and Mr. Miller discussed a plan B; due to neighbor's concerns, affordable housing in Lake County, density, comfortable to neighbors, willing to come back with something not as dense, annex into the City; in packet, Dan Miller replied Planning Commission doesn't see annexation; City Commission,

Ben Snyder gave a presentation to address comments from Commissioners and stated compatible; seek approval from the City Council; with current plan, haven't developed plan B; make some

accommodations; in addition to buffer; agreed to put up 6' PVC fence; not required by Code, happy to accommodate; request, some of the houses directly adjacent to property; not that many people directly impacted; roads; improved to collectors status; plenty of capacity, people outside neighborhood; never see 40' lots, highly landscaped; visual appealing, effected by density; on roads; improved road by Lake County, turning lanes; improvements, concerns of neighbors; make some concessions; rework plan to address concerns; we don't have a plan to do that.

Citizens' comments and concerns were based on: need for affordable housing, development on CR 470 & 48 east/west turnpike, housing; all people coming, great opportunity; create transitional development; not opposed; Leesburg annex, property, zoned; one to one, larger lots; than four homes on acre, impact roads, water, wildlife, foliage, trees, Lake County/Leesburg; different, enjoy agricultural living, not compatible, middle; rural area, schools, roads, no infrastructure, oppose; development, smaller parcel; one acre tracks, rural protection act, no rooftop, start/stop point, roads, water preservation act; cost, meet requirements; comprehensive plan; in place, speaks to RPA, future development, land use; one unit; per five acres, determined by this particular Council January 2020; accommodate surrounding neighbors.

Dan Miller replied and stated he is confusing Lake County/City regulations, he is correct under Yalaha/Lake Apopka Rural Protection Area; County comprehensive plan; decided at Lake County level, not City; within Lake County jurisdiction, if property annexed; under City comprehensive plan, no longer come under County, change from County to City; regulations change as well; recommendation to City Commission; City Commission makes final decision; more overflow, horses, pigs, cows, chickens; no place; 489 homes, really consider; proposing in area, not flat, no cable, hazardous, turtles, very dangerous, four lane highway, stop lights; intersection 27 and Dewey Robbins, build walls, blocked in; by development, years of construction, live on wells; plans, and increased pest population.

Ben Snyder gave a presentation to address comments from citizens and stated the property is orange grove plant more trees, greenery, develop property; stormwater onsite, wildlife; relocated, school concerns; more school impact fees; improve school conditions, infrastructure concerns adequate water/sewer; discussed with City of Leesburg; extend utility lines, wants to build high quality Andrew McCown stated this is all market rate housing trying to maintain affordability; not an affordable housing type project.

Chairman Bowersox asked if the Commissioners have any questions.

Commissioner Marshall stated he took offense to the comment regarding affordable housing by one of the participants; he believes everyone deserves a step up; disagree with the Comprehensive Plan.

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

**Commissioner Marshall made a MOTION for DENIAL of case # LSCP-21-53
- HODGE RESERVE - LARGE SCALE COMPREHENSIVE PLAN**

AMENDMENT Commissioner Carter SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.

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

4. PUBLIC HEARING CASE # PUD-21-54 – HODGES RESERVE – PLANNED UNIT REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 148.67 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR RESIDENTIAL NEIGHBORHOOD DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED EAST OF US HIGHWAY 27 AND ON THE NORTH SIDE OF DEWEY ROBBINS ROAD AS LEGALLY DESCRIBED IN SECTIONS 31 AND 32, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 14TH, 2021 AND SECOND READING ON MONDAY, AUGUST 23, 2021)** (Hodges Reserve)

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

Vice-Chairman Sennett made a MOTION for DENIAL of case # PUD-21-54 – HODGE RESERVE – PLANNED UNIT REZONING Commissioner Fitzpatrick SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.

Dan Miller stated for the record the tentative dates for the City Commission.

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

5. PUBLIC HEARING CASE # PUD-21-56 – WINDMILL – PLANNED UNIT REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 221 +/- ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR COMMERCIAL AND RESIDENTIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED EAST OF U.S. HIGHWAY 27 AND SOUTH OF WINDSONG OAK DRIVE AS LEGALLY DESCRIBED IN SECTIONS 25 AND 36, TOWNSHIP 20 SOUTH, RANGE 24 EAST, AND SECTIONS 30 AND 31, TOWNSHP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, JUNE 14, 2021 AND SECOND READING ON MONDAY, JUNE 28, 2021)** (Windmill)

Dan Miller introduced case number #PUD-21-56 – Windmill – Planned Unit 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 Development Phasing portion of the (PUD) Planned Unit Development document.

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

Mr. Miller read the Staff Recommendations for the case into the record; Staff recommended approval; and wants to eliminate wording 16.B Development Phasing provision; over time eliminate it out of all them; working with Wayne Rich decided to move ahead with this one.

Wayne Rich of Nelson-Mullins law firm of Orlando stated he concur with staff representation and recommendations and appreciate Mr. Miller and Kandi Harper continued support.

Vice-Chairman Sennett expressed concern regarding subject properties are separated. Dan Miller replied we wrote the ordinance to specifically show the two ordinance we would like to amend; wording the same; one ordinance that amends the other two.

Terri Blessings stated if it was me that offended anybody, I don't have any negative feelings about the word affordable; and thinks affordable is different for everybody, this particular area backs up to some property if you change zoning to commercial if you follow this road all the way down becomes completely rural; lands large piece of property; owned by Harvey Massey; being sold and developed road, helping Ms. Wynn get clarification on the plan and how this will affect her; she thinks she is in opposition of the proposed development; because she really don't understand, and Ms. Blessings wants to explain to her if it's already zoned; PUD, or adding commercial to it.

Fred Morrison, City Attorney replied this is a case that was approved in 2017; only change being made today is to take out that one provision: development itself, density, and land uses; are already in place, so this doesn't approve anything new; and this is a prime example of why staff wants to get rid this because when these cases come back up for extension or removal of this clause people treat them as if there were new cases and they are here for one purpose; do we extend it or do we remove that clause; nothing that's going to happen today; that's what could've happen from the 2017 approval; same thing, not adding anything or taking anything away; except the four year limitation, and the PUD itself remain exactly as it was in 2017.

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

Commissioner Fitzpatrick made a MOTION for APPROVAL of case # PUD-21-56 – WINDMILL – PLANNED UNIT REZONING Vice-Chairman Sennett SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7- 0.

DISCUSSION

ANNOUNCEMENTS

None

Commissioner Sennett made a motion to adjourn meeting.

ADJOURNMENT

Approximately 6:08 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II