



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
VENETIAN CENTER
THURSDAY, DECEMBER 16TH, 2021 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, December 16th, 2021, 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
Tim Sennett – Vice-Chair
John O’Kelley
Michael Fitzpatrick
Alfred Haliday
Nathaniel Sanders

The following Commission members were absent:

Frazier Marshall
Chris Wood
Ze’Shieca Carter

City staff in attendance included Dan Miller, Planning & Zoning Manager, Kandi Harper, Senior Planner, Dianne Pacewicz, Planner, Senior Planner Christine Rock, Sabrina Mitchell, Administrative Assistant II, and Interim Attorney Loren Vasquez 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, NOVEMBER 18TH, 2021.

Vice-Chairman Sennett moved to APPROVE the draft minutes from the NOVEMBER 18TH, 2021 meeting. Commissioner Sanders 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.

NEW BUSINESS

1) PUBLIC HEARING CASE # SSCP-21-400 – HILLS AT LEESBURG – SMALL SCALE COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 41.69 +/- ACRES, FROM LAKE COUNTY RURAL TRANSITION TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED WEST OF COUNTY ROAD 44 AND NORTH OF SENG ROAD, AS LEGALLY DESCRIBED IN SECTION 01, 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 14, 2022 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 28, 2022)**
(Hills @ Leesburg)

Dan Miller asked Chairman Bowersox for permission to discuss these two cases together for discussion purposes.

Dan Miller introduced case number #SSCP-21-400 – Hills at Leesburg – Small Scale Comprehensive Plan and case number #PUD-21-395 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 and explanation of the subject property, location, requests, proposals, and then went over the PUD (Planned Unit Development) document.

Kandi Harper 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 departments for review, there were no significant or substantive comments; Lake County Public Works will

require road improvements such as turn lanes on CR 44 at the development entrance, plus a sidewalk, easements and additional ROW. Public responses – we did not have any written responses to the advertising and sign posting.

Mr. Miller read the Staff Recommendations into the record; Staff recommended approval for the following reasons:

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number PUD 21-395, is compatible with the adjacent future land use designations of Lake County Rural Transition, Lake County Urban Low Density.
3. The proposed request as conditioned in City of Leesburg Case number PUD 21-395, is compatible with the current surrounding zoning districts of Lake County A (Agriculture), Lake County R-1 (Rural Residential District), and Lake County CFD (Community Facility District).
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 Small-Scale Comprehensive Plan designation from Lake County Rural Transition to City of Leesburg Estate Residential and forward the recommendation to the City Commission for consideration.

Chairman Bowersox stated if anyone in audience that wants to speak on the case or any representative of the project.

Jason Gray Robinson, at 301 East Pine Street, Orlando, Florida stated we concur with the Staff report and recommendations on both agenda items, and stated Geoff Summitt the project engineer; and applicant, one item regarding setbacks; clarification on the setbacks for the project; in full agreement and will be happy to answers any questions. Dan Miller stated for the record we had a typo request for the 5' side setbacks and 10' between the buildings; wrong numbers in there. Chairman Bowersox stated 15' combined; Dan Miller replied in this PUD (Planned Unit Development) 5' on each side; last of the 50' lots that we had in process.

Chairman Bowersox stated if the Commission have any questions of the applicant or his representative.

Commissioners, and Mr. Miller discussed the proposed site, density; 4 units per acre, typical lot size; Dan Miller replied 2.83 units per acre; typical lot size; 50x120, Leesburg estate residential; Dan Miller replied estate residential will be the future land use; lowest density future land use category that the City has; allows up to 4.2 per acre; this particular development was 2.83 units per acre.

Geoff Summitt of Summitt Engineering 3667 Simonton Place Lake Mary, Florida and stated the typical lot size is 50x120, however most of our perimeter lots are quite a bit deeper than that; will have to do a little bit of modifications to the site plan after discussion with Mr. Miller; will work on that after we get through the PUD process.

Chairman Bowersox stated if any other questions from the Commission or anyone from the audience want to ask any questions or have any concerns, entertained a motion, and then the voting took place.

Vice-Chairman Sennett made a MOTION for APPROVAL of case # SSCP-21-400 HILLS AT LEESBURG as presented – SMALL SCALE COMPREHENSIVE PLAN Commissioner Haliday SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6-0.

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

2) **PUBLIC HEARING CASE # PUD-21-395 – HILLS AT LEESBURG – PLANNED UNIT DEVELOPMENT**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 41.69 +/- ACRES FROM LAKE COUNTY R-1 (RURAL RESIDENTIAL) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), TO ALLOW FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED WEST OF COUNTY ROAD 44 AND NORTH OF SENG ROAD, AS LEGALLY DESCRIBED IN SECTION 01, 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 14, 2022 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 28, 2022)** (Hills @ Leesburg)

Mr. Miller read the Staff Recommendations into the record; Staff recommended approval for the following reasons:

1. This project meets the requirements of Chapter 163.3184 Florida Statutes, for Comprehensive Plan Amendments.
2. The proposed request, as conditioned in City of Leesburg case number PUD 21-395, is compatible with the adjacent future land use designations of Lake County Rural Transition,

and Lake County Urban Low Density.

3. The proposed request as conditioned in City of Leesburg Case number PUD 21-395, is compatible with the current surrounding zoning districts of Lake County A (Agriculture), Lake County R-1 (Rural Residential District), and Lake County CFD (Community Facility District).
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 rezoning from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) and forward the recommendation to the City Commission for consideration.

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

Commissioner O'Kelley made a MOTION for APPROVAL of case # PUD-21-395 – HILLS AT LEESGURG – PLANNED UNIT DEVELOPMENT Vice-Chairman Sennett SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6-0.

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

3) PUBLIC HEARING CASE # PUD-21-405 – WINDY OAKS – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 37.6 +/- ACRES FROM CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT), TO ALLOW FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED NORTH OF COUNTY ROAD 48 AND WEST OF SOUTH QUARTERS ROAD, AS LEGALLY DESCRIBED IN SECTION 15, 21, AND 22 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, FEBRUARY 14, 2022 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 28, 2022)**
(Windy Oaks {formerly Windy Hills})

Dan Miller introduced case number #PUD-21-405 – Windy Oaks – 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 and explanation of the subject property, location, requests, proposal, and then went over the PUD (Planned Unit Development). Dan Miller stated that in sending the draft copy to the applicant, there were a number of typos found, and Staff would like to correct those back at the office, none were substantive, mostly grammatical errors, such as stating the wrong road or mistyping a Code Section number and we would like to work with the applicant to make those changes; quoted Section on landscaping; 25.337, but correct number is 25.327.

Kandi Harper 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 departments for review, there were no significant or substantive comments; School Board indicated that this project will require school concurrency review and possible a proportionate share mitigation agreement. Lake County Public Works will require road improvements such as turn lanes on CR 48 and South Quarters Road, along with lane widening, easements, and Right-of-Way. Public responses – Public responses – we did not have any written feedback to the advertising and sign posting.

Mr. Miller read the Staff Recommendations into the record; Staff recommended approval for the following reasons:

1. The proposed request to rezone the subject property from PUD (Planned Unit Development) to PUD (Planned Unit Development) as conditioned, is compatible with the current surrounding zoning districts of Lake County A (Agriculture), and City of Leesburg PUD (Planned Unit Development) and M-1 (Industrial).
2. The proposed conditions of the attached PUD (Planned Unit Development) zoning are compatible with the existing Future Land Use designation of Neighborhood Mixed Use and the surrounding Future Land Use designations of Industrial, Neighborhood Mixed Use, and Lake County Urban Low Density.
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 City of Leesburg PUD (Planned Unit Development) to City of Leesburg PUD (Planned Unit Development) with revised conditions and forward this recommendation to the City Commission for consideration.

Commissioners, and Mr. Miller discussed average lot size, side setbacks, 1800' square feet under heat and air; Dan Miller replied that's correct, fire code; Dan Miller replied 10', expressed concern; front setbacks; Dan Miller replied because it's the same as previous PUD; no objection, but prefer the 25 and 20; then you don't have to use that 20 for the porch; in previous PUD; approved; no objection, keep side/rear and not adjust it with the front; Dan Miller replied these are minimum so if you wanted to have the house further back that would be fine, different design, you can put the house at 25; still have garage even with the house, footprints; facades, wetland/improved lake; Dan Miller stated no wetlands there; creating the ponds, creating some water, Chairman Bowersox agree with what the applicant is saying; parking your vehicle; most homes; two vehicles and at 20'; issue, cut back yard; add more space to front yard; any concerns; taking 5' from back yard; put in front yard; Dan Miller stated the front will be 25' and make rear 15'; amend front setbacks, as stated; Dan Miller replied that's correct we will eliminate that line about garage setbacks; straight 25' so it can go all the way across; move rear from 18' to 15'; two car garage; Dan Miller replied that's correct, City Commission makes final decision, and stated for the record the tentative dates for Commission meeting.

Kathy Hattaway with Poulos & Bennett 2602 East Livingston Street Orlando, FL stated we have done a number of projects in the City of Leesburg and certainly enjoy working with Staff; points raised in previous application; page three under development standards; previous approved PUD that expired, lot sizes; same size; SF detached homes, approved previously; former PUD, front setbacks and porch garage setbacks; 20' very important; understand priority to the City, 20' enough length to park a car; in front of the garage; not encroach onto sidewalk, sidewalks on both side of the streets; community, front façade setbacks; 25' request front façade; allowed 20; same as the garage, line of front façade with the garage, same comment previously mentioned in Section 2.B minimum structure; 15'; 5' setbacks; on each side; 10' average lot width 50x20, and side setbacks; 5x5, 10' feet between homes; 1800' square feet under heat/air, provided elevations, no wetlands on this site and no lakes, environmental assessment; provided with submittal, create stormwater ponds to support the development; will be constructing, setting garage back further, not clear on front setback, clarified; that will be fine to amend front yard setback, but that don't change the garage setback; clarified by Dan Miller.

Chairman Bowersox stated any other questions of the applicant or any comments from the audience.

Danny Watson live on South Quarters Road; next to Lasher; property connects together stated zoned before and a lot of changes; previous company; block off South Quarters Road; gated community, build both sides up; applicant has just one side; Dan Miller stated this plan envision only on the West side; before they had both sides; build homes; both sides, block off South Quarters Road; Dan Miller replied we don't want to see South Quarters blocked, road modifications on South Quarters Road; Dan Miller replied because these roads are County roads; any improvements; deceleration/turn lanes, required by County; corresponding with the County; Dan Miller replied already in discussion with the County,

we send plans to the County; before approved; County comments; will the County need more ROW; Dan Miller replied only on the South side of Quarters Road; applicant property; not yours, dealing with two people County/City, Ordinances; works; Dan Miller replied you are welcome to come to our office; for discussion and larger plans/scale; wetlands; water there when moved there; once wetlands, water in my back door; lily pads; water table drying up; everything drying up now; if project approved; effect, increase/decrease property value.

Chairman Bowersox stated any discussion from the Commission or any comments from in anyone in the audience, entertained a motion, and then the voting took place.

Commissioner Haliday made a MOTION for APPROVAL of case # PUD-21-405 – WINDY OAKS as amended – PLANNED UNIT DEVELOPMENT
Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6-0.

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

4) **PUBLIC HEARING CASE # SSCP-21-413 – LEESBURG C-STORE AND GAS STATION – SMALL SCALE COMPREHENSIVE PLAN**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 3.95 +/- ACRES, FROM LAKE COUNTY URBAN MEDIUM DENSITY TO CITY OF LEESBURG GENERAL COMMERCIAL FOR A PROPERTY GENERALLY LOCATED WEST OF U.S. HIGHWAY 27 AND EAST OF COUNTY ROAD 33, AS LEGALLY DESCRIBED IN SECTION 11, 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, FEBRUARY 14, 2022 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 28, 2022)** (Leesburg C-Store and Gas Station)

Dan Miller asked Chairman Bowersox for permission to discuss these two cases together for discussion purposes.

Dan Miller introduced case number #SSCP–21-413 – Leesburg C-Store and Gas Station – Small Scale Comprehensive Plan and case number #RZ-21-414 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, proposal, and summary.

Kandi Harper 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 departments for review, there were no significant or substantive comments, or Lake County Public Works, and being that it's commercial; not sent to the School Board; Public responses – in response the advertising, signs and surrounding property owner letters, received two disapprovals citing traffic concerns, and one approval with a comment about ensuring that future development or widening of US 27 and CR 33 would not be negatively impacted; lighting concern; request and work with Mr. Green to ensure that the lighting is appropriate; pointed inward; affect future widening of US 27 and CR 33; County or State; not concerned about this project.

Mr. Miller read the Staff Recommendations into the record; Staff recommended approval for the following reasons:

1. The proposed request for commercial Future Land Use is appropriately located and compatible with the current surrounding Future Land Use Designations of Lake County Urban Low Density and Urban Medium Density.
2. The proposed request will allow commercial development for the property that is consistent with the ongoing development patterns along the U.S. Highway 27 commercial corridor.
3. The proposed request does not appear to create a detriment to surrounding properties, based on the location and contiguity to U.S. Highway 27 on the east and County Road 33 on the west property boundary.

Action Requested:

1. Vote to approve staff's recommendation to amend the Future Land Use Map from Lake County Urban Medium Density to City of Leesburg General Commercial, and forward to the City Commission for consideration.

Herb Green from Kissimmee representing the project stated he has nothing more to add, answer any questions you may have; ask for approval of this project.

Chairman Bowersox stated if Commission have any questions from the applicant or anyone comments from the audience, closes discussion, entertained a motion, and then the voting took place.

Commissioner Sanders stated will there be an entrance from CR 33 and US 27; Herb Green replied yes sir and kind of works out nicely that way. Chairman Bowersox stated he so surprised it hasn't been done years ago; definitely improvement; coming in from the south end of Leesburg.

Vice-Chairman Sennett made a MOTION for APPROVAL of case # SSCP-21-413 LEESBURG C-STORE AND GAS STATION as presented – SMALL SCALE COMPREHENSIVE PLAN Commissioner O’Kelley SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6-0.

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

5) PUBLIC HEARING CASE # RZ-21-414 – LEESBURG C-STORE AND GAS STATION – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 3.95 +/- ACRES FROM LAKE COUNTY RMRP (MOBILE HOME RENTAL PARK DISTRICT) AND LAKE COUNTY CP (PLANNED COMMERCIAL DISTRICT) TO CITY OF LEESBURG C-3 (HIGHWAY COMMERCIAL) TO ALLOW FOR COMMERCIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED WEST OF U.S. HIGHWAY 27 AND EAST OF COUNTY ROAD 33, AS LEGALLY DESCRIBED IN SECTION 11, 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, FEBRUARY 14, 2022 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, FEBRUARY 28, 2022)** (Leesburg C-Store and Gas Station)

Mr. Miller read the Staff Recommendations into the record; Staff recommended approval for the following reasons:

1. The proposed request is compatible with the current surrounding zoning districts of Lake County C-1 (Neighborhood Commercial); RM (Mixed Home Residential); RMRP (Mobile Home Rental Park District); and C-1 (Neighborhood Commercial).
2. The proposed request will allow commercial development for the property that is consistent with the ongoing development patterns along the U.S. Highway 27 commercial corridor.
3. The proposed request does not appear to create a detriment to surrounding properties, based on the location and contiguity to U.S. Highway 27 on the east and County Road 33 on the west property boundary.

Action Requested:

1. Vote to approve staff’s recommendation to rezone the subject property from Lake County RMRP (Mobile Home Rental Park District); and Lake County CP (Planned Commercial District) to C-3 (Highway Commercial) and forward to the City Commission for consideration.

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

Commissioner O’Kelley made a MOTION for APPROVAL of case # RZ-21-414 LEESBURG C-STORE AND GAS STATION as presented – REZONING Vice-Chairman Sennett SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6-0.

DISCUSSION

None

ANNOUNCEMENTS

Dan Miller stated he would like to welcome Loren Vasquez with McLin Burnsed as our Interim City Attorney very pleased to have him; thank him for being here and look forward to working with him in the future; glad you are here. Dan Miller announced the death of the late Fred Morrison and reflected on his life, work ethic, broad band of knowledge, professional demeanor; key to Staff and the Commission; and he worked with him for six years, he was a pillar of strength, dignity and knowledge both professionally and personally; he served as the City Attorney for 35 or 40 years; began in the 1908’s; he will be missed. Chairman Bowersox stated it’s been a tough one for everyone of us here and we are going to miss him dearly.

ADJOURNMENT

Approximately 5:21 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II