



SUMMARY MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY HALL
THURSDAY, JANUARY 19TH, 2023 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, January 19th, 2023, at City Hall.

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
Stewart Kaplan
Nathaniel Sanders
Ken Simeone

The following Commission members were absent:

Ze’Shieca Carter
Frazier Marshall

City staff in attendance included Dan Miller, Planning & Zoning Director, Sabrina Mitchell, Administrative Assistant II, Christine Rock, Senior Planner, Dianne Yekel, 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 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.

SUMMARY MINUTES OF THE PLANNING COMMISSION MEETING FOR THURSDAY, DECEMBER 15TH, 2022.

Commissioner Sanders moved to APPROVE the draft minutes from the DECEMBER 15TH, 2022 meeting. Vice-Chairman Sennett 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 # PUD-22-560 – LAKE DENHAM ESTATES TRACT F-1 PUD MINOR MODIFICATION – PLANNED UNIT DEVELOPMENT

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEESBURG, FLORIDA, MODIFYING THE EXISTING PUD (PLANNED UNIT DEVELOPMENT) ON APPROXIMATELY 3 +/- ACRES TO ALLOW FOR ATTACHED SINGLE-FAMILY UNITS, FOR A PROPERTY GENERALLY LOCATED SOUTH OF ARMOYAN BOULEVARD AND WEST OF US HIGHWAY 27, AS LEGALLY DESCRIBED IN SECTION 2, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)** (Lake Denham Estates Tract F-1)

Dan Miller introduced case number #PUD-22-560 – Lake Denham Estates Tract F-1 PUD Minor Modification – 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, zoning, requests, went over the PUD (Planned Unit Development) and site plan.

Max Van Allen 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 for review, no substantive comments received from the Departments. If approved, the project would be subject to working with Lake County School Board to meet concurrency requirements; residential not allowed on this tract. Public response – no responses from the City of Leesburg notice requirements, Staff did receive several phone calls, no office visits or written responses in response to the posted signs and newspaper.

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

Amber Coleman public council for the applicant stated requesting residential allowance, 3 acres, on east side, PUD, US Hwy 27, max density, 33 townhome units, this will max out density; in PUD, 600, remaining density; west side, SFD residential use; compatible with surrounding neighborhoods, not a lot of commercial; some west side; US Hwy 27, restaurant, storage unit facility, per the existing PUD Ordinance; tract F-1 area, uses described in C2; community commercial zoning district, PUD; exist doesn't allow residential in the area, zoning district; does permit SF attached residential use; consistent; City Code, marketability; limit to commercial use, current market doesn't support; lower end, retail options, residential use; limited density, much better use for the area, less traffic, surrounding neighborhoods; access Armoyan Blvd.; road, conceptual plan; tract F, working with Planning Staff, conceptual; able to move forward with residential option with Commission approval; will move forward with site plan application.

Chairman Bowersox stated if the Commission have any questions of the applicant, Staff, or if anyone in the audience would like to speak on this case.

Commissioners, and Mr. Miller discussed make a recommendation to work with School Board & Ms. Coleman get some type of school board shelter; School Board decision, speed down Armoyan; some form of bus shelter placed there, something the kids could gather around; if Commission approve, allow City of Leesburg to work with the School Board, build some type of shelter; School Board samples, agree respectively; concern, suggest shelter whether approved or not, agrees with Dan Miller conditions; shelter school, possible flashing yellow light; a block before during that time; Dan Miller replied a flashing light already there, Police surveillance; ticket for speeding, Commission can complain; Dan Miller stated looked at the numbers in terms of reduction and the reduction in the amount of lighting required; significant, if applicant and Mr. Newkirk add shelter, and signage; reasonable move here.

Citizens comments were based on: amount of traffic that comes out this development, unsafe for children, bus, speed bumps, can't control house already there; add more, something has to be done; safe area (for school buses), told it's a HOA issue, with tabletop; sidewalk built to Ravenswood.

Harry Newkirk with Newkirk Engineering the engineer of record for the project stated site plan propose a bus turnaround; ROW not big enough to do a U-turn, designed conceptually, driveway setup; bus U-turn, 6' benches; make shelter, area already setup to do that, traffic, tabletop intersection; signs ahead, want development safe; add to plans for safety, 25' trail across the front; 12' sidewalk constructed area develop; extended north and south, promote mobility; along 27, golf carts, traffic; land use change, residential versus commercial, 35K max, 33 townhomes; 192, 1300 daily trips; traffic, developed out of townhomes; help

intersection, driveway; main drive, tabletop; construction, pointed out location of tabletop, multiple signs; going to west; speed bump, stop sign' add pedestrian signs, both side, mid-block crossing, flashing; at a certain time of day; added on to make a lot safer.

Commissioner O'Kelley abstained from voting due to a conflict of interest.

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

Vice-Chairman Sennett made a MOTION for APPROVAL of case # PUD-22-560 – LAKE DENHAM ESTATES TRACT F-1 PUD MINOR MODIFICATION with the changes of the tabletop, signage and the bus shelter – PLANNED UNIT DEVELOPMENT Commissioner Kaplan SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 5-0.

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

2) PUBLIC HEARING CASE # SSCP-22-569 – CROSSINGS AT 44 – SMALL 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 34.7 +/- ACRES FROM LAKE COUNTY RURAL TO CITY OF LEESBURG GENERAL COMMERCIAL FOR A MIXED-USE 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, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, FEBRUARY 13TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, MARCH 27TH, 2023)** (Crossings at 44)

Dan Miller requested to discuss the next two cases together and vote on each case separately.

Dan Miller introduced case number #SSCP-22-569 – Crossings at 44 – Small Scale Comprehensive Plan Amendment and case number #PUD-22-570 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, zoning, and requests, and went over PUD (Planned Unit Development).

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 School Board, and Public Works for review, no substantive comments received from the Departments. The multi-family portion of this project will have to meet Lake County requirements for concurrency. Public responses - Per City of Leesburg notice requirements, the project was sent out to the surrounding property owners, Zoning signs, and newspaper advertisement, Staff received several phone calls, in response to the posted signs, and asked about the meeting.

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

Chairman Bowersox stated if the Commission have any questions of the applicant, Staff, and anyone in the audience would like to speak on this case.

Ryan Solstice with LPG representing the applicant and stated this is a request to do a SSCP amendment to general commercial; most comprehensive, allow most use, mixed use project, multi family, skilled nursing, rehabilitative; commercial portion on front; entertain any questions the Commission or the general Public may have.

Commissioners, and Mr. Miller discussed stated the northern portion along Hwy 27; designed for commercial uses; consistent with C3 highway commercial zoning, central area; physical rehabilitation, nursing, memory care, assistance living, multi family use; south side, proposed dog park, children recreational area, residential to north, agricultural, Villages; Staff see happening from plan commercial use anyone can go there; type of location, went over design, idea; map, lower portion for spouse as well; wife or husband in memory care; likes project, has to be designed to keep the light on the property, information on the project; sent to the different departments of the City of Leesburg; for comments.

Dan Miller addressed concerns from citizen and stated under the mixed use; if anything changes a recommendation today go forward; to City Commission, approve it, annex into the City, plan; conceptual, client backs out; plan remains, purchase from him; build, backs out, purchase; different, the entire process starts over, environment for living; school buses; School Board decision, south side; pick up kids; School Board decision, annexation; 2011 State of Florida legislature; changed rules, adjacent to the existing City limits, if a City and a County; ISBA, covers areas that can be annexed and services, 911 call; goes to center, directed to nearest ambulance, Sheriff or police; City and County meeting, annexed; Police patrol, once a day, increases the level of service, City of Leesburg; property along 44 to Sumter county, annexed, doesn't include Pennbrooke; existing residential property; Cities can't annex residential property without a vote of the residents; Pennbrooke vote, other folks; own property; not developed or commercial, industrial; can put in application, separation of uses; two entrances on 27, roll into

one Blvd., wider road with landscaping down the middle; sidewalks on side, Blvd. rolls down through assisted living, nursing area; ends at residential on the back side, separation itself; green space, blue; retention, green; children's play area, dog park, large buffer between the residential and medical rehab areas, retention pond area; likely fountain, parking; separates the commercial the living medical uses; doctor, pharmacy, some retail, traffic and noise; increase in traffic, unlikely based on rehab and nursing center; not make a lot of noise, commercial type plan; highway; make noise, coming out of Pennbrooke; entrances, FDOT; decision, increase in traffic; stop light, helps get a light there; not enough traffic coming out Pennbrooke to do it; built, certainly improve odds; light; 1.5 meet code requirements.

Citizens concerns were based on: directly across from development; few concerns: planning driveways across from driveway, stop light; extra people, children, daycare drop off, retail, supply trucks for nursing home; stop light; end of Pennbrooke Fairways, approve zoning changes; applicant pull out; decide not to do it, went from nice rural to daycares; 46K feet of commercial space; concern; back out., type of commercial; include doctors office, retail; boutique, retail stores; Dan Miller replied the thrift store was taken out; read into the record the types of permitted uses, strip mall or individual; Dan Miller replied by definition it's strip commercial, 280 multifamily units; height limit; Dan Miller replied on this particular zoning three story, purchase or rentals; Dan Miller replied the multifamily will be rentals, lighting, commercial 44, shine in house, trend in lighting; high lumens, night time security, cancel shadow, empty Bldgs., Lake Deighton built out; Villages, signage lighting; keep neon down.

Dan Miller read into the record the architectural standards and went over Exhibit E; dark sky lighting; City of Leesburg, adopted, specific signage requirements; monument signs, max allowed square footage, brick walls 4' to 5'; name on development, standard for brightness; required, modern LED signs; controls to back down particular color, turning down the white, traffic, noise, plot; two entrances/exits, nothing in the rear or side, separation of the dwellings, business aspect, annex into City; unincorporated of Leesburg, law enforcement, emergency services; access, environment for living; plan; hard time grasping the 280 units, fence around project, children, separation from the home to the medical and retail area, school buses; out front, project described as mixed use; concerned if something changes, if approved; change, come back to approval of Leesburg; surrounding property owners, parking lot; guest.

Ryan Solstice addressed concerns from citizens and stated the reason our access point lines with yours; FDOT requirement; for connectivity, changes; when PUD comes forward, change to zoning, amend COMP, not feasible, land use remain; same, not feasible to construct, zoning change; doesn't do anything to the physical property, applicant; construction permits, market sours; PUD language expire after ten years, bought property; use remain, change any component; entire Public Hearing process again.

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

Vice-Chairman Sennett made a MOTION for APPROVAL of case # SSCP-22-569 – CROSSINGS AT 44 – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sanders 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-22-570 – CROSSINGS AT 44 – PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 34.7 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR A MIXED-USE 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, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATES ARE TENTATIVELY SCHEDULED FOR FIRST READING ON MONDAY, FEBRUARY 13TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, MARCH 27TH, 2023)** (Crossings at 44)

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

Vice-Chairman Sennett made a MOTION for APPROVAL of case # PUD-22-570 – CROSSING AT 44 – PLANNED UNIT DEVELOPMENT Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 6-0 .

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

4) PUBLIC HEARING CASE # SSCP-22-572 – FORT KNOX ROGERS, LLC – SMALL 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 11 +/- ACRES FROM LAKE COUNTY INDUSTRIAL TO CITY OF LEESBURG INDUSTRIAL FOR A PROPERTY GENERALLY LOCATED WEST OF HAYWOOD WORM FARM ROAD AND NORTH OF ROGERS INDUSTRIAL PARK ROAD, AS LEGALLY DESCRIBED IN SECTION 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, FEBRUARY 13TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, MARCH 27TH, 2023) (Fort Knox Rogers)

Dan Miller requested to discuss the next two cases together and vote on each case separately.

Dan Miller introduced case number #SSCP-22-572 – Fort Knox Rogers, LLC – Small Scale Comprehensive Plan Amendment and case number #PUD-22-573 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, zoning, and requests.

Christine Rock 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 for review, no substantive comments received. The Lake County School Board noted that the project is exempt from school concurrency review. Public responses - Staff did not receive any responses or contacts in response to the posted signs and newspaper.

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

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

Commissioners, and Mr. Miller discussed Lake County zoned industrial; come into City of Leesburg; Ryan Solstice stated for utilities.

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

Commissioner Kaplan made a MOTION for APPROVAL of case # SSCP-22-572 – FORT KNOX ROGERS, LLC – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT 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-22-573 – FORT KNOX ROGERS, LLC – REZONING

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 11 +/- ACRES FROM LAKE COUNTY HM (HEAVY

INDUSTRIAL) TO CITY OF LEESBURG M-1 (INDUSTRIAL) FOR A PROPERTY GENERALLY LOCATED WEST OF HAYWOOD WORM FARM ROAD AND NORTH OF ROGERS INDUSTRIAL PARK ROAD, AS LEGALLY DESCRIBED IN SECTION 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, FEBRUARY 13TH, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, MARCH 27TH, 2023)** (Fort Knox Rogers)

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

Commissioner Kaplan made a MOTION for APPROVAL of case # RZ-22-573 – FORT KNOX ROGERS, LLC – REZONING Commissioner O’Kelley SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 6-0.

DISCUSSION

SELECTION OF PLANNING COMMISSION OFFICERS

Chairman Bowersox stated every year in January the Commission appoint a Chairman and Vice-Chairman of the Planning Commission he’s been in this Chair for quite a while now and he has appreciated the opportunity to serve the Planning Commission as Chair, but he’s going to pass the gavel. The Commission nominated a new Chairman and Vice-Chairman of the Planning Commission. Commissioner Simeone stated when does this take place; Chairman Bowersox replied the next meeting. Dan Miller stated he appreciates all the hard work that the Commission has done; Chairman Bowersox replied it’s been wonderful working with the Staff. Commissioner Sennett stated he appreciates the Commission for allowing him to sit on the Commission as the Chairman.

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

Chairman Bowersox made a MOTION to elect TIM SENNETT AS CHAIRMAN OF THE PLANNING COMMISSION the MOTION which CARRIED UNAMIOUSLY by a vote of 6-0.

Vice-Chairman Sennett made a MOTION to elect TED BOWERSOX AS VICE-CHAIRMAN OF THE PLANNING COMMISSION the MOTION which CARRIED UNAMIOUSLY by a vote of 6-0.

ANNOUNCEMENTS

None

ADJOURNMENT

Meeting was adjourned at 6:00 p.m.

Ted W. Bowersox, Chairman

Sabrina Mitchell, Administrative Assistant II