



SUMMARY MINUTES OF THE REGULAR MEETING  
OF THE PLANNING COMMISSION  
CITY HALL  
THURSDAY, APRIL 20<sup>TH</sup>, 2023 - 4:30 P.M.

The Planning Commission of the City of Leesburg held its regular meeting Thursday, April 20<sup>th</sup>, 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  
Ted Bowersox – Vice-Chairman  
John O’Kelley  
Nathaniel Sanders  
Frazier Marshall  
Ze’Shieca Carter  
Ken Simeone  
Rosalind Peebles-Johnson

The following Commission members were absent:

Stewart Kaplan

City staff in attendance included Dan Miller, Planning & Zoning Director, Sabrina Mitchell, Administrative Assistant II, Kandi Harper, Senior Planner, 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 Vice-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, MARCH 23<sup>RD</sup>, 2023.**

**Vice-Chairman Bowersox moved to APPROVE the draft minutes from the MARCH 23<sup>RD</sup>, 2023 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 Sennett called for the first case under old business be brought forward.

**OLD BUSINESS**

**1) PUBLIC HEARING CASE # LSCP-22-273 – TREASURES TROVE – LARGE SCALE COMPREHENSIVE PLAN MAP AMENDMENT**

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN PROPERTY CONTAINING 55 +/- ACRES, FROM LAKE COUNTY RURAL TRANSITION TO CITY OF LEESBURG ESTATE RESIDENTIAL FOR A PROPERTY GENERALLY LOCATED WEST OF COUNTY ROAD 44 AND SOUTH OF EAST TREASURE ISLAND AVENUE, AS LEGALLY DESCRIBED IN SECTION 10, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATE IS TENTATIVELY SCHEDULED FOR SECOND READING ON MONDAY, MAY 22, 2023)**

(Treasures Trove)

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

Dan Miller introduced case number #LSCP-22-273 – Treasure Trove – Large Scale Comprehensive Plan Amendment and case number #PUD-22-274 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.

Mr. Miller gave a background and explanation of the subject property, location, zoning, went over PUD (Planned Unit Development), then stated there has been significant public opposition to the project, along with several meetings between the City staff, Lake County, the developers and local residents. The major changes to the requests are put forth by the local residents includes wetland protection, changes to the access points, and lowering of density.

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

Mr. 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 of Staff.

Tara Tedrow of Lowndes Law representing the applicant stated a year since we have submitted coming back before you and changes made; 55 acre contemporary home inspired community; 110 variable sized lots, variety of lot sizes; multiple style homes and floorplans, long term preservation of quality wetlands of new buffers, improvements of local stormwater management; providing stormwater detention ponds; all runoff, provide treatment for the runoff, Stormwater Management System will provide compensating storage areas; flood storage capacity as necessary, comments/questions; regarding drainage and flooding on property; experts hired, required by City, analyzing the site; drainage/flooding, details after Zoning and entitlements, PUD; comply water management standards, County, City, State, Federal; mandates, requests; approval of annexation, comprehensive plan amendment Estate Residential and rezoning PUD, as supported by the staff, annexation; utilities to the City, master development plan process; read into the record.

On 5/3/2022; 1<sup>st</sup> submittal to City; PUD Zoning, proposed 155 lots, density of 2.8 du/ac, open space of 34.8%, including 1ac of recreational area, 2 full accesses, 1 on E. Treasure Island Ave. and 1 on CR 44, 2.61ac of Minor Wetland Impacts and 13.80ac of Wetlands to Remain, went over plan; submitted for approval, 11/22/22 master development plan changes; read into the record, 1/6/23 revised the entrance onto CR 44 to be a boulevard entrance (CC comment in November), 1/12/23 leaving wetland #2 and #3 undisturbed will total 16.41 of protected wetlands, reduced the lot count from 123 to 110 lots (Citizen Comment), showed the active recreational area (Citizen Comment), showed the typical interior roadway section (Planning Dept Comment), showed typical lot standards table, 1/30/23 provided typical landscape buffer section detail (Planning Dept Comment), provided 25' landscape buffer requirement table (Planning Dept Comment, Citizen Comment), provided tot lot notes (Planning Dept Comment, Citizen Comment), 2/6/23 as requested by Lake County, the entrance onto CR 44 was relocated southward. (Lake Co. Comment) Lake County approved the revised location; 2/13/23: email of access approval from Lake County Public Works Department, access on E. Treasure Island, multiple access; doesn't make sense, neighbors to north; ROW dedication, for standard County size road, access; 44, traffic engineer, submitted reports, reviewed studies; required, not creating deficiencies; traffic from 110 lots on CR 44, current vs. proposed FLU & Zoning; read into the record, proposed FLU: Estate Residential; lowest density FLU designation provided under the City's Comprehensive Plan, permits 4 DU/A, we are requesting 1.98, the ER FLU was meant for urbanized and rural areas, proposed building facades; elevations for homes, plan changes by the numbers; read into the record, current Henin Community; Riviera Bella, Debary, 208 acre Mediterranean Inspired Community on the Banks of St. Johns River; good example, community; has not flooded,

designed, same engineer; rely on experts, hired the right folks, requests; read into the record.

Chairman Sennett stated if anyone in the audience would like to speak on this case.

Citizens comments were based on: not against anti-building; not warranted, any subdivisions at 4 units per acre, retention areas; lined, at meeting; perk system, 4 more fatalities in immediate area since the meeting, widen 44 unknown, good stewards; for all of Lake County, article; housing boom, read into the record, huge growth; impact all of Lake County, water usage, water coming from; depleted, slow down development; all of Leesburg, take a step back; discover impact on Bldg., wildlife, environment; depend on all of us, please vote no, presentations presented into the record, Leesburg City Commission 1<sup>st</sup> reading 2/22/22, met with Mr. Henin and associates; fully against development due traffic, safety, and flooding concerns, Henin group; pursue high density proposal, not in harmony, went over contour map images; neighbors valid concern; increase in flooding, and standard trees on the corner of East Treasure Island Ave and CR 44 removed; replaced by impervious concrete surfaces; building slabs, driveways, roadways, and sidewalks, contour map; highest point Treasure Trove parcel, northeast corner; peak at 80', further west and south; elevation rapidly drops; 65', south of Treasure Island Road; elevation drops; 60', drops and elevations; significant, direct runoffs; south and west, nothing can be done; control runoff wetland #3, Treasure Island Road; two access points; safety concern; emergency services, or evacuation, stormwater runoff; concern, building on top of underground river; displace underground water into the neighboring properties; increase flooding risk, concerns; impact of traffic on CR 44 corridor, Rural Protection Area, asking Leesburg Planning & Zoning Board to protect unique rural community; Leesburg City Commission; deny application, Treasure Cove and Treasure Island communities are asking you to recommend denial of the Treasure Trove PUD-22-274.

At meeting the developer stated; runoff into wetlands, map provided of property in question; 20' drop, mitigate, fill to change contour, high density area; prevent runoff; went over coefficient chart, approximately 50% impervious residential; housing, roof, driveways, and roads; water going to go, proposal; continuous retention pond capture everything, fast/heavy rainfall; doesn't peculate, ponds fill up, runs, runoff carry newfound impurities, land dedication; properties north, conclusion read into the record; impact, neighbors, recourse; who responsible when flooding occurs due to building, low density; not effectively over 55 acres; not accurate, usable acreage true density, facades; not nice open green area, features of the Treasure Trove property; parcels, went over map; parcel number 1-3, outlined Treasure Trove property; Lake County Interactive map, comparing conceptual map with Lake County's Interactive map; issue small pond, development around it; effect ponds and wetlands; connect, whole development; clear cut, flow down slope, aerial photo of Treasure Trove; northwestern side facing 44; taken 2/6/23, standing water; after rainfall, fringed with latest concept, example of rain on a clear cut construction site, questions read into read; latest wetland study, results of study,

did it include all the wetland boundaries for shared neighborhood land parcels, why was this information not shared with the neighbors, development; future proofed, 100 year flood plan, map of flood zone; 2002 and 2012, not provided with updated flood zone map, significantly increased, water, something happened; even before development, City Ordinance; leap frog development, taking care of the environment, protecting against urban sprawl, annexed, 2003 study of 44; dates of sections completed by 2022, design for entrance, neighbors on north side; not spoken too, driveway; intersection safer, picture of intersection, 44 hasn't changed; worse, neighbors proposal; five times permitted today, 60 homes; a lot of additional traffic, maps provided to Commission, developer to be responsible; East Treasure Island Ave. and CR 44 intersection; much safer 90 degrees, 100' natural landscape buffer; smoother transition; surrounding rural community; nothing less than 5 acres, 100' natural landscape buffer; around the wetlands, along with larger retention ponds; alleviate flooding, unique parcel; lot going on, walking trail, biking trail, picnic areas; great selling point; blended rural lifestyle, single large recreation area; meet neighbors, not lot of front porches offered, keystone for standard; future development in area, submit a plan; more harmonious, compliments City staff and developer and staff; petition provided to Commission, gopher tortoises; concerns, a dozen tortoise holes found, Community meeting; map showed, different plan; can't develop with no impact on the wetlands, make decision; on what needs to be there compared to what can be there, more effort; make neighbors much happier, more homes; impact, need property to remain the same; helps air quality, need wetlands; keep the quality of water and life to sustain as it should be.

Tara Tedrow addressed comments from the citizens and stated traffic; deadly traffic on CR 44, County Road; County approval for redesign of access plan, concern; East Treasure and intersection, taking all cars on project; redesign, hopefully make neighbors happy, not putting any traffic, dedicating acreage necessary; County to do its job, Public Works make roads standard; neighbors to north, ROW access and easements necessary; improvements, East Treasure Island; not a problem, CR 44; expert studies and engineers, City requirements; application process, permitting requirements; impacts to wetlands, proper channels; hiring experts, not just Code; make decision; Rezoning, standard; competent and substantial evidence, submit civil engineers, traffic engineers, reports by environmentalists, to back up, decision making; has to be based on data and facts provided; expert testimony, Planning Staff, studies submitted, plans designed; expert engineers, a lot of effort; redesign plans, access management; Code from County/City, upland buffer requirements, Water Management District, wetland, setbacks; standards, accounted for on plans, construction level planning, CR 44; Lake County Sheriff, two reported accidents within a mile of site; both in February of 2023, deadly road; not backed up, wetland issues; Treasure Trove wetlands shared with neighbors; protection, environmental experts; flagged property, September 2021, study done, flagged property, GIS map; not a true representation of wetland limits; district; won't allow this type of map, wetland limits; surveyed, shown on master development plan, public records submittal package, correct wetland lines; as shown on development plan, runoffs; stormwater ponds; developed sites, surface runoffs; read into the record, not

correct statement; pumping into wetlands, specifically drainage systems, changed having stormwater management, drainage system in place; collects and treats it; treatment before goes in, no wetland impacts; on site wetlands, 25' upland buffer, 50' setbacks; existing Code, existing wetlands; not changing in size, flood zone elevation; impact flood stage, construction level approval; PUD plan, base flood elevation; not raised on property, water runoff; treatment in place; drainage, controls in place, steps; flooding, wetlands/upland buffers; staked by surveyor, contractor install all erosion control measures; Code requirements, necessary steps; after PUD; for permit approval, client; try to mitigate concerns; redesigned plans, high density development; lowest density allowed; 4 dwelling units per acre, can't be high density, 2 dwelling units per acre, Lake County; rural transition; allows 1:1, 50% open space, complying with City requirements; not County Code, no other residential FLU; lower, asking for half; COMP plan, future land use designation; residential development, 1.9 dwelling units per acre, recommendation of approval based on all the changes; Planning Staff recommendation for approval; in line with professional Staff; for recommendation PUD rezoning and COMP plan designation.

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

Commissioners, and Mr. Miller discussed gopher tortoises; not endangered, threatened, protection removed by State level; concessions being made for the gopher tortoises; Tara Tedrow replied State hasn't removed any of their official wildlife services, permitting requirements, DEP, for anything environmental impactful; environmental studies done, mitigate gopher tortoises; relocate them to permanent protected areas, go back out; rerun study, mitigate at time; legally permitted, overseen by State; submit for permits; current road entrance; Tara Tedrow went over master development plan concerning the access on East Treasure Island and CR 44 for clarification of the Commission; lot size and units; Tara Tedrow replied 50x110, 50x120, and 60x120; Dan Miller replied 1500; smaller lots min., and 1700'; larger lots min., density, highlands; 4 units per acre; buildable, not in favor of density, traffic; major concern; issue, can't agree with plan, future; zoning considerations, buildable lots; Dan Miller replied standards are placed into PUD with requirements from City, State, St. John's, DOT, site access; County, PUD go over those types of standards; acknowledging that agency authority; City backs agency, residents FLU; zoning change; Dan Miller went over zoning and PUD for clarification purposes; County; zoned agricultural, 1 dwelling for every 5 acre parcel, County COMP plan, rural transition; 1:5, not 4 units on 1 acre. Dan Miller stated rural transition; 1:1, with 50% open space.

Grant Watson, City Attorney stated the PUD is the plan for the development, so if the Commission satisfied with that particular plan or not; PUD provides some flexibility in terms of how you can develop the property a little bit different than a straight Zoning classification.

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

**Commissioner Marshall made a MOTION for DENIAL of case # LSCP-22-273 – TREASURE TROVE – LARGE SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Simeone SECONDED the MOTION which CARRIED by a vote of 2-5.**

Chairman Sennett called for the second case under old business be brought forward.

2) **PUBLIC HEARING CASE # PUD-22-274 – TREASURES TROVE – PLANNED UNIT DEVELOPMENT**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 55 +/- ACRES FROM LAKE COUNTY A (AGRICULTURE) TO CITY OF LEESBURG PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW FOR RESIDENTIAL DEVELOPMENT FOR A PROPERTY GENERALLY LOCATED WEST OF COUNTY ROAD 44 AND SOUTH OF EAST TREASURE ISLAND AVENUE, AS LEGALLY DESCRIBED IN SECTION 10, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. **(CITY COMMISSION DATE IS TENTATIVELY SCHEDULED FOR SECOND READING ON MONDAY, MAY 22, 2023)**  
(Treasures Trove)

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

**Commissioner O'Kelley made a MOTION for DENIAL of case # PUD-22-274 – TREASURE TROVE – PLANNED UNIT DEVELOPMENT Commissioner Simeone SECONDED the MOTION which CARRIED by a vote of 2-5.**

## NEW BUSINESS

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

1) **PUBLIC HEARING CASE # SSCP-23-102 – POLK GORMAN PROPERTIES – 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 0.97 +/- ACRES FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY OF LEESBURG INDUSTRIAL FOR A PLUMBING BUSINESS USE FOR A PROPERTY GENERALLY LOCATED SOUTH OF GRIFFIN ROAD AND EAST OF SNOWBERGER AVENUE 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, MAY 8<sup>TH</sup>, 2023 AND SECOND READING TENTATIVELY  
SCHEDULED FOR MONDAY, JUNE 26<sup>TH</sup>, 2023)** (Polk Gorman Properties SSCP)

Chairman Sennet stated for the record to discuss the next two cases together and vote on each case separately.

Dan Miller introduced case number #SSCP-23-102 – Polk Gorman Properties – Small Scale Comprehensive Plan Amendment and case number #RZ-23-103 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, zoning, requests, went over.

Melissa Medders 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 comments from City Staff. Public responses - no responses from the City of Leesburg notice requirements, Staff did receive one approval in favor of project in response to the posted signs and newspaper.

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

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

Commissioners, and Mr. Miller discussed plumbing business; surrounding existing land use to west residential; page 25; Dan Miller replied surrounded by industrial, west of Snowberger; run into residential, filling in a spot; needs to be industrial, and went over surrounding land uses map for clarification purposes.

Bill Polk stated it's a wholesale plumbing outlet and to the west is my property this business has been in Leesburg for forty-five years; largest plumbing outlet in U.S., it's an enclave never got put in; residential housing deal; purchased, cleaned up and bring in one more employee.

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



**Vice-Chairman Bowersox made a MOTION for APPROVAL of case # SSCP-23-102 – Polk Gorman Properties – SMALL SCALE COMPREHENSIVE PLAN AMENDMENT Commissioner Sanders SECONDED the MOTION which CARRIED by a vote of 7-0.**

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

**2) PUBLIC HEARING CASE # RZ-23-103 – POLK GORMAN PROPERTIES – REZONING**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 0.97 +/- ACRES LAKE COUNTY RP (RESIDENTIAL PROFESSIONAL) TO CITY OF LEESBURG M-1 (INDUSTRIAL), TO ALLOW FOR A PLUMBING BUSINESS USE FOR A PROPERTY GENERALLY LOCATED SOUTH OF GRIFFIN ROAD AND EAST OF SNOWBERGER AVENUE 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, MAY 8<sup>TH</sup>, 2023 AND SECOND READING TENTATIVELY SCHEDULED FOR MONDAY, JUNE 26<sup>TH</sup>, 2023) (Polk Gorman Properties RZ)

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

**Vice-Chairman Bowersox made a MOTION for APPROVAL of case # RZ-23-103 – Polk Gorman Properties – Rezoning Commissioner Sanders SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.**

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

**3) PUBLIC HEARING CASE # CUP-23-110 – CITRUS BOULEVARD TELECOMMUNICATIONS TOWER – CONDITIONAL USE PERMIT**

REQUEST FOR A CONDITIONAL USE PERMIT FOR A TELECOMMUNICATIONS TOWER IN THE C-3 (HIGHWAY COMMERCIAL) ZONING DISTRICT ON 10 +/- ACRES GENERALLY LOCATED WEST OF CITRUS BOULEVARD AND NORTH OF DR MARTIN LUTHER KING JR BOULEVARD, AS LEGALLY DESCRIBED IN SECTION 15, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, PROVIDING AN EFFECTIVE DATE. **(FINAL DECISION IS BY THE PLANNING COMMISSION)** (Citrus Boulevard Telecommunications Tower)

Dan Miller introduced case number #CUP-23-110 – Citrus Boulevard Telecommunications Tower – Conditional Use Permit 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.

Max Van Allen 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 comments from City Departments. Public responses - no responses from the City of Leesburg notice requirements, posted signs and newspaper.

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

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

Commissioners, and Mr. Miller discussed here from church, taking away any parking spots; Dan replied no sir and went over concept plan for Commission, how tall is tower; Dan Miller replied 150', if pole falls 150'; Dan Miller replied it's pushed away from roadway; and explained for clarification purposes, Walmart vacant; not vacant, equipment, storage.

Grant Watson, City Attorney stated to the applicant if he could address how the pole might fall; issue with the collapse.

Tony Dawson with Kimley-Horn representing SPA and stated towers designed for local wind codes, tower; 140; provide tower drawings, meet; tower setbacks from property line; if fall stay on our property, damages, hurricane wind speeds; exceeds design speed, requirement; fall zone radius, 100% tower height, fail; hurricane not a lot, antennas on tower; cabinets on ground; inside chain link fence, no storage, equipment room; runs antennas; provides coverage.

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

**Commissioner O'Kelley made a MOTION for APPROVAL of case # CUP-23-110 – Citrus Boulevard Telecommunications Tower – CONDITIONAL USE PERMIT Vice-Chairman Bowersox SECONDED the MOTION which CARRIED UNANIMOUSLY by a vote of 7-0.**

## **DISCUSSION**

**None**

## **ANNOUNCEMENTS**

Dan Miller introduced to the Commission the newest alternate member of the Planning Commission Rosalind Peoples-Johnson, and stated moving forward from today we will be alternating Ken Simeone and Rosalind Peoples-Johnson as they are needed and thanks them both for being on the Commission.

## **ADJOURNMENT**

Meeting was adjourned at 6:39 p.m.

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Tim Sennett, Chairman

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Sabrina Mitchell, Administrative Assistant II