

ORDINANCE NO. 25-18

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, CHANGING THE ZONING ON APPROXIMATELY 6.52 +/- ACRES FROM LAKE COUNTY R-6 (URBAN RESIDENTIAL DISTRICT), A (AGRICULTURE) AND CP (PLANNED COMMERCIAL) TO CITY OF LEESBURG SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO ALLOW FOR A SELF-STORAGE FACILITY FOR A PROPERTY GENERALLY LOCATED NORTHWEST OF COUNTY ROAD 44 AND SOUTH OF HICKORY HOLLOW ROAD, LYING IN SECTION 03, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (WAYNE STORAGE PUD)**

**BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:**

**Section 1.**

Based upon the petition of Danika Oliverio (Agent) for Wayne Structures, LLC, for the property hereinafter described, which petition has heretofore been approved by the City Commission of the City of Leesburg Florida, pursuant to the provisions of the Laws of Florida, the said property located in Lake County, Florida, is hereby rezoned from Lake County R-6 (Urban Residential District), A (Agriculture) and CP (Planned Commercial) to City of Leesburg SPUD (Small Planned Unit Development), to-wit:

**Legal Description  
(See Exhibit A)**

**Section 2.**

This ordinance shall become effective upon its passage and adoption, according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 24th day of March 2025.

**THE CITY OF LEESBURG, FLORIDA**

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

# Legal Description

The South 462 feet of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East, Lake County, Florida.

Parcel 2:

North 462 feet of Southeast 1/4 of Southeast 1/4 of Northeast 1/4 lying Northwesterly of the Northwesterly R/W line of Highway 44, Section 3, Township 19 South, Range 25 East, Lake County, Florida.

Parcel 3:

Beginning at the Northwest corner of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East, Lake County, Florida, run South  $0^{\circ}26'03''$  West along the West line of said East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4, 253.45 feet, thence South  $89^{\circ}33'52''$  East, 152.42 feet to a point that is 149.72 feet when measured at right angles thereto the Northwesterly right of way of Highway No. 44, said point hereby designated as Point "A", return to the point of beginning, and run North  $89^{\circ}56'26''$  East, 332.11 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 19 South, Range 25 East, thence North  $89^{\circ}58'51''$  East along the North line of the Southwest 1/4 of the Northwest 1/4, 80.80 feet, thence South  $45^{\circ}51'00''$  West parallel with the Northwesterly right of way of Highway No. 44, a distance of 365.80 feet to the point "A", less right of way of existing road.

LESS AND EXCEPT:

A parcel of land in Sections 2 and 3, Township 19 South, Range 25 East, Lake County, Florida described as follows:

From the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 19 South, Range 25 East, (same being the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East), run thence North  $89^{\circ}58'51''$  East along the North line of said Southwest 1/4 of the Northwest 1/4, a distance of 80.80 feet and the point of beginning of this description; from said point of beginning continue North  $89^{\circ}58'51''$  East along said North line of the Southwest 1/4 of the Northwest 1/4, 215.00 feet to the Westerly right-of-way of State Road No. 44; thence South  $45^{\circ}51'00''$  West along said Westerly right-of-way, 216.00 feet; thence leaving said right-of-way, run South  $89^{\circ}58'51''$  West, 215.00 feet; thence North  $0^{\circ}01'09''$  West, 150.46 feet to the North line of said Southwest 1/4; thence North  $89^{\circ}58'51''$  East along the North line of said Southwest 1/4, 155.03 feet to the point of beginning. LESS right-of-way for County Road.

Parcel 4:

The East 1/2 of the North 198 feet of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East, Lake County, Florida.

**WAYNE STORAGE**  
**SPUD (SMALL PLANNED UNIT DEVELOPMENT AGREEMENT)**  
**December 19, 2024**

This Planned Unit Development Agreement for a SPUD (Small Planned Unit Development) zoning district is granted by the City of Leesburg Planning Commission, Lake County, Florida to **Cimmino Development LLC, 4300 W Prince Blvd, North Port, FL 34286** for the purposes described herein, and subject to the terms and conditions as set forth in this document, pursuant to authority contained in Chapter 25 “Zoning”, Section 25-278 “Planned Unit Development” of the City of Leesburg Code of Ordinances, as amended.

**BACKGROUND**

The "Permittee" is requesting a Small Planned Unit Development (SPUD) zoning district to allow future construction of a proposed self-storage facility on approximately 6.52 +/- acres generally located west of northwest of County Road 44 and south of Hickory Hollow Road, on a site within the City of Leesburg ISBA in accordance with their PUD application and supplemental information.

**PURPOSE**

The purpose of this document is to provide appropriate zoning standards for a high-quality built environment through the application of flexible and diversified land development requirements, which shall be implemented in conjunction with a master site development plan and the City of Leesburg Code of Ordinances, therefore allowing for more efficient and optimal use of the subject property, and to increase the overall economic opportunity and employment base of Leesburg, Florida.

**CONDITIONS**

The following conditions shall apply to the development proposed herein. If any instance where the conditions of this document may conflict with the City of Leesburg Code of Ordinances, this document shall prevail as the determining requirement.

1. **PERMISSION** is hereby granted to **Cimmino Development LLC, 4300 W Prince Blvd, North Port, FL 34286** to construct, operate, and maintain a Small Planned Unit Development in and on real property in the City of Leesburg, in accordance with the requirements set forth herein. The property is more particularly described below.

2. **LEGAL DESCRIPTION**

See attached **Exhibit B, Legal Description**.

3. **LAND USE**

The above-described property, containing approximately 6.52 +/- acres, shall be used for self-storage facility substantially consistent with the **Conceptual Plan, Exhibit C, and Example Facades, Exhibit D**, attached hereto, pursuant to City of Leesburg development codes and standards.

A. Permitted Uses

1. Indoor Self-Storage Facility
2. Outdoor Self-Storage Facility (Boat, RV)
3. One (1) onsite apartment for management/security use.

B. Other Related Uses

Other uses, related to the primary use, may be included by written determination of the Planning & Zoning Director. Such uses shall be consistent with the intent and purpose of the zoning requirements set forth in this PUD Agreement, and shall meet the parking standards as required herein. Parking availability and daily trips generated may limit the permitted uses.

C. Prohibited Uses

All uses not specifically permitted by Sections 3.A. are considered prohibited.

4. **DEVELOPMENT STANDARDS**

A. Lot development standards shall be those of the C-3 (Highway Commercial) zoning district, except as amended by these conditions, and may limit the permitted uses based on site plan requirements.

B. Building Setbacks (as measured from the property lines)

1. Front: 25-feet
2. Side: 20-feet
3. Rear: 25-feet
4. Perimeter property boundary: See Section 9, Open Space, Landscaping & Buffer Requirements
5. Accessory structures shall have a minimum rear and side setback of ten (10) feet, and shall not occupy more than 15% of the required rear yard.

C. Open Space

1. A minimum of thirty-five (35) percent of the site shall be developed as open space, including retention areas, buffer and landscaped areas. Parking areas and vehicle access areas shall not be considered in calculating open space.

D. Height

1. Maximum building height shall not exceed three (3) stories with a maximum height of 35-feet except for additional height approved by staff for roof, elevators, a/c units etc., as approved through the Development Review process.

E. Maximum allowed Impervious Surface Ratio (ISR) of 65%.

F. All structure heights shall be measured from the first floor, finished floor elevation on the site.

G. Easements:

1. As part of the development process, easements shall be provided as required by the City of Leesburg and other utility providers, including but not limited to

water, wastewater, natural gas, electric, fiber, cable, and communications, for installation and maintenance of utilities.

- H. Areas of property not occupied by structures, displays or paving shall be landscaped and maintained in accordance with City of Leesburg Code of Ordinances, as amended.

## 5. ACCESS AND CIRCULATION

### A. Site Access

- 1. Access to the site shall be provided by a minimum of two (2) gated access points from Hickory Hollow Road and Variety Tree Road (off of County Road 44), as shown on **Exhibit C, Conceptual Site Plan**, attached hereto. Final determination of the direction of traffic movement into and out of all permitted access points shall be determined through the traffic/transportation study review process as required by the City's site plan review process, including review by Lake County Public Works and/or Florida Department of Transportation, and the Development Review process.

### B. Internal Circulation

- 1. All drives and access points shall be constructed so that the continuous vehicular and pedestrian access is available among and between the industrial buildings.

### C. Pedestrian Access

- 1. Sidewalks shall be installed per City of Leesburg codes and specifications.
- 2. All pedestrians crossing areas shall be visibly marked with appropriate pedestrian crossing signage and striping. Intersections shall have street pavers, striping or similar materials approved through the appropriate site and/or building permit process, to allow safe crossing points and pedestrian access to all structures.

## 6. PARKING

### A. General

- 1. The permittee shall have off-street parking spaces within the property per an approved site plan pursuant to the City of Leesburg Code of Ordinances. All development shall include the required number of handicapped parking spaces.
- 2. The location and design of the proposed parking areas will be reviewed during the site plan review process to provide for adequate parking, which may limit the permitted uses of the site.

## 7. ARCHITECTURAL STANDARDS

- A. Mechanical units and roof equipment should be screened from view with parapet or other screening method so that the equipment is not seen from the public-right-of way or residential property.
- B. With the exception of building height and setbacks, spatial requirements set forth herein for non-residential structures shall be deemed satisfied provided as-built measurements do not deviate from such requirement by more than five (5) percent.

- C. The Permittee shall utilize “Dark Sky” lighting principles when selecting lighting fixtures for all street lighting. Such lighting shall achieve the overall effect of containing and shielding excessive light pollution from adjacent properties. Appropriate designs are shown on as **Exhibit E**, attached hereto.
- D. Other similar design variations meeting the intent of this section may be approved by the Planning and Zoning Director or designee.
- E. The office structure shall be subject to Section 25-360 City of Leesburg Code of Ordinances.

**8. SIGNAGE**

- A. Ground signs
  - 1. All ground signage for the property shall be monument style signs with design and architectural style consistent with the overall development, and consistent with the requirements of the sign regulations of the City of Leesburg.
- B. Alternative Designs.
  - 1. Alternative designs for the ground enclosure support and bases of a monument sign may be approved by the Planning and Zoning Director where the architectural style would be in keeping with the intent of these sign regulations.
- C. Landscaping for ground signs
  - 1. Landscaping around all monument signs shall comply with the standards and requirements of the sign regulations of the City of Leesburg Code of Ordinances, as amended.
- D. Wall signs
  - 1. All wall signage for the property shall be designed and constructed to comply with the standards and requirements of the sign regulations of the City of Leesburg Code of Ordinances, as amended.

**9. OPEN SPACE, LANDSCAPING & BUFFER REQUIREMENTS**

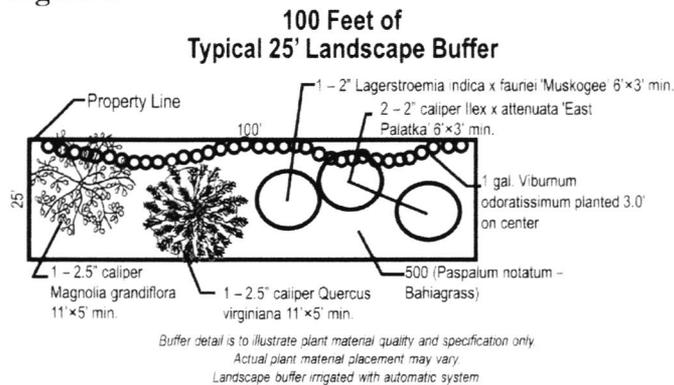
- A. Open space may consist of buffers, wetlands, and retention areas.
- B. Required Perimeter Landscape Buffers:
  - 1. North – 15’
  - 2. South – 15’
  - 3. East – 15’
  - 4. West – 15’
- C. Landscape buffers are to consist of natural existing landscaping where possible.
- D. A master landscape plan shall be submitted for review by City staff for all landscaping, buffer and boundary areas, parking lots, access roads, entry ways and new construction. This plan shall be reviewed for consistency with this PUD document and the Conceptual Site Plan (**Exhibit C**), attached hereto, and City of Leesburg landscape code requirements.
- E. All other landscaping and buffering shall be in accordance with regulations contained within the City of Leesburg Code of Ordinances, Section 25-336, *Landscaping requirements for industrial district*, and at a minimum shall contain the following plantings as noted in Figures A and B below.
- F. Commercial uses must buffer residential uses, an opaque screen (wall or fence) is required on the subject property to conceal the development from the adjacent residential property, at a minimum of six (6) feet, and no more than eight (8) feet in height. No such wall or fence shall be required in the front yard of the subject property adjacent to State Road No. 44. A fence must be installed on the southern

property line and on the west side of the development area of the property outside of the wetlands.

**Figure A**

Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
<b>Optional Ornamental Trees (per 100 l.f.)</b>	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
<b>Shrub Screen (per 100 l.f.)</b>	
Square Ft. of Shrubs	(33) 3 gal plants, 18"—24" minimum at installation (depending on species); hedges to be 36"—42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal

**Figure B**



- H. Variations to the landscape and buffering requirements of the code may be approved by the Planning and Zoning Director or designee, to the extent that the overall intent of the PUD and the Landscaping Code are maintained, including consideration of existing fencing on adjacent properties and existing natural vegetative buffers.
- I. The surveying of trees on the property shall be conducted as follows:
  1. All specimen, heritage and historic trees shall be surveyed. Staff will review the tree survey and such trees shall be saved where possible during the site plan review process. This may include amending the site plan to save specimen, heritage and historic trees.
  2. Site areas that are to preserve existing trees do not need to be included in the survey unless the trees are to be used in preservation/replacement requirements.
  3. The tree survey shall be completed by a licensed surveyor.

**10. UTILITIES**

- A. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Water, wastewater and natural gas services will be provided by the City of Leesburg.

Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:

1. A detailed site plan that indicates all the provisions for electric, water, sewer, and/or natural gas in accordance with the City of Leesburg Land Development Codes.
2. Developer shall bear all responsibility, financial and otherwise, for the construction and installation of all utility infrastructure and other improvements related to the use and development of the property, consistent with the typical pioneering agreement approved on new home projects in the city, including such off-site improvements required by the City and all other appropriate government agencies. All such requirements shall be constructed to the applicable specifications imposed by the ordinances and regulations of the City in effect at the time of construction.
3. The City of Leesburg intends to service the property with water and wastewater services at this time. At the time of connection, all regulations in place at the time of the request shall be required, including but not limited to impact fees, connection and utility service deposit charges. The cost of supplying water and wastewater lines and other necessary infrastructure such as lift stations to the development shall be the responsibility of the applicant.

#### **11. STORMWATER/DRAINAGE MANAGEMENT**

- A. All drainage shall be designed and constructed in a manner to meet all State of Florida and City of Leesburg codes, including the requirement that all stormwater runoff is contained within the boundaries of the properties, and does not create a detriment to surrounding properties. Prior to receiving final development approval, the Permittee shall submit a stormwater management plan and utility plan acceptable to the City of Leesburg. Prior to any clearing, grubbing, or disturbance of natural vegetation in any phase of the development, the Permittee shall provide:
1. A detailed site plan that demonstrates no direct discharge of stormwater runoff generated by the development into any wetlands or onto adjacent properties.
  2. A stormwater management system designed and implemented to meet all applicable St. Johns River Water Management District and City of Leesburg requirements.
  3. A responsible legal entity for the maintenance of the stormwater management system on the plat prior to the approval of the final plat of record. A homeowner's or property owners association is an acceptable maintenance entity.
  4. The existing 100-year flood plain on the property shall be shown on all plans and lots.
  5. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the 100-year flood plain is altered and /or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.
  6. A copy of the Management and Storage of Surface Waters permit obtained from St. Johns River Water Management District shall be provided to the City during the site plan review process.

7. Should the Permittee desire to dedicate the proposed project's stormwater management system to the City of Leesburg; the City, at its discretion, may accept or not accept the stormwater management system.
  - a. Prior to acceptance, the Permittee shall demonstrate to the City the stormwater management system is in a suitable condition and meets City of Leesburg and St. Johns River Water Management District requirements.
  - b. As a condition of accepting the system the City may create a special taxing district or make other lawful provisions to assess the cost of maintenance of the system to the residents of the project.

**12. WETLANDS, FLOOD ZONES & WILDLIFE**

- A. All wetlands on the project site shall be identified by a jurisdictional wetland boundary line, and the location and extent of each wetland shall be determined by the Department of Environmental Protection, St. Johns River Water Management District and/or U.S. Army Corp of Engineers. Each wetland shall be placed on a suitable map, signed and sealed by a surveyor registered to practice in Florida and shall be submitted as part of the site plan application process.
- B. To the extent practicable, wetlands shall be placed in a conservation easement, which shall run in favor of, and be enforceable by, the St. Johns River Water Management District or another legal entity such as a property owner's association. The conservation easement shall require that the wetlands be maintained in their natural and unaltered state. Wetlands shall not be included as a part of any platted lot, other than a lot platted as a common area, which shall be dedicated to the St. Johns River Water Management District or another legal entity such as a homeowner's association for ownership and maintenance.
- C. Buildings or structures shall be a minimum of 50 feet from any wetland jurisdiction boundary.
- D. Wetlands shall have an average upland buffer of 25 feet, with a minimum of 15 feet or the upland buffer established by St. Johns River Water Management District and/or U.S. Army Corp of Engineers; whichever is more restrictive. All upland buffers shall be naturally vegetated and upland buffers that are devoid of natural vegetation shall be re-planted with native vegetation or as required by St. Johns River Water Management District and/or U.S. Army Corp of Engineers.
- E. Land uses allowed within the upland buffers for wetlands are limited to stormwater facilities as permitted by St. Johns River Water Management District.
- F. If wetland alteration is permitted by St. Johns River Water Management District and/or U.S. Army Corp of Engineers, wetland mitigation shall be required in accordance with permit approvals from St. Johns River Water Management District or U.S. Army Corp of Engineers, whichever is more restrictive.
- G. A wildlife management plan for the project site shall be prepared based on the results of an environmental assessment of the site and any environmental permit required from applicable governmental agencies. The wildlife management plan shall be submitted to the City as part of the site plan application process.
- H. A map indicating the location of the 100-year flood plain.
- I. The appropriate documentation that any flood hazard boundary has been amended in accordance with Federal Emergency Management Agency requirements, if the

100-year flood plain is altered and/or a new 100-year flood elevation is established in reference to the applicable flood insurance rate map.

- J. Through the Site Plan Review process, the developer shall coordinate with the City of Leesburg, Lake County and all impacted government agencies regarding elevation determinations, compensatory storage and overall design of the subdivision within and near flood hazard boundary areas, to ensure compliance with all regulations.

**13. TRANSPORTATION IMPROVEMENTS**

- A. Traffic/Transportation Study
  - 1. Traffic/transportation studies shall be submitted for new developments/phases during the site plan review process, for review and determination of any access improvements as required by FDOT, Lake County, the Lake-Sumter MPO or the City of Leesburg. Any required improvements will be the responsibility of the Permittee.
- B. Approvals for Improvements
  - 1. All transportation improvements shall be contingent upon site plan approval by City of Leesburg staff during development review/permit application. Said approval shall also be contingent upon review and approval by the Lake-Sumter MPO, Lake County and the Florida Department of Transportation where required.
  - 2. Improvements required may include, but are not limited to, traffic signals, turn lanes, acceleration/deceleration lanes, etc.
- C. Roadway Improvements
  - 1. The Applicant shall provide all necessary roadway and intersection improvements within the development and its connection to State Road No. 44.
  - 2. Any offsite improvements required by FDOT, Lake County, Lake-Sumter MPO and the City of Leesburg shall be based on a current traffic analysis, shall be the developer's responsibility and shall be reviewed by City staff during the site plan review process. Approval of all necessary permits and improvements as required by the City of Leesburg, the Lake-Sumter MPO, Lake County and FDOT shall include any needed right-of-way, signalization and improvements required to support the development.
- D. Internal Circulation
  - 1. Drives and accesses shall be constructed within the interior of the development such that continuous vehicular access is available among and between all structures within the development.

**14. IRRIGATION & WATER USAGE**

- A. All landscaped areas shall be irrigated and designed to meet Section 25-327, Waterwise and Florida Friendly Landscaping, City of Leesburg Code of Ordinances.
- B. The use of St. Augustine grass, or other varieties of grass which require significant amounts of water are prohibited. The use of Bahia, Bermuda, Zoysia or other grasses which are more drought tolerant are permitted.

**15. MAINTENANCE**

- A. With the exception of any public utilities, maintenance of all site improvements, including but not limited to roadways, drives, internal sidewalks, landscaping and drainage shall be the responsibility of the property owner. A property owner's association shall serve as an appropriate entity for all common properties within the development.

**16. DEVELOPMENT PHASING & IMPLEMENTATION**

- A. The proposed project may be constructed in phases in accordance with the Planned Unit Development Conditions and Conceptual Plan. Changes to the development conditions or conceptual plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Development review process, City of Leesburg Code of Ordinances.
- B. As part of the overall development review process, if the project is constructed in phases, the plat of the lots for each approved phase shall contain only portions of the development approved under the Site Plan Review Process, i.e. each phase platted shall match each phase submitted for site plan review.

**17. REVERSION**

- A. Upon approval of this PUD by the City Commission, a development permit or building permit application must be submitted with the City for work related to one or more phases of the PUD within four (4) years of this approval becoming final with no appeal pending or the PUD will automatically expire, unless otherwise lawfully extended by the City or Section 252.363, Florida Statutes. In the event the PUD expires, the Property shall be governed by the zoning regulations applicable to the RE-1 (Estate Density Residential) zoning district.

**18. MISCELLANEOUS CONDITIONS**

- A. The uses of the proposed project shall only be those uses identified in the approved Planned Unit Development Agreement. Any other proposed use must be specifically authorized in accordance with the Planned Development amendment process.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner without first submitting the necessary plans and obtaining appropriate approvals in accordance with the City of Leesburg Codes.
- C. Construction and operation of the proposed use(s) shall at all times comply with the Planned Unit Development Agreement set forth herein, and with all City and other governmental agencies rules and regulations.
- D. The transfer of ownership or lease of any or all of the property described in these PUD Agreement of Approval shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Unit Development established and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following the procedures as described in the City of Leesburg Land Development Code, as amended.

- E. This PUD Agreement shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition as set forth herein.

**19. LEVELS OF SERVICE**

- A. Levels of Service
  - 1. As submitted, the development resulting from the proposed zoning change may result in demands on public facilities which would exceed the current capacity of some public facilities, such as, but not limited to water, wastewater, roads, drainage, and solid water. No final development order (site plan and building permits) shall be granted for proposed development until there is a finding that all public facilities and services required for the development have sufficient capacity at or above the adopted level of service (LOS) to accommodate the impacts of the development, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development.
- B. Utilities
  - A. Projected Capacities
    - a. The City's utility planning efforts draw upon phasing, capacity and service requirements, based upon information provided by the applicant. The City develops its plans consistent with sound engineering principles, prudent fiscal practices and due regard for regulatory compliance.
  - C. If the development requires construction of new distribution or collection lines, or other infrastructure needed to develop the subdivision, the developer will be required to construct such facilities to provide service. The developer will bear the cost of design, permitting and construction. Any such facilities must be constructed in a fashion consistent with the City's master plans and to the City standards and specifications.
  - D. Commitment of Capacity
    - 1. There are no previous commitments of any existing or planned excess capacity for this property.
  - E. Ability to Provide Services
    - 1. At this time, the City intends to provide water, wastewater and reclaimed water services within its service area for the foreseeable future.
    - 2. Future development within the City of Leesburg utility service areas may impact the provision of utility services.

EXHIBIT B

LEGAL DESCRIPTION

Parcel 1:

The South 462 feet of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East, Lake County, Florida.

Parcel 2:

North 462 feet of Southeast 1/4 of Southeast 1/4 of Northeast 1/4 lying Northwesterly of the Northwesterly R/W line of Highway 44, Section 3, Township 19 South, Range 25 East, Lake County, Florida.

Parcel 3:

Beginning at the Northwest corner of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East, Lake County, Florida, run South 0°26'03" West along the West line of said East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4, 253.45 feet, thence South 89°33'52" East, 152.42 feet to a point that is 149.72 feet when measured at right angles thereto the Northwesterly right of way of Highway No. 44, said point hereby designated as Point "A"; return to the point of beginning, and run North 89°56'26" East, 332.11 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 19 South, Range 25 East, thence North 89°58'51" East along the North line of the Southwest 1/4 of the Northwest 1/4, 80.80 feet, thence South 45°51'00" West parallel with the Northwesterly right of way of Highway No. 44, a distance of 365.80 feet to the point "A", less right of way of existing road.

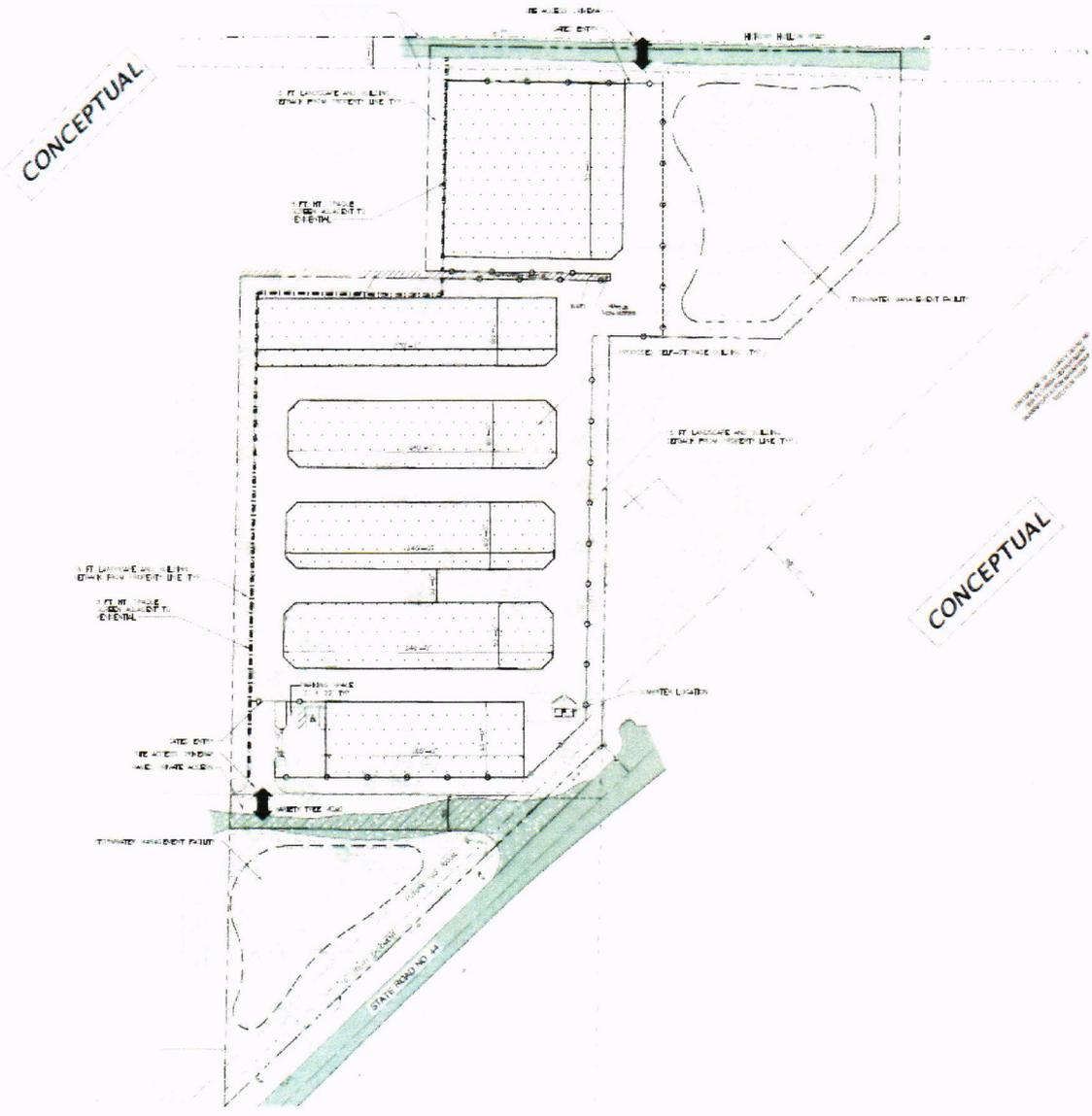
LESS AND EXCEPT:

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From the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 2, Township 19 South, Range 25 East, (same being the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East), run thence North 89°58'51" East along the North line of said Southwest 1/4 of the Northwest 1/4, a distance of 80.80 feet and the point of beginning of this description; from said point of beginning continue North 89°58'51" East along said North line of the Southwest 1/4 of the Northwest 1/4, 215.00 feet to the Westerly right-of-way of State Road No. 44; thence South 45°51'00" West along said Westerly right-of-way, 216.00 feet; thence leaving said right-of-way, run South 89°58'51" West, 215.00 feet; thence North 0°01'09" West, 150.46 feet to the North line of said Southwest 1/4; thence North 89°58'51" East along the North line of said Southwest 1/4, 155.03 feet to the point of beginning. LESS right-of-way for County Road.

Parcel 4:

The East 1/2 of the North 198 feet of the West 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 3, Township 19 South, Range 25 East, Lake County, Florida.



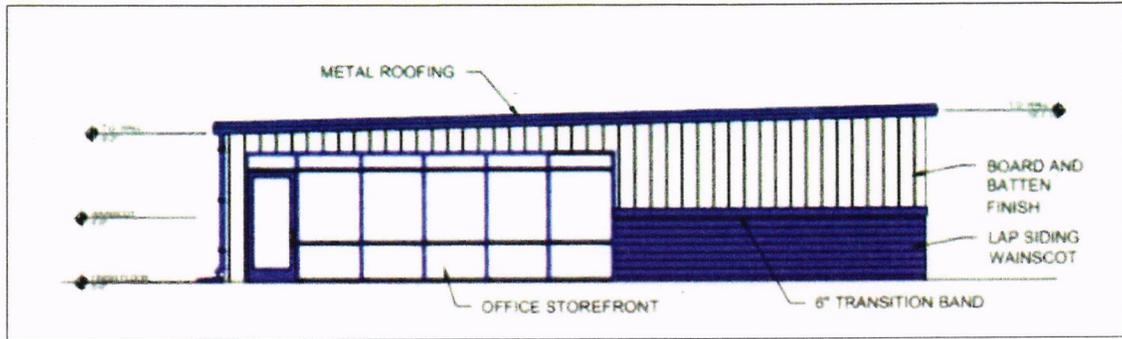


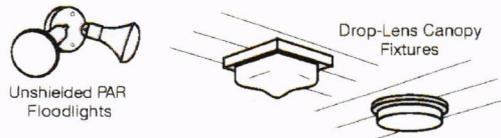
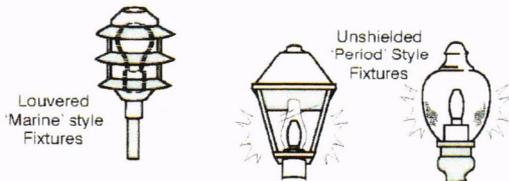
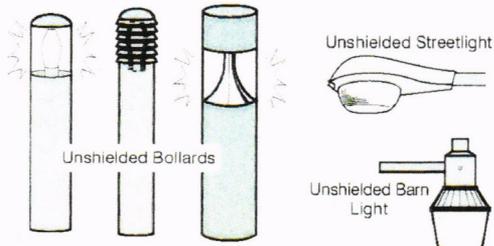
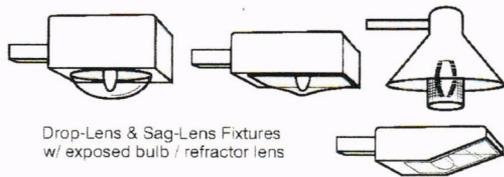
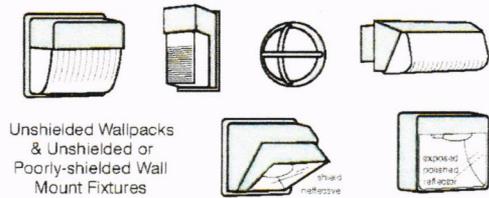
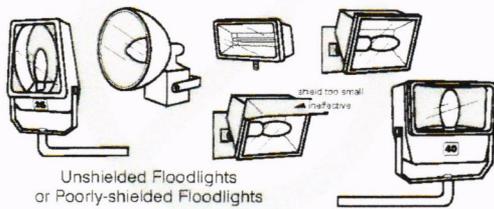
EXHIBIT E

DARK SKY LIGHTING (Acceptable designs)

Examples of Acceptable / Unacceptable Lighting Fixtures

**Unacceptable / Discouraged**

Fixtures that produce glare and light trespass



**Acceptable**

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

