



# MADDEN

**MOORHEAD & STOKES, LLC**  
CIVIL ENGINEERS

December 22, 2023

Howey-in-the-Hills Town Hall  
101 N. Palm Ave.,  
Howey-in-the-Hills, FL 34737

**RE: Lake Hills Residential Preliminary Subdivision Plan**

To whom this may concern:

Below please find our responses to those comments.

**Village Mixed Use Standards**

Comment 1: The standards for development of Village Mixed Use designated properties are presented in Policy 1.1.1 of the future land use element. The following analysis summarizes the current status of the master project with regard to the adopted policy. Note that open space requirements are based on gross project acreage while density and land use allocations are based on net land area.

***Response 1: Acknowledged***

**Calculation of Net Land Area**

Comment 2: Net land area is determined by total project area less the minimum required open space and any wetland and surface water bodies that do not contribute to the required open space. The minimum open space requirement is 25% with a maximum of 50% of wetland area contributing to the required open space. Based on the survey submitted with the application, the following calculations have been made:

Minimum Required Open Space: 66 acres (264 x 0.25)

Total Wetlands on Site: 30.61 acres (Wetlands parcels 1 through 6)

Wetlands assignable to Minimum Open Space: 15.30 acres

Surface water bodies on site: 5.27 acres (Waterbodies 1 through 7)

Total Required Open Space: 66.00 acres (minimum requirements)  
15.31 acres (additional wetland area)

5.27 acres (surface water bodies)  
86.58 acres (total minimum open space)

Net Land Area: 177.42 (264 – 86.58 acres)

***Response 2: Please see PUD and net land area calculations added to the PSP sheet C0.01. Note that the project total acreage, wetlands, and surface waters are taken directly from the survey submitted. Note the total residential parcel acreage per the survey is 220.21 acres and not total PUD gross acreage of 264 acres.***

### **Calculation of Land Use Assignments**

Comment 1:

- Residential land use must occupy between 70% and 85% of the net land area. This range is 124.19 acres to 150.81 acres. The calculation for the residential portion of the project totals 98.64 acres. (Includes residential property, stormwater ponds, and wetland buffers.)
- Non-residential uses must occupy between 30% and 15% of the net and area. This range is 53.23 acres to 26.61 acres. The civic and commercial land uses total 43.23 acres and the park area an additional 4.23 acres.
- Five percent of the non-residential land is to be dedicated for public and civic uses. The minimum amounts to 2.37 acres but the total allocated for the school site and the water treatment plant is 25.23 acres.
- Public recreational uses need to be at least 10% of the useable open space (less wetlands and water bodies). Open space excluding wetlands and waterbodies is reported as 79 acres, which makes the recreation requirement 7.9 acres total. The public park (4.38 acres) and the community recreation/park (6.36 acres) provides 10.74 acres in combination. The minimum open space requirement is 25% of the total project area. Required open space is 66 acres. The reported open space is 110.85 acres. The pond areas are not counted as open space as they are not designed to meet the threshold criteria.

The only issue is that the land area devoted to residential use falls below the 70% floor. Since the other factors fall within the specified ranges, expanding the residential use area is likely to come at the expense of open space. Some additional analysis will be needed to address the residential percentage factor.

***Response 1: Please see added tables to PSP sheet C0.01 documenting the various residential, non-residential, and public uses per the PUD. Please advise how the Town would like to proceed with regard to compliance with the current residential minimum acreage.***

### **Concurrency Considerations**

Comment 1: There are three areas where concurrency compliance needs to be verified. The first is traffic, and a traffic study has yet to be submitted. The second issue is sewer service. The applicant will need to provide a plan and program to address sewer service. The third item is school capacity. The applicant needs to submit a request to the Lake County School Board for a capacity determination using the district process. These items will need to be addressed prior to Planning Board consideration.

The assumption is that the Town's plan for the new water treatment plant will provide sufficient supply for domestic use and fire protection. The assumption is also that on-site stormwater retention will meet the Town's standards.

***Response 1: The TIA methodology has been agreed to and the TIA is being finalized and will be submitted soon. The TIA includes current roadway capacity and recommended improvements for the development. The applicant has contacted Lake County Public Schools (LCPS) and a school capacity determination will be completed. As a reminder it is the intent of the applicant to restrict home (via deed restriction) to a 55+ active adult segment. This restriction will be coordinated with LCPS as the Applicant completes the concurrency process through the County Attorney's office. LCPS has indicated that with a 55+ active adult segment there will be no issues created by concurrency. The applicant requests to complete the formal concurrency determination prior to completion of the Final Subdivision Plan approval. The applicant is working with the Central Lake CDD to secure treatment capacity for the project. Upon securing this commitment the applicant will meet with the Town to update the existing utility agreement for the property (2012 Bouis Property Agreement) between the Town and Central Lake CDD. This will update and better define the details of sewer and water service for the property. The applicant acknowledges the DRC comment regarding a dual water system and not utilizing potable water for irrigation. As part of the Final Subdivision design and approval process the applicant will work to secure alternative water supply for irrigation via surface water ponds and supplemental wells as approved by SJRWMD. The Applicant requests to complete the utility agreement update prior to completion of the Final Subdivision Plan approval.***

### **Preliminary Subdivision Plan Comments**

Comment 1: The preliminary subdivision plan submittal was reviewed for compliance with Section 4.04.11 and Section 4.05.12 along with the adopted development agreement and the design standards set out in the Town codes. The minimum submittal requirements as specified in 4.05.12 are included in the application, except for the minimum required open space which has been calculated above. Note the following comments:

- The detail for the paired home requirements is incorrect. The development agreement requires the paired homes to be served by alley access. Alleys should be a simple addition to the design as presented.

***Response: The applicant is working to provide a commonly desired product segment specific to the 55+ active adult market segment and requests to discuss this product with the Town Council at the public hearing. Given the “Conceptual” clarification noted in the PUD the applicant requests this adjustment to be allowed as an alternative standard allowed under the PUD or alternatively, approved as a waiver in accordance with paragraph 14 of the PUD.***
- The plan for the access road through the commercial section of the project is unclear. Is the intent to dedicate the portion of the collector road through the commercial section to the Town?

***Response: The access road through the commercial and residential sections will be public. The commercial developer and residential project are working together on the necessary documents and timing to ensure this road segment is addressed properly. The access road will be designed and approved with the commercial project application. It also be shown on the Final Subdivision Plan approval for the residential project. The applicant will reserve a construction and access easement for this road allowing the applicant to complete this road segment should the timing of the commercial project become delayed.***
- The Town has requested that a future road access be provided from the Lake Hills project to properties to east. The intent is to allow future development to the east to access the commercial area without using SR-19. Based on the design presented, the most logical places to make the connection are at the service driveway to the commercial area or at the access point opposite the outparcel east of the access road. The applicant is directed to coordinate with the commercial project applicant to settle on which of these locations will be proposed.

***Response: This item applies to the commercial development and not this residential application. The commercial developer as agreed to add a reciprocal access provision to their PSP application.***
- With the proposal to gate the project, will the bicycle path along the collector road be open to the general public?

***Response: The collector road and trail will be open to the public, it will include gates however the gates will be the type that open to anyone once approached. The development would not be restricted to public entry.***
- Sidewalk will be required along County Road 48.

***Response: Please see revised PSP, a sidewalk has been shown along CR 48. The applicant requests the ability to elect to delay the installation of this sidewalk to a later phase to allow time for the intersection improvement at***

*US 19 and CR 48 so the sidewalk is not installed and subsequently removed or relocated.*

- A connection from the project to the commercial access drive needs to be considered for the adjacent residential area.

*Response: This item applies to the commercial development and not this residential application. The applicant will not install a connection to the commercial access drive.*

- The buffer detail for CR 48 includes a buffer area to the inside of the screening wall required by Town code. This area should be landscaped. Additional shade tree plantings in this area will add significant depth to the screening.

*Response: The CR 48 buffer has been revised to no longer include any additional areas per discussion at DRC. Please see revised PSP sheet C1.00*

- All buffer areas should be in separate tracts controlled by the property owners association.

*Response: Acknowledged, all buffers are in tracts to be dedicated to the HOA or CDD.*

- Phase 2 includes the stormwater pond that is proposed to accommodate runoff from the commercial project as well as for residential area runoff. How is this timing to be addressed if the commercial parcel precedes either Phase 1 or Phase 2?

*Response: The stormwater pond is being coordinated with the commercial development and residential development. Both projects will show the retention pond and necessary stormwater conveyance systems. The pond would be shown on both projects set of plans submitted to the Town and WMD for permitting.*

- The public park area in Phase 1 shows a stormwater pond as included. If this pond serves residential development it needs to be outside of the park area.

*Response: This pond serves only the park and a portion of the public roadway.*

- When the final subdivision plan is presented, the applicant needs to include the proposed park improvements in that design. According to the development agreement, the park to be dedicated to the Town.

*Response: Acknowledged*

- The tree protection analysis needs to identify historic trees and specimen trees to be preserved and to be removed. All historic trees and a minimum of 50% of specimen trees must be preserved.

*Response: The project site is predominantly clear and was an old orange grove. The existing trees are centralized within the wetland areas. Since the majority of the wetlands will remain, so will majority of the existing trees within the wetland areas. A detailed tree preservation and removal plan will be provided with the final subdivision plan once a detailed grading analysis and stormwater analysis can be performed.*

- The stormwater retention ponds seem to have a significant impact in terms of trees proposed for removal. Section 7.11.04 B directs that stormwater facilities be located and designed to minimize tree removal. The plan needs to be reviewed with this outcome in mind. For example Tract B4, a dry retention pond, calls for the removal of trees that should be easily avoided.  
***Response: The site is an old orange grove, the existing trees within the wetland areas to remain will be preserved. The retention ponds are predominantly located in upland areas and do not affect the tree removal criteria. Detailed tree removal calculations will be provided with the final subdivision plan, once a detailed grading analysis and stormwater analysis can be performed.***
- The plan generally needs to be reviewed to minimize tree removal.  
***Response: The plan has been designed to minimize tree removal by significantly keeping the developed areas outside of existing wetlands. The site is an old orange grove and the areas outside of the wetlands are predominantly clear of trees.***
- An official wetlands determination has not been done for the parcel. This will be required for the final subdivision plan.  
***Response: Acknowledged***
- Wetland and lakefront buffers are shown but not dimensioned. Section 3.02.03 specifies a 25-foot buffer to wetlands and a 50-foot buffer to buildings and impervious surfaces. The 50-foot buffer requirement excludes wet retention ponds.  
***Response: wetland buffers are shown and are 25 ft wide minimum, and structures are a minimum setback of 50 ft.***
- There is a shoreline protection zone of 50-feet from the landward extent of wetlands and shoreline. Docks and piers are excepted.  
***Response: Acknowledged, the project complies with this requirement.***
- Residential rear yard setbacks need to be sufficient to allow for the Town's 10- foot setback for swimming pools along with the pool itself. The Town has been requiring a 25-foot setback to accommodate pools. The lots as proposed do not meet this requirement. If the lot designs are to be retained, then the deed restrictions need to state that pools and other accessory structures are not allowed.  
***Response: As discussed at DRC the applicant will include a deed restriction to clarify and notify residents of a minimum 10 – foot pool setback.***
- Why is there a difference in setbacks for the cottage homes not on CR-48? The setback proposal generally seems to be too small to conform to Town Council policies.  
***Response: The lots adjacent to CR 48 are designed to accommodate a 50 ft building setback, this exceeds the Town policies.***
- The minimum floor area per unit is 1,800 square feet per the development agreement.

***Acknowledged, the applicant request assistance from the Town to confirm the conditions of the development agreement requirement.***

- Garage setbacks are to be recessed a minimum of 5-feet from the building front façade per the development agreement.

***Response: Acknowledged, the applicant request assistance from the Town to confirm the conditions of the development agreement requirement.***

- Does the project propose one-car or two-car garages? If one-car garages are proposed, what alternatives are proposed for additional parking demand?

***Response: 2-Car garages are proposed for all lots.***

- The Town has a wellhead protection requirement which needs to be considered and clearly marked on the plans.

***Response: Per DRC this item does not affect the project, no changes are needed at this time.***

***Response 1: Please see individual responses above to each item.***

### **Traffic**

Comment 1: The project needs to submit a Traffic Impact Study for review.

The developments at this location (Lake Hills, Lake Hills Commercial, and Thompson Groves) will necessitate roadway improvements on SR 19 and CR 48. A copy of my recommended improvement plan for this area is attached.

The turn lanes along SR 19 and CR 48 at the access points are the responsibility of the developers.

The improvement to the SR 19 / CR 48 intersection (conversion to a roundabout) will require the cooperative efforts of the Town, Lake County and FDOT. This project should also receive proportionate share funding from the impacting projects.

The intersection of SR 19 and the main entrances to Lake Hills Residential & Commercial, and Thompson groves will most likely require a traffic signal at some point in the future. The cost of that signal should be borne fully by the impacting projects.

***Response 1: The TIA methodology has been agreed to and the TIA is being finalized and will be submitted soon. The TIA includes current roadway capacity and recommended improvements for the development. . The applicant acknowledges turn lanes for the development are the responsibility of the development. We recommend further discussion between the traffic consultant and City to discuss future improvements.***

## Plan

Comment 1: Revise the plan to incorporate the modifications to the SR 19 entrance road shown in the SR 19 & CR 48 Improvement Plan including turn lanes, sidewalks, trails, and traffic control. Widen the proposed right-of-way as needed to accommodate the improvements.

Include a road stub out at the south end of the Public Park to provide access to the neighboring property to the east. This should also be the park's access drive.

Some of the lots adjacent to the CR 48 commercial/WTP access road have an access easement over them (refer to the submitted survey). This will need to be resolved as the project goes forward.

Call out the depth of asphalt in the roadway details. The town standard is 1½" SP 9.5.

Stormwater ponds need to have practical access for maintenance. A drainage easement along lot lines is not acceptable as the sole access route. If access is to be between lots, it needs to be in a dedicated tract, not an easement.

Show on the plan proposed lift station tracts.

***Response 1: Per DRC discussion we have modified the entrance to the development on SR 19 to add the sidewalk. The stub-out from the park was discussed and moved to the commercial lot per DRC discussion. Please see revised pavement section which now includes the asphalt thickness. All stormwater ponds have been reviewed and modified as necessary to have a dedicated tract for access and not an easement as requested. The lift station tract will be added at the time of final subdivision plan as we are working on coordination with the Central Lake CDD and Town for sewer service, and also need to extensively evaluate the grading in order to ensure the minimum number of lift stations is used while also keeping gravity sewer pipe depth to reasonable levels. Due to the severe topography, this exercise will be done in conjunction with the final subdivision plan. However I would note that the lift station tract will be placed in an appropriate location to buffer from residents as much as practical.***

If you have any questions, please don't hesitate to contact our office.

Sincerely,

*David A. Stokes*

David A. Stokes, P.E.  
Vice President

DAS/ja



