



# MADDEN

MOORHEAD & STOKES, LLC  
CIVIL ENGINEERS

November 16, 2023

Howey-In-The-Hills  
Attn: John Brock  
N. Palm Ave.,  
Howey-in-the-Hills, FL 34737

**RE: Lake Hills Shopping Center**

Dear John:

Below please find our responses to those comments.

**Preliminary Site Plan Submittal Requirements**

Comment 1: Section 4.03.09 includes the requirements for preliminary site plan drawings. The submittal has been reviewed in comparison with these requirements and the following deficiencies have been noted:

- 4.03.09 D: The required vicinity map was not provided.
- 4.03.09 H: Required and total open space were not provided.
- 4.03.09 I: Dedications and reservations, if any, were not noted.
- 4.03.09 M: A tree survey was not provided.

Also, are there any wetlands on the commercial parcel, including the proposed outparcels?

The identified outparcels were accepted as project phases. The tree survey does not require inclusion of the citrus trees. The area containing citrus should be noted on the survey. Open space is a requirement of the overall Lake Hills development. If the commercial area is not contributing to the overall open space commitment for the project, this determination needs to be noted, and the applicant needs to provide an analysis of how the open space requirement is being met for the full project.

***Response 1: The following revisions have been made:***

- 1. We have added a vicinity map to the plan.***
- 2. The required open space is given by the master PUD and is defined at 40 acres total. This project does not propose any open space which would count toward the PUD total as defined by Section 5.D of the PUD. The PUD open space is planned to be located schematically as identified on the CLUP with the PUD.***

3. *A note has been added to the plan to document that no dedications or reservations are required at this time.*
4. *A tree survey is attached to this submittal. As shown therein, most of the site is citrus, with documented trees located along the southern boundary of the Town's water plant parcel. Additionally, a few trees exist along the north boundary of Outparcel A. No trees are currently proposed to be impacted by this project.*

### **Subdivision Requirements**

Comment 1: The development of the commercial portion of the Lake Hills mixed use project will be the third time property has been parceled off from the initial parent tract. One parcel was sold to the Lake County School district and a second parcel was sold to the Town for development of a water treatment plant. A subdivision of the parent tract needs to be prepared and recorded to formally create the various parcels. This plat can be done as the final plat creating the parcels only, without the need to include all the detailed engineering design that typically accompanies a plat document.

For the subject commercial parcel, a plat needs to be prepared to create the primary commercial parcel and the various out parcels. This plat, at a minimum, will need to identify any dedicated roadway (main collector road), all utility services that are proposed for dedication to the Town, and provide for cross-easement access to the outparcels where this is proposed. The commercial parcel plat needs to include any property management association proposed for the maintenance of common areas and buffers. The plan also needs to detail how the commercial tract will be related to the overall Lake Hills development, including any agreement for off-site stormwater retention.

The master parcel subdivision can proceed separately from the commercial parcel subdivision and site plan process. The commercial parcel subdivision may be done in advance of, or concurrently with the preliminary site plan.

*Response 1: A subdivision plat for the parent tract will be processed by the Seller. As discussed at DRC, this process is anticipated to run concurrent with the approvals for the Lake Hills Shopping Center preliminary site plan. The Lake Hills Shopping Center site may be subdivided subsequent to the completion of the parent tract platting and preliminary site plan approval, at the discretion of the Owner.*

### **Lake Hills Development Agreement Requirements**

The Lake Hills approved development agreement includes several provisions that need to be observed in the site plan and there are some organizational issues which need clarification.

Comment 1: Note that the maximum building height is 35 feet with an allowance to 45 feet for items such as parapets, towers and other decorative building elements as shown in the design examples.

***Response 1: A note has been added to clarify the 35-ft building height maximum with allowance for 45-ft height on parapets, etc.***

Comment 2: The commercial parcel development will be considered the first development pod for purposes of activating the requirements for sidewalks on SR-19. Sidewalks need to extend across the primary commercial parcel and Outparcels A, B and C as these abut SR-19 right-of-way. The sidewalks are expected to be located within the SR-19 right-of-way and permitted by FDOT.

***Response 2: The plan has been revised to show and call out sidewalks as required along SR-19 across the developed project frontage. Sidewalks along CR-48 will be constructed with future residential development along that frontage.***

Comment 3: The 25-foot buffer requirement along the SR-19 frontage will also include the primary commercial parcel as well as Outparcels A, B and C. The buffer design requirements are detailed in the attachments to the approved development agreement.

***Response 3: The site plan shows and calls out a 25-ft landscape buffer along all parcels on SR-19.***

Comment 4: Page 5 Subsection h of the development agreement includes design requirements for commercial entrances and buffer walls. These need to be addressed in the final site plan submittal.

***Response 4: Noted. These items will be addressed with the Final Site Plan.***

Comment 5: The development agreement includes design examples for the commercial development which need to be addressed in the final site plan submittal.

***Response 5: Noted. These items will be addressed with the Final Site Plan.***

Comment 6: Note that the enforcement language in the development agreement references the Mayor as the responsible agent. The Town has changed to a council-manager government format so the enforcement agent will now be the town manager.

***Response 6: Noted and understood.***

Comment 7: The development agreement allows 150,000 square feet of commercial area. With the area proposed for development the overall project retains 88,700 square feet of building area for the commercial outparcels.

***Response 7: We agree with this calculation and determination.***

Comment 8: The allowable floor area ratio (FAR) is 0.23%. The project proposes an FAR of 0.154%.

***Response 8: The site plan has been revised to note an allowable FAR of 0.23.***

### **Preliminary Site Plan Concept Design**

The following comments are offered based on the design as submitted. The applicant is encouraged to review the comments from the Development Review Committee meeting in July, 2022 as well as the approved development agreement and the code sections cited.

Comment 1: The design locates the storm water retention area off site. The applicant needs to provide documentation that the applicant has approval from the property owner to drain to the offsite location. The offsite owner also needs to be aware that the current design of the proposed retention area does not meet the code requirements for counting as a contributing location to minimum open space requirements.

***Response 1: An easement is being prepared by the parent tract Owner to allow the Applicant to utilize offsite property for stormwater treatment. A copy of this easement will be provided prior to final site plan approval. We acknowledge that offsite retention will not count toward open space for this project.***

Comment 2: Is the proposed off-site retention area expected to be a wet pond? The applicant may want to consider options to make the retention area more of a contributor to the overall project design.

***Response 2: The offsite retention area is expected to be a dry retention pond. It will be designed and permitted according to SJRWMD and Howey-in-the-Hills standards.***

Comment 3: What is the applicant's current plan to provide sewer service for the project? If on-site treatment is proposed a short-term solution, where is the facility proposed?

***Response 3: Until such time as municipal sewer service is extended to the project site, a temporary septic system will be designed and constructed on Outparcel A. Details of the septic system, if necessary, will be submitted with the final site plan.***

Comment 4: The project site has a severe slope from the SR-19 frontage going towards the lake. The slope drops some 50 feet across the project area. What is the proposal for dealing with the slope in the project design?

***Response 4: The site will utilize retaining walls as necessary to construct the project and meet the requirements of Howey-in-the-Hills and ADA standards. Retaining wall dimensional details will be shown on the final site plans. Full design of retaining wall structures will be provided with building permit applications.***

Comment 5: Project access considerations:

- a. Will a full access at the CR-48 location meet County standards? Has the access proposal been coordinated with Lake County?
- b. Is the spacing from the project driveway to the planned intersection of the central collector road sufficient to meet Lake County standards?
- c. FDOT has been considering a traffic circle for the SR-19 and CR-48 intersection. The project needs to coordinate with FDOT to determine if the project and the project traffic study needs to consider this option.
- d. Is additional right-of-way required by either Lake County or FDOT to meet minimum standards and/or provide for future improvements?
- e. Access easements will be required between the proposed project and the access to the various outparcels.
- f. As noted earlier, sidewalks will be required along the SR-19 frontage.
- g. The overall plan for the Lake Hills project includes a bicycle/pedestrian facility within the central collector right-of-way. This facility needs to be included in the design for the portion of central collector to be constructed to serve the commercial properties.
- h. The methodology proposal for the TIA was inadequate. Comments have been forwarded separately

***Response 5: We have addressed the following:***

- a. ***Yes, the access points on SR-19 and CR-48 have been coordinated with FDOT and Lake County and will meet standards. The Applicant will obtain permits from Lake County and FDOT for all work within their ROW.***
- b. ***The spacing between entrances on CR-48 will meet Lake County standards. The site plan has been revised to note approximately 2,250 feet between the entrances.***
- c. ***Conceptual plans for this project have been presented to FDOT. The Applicant is aware of a possible future roundabout, and coordination with FDOT is ongoing.***
- d. ***At this time, no additional ROW is anticipated to be needed for the improvements.***
- e. ***At this time, it is anticipated the Outparcels and Grocery will remain under single ownership.***
- f. ***Noted.***
- g. ***The site plan has been revised to include a note requiring a bicycle/pedestrian facility along the central collector road. This feature will be designed and shown on the final site plan.***
- h. ***Understood. The TIA comments have been forwarded to the traffic consultant, and the Applicant is working with the consultant to revise the methodology.***

Comment 6: Parking lot design. Refer to Section 7.05.00 for requirements.

- a. Parking standards for shopping centers require one space for every 250 square feet of gross floor area. Based on 61,300 square feet, the minimum number of parking spaces is

245, not 306 spaces as shown on the submittal. The project exceeds the minimum requirement by 69 spaces or 28%.

- b. We are assuming the outparcels will contain their required parking without reliance on the primary parcel.
- c. The code (7.05.01 A) requires terminal islands at the end of each parking row measuring 200 square feet as a minimum and meeting the listed landscaping standards. The landscape requirements need to be provided with the final site plan submittal.
- d. Interior islands of at least 200 square feet are required (7.05.01 B) for every ten parking spaces. Again, the final site plan needs to demonstrate compliance with the landscape requirements.
- e. Divider islands measuring a minimum of 10 feet are required (7.05.01 C) between parking rows. The final site plan needs to demonstrate compliance with the associated landscape requirements. Note that this requirement was a comment in the July 2022 DRC meeting.
- f. The project should consider including EV charging stations.

***Response 6: We have addressed the following:***

- a. Noted. We agree with the above calculation and determination.***
- b. Outparcels will be required to stand alone and provide required parking on their parcel without reliance on the primary.***
- c. Noted. The current site plan is designed to accommodate this requirement.***
- d. Noted. The current site plan is designed to accommodate this requirement.***
- e. Due to the operations of a grocery-anchored development, the Applicant intends to request a variance to this requirement from Town Council.***
- f. The Applicant has considered this request and respectfully declines to propose EV charging stations at this time.***

**Comment 7: Buffers and Landscaping**

- a. A tree survey is required. Citrus trees do not need to be individual surveyed, but the area planted with citrus should be noted.
- b. Please review the landscape planting requirements (7.01.02) for the final site plan submittal.
- c. A buffer needs to be provided along the northern project boundary to screen the service area from residential development to the north.
- d. Buffers along SR-19 need to be provided across the outparcels as well as the primary parcel.
- e. Is the proposal to require the outparcels to provide their other buffers internally?
- f. Section 7.04.01 needs to be reviewed for Water Star requirements and Florida Friendly landscaping.
- g. Section 7.06.00 needs to be consulted for irrigation system design. Please note that potable water sources may not be used for landscaping irrigation. The applicant may wish to consider a joint solution with the residential portion of the project.
- h. Please note the foundation planting areas required with the buildings. The applicant may wish to review Section 7.04.02 A to determine if a hardscape solution might be available for some of the foundation planting requirements.

**Response 7:** *We have addressed the following:*

- a. A tree survey is attached to this submittal. As shown therein, most of the site is citrus, with documented trees located along the southern boundary of the Town's water plant parcel. Additionally, a few trees exist along the north boundary of Outparcel A. No trees are currently proposed to be impacted by this project.*
- b. The final site plan will address the landscaping requirements of the Land Development Code.*
- c. The retaining wall and retention pond are a distance buffer to the residential site. Landscaping will be provided on the commercial site between the road and the retaining wall. The residential site will include landscaping for additional buffering in the future.*
- d. The site plan shows and calls out a 25-ft landscape buffer across all parcels along SR-19.*
- e. Internal buffers are not proposed among the various commercial site Outparcels.*
- f. Noted. The final site plans will accommodate these standards.*
- g. Noted. The final site plans will accommodate these standards.*
- h. Due to the operations of a grocery-anchored development, the Applicant intends to request a variance to this requirement from Town Council.*

Comment 8: Proposed sign locations need to be identified. If a sign is proposed at the CR-48 access, provision needs to be made for a sign location.

**Response 8:** *The site plan has been revised to show and call out conceptual signage locations.*

**Griffey Engineering, Inc.**

The access connection on CR 48:

Comment 1: Needs to be designed to accommodate a semi-truck (WB-50) turning right into the site.

**Response 1:** *Noted. The final site plan will include a vehicle turning analysis to document compliance.*

Comment 2: Will need to prohibit outbound left turns, per Lake County.

**Response 2:** *Noted. The current site plan accommodates this prohibition.*

Comment 3: Needs to be reconfigured to minimize encroachment onto the towns WTP3 site (see attached exhibit).

**Response 3:** *Noted. The final site plan will include a vehicle turning analysis to minimize encroachment onto the water treatment site.*

Comment 4: Will need an easement from the town for the portion that goes over town property. A condition of the easement should include a maintenance guarantee of the access road from the commercial property owner.

***Response 4: The Applicant will work with the parent tract Seller and Town to complete.***

### **General Comments**

Comment 1: Is the property proposed for subdivision to allow individual ownership of the primary commercial parcel and the four outparcels? The subdivision will require platting under the Town's land development regulations.

***Response 1: At this time, it is anticipated that all Outparcels will remain under common ownership with the Grocery Owner.***

Comment 2: A concurrency analysis is required for the project. Water, sewer, and traffic are key concerns. Water and sewer capacity are not currently available for the project. The Town has a plan for construction of water treatment facilities to address potable water issues. Currently sewer capacity needs to be addressed with the Central Lake Community Development District. An updated traffic impact assessment is needed which includes both the pending residential portion of the development along with the proposed commercial development.

***Response 2: Noted. We understand water for domestic use is currently available, but fire pressure and volume to meet the future Tenant's requirements may not be available until such time as new wells are installed by the Town. Until such time, a fire pump system may be utilized. This design will be finalized with the building permit drawings. Sewer service will be provided by a temporary septic system until municipal sewer service is extended to the project site. The location and design of the temporary septic system, if needed, will be shown with the final site plans.***

### **Development Agreement Comments**

Comment 1: Specific permitted uses are listed on conceptual land use plan, and the proposed commercial development needs to conform to these uses. So far as specific uses have been identified, they are conforming to the agreement.

***Response 1: Noted.***

Comment 2: FAR is capped at 0.23. The proposed development is at 0.156 so it complies with this requirement. The total project is capped at 140,000 square feet of commercial area so 81,113 square feet of building area remain to be allocated to the four outparcels.

***Response 2: Noted.***



Comment 3: Maximum building height for non-residential structures is 35 feet with 45 feet allowed for architectural enhancements.

***Response 3: A note has been added to clarify the 35-ft building height maximum with allowance for 45-ft height on parapets, etc.***

Comment 4: Commercial building design needs to conform to the standards of Section 5h of the development agreement and the typical architectural designs included in conceptual land use plan (page 30 of 32).

***Response 4: Noted. The building permit plans will conform to these standards.***

Comment 5: Sidewalks are required on CR 48 and SR 19 per Section 5g of the development agreement.

***Response 5: Sidewalk locations have been shown and called out on the revised site plan. Sidewalks are shown along all parcels fronting SR-19. Sidewalks along CR-48 will be constructed with future residential development.***

Comment 6: Project buffers along SR 19 are required to be 25-feet and landscaped according to the layout provided on page 31 of 32. Project buffers along CR-48 are a minimum of 15 feet.

***Response 6: The current site plan shows and calls out a 25-ft landscape buffer for all parcels fronting SR-19.***

Comment 7: Non-residential buffers are required to conform to the land development code Section 7.02.02. Buffer width is 10 feet abutting non-residential uses and 15-feet abutting residential development with planting content consisting of one canopy tree, two understory trees and 30 linear feet of shrubs per 50 linear feet of buffer. (7.02.02 B)

***Response 7: Noted.***

Comment 8: Foundation planting area consisting of a minimum of 10-feet in width is required per section 7.04.02.

***Response 8: Due to the operations of a grocery-anchored development, the Applicant intends to request a variance to this requirement from Town Council.***

Comment 9: Landscaping for vehicular use areas is required to meet the provisions of Section 7.05.00. Plantings include terminal islands, interior islands and landscaped dividers between row of parking.

***Response 9: Noted. The final site plan will accommodate these standards.***

## Conceptual Plan Comments

Comment 1: Are the rectangular areas near the buildings intended as stormwater retention? If so, can the design be improved to make them better integrated into the project?

***Response 1: The rectangular areas near the buildings are currently proposed as open space. They are located behind the commercial buildings, in back-of-house areas. These spaces are not currently intended to be used for stormwater treatment.***

Comment 2: Proposed parking exceeds the minimum level required by the Town code by a factor of about 32%.

***Response 2: Noted.***

Comment 3: Has the proposed intersection with CR 48 been coordinated with Lake County? The proposed access is an increase in scale beyond the driveway access to the Town's proposed water plant as previously discussed.

***Response 3: Yes, the access point on and CR-48 has been coordinated with Lake County and will meet standards. The Applicant will obtain a permit from Lake County for all work within their ROW.***

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

Sincerely,



Benjamin Beckham, P.E., CFM  
Senior Project Manager

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