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March 24, 2023

Howey-in-the-Hills
Development Review Committee
101 N. Palm Avenue
Howey-in-the-Hills, FL 34737

Subject: Asma Parcel Comprehensive Plan Amendment & Rezoning
Response to Comments dated 10/26/2022

In response to the comments dated October 26, 2022, we offer the following responses. In addition, we have provided the following items for review:

- Parcel Conceptual Plan,
- Boundary Survey,
- Tier 1 Traffic Exemption Report
- Existing & Proposed Land Use Maps
- Existing & Preferred Zoning Maps

Considerations Plan Considerations (from Thomas Harowski)

The Town has received an application for a 0.69-acre parcel at the corner of SR-19 and Citrus Avenue to permit commercial development of the parcel. Based on the land use classifications contained in the Town’s comprehensive plan and the zoning categories consistent with those land use classifications, the applicable land use classification is Neighborhood Commercial, and the appropriate zoning is neighborhood commercial. The following comments are based upon the application of these land use and zoning designations to the project site.

1. Policy 1.1.1 contains a section on the Neighborhood Commercial Land Use presenting limits on density and intensity of development. The key numbers are:

Maximum Floor Area Ratio (FAR)	0.50
Maximum Impervious Surface Ratio (ISR)	0.70
Maximum Building Size	5,000 square feet
Maximum Building Height	35 feet.

Note: An examination of the concept site plan submitted with the application shows that the proposed development will comply with this policy.

Response: Noted.

2. Policy 1.1.2 contains a section on the Neighborhood Commercial Land Use listing the uses permitted in neighborhood commercial development noting general commercial categories including general

commercial, limited commercial and professional office along with examples of each type. The applicant should confirm that the intended use will fit within one of these categories.

Response: The intended use of the proposed building is professional office and, thus, conforms to the permitted uses expressly allowed within the Neighborhood Commercial future land use category.

3. Policy 1.2.2 lists open space requirements for various land use categories. The applicable open space minimum area for Neighborhood Commercial is 30% of the gross land area. This is the inverse of the maximum impervious surface ratio.

Note: The conceptual site plan included with the application shows more than 30% of the lot area as open space.

Response: The conceptual site plan shows anywhere from 40-50% open space, far exceeding the Neighborhood Commercial open space requirement.

4. Policy 1.2.3 requires the Town to protect residential areas from incompatible non-residential development. As the surrounding land uses are all residential, the applicant should give consideration to how the proposed development will comply with this policy and provide a statement to that effect.

Response: The proposed professional office building is compatible with the nearby residential area and will have no measurable adverse impact upon any surrounding uses. Indeed, the proposed scale, mass, size, and height of the proposed office building is similar in nature and comparable to a single-family residential structure. The architecture of the building will also be designed to be consistent with the nearby Howey Mansion and Mission Inn. Further, the proposed professional office building is a low-intensity use that will not be a major traffic generator.

5. Policy 1.2.4 addresses screening requirements for non-residential uses. The concept plan includes proposed buffers, and the applicant should verify that the proposed design complies with this policy.

Response: By its plain terms, Policy 1.2.4 only applies “if the proposed commercial, light industrial, or manufacturing building is incompatible with the residential area.” In the instant case, the proposed professional office building is compatible with the nearby residential area and will not result in any unduly negative impacts upon any surrounding uses. Nonetheless, the proposed site design will incorporate reasonable buffers per the Town’s regulations.

6. Policy 1.2.8 requires the Town to conduct a review of its ability to meet public service demands created by the application. This review will be discussed in more detail below.

Response: Noted.

7. Objective 1.4 includes a series of policies relating to commercial development. The applicant should review the objective and supporting policies to verify that the proposed development can meet all of the policy requirements and provide a written analysis of how this is done. Specific policies that need to be reviewed in detail include:

Policy 1.4.1 regarding the location and distribution of commercial sites. The response to this policy should address why this location is best utilized as a commercial parcel rather than as its current Medium Density Residential land use classification.

Response: Due to its location directly on S.R. 19, which is a major arterial roadway with a high traffic count, and the site's relatively small size (± 0.69 acres) and unique shape, the location is not well suited for medium density residential development (up to 4 du/ac). Rather, the location is much better suited from a land use and zoning perspective for a small professional office building, as proposed, to serve the needs of the surrounding community.

Policy 1.4.9 prohibits the approval of strip commercial development on SR-19 and CR-48. The applicant should provide an analysis of why the proposed amendment is not strip commercial development and will not contribute to the future creation of strip commercial development.

Response: The proposed development is not a strip commercial style development. Rather, as reflected on the concept plan, the proposed development consists of a professional office building of approximately $\pm 3,936$ square feet. The proposal will also not contribute to the future creation of strip commercial development as the adjacent parcels are part of the Howey Mansion site.

Policy 1.4.10 requires the Town to coordinate land uses so that there is adequate land for commercial development but not too much land designated for commercial use. The applicant should address why the subject parcel should be designated for commercial use when the Town already has approximately 535,000 square feet of area designated for commercial use which is currently vacant along with vacant Town Center Commercial area along Central Avenue.

Response: As previously discussed, the site is not well suited for medium density residential development (up to 4 du/ac). Rather, from a land use and planning perspective, the location is much better suited for a small professional office building, as proposed, to serve the needs of the surrounding community due to its location directly fronting a major arterial roadway. By comparison, the vacant commercial area along Central Avenue is not on a major arterial roadway and, thus, is less ideal for the proposed use. Further, such commercial core is part of the larger Town Center Mixed Use overlay, laid out in a grid system and intended to be developed more like a "central downtown."

Typically the amendment package will include an analysis of environmental issues. In this case the small size of the site and the existing character of the site suggest environmental concerns will be a non-issue. The site has no wetlands or flood prone areas, and the likelihood of any species of concern is negligible. The applicant should include a brief summary of the sites environmental aspects.

Response: There are no wetlands or flood prone areas on the project site. If necessary, an environmental site assessment can be performed in conjunction with the site development plan stage to ensure that no threatened, listed, or endangered species are on site.

Concurrency Analysis:

The comprehensive plan process requires that public services be available to support a project when the impacts of that project occur. A formal certificate of concurrency will not be issued until a site plan is approved, but the comprehensive plan amendment process requires that a basic analysis of public services be done.

Since stormwater demands will be accommodated on site and recreation services are not applicable to a non-residential project, the key analyses will be regarding impacts to potable water, sanitary sewer and traffic.

Potable Water: The applicant should provide an analysis of water demand along with a statement of the Town’s ability to provide sufficient water for the project. The comprehensive plan standard for potable water demand is 242 gallons per day per residence. The project size is estimated at three (3) equivalent residential units (ERUs). The analysis should note whether distribution lines are available to the site and note if required fire flow is available.

Response: There are two (2) viable water mains that can supply the proposed building, an 8” water main on Palm Avenue or a 6” water main on N. Citrus Avenue. The current flow at the closest hydrant to that point is 750 gpm with a static pressure of 50 psi and a residual pressure of 20 psi. If the plan amendment and the rezoning are approved, we will provide a full water demand analysis for the proposed office use.

Sanitary Sewer: There are no sewer lines available to the site and the likelihood that sewer lines will be extended to the site is remote. The site will need to be served by septic system with a commitment to connect to sewer should it become available. The applicant should note this condition and include a brief statement regarding the ability of soils on the site to support septic systems.

Response: Acknowledged. A note has been added to the conceptual site plan providing that the site shall be required to connect to sewer if a sewer line becomes available at the property boundary. If the plan amendment and the rezoning are approved, we will provide a geotechnical report with soils information demonstrating site suitability, along with a septic design, as part of the site development plan stage.

Traffic: Because the site is small and the proposed office use is a relatively small traffic generator, a full scale traffic analysis may not be necessary. A letter analysis of traffic generation compared to existing traffic volumes and the designated level of service should be sufficient. According on the ITE trip generation (7th Ed.) for general office (710) the total traffic volume is expected to be under 50 trips per day.

Response: We have provided a Tier 1 Traffic Exemption Report for your review.

Zoning Review:

Should the Town agree to amend the future land use map to permit commercial development of the site, the only zoning classification applicable to the project is Neighborhood Commercial. The regulations for neighborhood commercial are found in Section 2.02.06 of the land development code. The site should comply with the basic zoning parameters as shown in the following chart.

Regulation	Requirement	Site
Minimum Lot Size	0.50 acres	0.69 acres
Minimum Lot Width	100 feet	256 feet on SR 19
Minimum Lot Depth	150 feet	113 feet on north side 281 feet on Citrus
Setbacks		
Front	30 feet	30 feet
Street Side	30 feet	80+ feet

Side	20 feet	20 feet
Rear	30 feet	45+ feet
Building Height	35 feet	Not shown

The site setbacks are based on the concept site plan

As shown the only dimensional requirement that may be out of range is the minimum lot depth. The parcel has an irregularly shaped boundary along the eastern side of the lot resulting in a large variation in the lot depth. It might be appropriate to use an average lot depth for comparison with the zoning code.

Response: Due to the irregular lot shape, we request using an average for comparison.

Conceptual Site Plan Review and Other Comments:

As the review of the proposed comprehensive plan amendment and zoning designation is based on the conceptual site plan submitted with the application, some comment on the site plan is appropriate.

- Tree protection is an important component of development in Howey. The concept plan shows impacts to a twin 18-inch oak and a 36-inch oak. These trees need to be preserved on site unless they are diseased or otherwise unsuitable for protection.

Response: Noted. We will work with an arborist to confirm whether the trees are in fact healthy and suitable for protection and revise the conceptual site plan, if needed, during the site development plan stage and prior to any physical site work.

- The plan shows 18 parking spaces including two handicapped spaces. The code requirement for the proposed building size is 13 parking spaces including one handicapped space.

Response: Noted.

- The plan shows the entrance driveway extending to the northern edge of the parcel. Unless there is some compelling reason to extend the driveway to the adjacent parcel, the driveway can be reduced to serve just the parking area.

Response: Noted. We will update our plan to provide a drive aisle only to serve the on-site parking area.

- Access from Citrus Avenue is preferred over SR-19 access, which FDOT is unlikely to approve with a reasonable alternative available.

Response: We have provided access via Citrus Avenue, as this is the most logical entrance/exit.

- The paved surface of Citrus Avenue is in very poor condition. The Town will likely require the applicant to improve the road surface from the intersection with SR-19 to the end of the project driveway.

Response: The Applicant respectfully submits that it should not be required to improve the paved road surface of Citrus Avenue because: (a) the professional office building will not substantially increase the traffic count on Citrus Avenue; (b) the suggested improvement to the road surface of Citrus Avenue would impose an unreasonable and disproportionate expense upon the Applicant; and (c) Citrus Avenue does not need road surface improvement at this time.

- Much of the existing sidewalk is located on private property and is in poor condition. The applicant will be required to remove the existing sidewalk and replace it in the Citrus Avenue right-of-way.

Response: We will provide a 5' sidewalk adjacent to the west right-of-way of Citrus Avenue as requested.

- Sidewalk will be required along the SR-19 frontage for the width of the project.

Response: Noted. The Applicant is willing to add a 5' sidewalk along the frontage of the property adjacent to SR-19 as requested. However, clarification is needed as to the location of the sidewalk – namely, whether the sidewalk will be located within the SR-19 right-of-way or within the property boundary and either in or adjacent to the 15' landscape buffer.

- Buffers are shown on the conceptual site plan as required by Section 7.02.02 of the land development code. Buffers are shown at the correct dimension except for the north property line. The buffer is shown as 10-feet but 15-feet is required as the adjacent property is designated as residential use.

Response: Noted. The conceptual site plan will be updated to provide a 15' buffer on the north property line as requested.

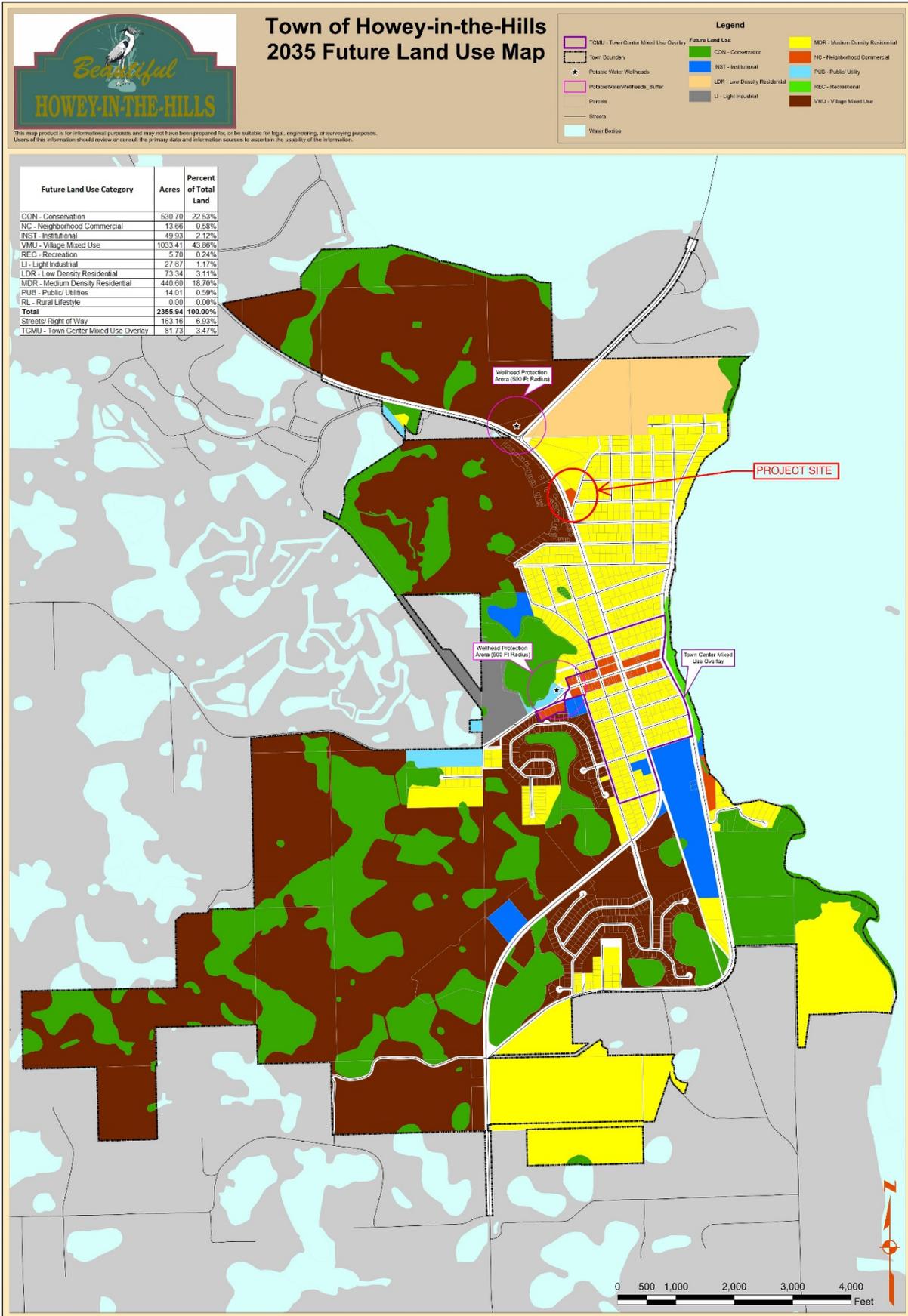
Should you have any questions or need additional information please contact me at 407-247-3581 or nicole@geminidesignllc.com.

Best Regards,



Nicole C. Gargas
Gemini Design, LLC

c: Nick Asma
Neil Asma
S. Brent Spain



Town of Howey-in-the-Hills 2035 Future Land Use Map

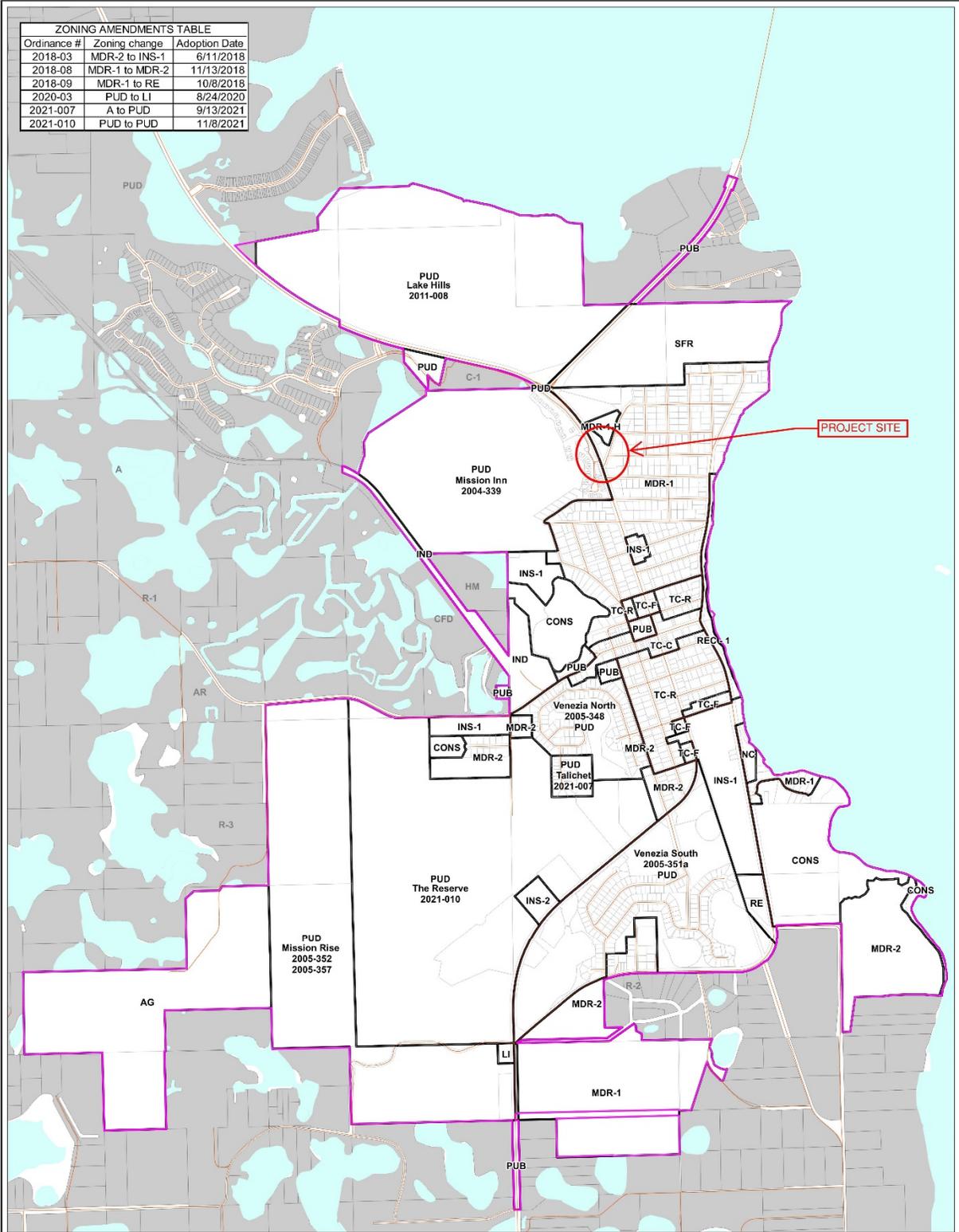
Legend

TCMU - Town Center Mixed Use Overlay	CON - Conservation	MDR - Medium Density Residential
Town Boundary	INST - Institutional	NC - Neighborhood Commercial
Potable Water Wellheads	PUB - Public Utility	REC - Recreational
PotableWaterWellheads_Buffer	LDR - Low Density Residential	VMU - Village Mixed Use
Parcels	LI - Light Industrial	
Streets		
Water Bodies		

Future Land Use Category	Acres	Percent of Total Land
CON - Conservation	530.70	22.53%
NC - Neighborhood Commercial	13.66	0.58%
INST - Institutional	49.93	2.12%
VMU - Village Mixed Use	1033.41	43.86%
REC - Recreation	5.70	0.24%
LI - Light Industrial	27.67	1.17%
LDR - Low Density Residential	73.34	3.11%
MDR - Medium Density Residential	440.60	18.70%
PUB - Public/Utilities	14.01	0.59%
RL - Rural Lifestyle	0.00	0.00%
Total	2366.94	100.00%
Streets/Right of Way	183.16	6.93%
TCMU - Town Center Mixed Use Overlay	81.73	3.47%

Editor: DINA KASPERA by TMI Consulting Inc. Last Update: 9/20/2023

ZONING AMENDMENTS TABLE		
Ordinance #	Zoning change	Adoption Date
2018-03	MDR-2 to INS-1	6/11/2018
2018-08	MDR-1 to MDR-2	11/13/2018
2018-09	MDR-1 to RE	10/8/2018
2020-03	PUD to LI	8/24/2020
2021-007	A to PUD	9/13/2021
2021-010	PUD to PUD	11/8/2021



**Town of Howey-in-the-Hills
 Zoning Map
 (Existing)**

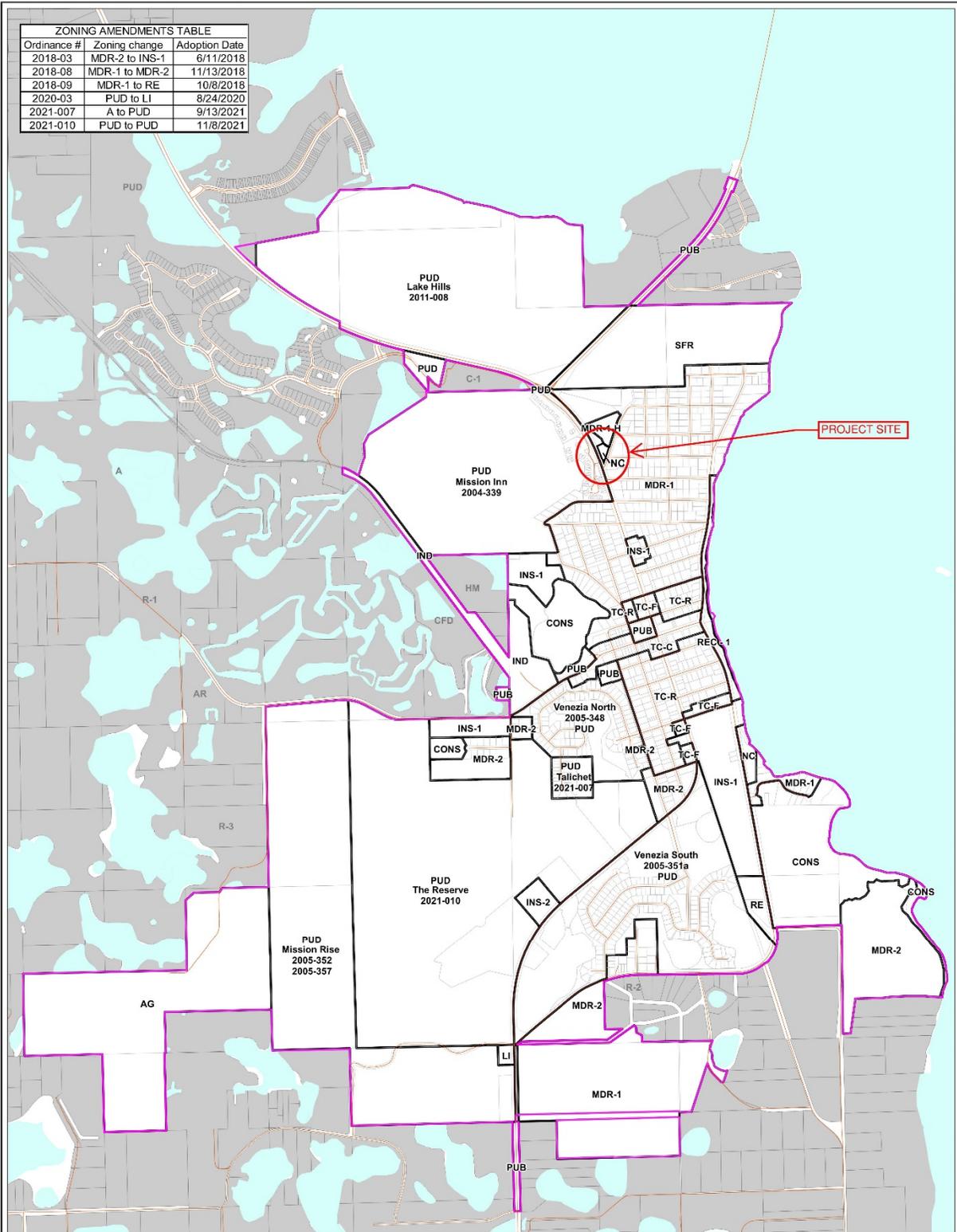
Legend

- Streets
- Parcels
- Town Boundary
- Zoning Districts
- Water Bodies
- County Zoning

0 500 1,000 2,000 3,000 4,000 Feet

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**Town of Howey-in-the-Hills
 Zoning Map
 (Future)**

- Legend**
- Streets
 - ▭ Zoning Districts
 - ▭ Parcels
 - ▭ Water Bodies
 - ▭ Town Boundary
 - ▭ County Zoning



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