



August 25, 2023

Thomas A. Harowski, AICP
Town of Howey-in-the-Hills
101 N. Palm Ave., P.O. Box 128,
Howey-In-The-Hills, Florida 34737

RE: Mission Rise PUD

Dear: Mr. Harowski

Enclosed please find responses to Staff's comments below in bold. The following items are resubmitted in response to Staff's comments:

1. Conceptual Land Use Plan
2. Developer's Agreement
3. Traffic Impact Analysis (to be provided 8/29)

VILLAGE MIXED USE CRITERIA:

The Village Mixed Use classification has a set of specific criteria the development must meet. These are set out in Policy 1.1.1 and Policy 1.1.2 of the Future Land Use Element. Policy 1.1.4 includes essential information on open space and density calculation and Policy 1.2.2 sets out the minimum open space requirements. The criteria for VMU are reviewed below:

1. Residential development can occupy a maximum of 85% of the net land area of the project. (Net land area is the total land area of the project less wetlands and waterbodies. In this case the net land area is reported as approximately 153 acres.) The maximum allowable land area to be devoted to residential development is 130 acres. The submittal states that the project allocates 129 acres to residential use.

RESPONSE: Acknowledged.

2. Non-residential development must occupy 15% of the net land area but not more than 30% of the net land area. In previous development plans for the subject property, it was accepted that the property does not have reasonable commercial development potential, but other options for non-residential use are available. For example, a church site could be proposed. In one previous submittal the Town agreed to allow the land area devoted to a regional bicycle facility to count towards the non-residential component, and the current submittal appears to be offering that option again.

In this case the proposed regional bicycle trail is located within the central collector road right-of-way and is not specifically an allocated land use. The project requires 23 acres of non-residential use. The applicant claims to meet this requirement by providing a civic use site (1.2 acres), community amenities (3.6 acres), a regional park (8.3 acres), and stormwater ponds (7.7 acres). More definition is needed to determine whether the regional

park is a qualified use. Most of the park area falls within the eagle nest buffer area, and no information has been provided about proposed recreation and park uses. The stormwater pond allocation also needs to be further reviewed to determine if it qualifies as a non-residential use. If the use supports residential development, then it should be counted as residential land.

RESPONSE: As demonstrated on Sheet 1 of the Conceptual Land Use Plan, a total of 23.8 AC (15.5%) of net land area will be dedicated towards non-residential uses. Please see Sheet 3 of the Conceptual Land Use Plan, where additional detail on the proposed regional multiuse trail and park system has been provided. The multiuse trail has been revised to meander outside of the Collector Road ROW. Further, the previously designated 1.2 AC Civic Site is proposed to be developed as a trail head to act as an anchor for the multiuse trail system. Any stormwater ponds included in park areas are not included in the overall open space calculation.

3. A minimum of 5.0% of the non-residential land area of the project needs to be devoted to public/civic buildings. (1.14 acres required.) Again, this could be a church site, or it could be community center buildings or similar buildings open to the public and devoted to civic activities. The concept plan proposes a civic use site along the SR 19 frontage. The specific use is not declared, and the site is not integrated into the overall project design.

RESPONSE: The 1.2 AC Civic Site will be developed as a trail head to support the multiuse trail system included within the project.

4. Public recreation area is required at a minimum of 10% of the usable open space. (Open space that is not wetland or waterbodies). This requirement is calculated at a minimum of 3.0 acres. Two neighborhood parks totaling one acre have been identified and the proposed regional park is identified at 8.3 acres.

RESPONSE: Acknowledged.

5. Total open space is required to be a minimum of 25% of the project area. Wetland areas may account for only half of this requirement. Required open space is calculated on the gross project area or 60.8 acres in this case. Total open space is reported as 65.4 acres or 27% of the project area. Stormwater ponds can only count toward the open space requirement if they are designed as natural pond areas and supported with trails. The proposal does show walking trails located with pond areas.

RESPONSE: Acknowledged.

PUD/DEVELOPMENT AGREEMENT:

1. The applicant has provided a draft development agreement along with the updated concept plan. Section 4.10.09 of the land development code lists the minimum items that need to be included in the conceptual plan package. A review of this code section notes the following deficiencies:
 - 4.10.09 A. The developer's name was not shown on the concept plan document.
 - 4.10.09 N. The number of units by type and lot size for the project and each phase were not shown

RESPONSE: The property owner, ASF TAP FL I LLC is the current applicant/developer. A home builder has not yet been selected for this project. This is noted on Sheets 1-6 of the Conceptual Land Use Plan.

Please see Sheet 2 for a tabulation of the proposed number of units by lot size for each phase of the proposed PUD. Please note that the proposed phasing and allocation of units by phase is approximated, and subject to change during the subdivision plan stage. A note to this effect has been added to Sheet 2 of the Conceptual Land Use Plan.

TRAFFIC IMPACT ASSESSMENT:

1. The Town has approved a methodology for the traffic study and is awaiting the report. In addition to the standard traffic analysis, the study should take note and comment on Number 2 Road. The road is substandard in width and to the extent that this affects the road capacity this should be noted and included in the traffic study. Note also that Number 2 Road is prescriptive right-of-way for most of its length, and this may affect any study recommendations regarding widening.

RESPONSE: The Traffic Impact Analysis based on the approved methodology has been included in the application materials. This study assigns Number 2 Road as having a reduced volume due to it being a substandard facility.

ENVIRONMENTAL CONSIDERATIONS

1. In reviewing the proposed plan, the Town will need to consider whether the full clear zone around the eagle's nest should be preserved rather than allowing residential development within the 660-foot area. The application states that the buffer areas are in accord with federal guidelines. For any proposed development within the 660-foot area documentation should be provided to demonstrate compliance with the guidelines.

As noted previously, the proposed regional park needs to be further detailed with regard to planned improvements and how these improvements comply with federal eagle nest protections.

As an alternative, staff suggests excluding development from the central area around the wetlands core. While few homes are proposed for this area, the plan shows excavating upland areas for stormwater retention. These are some of the most heavily treed areas on the site and should not be removed to support a function that can easily be located elsewhere on the site. The development in this area should be limited to the collector road crossing. A sketch of the subject area has been attached. A tree survey will be required for each phase of the project as it is presented for preliminary subdivision approval. Trees within areas designated for preservation will not need to be surveyed or considered for replacement under the Town's tree protection requirements.

RESPONSE: The development proposed within the 330' and 660' buffers around the eagle's nest are permissible under relevant State and Federal guidelines.

At this stage, a detailed tree survey has not been completed for the subject property. The PUD will comply with all requirements of the LDC regarding tree

protection. A note to this effect has been added to the Conceptual Land Use Plan, please refer to Sheet 1.

CONCEPT PLAN COMMENTS

1. Actual lot sizes are a policy decision for the Planning Board and Town Council to approve. Please note that the Town has not been approving lot widths below 75 feet across recent project submittals, and at least some members of Council will have difficulty with 75-foot wide lots.

RESPONSE: Acknowledged. In response to feedback received at the neighborhood workshop, conducted on August 3, 2023, additional tracts of 75-foot-wide lots have been included in the plan.

2. The plan could take better advantage of the terrain by locating the multi-use trail outside of the collector road right-of-way when possible. This placement will open ROW the door for consideration of the trail as a component of the non-residential area requirement.

RESPONSE: The multiuse trail design has been updated to locate the trail outside of the Collector Road ROW.

3. Lake County will require additional right-of-way for Number Two Road and will be the permitting agency for the intersection and other external road improvements.

RESPONSE: Acknowledged. The Applicant is in coordination with Lake County regarding Number Two Road. ROW dedication for Number Two Road has been demonstrated on the Conceptual Land Use Plan. Per Lake County's Public Works Department, Number Two Road is planned as an 80' ROW.

4. Access points for vehicular use are appropriately located, with the following notes
 - Revels Road will need to be improved from the project boundary to the intersection with Orange Blossom Road.
 - The connection with Hilltop Groves will need to be coordinated with the Hilltop Groves development plan to ensure the connection is in the proper location. The Town is currently reviewing a final subdivision plan which will specifically locate the connector road.
 - The Revels Road connection at SR 19 will need to be coordinated with the Hilltop Grove development plan

RESPONSE: Acknowledged. Any roadway improvements will be provided by the Developer as required by the detailed traffic study.

5. The design of the major collector needs to plan for a median and turn lanes at intersections. The two cross-section provided do not include a landscaped median area. Where properties have direct access from the collector road, periodic openings can be provided

RESPONSE: As discussed at the DRC meeting on August 10, 2023, the Collector Road cross-section is proposed without a median, but will include 4' bike lanes as well as a 12' multi-use trail.

6. Where a lot must access from the central collector road, the lot sizes need to be larger than 55-foot wide to minimize the number of driveways in this segment.

RESPONSE: No lots are proposed to have direct access from the Collector Road.

7. The on-street parking proposal needs to be reviewed with regard to placement of the parking. Based on the cross-sections the road width could vary from block to block which might be confusing.

RESPONSE: Acknowledged. The proposed roadway sections are consistent with the details provided in Table 8.02.02 of the LDC.

8. Where 55-foot lots are proposed, access should be from an alley to avoid a continuous garage-scape street view. Paired one-way alleys may be workable.

RESPONSE: Any 55-foot-wide lots along the Collector Road have been designed with alley access to prevent a garage-scape street view.

9. Is there any intent to consider housing options such as assisted living or nursing home? Providing a potential site for these types of uses might be another way of meeting the non-residential land area requirement.

RESPONSE: The multiuse trail and park system is proposed to meet the project's non-residential land area requirement. Please see Sheet 3 of the Conceptual Land Use Plan for further detail.

10. The parcel has an opportunity to create a significant park area in the open space adjacent to Wetland Area 1 and link with bicycle and pedestrian trails.

RESPONSE: Acknowledged. Further detail on the multiuse trail and park system has been provided on Sheet 3.

11. Each neighborhood area should contain some type of appropriate park facility. Why does phase 2 and phase 3 have a neighborhood park but none is proposed in phase 1? Why do phases one and three have an amenity center while phase 2 does not?

RESPONSE: While the project is constructed in phases, it is expected that park and amenities will be shared across the project.

12. The civic use parcel needs to be fully integrated into the project design. As shown there is no internal access to the parcel, and there is no assurance that access can be provided from SR 19.

RESPONSE: Vehicular access from Revels Road to the Civic Site (trail head) has been demonstrated on the Conceptual Land Use Plan, Sheet 3.

13. The plan appears to show wetland impacts in the northern section along what looks to be a ditch line. Is this in fact wetland area?

RESPONSE: No, it is areas within Flood Zone A.

14. There also appears to be a wetland impact on the parcel proposed for the Phase 1 amenity center. If this is in fact a wetland impact, it needs to be preserved as it cannot be filled to create building sites.

RESPONSE: Acknowledged. The impacted wetland in the Phase 1 amenity center is a surface water (cow pond). The Conceptual Land Use plan has been revised to exclude this surface water.

DEVELOPMENT AGREEMENT COMMENTS

1. Page 3 of the agreement proposes a minimum street frontage of 20 feet. The code requires a minimum of 30 feet for lots on cul-de-sacs and curves to ensure that adequate area is available for driveway connections. The lots must meet the minimum lot width at the building line. Staff sees no reason to vary from the code minimum standard.

RESPONSE: Please see the revised Development Agreement where the minimum street frontage has been updated to 30 feet.

2. Page 3 proposes maximum lot coverage of 80%. A calculation of actual lot coverage based on the proposed lot areas and setbacks estimates the lot coverage for 55 x 120 lots at 51% and for the 75 x 120 lots at 53%. There should be no need to allow lot coverages in excess of 60%.

RESPONSE: Maximum lot coverage has been decreased to 60%.

3. Page 3 refers to rear setbacks as shown on the conceptual use plan. Rear building setbacks need to be a minimum of 25 feet to allow adequate room for swimming pools and pool decks when the Town's 10-foot setback for swimming pool is applied.

RESPONSE: Rear setbacks have been revised as requested for a principal structure setback of 25' and accessory structure setback of 10'.

4. The paragraph on wastewater service on page 4 should be modified to allow for other treatment options than exclusively negotiating with the CDD. Current Town policy supports other options.

RESPONSE: Please see the revised Development Agreement.

5. The paragraph on the option for the Town to commit to oversizing utility lines needs to allow more time. There is no reason to artificially terminate this option within three months of approval of the agreement. The deadline for the Town to seek oversizing lines should be tied to the final subdivision approval for each phase of the project. Allowing oversizing of lines at this point allows for more time for the Town to adequately assess overall service needs while still allowing for the adjustment of engineering design to support increased pipe sizing.

RESPONSE: Please see the revised Development Agreement.

6. With regard to reclaimed water service, the agreement needs to state that potable water will not be used for irrigation.

RESPONSE: Please see the revised Development Agreement.

7. The reference on page 5 to connection of the project street network with adjacent property needs to state, "shall be provided". The Town will provide for coordination of the location of interconnections of the street network.

RESPONSE: Please see the revised Development Agreement.

8. The development agreement language in Section 2 page 7 needs to be amended to include standards regarding what constitutes a major amendment. Major amendments would include changes to the conceptual street layout, changes in lot types and sizes, changes in land uses or changes in the allocation of land uses within the project.

RESPONSE: Please see the revised Development Agreement.

ENGINEERING REVIEW COMMENTS

1. Provide a traffic impact analysis for review.

RESPONSE: The Traffic Impact Analysis based on the approved methodology has been included in the application materials.

2. The main N-S spine road and realigned Revels Road should be designed using Option 1, not Option 2. They should not have driveway connections or on-street parking. They should have full pedestrian accommodation including the multi-use trail and raised crosswalks/speed tables at key points along its length connecting the trail and sidewalks to amenity, open space, and park areas.

RESPONSE: Acknowledged, the revised Conceptual Land Use Plan proposes Option 1 for the Collector Roadway design. This has further been updated to increase the width of the multiuse trail to 12'.

3. The neighborhood roads should meet the town's current road standard..

RESPONSE: The proposed roadway sections are consistent with the details provided in Table 8.02.02 of the LDC.

4. For the sections of neighborhood roads with end-cap parallel parking, a wider right-of-way should be provided to accommodate the additional pavement..

RESPONSE: The proposed roadway sections are consistent with the details provided in Table 8.02.02 of the LDC.

DEVELOPMENT AGREEMENT

1. Section 1. (f) Wetlands: Wetland impacts and buffering shall also be subject to the Town's land development regulations as well as the St Johns River Water Management District.

RESPONSE: Please see the revised Development Agreement.

2. Section 1. (j) Transportation, Streets and Sidewalks: Revels Road and the Spine Road must have a minimum 90-foot right-of-way, 2' curb and gutter, and a minimum 32-foot-wide pavement with 12-foot travel lanes and 4' curb lanes.

RESPONSE: Please see the revised Development Agreement.

Thank you in advance for your consideration of the above information. If you require further information, please do not hesitate to contact me at 607.216.2390 or rlopes@rviplanning.com

Sincerely,

RVi Planning + Landscape Architecture



Rhea Lopes, AICP
Project Manager

Enclosures

cc: Alexis Crespo, RVi Planning + Landscape Architecture
Jason Humm, ASF TAP FL I LLC
Jonathan Huels. Lowndes Law Group