



## Development Review Committee

February 08, 2024 at 2:00 PM  
Howey-in the-Hills Town Hall  
101 N. Palm Ave.,  
Howey-in-the-Hills, FL 34737

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**Join Zoom Meeting:** <https://us06web.zoom.us/j/81011448181?pwd=t52VxwAbOtTYB7awFZ0KyaPfFnmrsV.1>  
**Meeting ID:** 810 1144 8181 | **Passcode:** 415932

### AGENDA

#### **CALL TO ORDER ATTENDANCE**

#### **NEW BUSINESS**

- 1. Discussion: Lake Hills Shopping Center - Preliminary Site Plan | Variance Application**

#### **PUBLIC COMMENTS**

*Any person wishing to address the Development Review Committee and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.*

#### **ADJOURNMENT**

#### **To Comply with Title II of the Americans with Disabilities Act (ADA):**

Qualified individuals may get assistance through the Florida Relay Service by dialing 7-1-1. Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. They utilize a wide array of technologies, such as Text Telephone (TTYs) and ASCII, Voice Carry-Over (VCO), Speech to Speech (STS), Relay Conference Captioning (RCC), CapTel, Voice, Hearing Carry-Over (HCO), Video Assisted Speech to Speech (VA-STTS) and Enhanced Speech to Speech.

#### **Howey Town Hall is inviting you to a scheduled Zoom meeting.**

Topic: **Development Review Committee**

Time: **Feb 8, 2024 02:00 PM Eastern Time (US and Canada)**

Join Zoom Meeting

<https://us06web.zoom.us/j/81011448181?pwd=t52VxwAbOtTYB7awFZ0KyaPfFnmrsV.1>

Meeting ID: 810 1144 8181

Passcode: 415932

Dial by your location

+1 646 558 8656 US (New York)

+1 346 248 7799 US (Houston)

Meeting ID: 810 1144 8181

Passcode: 415932

Find your local number: <https://us06web.zoom.us/j/81011448181>

Please Note: In accordance with F.S. 286.0105: Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Howey-in-the-Hills does not prepare or provide this verbatim record. Note: In accordance with the F.S. 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 101 N. Palm Avenue, Howey-in-the-Hills, FL 34737, (352) 324-2290 at least 48 business hours in advance of the meeting.



TMHConsulting@cfl.rr.com  
97 N. Saint Andrews Dr.  
Ormond Beach, FL 32174  
PH: 386.316.8426

## MEMORANDUM

**TO:** Howey-in-the-Hills Development Review Committee  
**CC:** J. Brock, Town Clerk  
**FROM:** Thomas Harowski, AICP, Planning Consultant  
**SUBJECT:** Lake Hills Commercial 1/11/24 Resubmittal  
**DATE:** January 29, 2024

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The following comments are offered in response to the resubmittal package for the Lake Hills Commercial preliminary site plan.

1. Response to Town Comment 3: The Town's engineer will need to evaluate the proposal excluding the noted lane omissions.
2. Response to Comment 6: This plan needs to show the proposed connection, even if the location needs to be revised once the development proposal for Outparcel A is submitted. This is the most effective way to keep track of the access commitment.
3. Response to Comment 11: The tree information is still unreadable. Enlarging the drawing did not result in a layout that can be reviewed. As noted in the last set of comments, the tree data is needed with the preliminary site and not deferred to a future submittal. In this case the trees seem to be at the periphery of the parcels, so preservation should be relatively easy. A calculation of historic and specimen trees is required and not provided. A tabulation is cited in the comment, but could not be located in the submittal package.
4. Response to Comments 12 and 13: As noted in the earlier staff review comments, the Town's sign code is limiting in terms of signage allowed. The applicant should evaluate the current code in comparison to the project proposals so that any differences between the desired signage and the signage allowed by code can be addressed. Deferring this analysis to a future submittal will likely contribute to future problems with plan approvals.
5. Response to Comment 17: While the detailed landscaping design may be deferred to the final site plan submittal, the designation of the landscaped buffer areas cannot be deferred (Section 7.01.01 B). The requested buffer along the rear property line is not identified on the plan and needs to be shown. This requirement applies to the exterior property lines of the outparcels as well.

6. Response to Comment 18: This response is inadequate. Deferring the required buffer until after a determination is made on the sale of the outparcel(s) is likely to result in there being no room for the buffer. Reading Section 7.02.02 requires a ten foot buffer along the property line of the primary parcel and the outparcels.
7. Response to Comment 21: The Town engineer will need to participate in decisions on site grading and retaining wall construction. Site grading should not result in the elimination of trees that could otherwise remain with the use of a retaining wall.
8. Outparcel A includes a 50-foot ingress/egress easement and a access from SR-19. Why are these proposed? To maintain traffic flow on SR 19, access points should be kept to a minimum.
9. The access to Outparcel C is too close to SR-19 and needs to be relocated.
10. The sidewalk on the SR-19 frontage needs to be extended across the front of Outparcel C.
11. Traffic Impact Assessment:
  - a. The widening project for SR-19 is not funded for construction in the current 5-year plan. An alternative solution to “wait for the widening” needs to be proposed.
  - b. The road segment on SR-19 between Citrus Avenue and Florida Avenue is considered constrained in the Town’s comprehensive plan. This segment will not be widened. How does this factor impact the traffic study findings and recommendations?
  - c. The roundabout at SR-19 and CR-48 appears to be the preferred solution for the intersection impacts. How does the applicant(s) propose to consider funding for the implementation?
  - d. Who is responsible for the traffic signal at SR-19 and the east driveway? Between the commercial and residential project, how is funding to be guaranteed?
  - e. The applicant(s) need to provide an assessment of the fair share cost for a signal at SR-19 and Central Avenue.

February 5, 2024  
Lake Hills Commercial Preliminary Site Plan  
Engineering Review Comments  
Page 1

Traffic

Access connections and offsite improvements need to be coordinated between the residential and commercial portions of Lake Hills PUD. The town is working with Lake County and FDOT to develop an improvement plan for this area. Approval of this preliminary site plan should include a condition that the final construction plans will incorporate those improvements. A copy of the most recent concept plan is included with these comments.

SR 19 & CR 48 Intersection: This intersection will need to be modified to accommodate future traffic. This should be an Impact Fee project through the Lake County road improvement program. Lake Hills PUD (residential and commercial) should provide a proportionate share contribution towards that project.

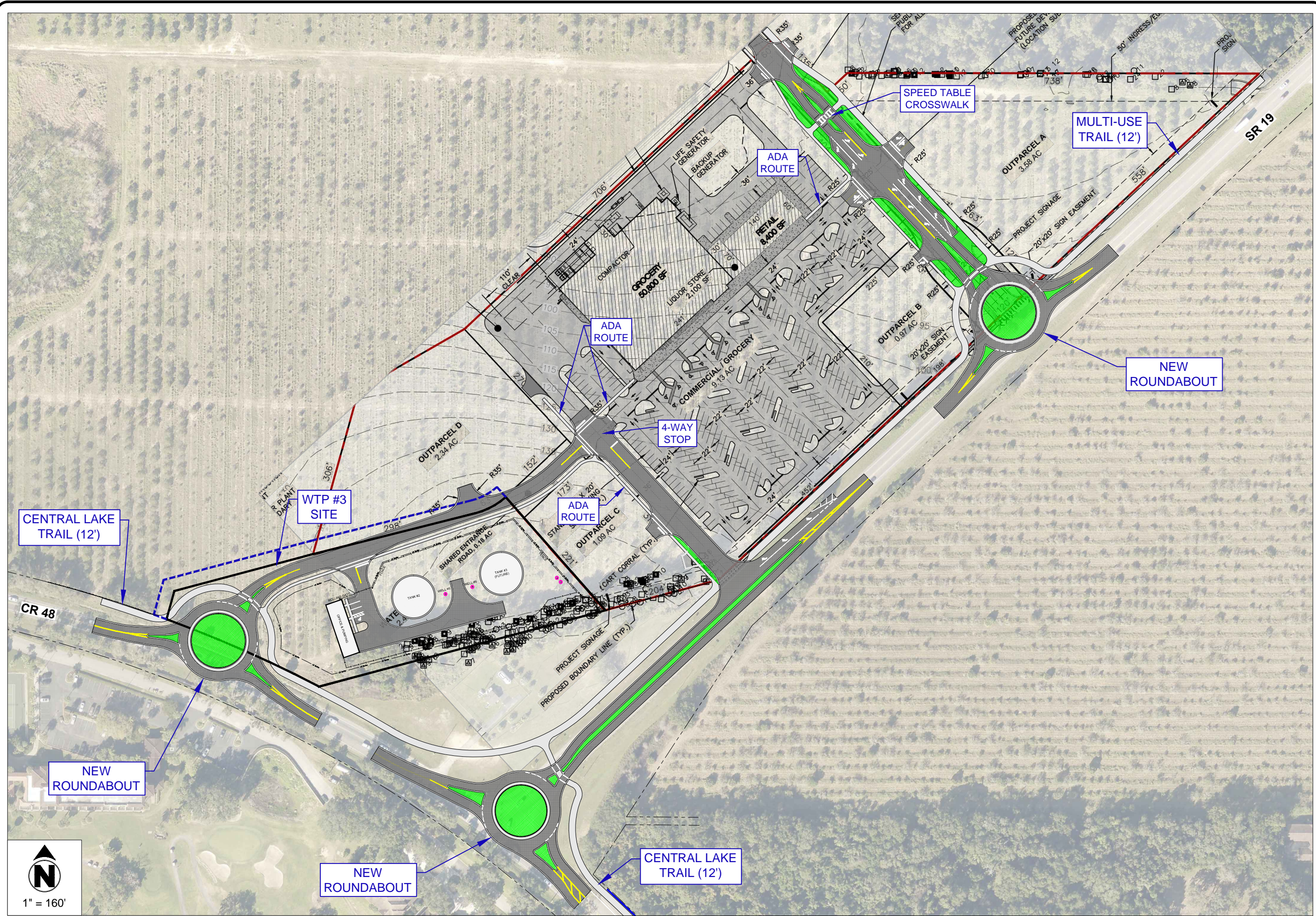
CR 48 & Commercial Side Entrance: This intersection would work best as a roundabout. It would provide full access and would eliminate the need for an easement through the commercial site to accommodate traffic from the water plant.

SR 19 & Project Entrance: This intersection would work better as a roundabout. It would function as a town & project gateway, it would slow down traffic coming into town, it would provide safer egress for project traffic, and it would eliminate the need of a future traffic signal.

Site Plan

This development will need an easement from the town for the portion of the CR 48 access that goes over town property. A condition of the easement should include a maintenance guarantee of the access road from the commercial property owner. This can be addressed with the final site plan submittal.

Grading of the site needs to be coordinated with the town. The design of the town's water treatment plant has recently started. During the final site plan design process the engineer for the commercial site needs to work with the town's engineers to develop a common grading design that works for both projects.



CENTRAL LAKE TRAIL (12')

WTP #3 SITE

ADA ROUTE

4-WAY STOP

ADA ROUTE

NEW ROUNDABOUT

NEW ROUNDABOUT

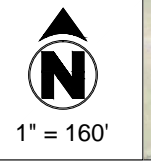
CENTRAL LAKE TRAIL (12')

SPEED TABLE CROSSWALK

MULTI-USE TRAIL (12')

ADA ROUTE

NEW ROUNDABOUT



Item 1.  
DONALD A. GRIFF  
FLORIDA 036793

GRIFFEY ENGINEERING, INC.  
36202 East Eldorado Lake Dr.  
EUSTIS, FLORIDA 32736  
(352) 589-2368

TOWN OF  
HOWEY-IN-THE-HILLS  
101 N. PALM AVENUE  
P.O. BOX 128  
HOWEY-IN-THE-HILLS, FL 34737  
(352) 324-2290

WTP #3 &  
LAKE HILLS COMMERCIAL  
ACCESS PLAN

CONCEPTUAL PLAN

Date	02/02/2024	Drawn By:	DAG
		Drawing #:	I & D 3
		Project #:	15028
		Scale:	1" = 160'



# VARIANCE APPLICATION

Howey-in-the-Hills

**PLEASE PRINT LEGIBLY**

Property Owner (if there are multiple owners, please provide all the information on the attached ownership list): \_\_\_\_\_

Property Owner's Contact Information (If multiple owners, please provide mailing address, daytime phone, and fax and/or email for each owner):

First Owner: Lake Harris (Orlando) ASLI VII Owner #1 LLC

Mailing Address: 923 N. Pennsylvania Ave., Winter Park, FL 32789

Daytime Phone: \_\_\_\_\_

Fax and/or Email: \_\_\_\_\_

Second Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Fax and/or Email: \_\_\_\_\_

If more than two owners, please attach additional information.

Applicant (If different from owner): WindCrest Development Group, Inc. Tom Murray, Principal

Mailing Address: 605 E. Robinson St., Suite 340, Orlando, FL 32801

Daytime Phone: (407) 219-3540

Fax and/or Email: tmurray@windcrestinc.com

If the Applicant does not own the property, or is not the sole owner, please complete the Authorized Agent Affidavit form, attached.

If the Applicant is Not the Owner of the Property, is the Applicant:

A Tenant

An Authorized Agent for the Owner

Other (please explain): \_\_\_\_\_

Property's Physical Address: North corner, intersection of CR-48 and SR-19

The attached Verified Legal Description Form must also be completed as part of the application.

A survey of the property, showing all current improvements on the site, to scale, is required as part of the application submittal. The survey can be no larger than 11" X 17" in size.

An additional copy of the survey or a site plan drawn to scale should be included as part of the application which specifically shows any improvements that are being requested as part of the variance. Again, this site plan can be no larger than 11" X 17" in size.

Property Information: Tax Parcel ID: 23-20-25-0004-000-00200 Alt Key #: 1780438

Please identify below the current land uses located on the site and all adjacent properties. For example, land uses would be identified as single family home, office, grocery store, etc.

Subject Site: Abandoned citrus

Adjacent property to the North: Vacant

Adjacent property to the South: CR-48 and golf

Adjacent property to the East: SR-19 and vacant

Adjacent property to the West: Abandoned citrus

Does the property currently have:

Town Water:	<u> X </u> YES	<u> </u> NO
Central Sewer:	<u> </u> YES	<u> X </u> NO
Potable Water Well:	<u> </u> YES	<u> X </u> NO
Septic Tank:	<u> </u> YES	<u> X </u> NO

How long has the current owner owned the property? 2013 - current

Please attach property tax records or other documentation to verify how long the current owner has owned the property.

What specific Code requirement is the applicant seeking a variance from?

1. Sec. 7.04.02

2. Sec. 7.05.01 (C)

What, in the applicant's point of view, are the specific special conditions or circumstances that exist on the property?

Please see attached.

What, in the applicant's point of view, is the unnecessary and undue hardship that exists to provide justification for the variance?

Please see attached.



The applicant should provide any additional information that may be helpful to the Town in rendering a decision on the requested variance.

Please see attached.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Additional information may be necessary. The applicant is required to provide a daytime telephone number where he/she can be reached.

The applicant is required to provide the names and mailing addresses of all property owners within 300 feet of the subject property, in the form of mailing labels. Three (3) sets of labels are required. These names and addresses may be obtained from the Lake County Property Appraiser's Office.

The Town will also provide a sign which must be posted on the subject property, visible from the adjacent right-of-way or road access. The sign must be posted at least one week prior to the Planning and Zoning Board meeting where this application will be on the agenda and the sign must remain posted until the Town Council public hearing.

A \$400 application fee is due and payable at the time this application is submitted to the Town. In addition to this application fee, a \$1,000 review deposit is required. By signing this application, the applicant acknowledges that the \$400 application fee covers advertising costs, mailings, and the time spent on the application by the Town Clerk. The applicant also acknowledges by his/her signature below that he/she understands he or she will be responsible for any additional costs that the Town incurs as a result of having Town consultants review the application. Once those additional costs are paid by the applicant, the Town will return the balance of the \$1,000 review deposit to the applicant. By signing this application, the applicant also acknowledges that he/she understands that variances expire if not acted upon within the timeframes outlined in the Town's Land Development Regulations.

Witnesses:

Applicant:

   
 X Nicole Martin   
 Signature

   
 X Tom Murray   
 Signature

Nicole Martin   
 Print Name

Tom Murray, Principal   
 Print Name

   
 X Benjamin Beckham   
 Signature

Benjamin Beckham   
 Print Name

Please hand deliver completed application and fee to:

Town Clerk  
Town of Howey in the Hills  
101 N. Palm Avenue  
Howey in the Hills, FL 34737

Please make application fee and review deposit checks payable to the Town of Howey in the Hills.

The Town Clerk may be reached at 352-324-2290 or by visiting Town Hall during normal business hours.

**FOR TOWN CLERK OFFICE USE ONLY**

Date Received: \_\_\_\_\_

- \_\_\_\_\_ 3 sets of labels attached?
- \_\_\_\_\_ current survey attached?
- \_\_\_\_\_ site plan attached showing proposed improvements?
- \_\_\_\_\_ verified legal description form attached?
- \_\_\_\_\_ authorized agent affidavit attached?
- \_\_\_\_\_ ownership list attached?

APPLICATION NO. \_\_\_\_\_

Reviewed and Accepted By: \_\_\_\_\_

Provided to Town Planner on: \_\_\_\_\_

Planning & Zoning Board meeting date: \_\_\_\_\_

Town Council meeting date: \_\_\_\_\_

## Seeking variance to delete foundation plantings as required by Code Sec. 7.04.02

### 1. **Compliance with ADA Accessibility:**

- **Special Condition:** Obstacles to ADA compliance.
- **Circumstances:** Foundation plantings are identified as obstacles to ADA compliance, hindering accessibility. The removal of these plantings is proposed to ensure that the property is accessible to all individuals without any hindrance, aligning with ADA requirements. The removal of the foundation plantings ensures the property is accessible to all individuals without hindrance.

### 2. **Health and Safety Concerns:**

- **Special Condition:** Presence of safety hazards.
- **Circumstances:** The applicant expresses concerns about health and safety issues associated with certain plants, including allergies to customers that are not known, and attraction of pests. Foundation plantings can be more susceptible to increased risk of trip and fall injuries. Removal is advocated as a measure to mitigate these risks and ensure a safer environment.

### 3. **Unique Property Characteristics:**

- **Special Condition:** Unique features or constraints.
- **Circumstances:** The limited space between the building and sidewalks is highlighted as a unique characteristic making it impractical to maintain foundation plantings. Compliance is argued to create undue hardship due to these unique property characteristics.

### 4. **Structural Integrity:**

- **Special Condition:** Risk to building structure.
- **Circumstances:** There are potential risks posed by the foundation plantings to the structural integrity of the building. The removal is necessary to prevent possible future damage to the foundation or other essential structures.

### 5. **Aesthetic or Design Considerations:**

- **Special Condition:** Clash with intended aesthetic.
- **Circumstances:** Foundation plantings are asserted to clash with the intended aesthetic and design plans for the property. Removal is presented as a solution to avoid undue hardship in achieving the desired vision for the property.

## Seeking variance to delete landscape divider islands, as required by Code Sec. 7.05.01 (C)

### 1. **Space Utilization:**

- Special Condition: Limited available land.
- Circumstances: The applicant asserts that the available land is restricted, and the presence of landscape islands represents an inefficient use of space. Removing the islands is deemed necessary to optimize space utilization, accommodating the required parking demand for the shopping center use.

### 2. **Traffic Flow and Safety:**

- Special Condition: Impact on traffic flow.
- Circumstances: The applicant argues that the landscape islands adversely affect traffic flow within the parking lot. Removal is proposed to enhance vehicular movement, reduce congestion, and improve overall safety for drivers and pedestrians, especially those using shopping carts.

### 3. **ADA Accessibility:**

- Special Condition: Obstacles to ADA compliance.
- Circumstances: The applicant points out that the landscape islands create barriers to compliance with the Americans with Disabilities Act (ADA), specifically in relation to accessible parking spaces. Removing the islands is presented as a solution to ensure ADA requirements are met without hindrance.

### 4. **Cost Considerations:**

- Special Condition: Ongoing costs for maintenance.
- Circumstances: The applicant emphasizes the economic aspect, stating that maintaining landscape islands incurs ongoing costs related to landscaping, irrigation, and maintenance. The proposal suggests that removing the islands would result in cost savings for both the property owner and users of the parking facility.

### 5. **Property Design and Aesthetics:**

- Special Condition: Conflict with property design.
- Circumstances: The presence of landscape islands is said to conflict with the overall design and aesthetics of the property. Removal is advocated to create a more cohesive and visually appealing parking layout that aligns with the desired aesthetic for the shopping center.



# Authorized Agent Affidavit

STATE OF FLORIDA  
COUNTY OF LAKE

Before me, the undersigned authority, this day personally appeared Thomas Murray hereinafter "Owner", and Tom Murray, Principal hereinafter "Applicant", who, being by me first duly sworn, upon oath, depose and say: WindCrest Development Group, Inc.

1. The Applicant is the duly authorized representative of the Owner, on the real property as described and listed on the pages attached to this affidavit and made a part of hereof.
2. That all Owners have given their full and complete permission for the Applicant to act in their behalf as set out in the accompanying application.
3. That the attached ownership list is made a part of the Affidavit and contains the legal description(s) for the real property, and the names and mailing addresses of all Owners having an interest in said land.

FURTHER Affiant(s) sayeth not.

Sworn to and subscribed before me this  
10th day of Jan, 2024

~~X~~ [Signature] 01-10-2024  
Owner (Authorized Agent)

~~X~~ [Signature: Nicole Martin]

Notary Public  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_



**NICOLE MARTIN**  
Commission # HH 249622  
Expires August 5, 2026

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary Public  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary Public  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary Public  
State of Florida at Large  
My Commission Expires: \_\_\_\_\_



# Ownership List

(must be completed by all owners)

Owner's Name: Lake Harris (Orlando) ASLI VII Owner #1 LLC  
Ownership Interest: \_\_\_\_\_  
Mailing Address: 923 N. Pennsylvania Ave.  
Winter Park, FL 32789  
Legal Description: \_\_\_\_\_

~~X~~ Thomas Murray  
Signature (Authorized Agent)

01-10-2024  
Date

The foregoing instrument was acknowledged before me on 1/10/24 by Thomas Murray who is personally known to me or has presented as identification and who did \_\_\_\_\_ or did  not take an oath.



NICOLE MARTIN  
Commission # HH 249622  
Expires August 5, 2026

~~X~~ Nicole Martin  
Notary Public

Seal

\*\*\*\*\*

Owner's Name: \_\_\_\_\_  
Ownership Interest: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Legal Description: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

The foregoing instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_ who is personally known to me or has presented as identification and who did \_\_\_\_\_ or did \_\_\_\_\_ not take an oath.

\_\_\_\_\_  
Notary Public


Seal

MULTIPLE COPIES OF THIS FORM MAY BE MADE AND ATTACHED AS NECESSARY.

RE: Project Name: **TBD Grocery**  
Parcel #23-20-25-0004-000-00200, Alt Key #1780438

To Whom It May Concern:

I hereby authorize WindCrest Development Group, Inc. (APPLICANT) and Madden, Moorhead & Stokes, LLC (ENGINEER) to apply for and obtain permits from County/City Government, Water Management District, Florida Department of Environmental Protection, Florida Department of Transportation, Army Corps of Engineers and any other municipality or regulatory entity requiring permits be issued.

  
\_\_\_\_\_  
Owner Signature

10/6/2023  
\_\_\_\_\_  
Date

Print Name: Ryan Lefkowitz, Vice President/Agent of Seller

Print Phone #: (407) 628-8488

Print Email Address: rlefkowitz@avantiprop.com

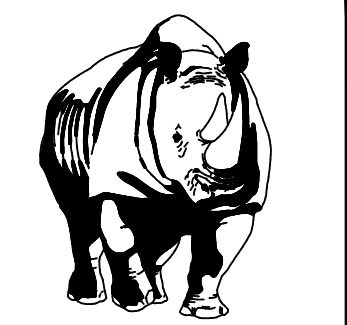
For:  
LAKE HARRIS (ORLANDO) ASLI VII OWNER #1 LLC  
923 N PENNSYLVANIA AVE  
WINTER PARK, FL32789

Sworn to and subscribed before me this 6 day of October, 2023, by Ryan Lefkowitz. He/She is personally known to me or has produced identification. Type of identification: \_\_\_\_\_

  
\_\_\_\_\_  
Notary Public Signature



Name: Margaret Hill  
Commission No: HH 242771  
Commission Expires: March 21, 2026

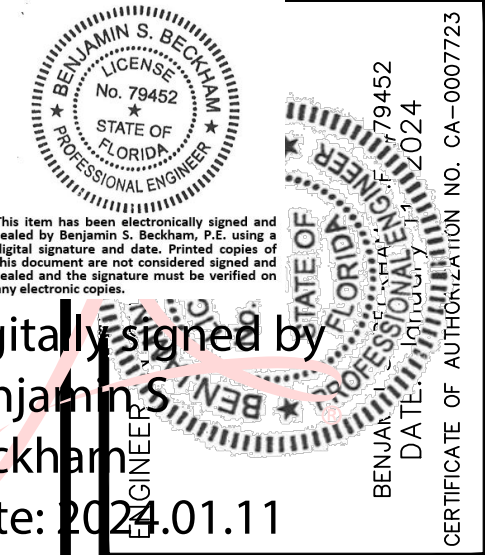


**MADDEN**  
MOORHEAD & STOKES, LLC  
CIVIL ENGINEERS

431 E. Horatio Avenue  
Suite 260  
Maitland, Florida 32751  
(407) 629-8330

PRELIMINARY SITE PLAN  
FOR  
**LAKE HILLS SHOPPING CENTER**  
TOWN OF HOWEY IN THE HILLS, FLORIDA

WINDCREST DEVELOPMENT GROUP, INC.  
605 E. ROBINSON ST., SUITE 340  
ORLANDO, FL 32801  
407-219-3540



Digitally signed by Benjamin S. Beckhart  
Date: 2024.01.11 12:23:23 -0500

NO.	DATE	REVISIONS
1	11/20/23	REVISED PER HOWEY DISC COMMENTS
2	12/05/23	REVISED PER HOWEY DISC COMMENTS
3	01/11/24	REVISED PER HOWEY DISC COMMENTS
4		
5		
6		
7		
8		
9		
10		
11		

JOB # 22041  
DATE: 09/29/23  
SCALE: 1" = 100'  
DESIGNED BY: JAS  
DRAWN BY: JAS  
APPROVED BY: BSB

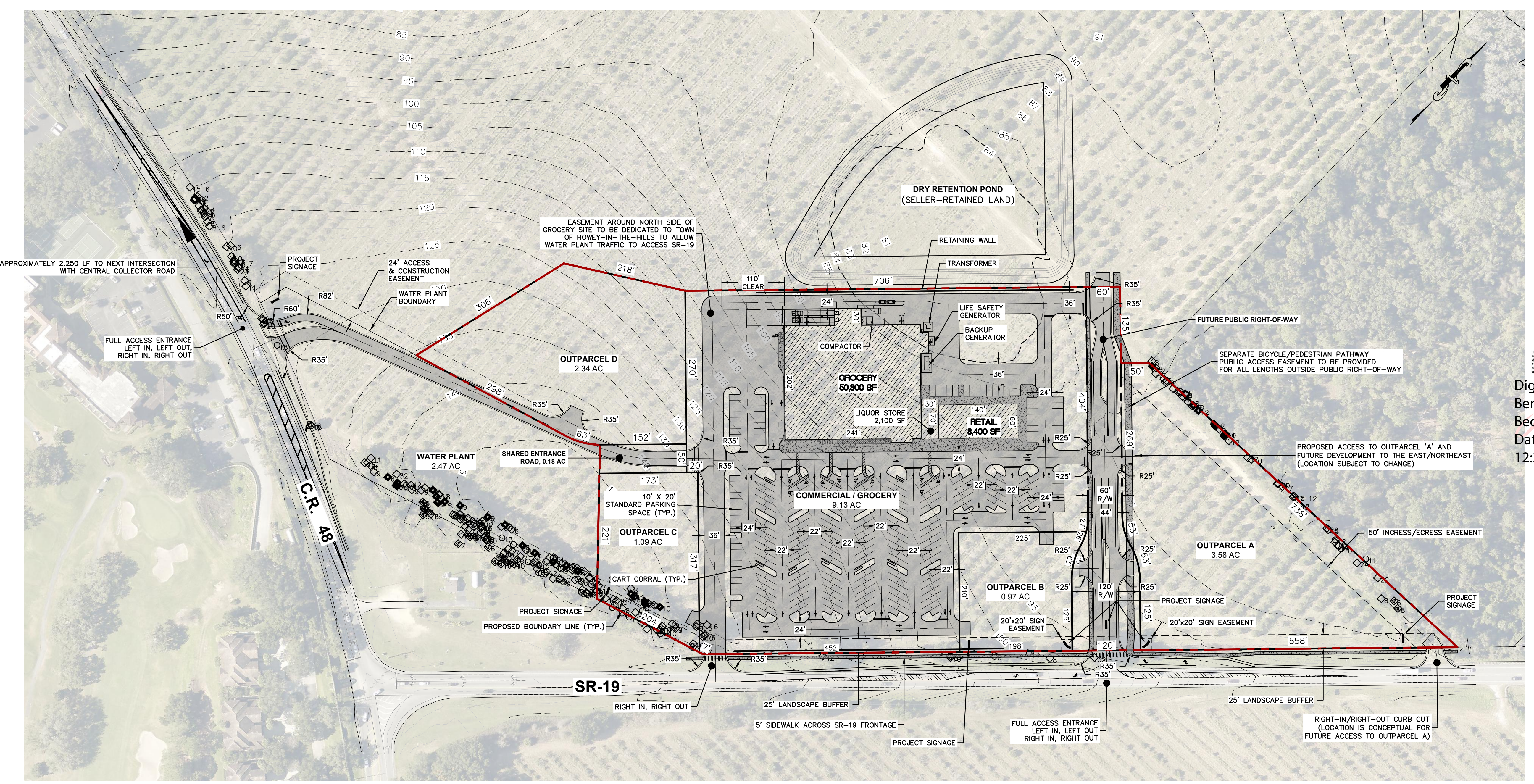
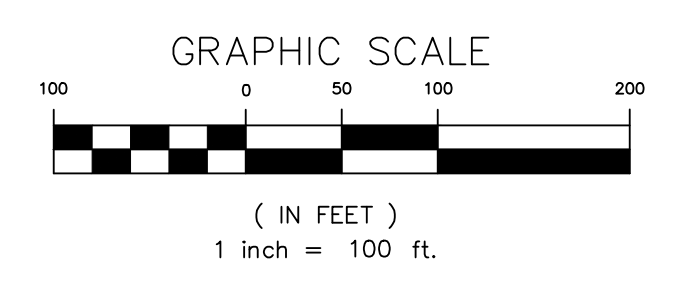
C100

**LAND USE TABLE:**

SITE AREA	OWNERSHIP	MAINTENANCE	AREA (AC)	AREA (%)
GROCERY RETAIL	PRIVATE	PRIVATE	9.13	49.56%
OUTPARCEL A	PRIVATE	PRIVATE	3.58	19.41%
OUTPARCEL B	PRIVATE	PRIVATE	0.97	5.28%
OUTPARCEL C	PRIVATE	PRIVATE	1.09	5.93%
OUTPARCEL D	PRIVATE	PRIVATE	2.34	12.72%
SHARED ENTRANCE ROAD	PRIVATE	PRIVATE	0.18	0.96%
PUBLIC RIGHT-OF-WAY	PUBLIC	PUBLIC	1.13	6.15%
TOTAL			18.43	100.00%

**SITE DATA:**

1. PARCEL ID: 23-20-25-0002-000-01100
2. JURISDICTION: HOWEY-IN-THE-HILLS
3. ZONING: PUD
4. GROSS SITE AREA: 18.43 ACRES ±
5. TOTAL BUILDING S.F.: 61,300 SF
6. FLOOR AREA RATIO:
  - MAXIMUM: 0.23 (PER OVERALL PD)
  - PROPOSED: TO BE DETERMINED WITH FINAL SITE PLAN
7. MAX BUILDING HEIGHT: 35 FT (45 FT FOR PARAPETS, TOWERS, ETC.)
8. PARKING:
  - REQUIRED: 306 SPACES
  - 5 SPACES PER 1,000SF OF BUILDING AREA (61,300 SF / 1,000 SF) \* 5 = 306 SPACES MIN.
  - PROVIDED: 326 SPACES PROVIDED
  - \* BICYCLE PARKING AREAS WILL BE PROVIDED WITH THE FINAL SITE PLAN
9. OPEN SPACE:
  - REQUIRED: 40 ACRES ON OVERALL PD
  - PROVIDED: 0 (ZERO) ACRES. THIS PROJECT IS NOT CONTRIBUTING TO THE OVERALL OPEN SPACE COMMITMENT AS DEFINED UNDER SECTION 5.D OF THE PUD.
10. DEDICATIONS & RESERVATIONS: 1.13 AC TO BE DEDICATED AS PUBLIC RIGHT-OF-WAY







January 11, 2024

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.

**TMH Consulting Comments:**

Comment 1: As noted in the initial review comments, a subdivision plat needs to be submitted and approved to formally create the four parcels created so far from the Lake Hills development master agreement. The final plat needs to be approved prior to approval of a final site plan for this project.

***Response: Noted. This work is being pursued by the land owner.***

Comment 2: The proposed public portion of the central collector is creating some administrative issues in determining how to proceed with the platting. We need to determine whether the commercial project or the residential project is going to actually construct the road from SR-19 to the start of the residential portion of the project. If this is to be a public road as indicated on the plans, then a plat is required to create the right-of-way and dedicate it to the Town. This needs to happen regardless of whether the commercial project is subdivided. The Town needs to have a sufficient guarantee that the road will be constructed to the plan requirements and Town specifications as would normally occur in a subdivision. This includes appropriate financial guarantees if the road is platted before it is constructed. If the road is to be constructed with the commercial project, then the final site plan submittal will need to include the roadway design details. If the commercial project is going to construct the road and prepare the dedication, the commercial property will need to include the roadway area so the dedication can be made.

***Response: The public portion of the central collector road passing through the commercial site will be constructed by the commercial site developer. The right-of-way will be dedicated to the public by plat or separate instrument with the final site plans for the commercial site. Item #10 on the Site Data notes indicates that the road will be dedicated to the public.***

Comment 3: The entrance road design includes three left turns including an access to Outparcel B, a main access to the primary parcel and a service entrance to the primary parcel. Given that the road will also serve as the primary entrance to the 570 residential units, the prospect for congestion is significant. Left turn bays or a continuous left turn lane needs to be provided.

***Response: The site plan has been revised to include left turn lanes from the northbound entrance road into the commercial sites. We do not believe right turn lanes or southbound left turn lanes are warranted for this location. The arrangement and details of all street sections will be finalized with the final site plans.***

Comment 4: The traffic study is still needed.

***Response: The traffic study has been submitted for review.***

Comment 5: The plan notes state that there are no dedications or reservations, but the collector road is a dedication as presently identified.

***Response: Item #10 on the Site Data notes indicates that the collector road will be dedicated to the public.***

Comment 6: This project needs to coordinate with the residential project to provide of an access road to property to the east.

***Response: As discussed during the DRC, an access road will be provided through Outparcel A once design development for Outparcel A has determined the location for this access through to the residential to the east.***

Comment 7: The proposed stormwater retention for the commercial parcel is within the residential portion of the project. While a document granting the legal right to drain to the retention area is being prepared, the timing of construction and who actually constructs the retention area needs to be clarified. This retention area is in Phase 2 of the residential portion of the development which may not coincide with the timing for the commercial project.

***Response: The retention pond will be constructed with commercial site development. The developer will secure a construction, access, and drainage easement from the landowner prior to work. It is the developer's intent to construct a portion of the pond sufficient to serve the needs of the commercial site. The residential site will modify and expand the pond as needed in the future. All pond construction will be permitted by SJRWMD.***

Comment 8: The Town Attorney will need to review the off-site construction if the plan creating the retention area has not yet been approved by the Town Council. This is another timing issue that needs to be resolved.

***Response: As mentioned above, the pond will be designed, permitted and constructed along with the commercial development. All required easements are being prepared to allow conveyance to and discharge from the pond with the property owner. These easements will be provided prior to construction document approval by the Town.***

Comment 9: The commercial plan set identifies the stormwater area as a dry retention area, while the residential plans identify it as a wet retention area. The plans need to be coordinated.

***Response: The retention pond will be dry.***

Comment 10: The applicant notes that absent another sewer service solution, the commercial project intends to construct a treatment facility on Outparcel A. This option needs to be clearly understood by the Town Council for their decision process, and a site plan review will be required for construction of the treatment facility.

***Response: Noted. If a treatment facility on Outparcel A becomes necessary, construction details will be provided with the final site plans.***

Comment 11: The quality and legibility of the tree survey was limited for this site. Can the tree information be limited to just the commercial project area? The master tree survey for the residential portion of the project included a table of trees by size and type with notes on trees to be saved and trees to be removed. This data should be available for the commercial land area. The tree analysis needs to include an identification of any historic and specimen trees noting trees to be preserved. The code minimum is 100% of historic trees and 50% of specimen trees.

***Response: Please see the attached site survey specific to the commercial site, with tree locations shown and tabulated. Tree preservation, removal, and mitigation will be provided with the final site plans.***

Comment 12: The proposed signage locations will need further discussion. The plan shows a free standing sign for each outparcel and a free standing sign at the CR-48 entrance. The signage proposed at the central collector entrance off of SR-19 is unclear as to whether this signage is intended for the residential project, the commercial project or both.

***Response: The signage shown at the collector road entrance on SR-19 will serve both commercial and residential uses. The locations and configuration are conceptual. The other signage indicated on the commercial parcel will be for the commercial development only. It is the intent of the applicant to prepare a master sign plan for the entire commercial development and process this through the town after site plan approval.***

Comment 13: Free standing signs in PUD developments have a maximum sign area of 32 square feet and a maximum height of eight feet. The code also limits free standing signs in shopping centers to one sign per street frontage. We are going to need to work with the legal staff to see how the outparcels can be handled. They may need to be subdivided to obtain individual signage.

***Response: Noted. It is the intent of the applicant to prepare a master sign plan for the entire commercial development and process this through the town after site plan approval.***

Comment 14: Wall signage is limited to 15% of the building face and two signs total on the building. Corner lots may apply the signage to each street frontage.

***Response: Noted. It is the intent of the applicant to prepare a master sign plan for the entire commercial development and process this through the town after site plan approval.***

Comment 15: The detailed landscape design is to be deferred to the final site plan.

***Response: Noted. We agree with this assessment.***

Comment 16: The area on the main parcel near the service road designated as open space needs to be landscaped with trees and shrubs. This may be a good opportunity to include an outdoor seating area as some hardscape is allowed with the landscaping.

***Response: The noted open space will be landscaped, with details provided with the final site plans. This location is a service area inclusive of dumpsters enclosures and utility back of house (BFP, meters, etc.), not intended for regular public use. It is the applicant's intent to discourage public use of this space.***

Comment 17: The proposed buffer along the rear of the main parcel needs to include a full landscape treatment. A "distance buffer" is not cutting it.

***Response: Noted. Additional landscape buffer details will be provided with the final site plans.***

Comment 18: Since there is a prospect that the outparcels will be subdivided and sold, perimeter landscaped buffers need to be provided.

***Response: If outparcels are subdivided and sold, they will provide perimeter landscape buffers and setbacks as required with independent site plans.***

Comment 19: The grocery store would benefit from an outdoor seating area where patrons could eat meals purchased from the grocery.

***Response: Noted. The applicant will consider the suggestion.***

Comment 20: Include bicycle storage areas in the plan.

***Response: Bicycle parking will be provided with the final site plans. Please see the additional clarification added to note #8 on the Site Data notes.***

Comment 21: The plan shows one retaining wall location along the rear of the commercial site. Are other retaining walls anticipated? If just the one retaining wall is used, the amount of fill will be significant and may affect the outparcels and adjacent roadways.

***Response: The retaining wall locations are conceptual at this time, based on preliminary grading estimations. All retaining wall locations and details will be provided with grading plans included with the final site plans. All retaining walls ultimately approved will be designed and permitted separately by others with a building permit.***

Comment 22: The development agreement includes design typology that needs to be addressed in the building design. Please keep this in mind. It is not too early to begin the analysis.

***Response: Noted. The developer is aware of these standards and will include them in the future building design.***

## Griffy Engineering Comments:

### Traffic

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

***Response: The Traffic Impact Study has been submitted for review.***

Comment 2: 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.

***Response: The site plan has been revised to include some suggestions from Griffy. Improvements on SR-19 have been limited to widening on the project-side only as needed to accommodate the required improvements. We have left space for future projects to incorporate this work and expand upon it for their own needs at that time. The final configuration and details of all street sections will be provided and reviewed with the final site plans.***

Comment 3: The turn lanes along SR 19 and CR 48 at the access points are the responsibility of the developers.

***Response: Noted.***

Comment 4: 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.

***Response: Noted.***

Comment 5: The intersection on SR 19 for the main entrance to Lake Hills, Lake Hills 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: Noted.***

### Site Plan

Comment 6: The site boundary on the submitted plan does not reflect current property boundaries. The plan needs to be updated to show actual property lines. Refer to the survey submitted with the Lake Hills PSP for an accurate depiction of property boundaries and easements.

***Response: The site boundary has been revised to show the current water plant boundary.***

Comment 7: Revise the site plan to incorporate the modifications shown in the SR 19 & CR 48 Improvement Plan including turn lanes, sidewalks, trails, traffic control and ADA routes.

***Response: The site plan has been revised to include some suggestions from Griffy. Improvements on SR-19 have been limited to widening on the project-side only as needed to***

*accommodate the required improvements. We have left space for future projects to incorporate this work and expand upon it for their own needs at that time. The final configuration and details of all street sections will be provided and reviewed with the final site plans. Internal sidewalks and ADA routes will be detailed with the final site plans.*

Comment 8: This development will need an easement from the town for the portion of the CR 48 access 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: Noted. The property owner will work with the Town to secure the necessary reciprocal easements for both parties to access the road.*

Comment 9: The development will need to provide to the town an easement to allow traffic from the water treatment plant to access SR 19. Identify this on the plan (either graphically, with a note, or both).

*Response: Noted. The site plan has been revised to include a note requiring an easement through the commercial site for the use of Town water plant traffic.*

Comment 10: Modify the furthest west parking aisle of Commercial Site 1 to be all angled, one-way parking.

*Response: The applicant wishes to decline this request. In the applicant's experience, it is valuable to have two-way traffic available on the ends of parking areas. Accordingly, the applicant wishes to keep the site plan as shown for now.*

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

Sincerely,

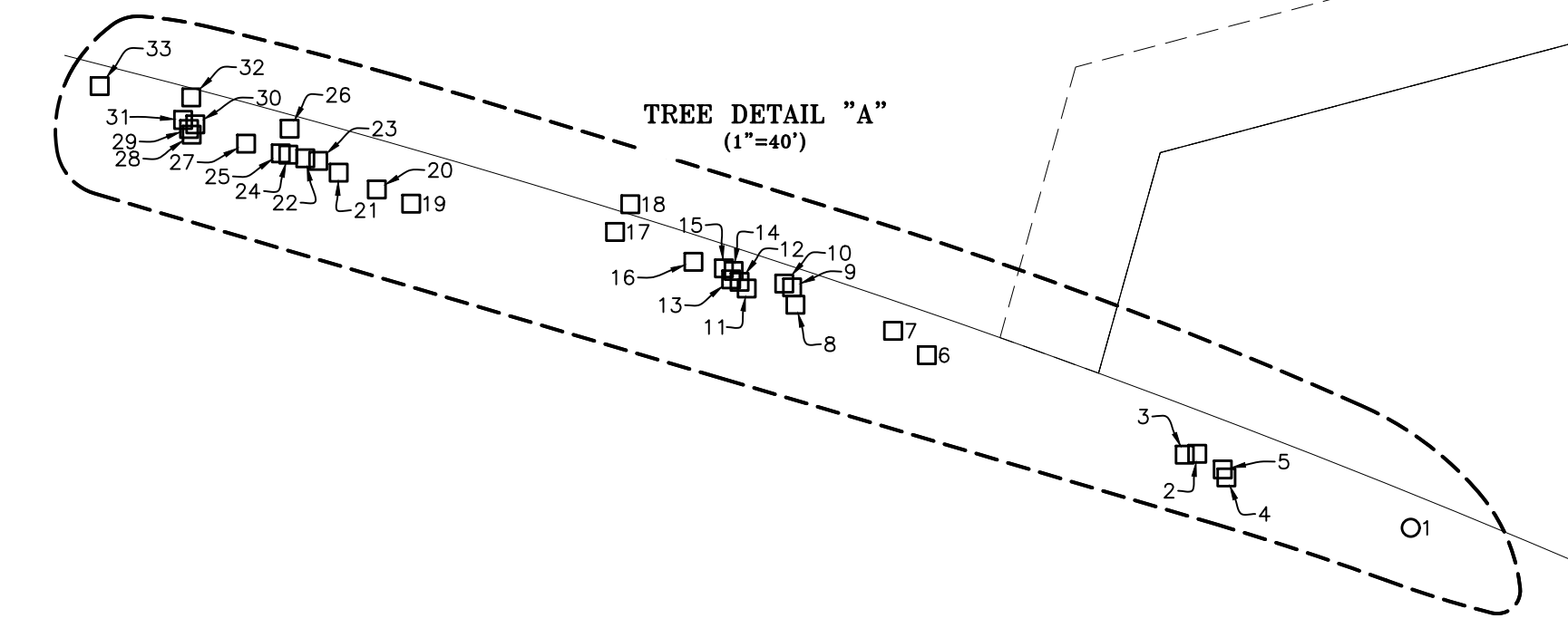
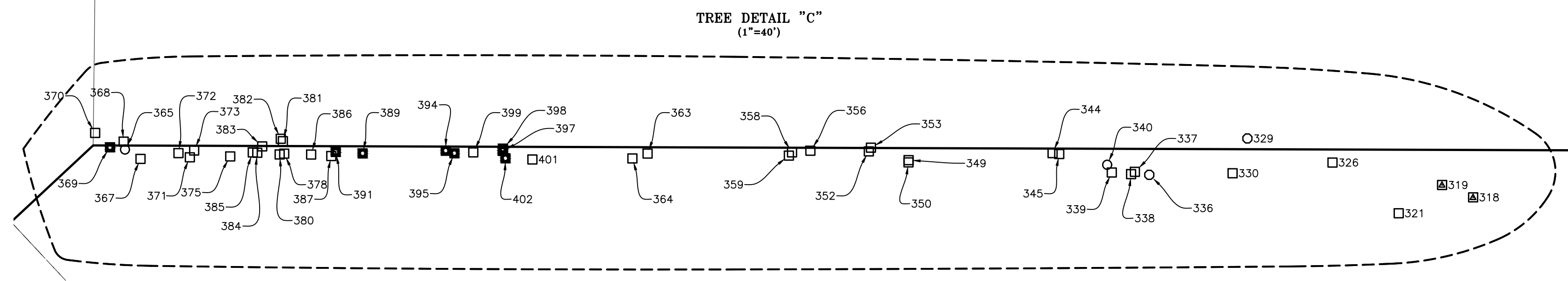
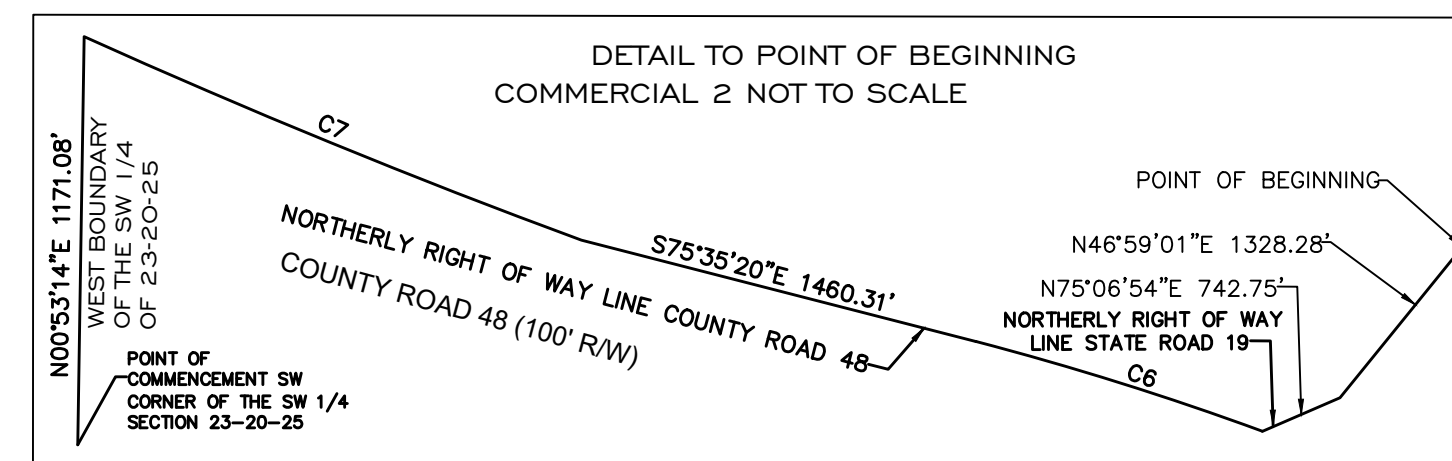
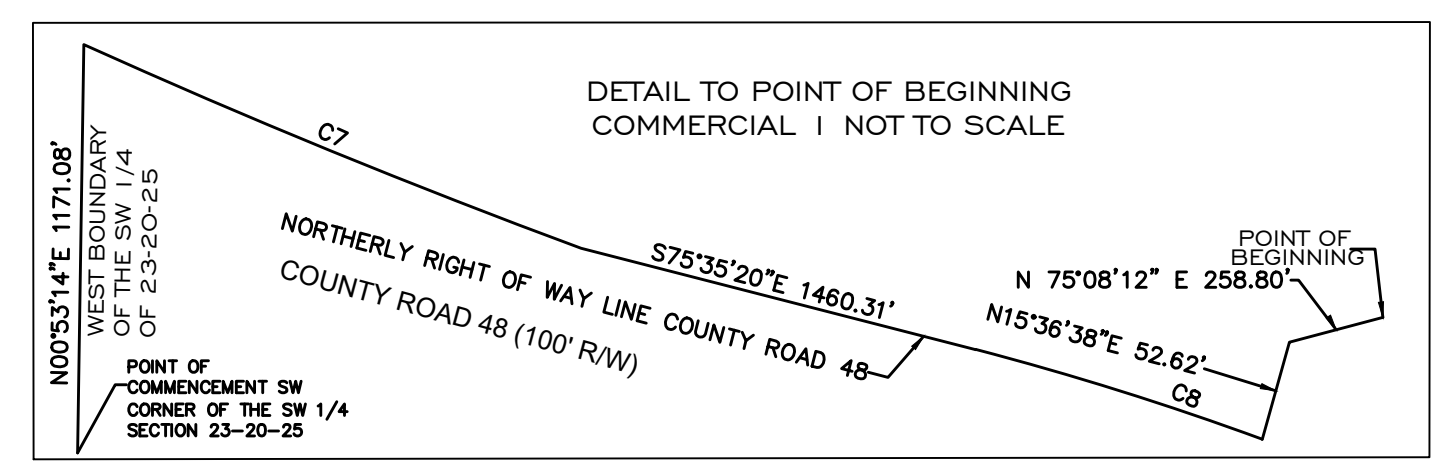


Benjamin Beckham, P.E., CFM  
Senior Project Manager

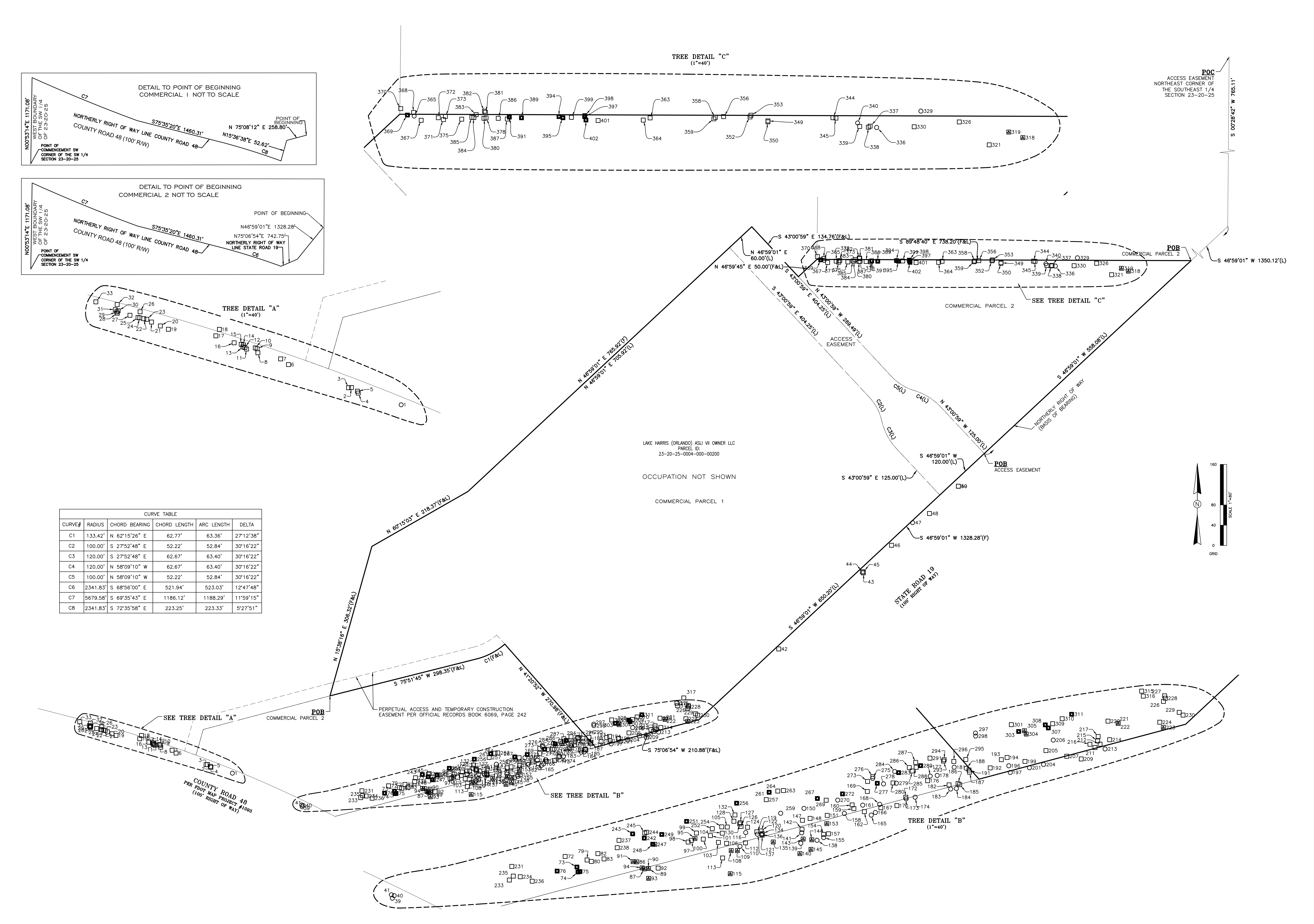
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CURVE#	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH	DELTA
C1	133.42'	N 62°15'26" E	62.77'	63.36'	27°12'38"
C2	100.00'	S 27°52'48" E	52.22'	52.84'	30°16'22"
C3	120.00'	S 27°52'48" E	62.67'	63.40'	30°16'22"
C4	120.00'	N 58°09'10" W	62.67'	63.40'	30°16'22"
C5	100.00'	N 58°09'10" W	52.22'	52.84'	30°16'22"
C6	2341.83'	S 68°56'00" E	521.94'	523.03'	12°47'48"
C7	5679.58'	S 69°35'43" E	1186.12'	1188.29'	11°59'15"
C8	2341.83'	S 72°35'58" E	223.25'	223.33'	5°27'51"



LAKE HARRIS (ORLANDO) ASU VII OWNER LLC  
PARCEL ID:  
23-20-25-0004-000-00200

OCCUPATION NOT SHOWN

COMMERCIAL PARCEL 1