



# LAKE COUNTY

DEPARTMENT OF  
GROWTH MANAGEMENT

*Planning & Community Design Division*

October 14, 2013

Ted Wicks, P.E.  
Wicks Engineering Services, Inc.  
225 West Main Street  
Tavares, Florida 32778

Re: Pre-submittal Application – Rubin Groves PUD Mass Grading Plan  
Project # 2010060010 / AR# 2337

Dear Mr. Wicks:

The Development Review Staff (DRS) has reviewed your pre-submittal application for the proposed mass grading plan for the Rubin Groves PUD located in the four corners area of south Lake County. The County review comments are listed below for your reference. Please use this information in the preparation of your formal development applications.

Please be advised that our review of your pre-submittal application is a cursory review based on the information provided and does not constitute a waiver of any requirements contained in the County's Comprehensive Plan, Land Development Regulations (LDR), nor does it constitute an approval of your proposal.

A meeting with the DRS team has been requested. Be advised, the next available meeting will be Thursday morning, October 17, 2013 at 9:00 am. The meeting will take place in the Planning and Community Design Division Conference Room, located on the 5th floor of the Lake County Administration Building, 315 W. Main Street, Tavares, Florida.

## **PLANNING & COMMUNITY DESIGN DIVISION**

1. The Planned Unit Development (PUD) was approved by the Board of County Commissioners (BCC) as a 490 unit mixed use PUD under Ordinance #2013-8. The Applicant is proposing a mass grading of the site as the first phase of the mixed use PUD.
2. The proposed development is located in the Four Corners Area of South Lake County on the west side of U S Hwy 27 and Woodcrest Way. The total acreage for the development is 143.8 +/- acres.
3. The proposal is to mass grade and remove, excess overburden from the property to develop an age-restricted community. The amount of excess overburden is greater than 200% of the minimum stormwater retention volume. The following concerns have been raised by staff and will need to be addressed prior to the approval of construction/mass grading plans:
  - In accordance with the preliminary plat requirements contained in Land Development Regulations (LDR), Section 14.07.04.A.1.d, the site work shall balance on site or if not balanced, shall not exceed the requirements of Section 6.06.00, LDR.
  - The application indicates the project is exempt from the mining regulations contained in LDR, Section 6.06.01.F.2.b (1&2), due to the excessive elevation change between the eastern and western boundaries of the project.

- Additional information will be required with the PUD rezoning amendment to demonstrate the proposed project is not a mine.
  - Please be advised, the property is located in the Green Swamp Area of Critical State Concern Ridge Future Land Use, which does not allow mining as a permitted or conditional use (Policy I-4.2.2).
  - In addition, the project is proposed as an age-restricted community and the excess overburden removal is necessary to make the project more accessible for senior citizens.
4. Please be advised, the proposed project is located in the "Green Swamp Area of Critical State Concern (GSACSC) and is reviewed by the Department of Economic Opportunity (DEO) for compliance with the State Statutes and Regulations relating to development within the GSACSC. Once the project is approved by the County, the DEO has a 45 day review period.
  5. Please be advised that outside agency reviews and permitting such as Green Swamp Area of Critical State Concern review (Department of Economic Opportunity-Green Swamp Oversight), stormwater permitting (St. John's River Water Management District), possible threatened/endangered species re-location permitting (US Fish and Wildlife and/or Florida Fish and Wildlife Commission), and access/driveway permitting (Florida Department of Transportation) to name a few may be required. There may be other agency reviews that come up as the project goes through the development process.
  6. Based on the information provided, the determination by staff is the PUD should be amended to restrict the development to an age-restricted, mixed use PUD and at that time a determination as to the applicability of LDR, Section 6.06.01.F.2.b (1&2) should be made and conditions established as part of the PUD Ordinance.
  7. Please note that prior to the issuance of any development order, such as construction plan approval; the project must demonstrate that it is meeting all provisions of Comprehensive Plan Policy I-4.1.5 Development Requirements within the Green Swamp Area of Critical State Concern and Policy I-4.2.2 Green Swamp Ridge Future Land Use Category.
  8. An Environmental Assessment (EA) of the proposed project area must be submitted with a development application. The EA shall identify all wetlands, upland habitat communities, and the potential for any threatened/endangered species occupying the area.
  9. Identify the adjacent zoning districts surrounding the boundary of the proposed project on the landscape plan that must be submitted with the construction plans for Phase 2 if the mass grading plan is approved as Phase 1. A development application is provided to facilitate the landscape plan review and approval. The adjacent zonings are:
    - North - PUD and C-1 near front
    - South – PUD
    - East - C-1 and CP
    - West – Agriculture
  10. Based on the adjacent zoning, the required landscape buffer is a Type B landscape buffer. The LDRs provide two (2) planting/width options for the Type B buffer.
    - Option 1 is twenty (20) feet wide with two (2) canopy trees, three (3) ornamental trees, and a single row of shrubs per one (100) linear feet of buffer.
    - Option 2 is fifteen (15) feet wide with three (3) canopy trees, two (2) ornamental trees, and a single row of shrubs per one (100) hundred linear feet of buffer.
  11. If removal of protected trees is proposed, a tree removal permit must be submitted with the construction plan submittal. All protected trees on-site must be identified on the tree survey by species and caliper inches and

shown as either being removed or being retained. Mitigation for the trees being removed will be in accordance with Section 9.02.06, LDR. The replacement trees must be shown on the landscape plan.

12. Please provide information with the construction plan submittal that demonstrates the proposed development will not adversely impact groundwater or surface water resources.

### **PUBLIC WORKS – ENGINEERING**

1. There are no plans showing the proposed mining/excavation area.
2. The site must comply with all applicable requirements contained in LDR, Section 6.06.00.
3. The National Pollutant Discharge Elimination System (NPDES) program is regulated through the Florida Department of Environmental Protection (FDEP). If your construction activity meets the following criteria:
  - Contributes stormwater discharge to surface waters of the State or into a municipal separate storm sewer system (MS4), and/or
  - Disturbs one or more acres of land, including less than one acre if the activity is part of a large common plan of development or sale that will meet or exceed a one acre threshold. Disturbance includes clearing, grading and excavating.

The developer will be required to submit a Notice of Intent (NOI) and prepare a Stormwater Pollution Prevention Plan (SWPPP). For more information regarding the NPDES program, please visit FDEP's website at <http://www.dep.state.fl.us/water/stormwater/npdes>.

### **PUBLIC WORKS – TRANSPORTATION**

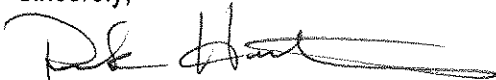
Please be advised that additional information may be required at the time of submittal for the PUD rezoning amendment to address transportation impacts for the proposed development.

### **POTENTIAL REVIEW FEES**

If an amendment to the PUD is proposed, please be aware the rezoning application fees will be approximately \$806.00. Please contact Planning and Community Design prior to application submittal for the exact amount.

Please contact me if you have any questions.

Sincerely,



Rick Hartenstein, AICP, CPM

Senior Planner

[rhartenstein@lakecountyfl.gov](mailto:rhartenstein@lakecountyfl.gov)

**Enclosures:** Rezoning Application  
Policy I-4.1.5 Development Requirements within the GSACSC  
Policy I-4.2.2 Green Swamp Ridge Future Land Use Category  
LDR, Section 6.06.01.F, Exemptions (Mining Regulations)

**cc:** File  
Steve Greene, AICP, Chief Planner, Planning & Community Design Division  
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