



# WINTER GARDEN

## CITY OF WINTER GARDEN DEVELOPMENT REVIEW COMMITTEE MINUTES May 14, 2014

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, May 14, 2014 in the City Hall Commission Chambers.

### **Agenda Item #1: CALL TO ORDER**

Chairman/Community Development Director Ed Williams called the meeting to order at 9:58 a.m. The roll was called and a quorum was declared present.

### **PRESENT**

**Voting Members:** Community Development Director Ed Williams, City Engineer Art Miller, Building Official Mark Jones, Economic Development Director Tanja Gerhartz and Assistant City Manager for Public Services Don Cochran

**Others:** City Attorney Kurt Ardaman, Assistant City Attorney Dan Langley, Senior Planner Steve Pash, Senior Planner Laura Smith, Planner Kelly Carson, Assistant Director of Operations Mike Kelley and Customer Service Representative Colene Rivera.

### **APPROVAL OF MINUTES**

#### **Agenda Item #2:**

Approval of minutes from regular meeting held on April 30, 2014.

*Motion by City Engineer Miller to approve the above minutes. Seconded by Building Official Jones, the motion carried unanimously 4-0.* (Voting Members Economic Development Director Tanja Gerhartz was not present at the meeting during this vote.)

9:58 am      Break in Meeting  
10:01 am      Meeting Resumed

### **DRC BUSINESS**

#### **Agenda Item #3:- LVS Project – SITE PLAN APPROVAL**

Garden Commerce Parkway - 721  
Unroe Engineering, Inc

Linus Statkus, Edwin Jabrowski, and Darcy Unroe of Unroe Engineering, Inc; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

Applicants inquired about construction of second building on property and if the City Staff had any foresight that this might be an issue or concern that this is not a possibility or option on this property. The City Staff stated that they would need to see details and plans, etc. for this building but expressed that it could be an option if done correctly and following the City guidelines, etc. Also discussed parking for the current location and then for second building as well as impervious area. Applicants addressed these concerns but overall confident that all these concerns can be addressed and met.

## **ENGINEERING**

12. **If approved, further development of the site for the future building or addition will require separate site plan approval. Approval of the phase 1 site plan does not constitute approval of future work.** City Staff reminded applicants that second building would need to go through review process and approvals just as phase 1 site plan building has done.

*Motion by City Engineer Miller to recommend that site plan be placed on the next available City Commission agenda, provided the applicant resubmits revised plans addressing all City Staff conditions to the Planning and Zoning Department within 2 days following this meeting which is by noon on Friday, May 16, 2014. Assistant City Manager of Public Services Cochran seconded; the motion carried unanimously 4-0. (Economic Development Director Gerhartz was not at meeting during this vote.)*

10:04 am Break in Meeting

10:05 am Meeting Resumed

## **Agenda Item #4: Waterside on Johns Lake Phase 1 – FINAL PLAT**

Marsh Road - 16851

Dewberry/Bowyer-Singleton

Chris Hamilton of Clark, Albright & Rate and Bill Donley of Dewberry/ Bowyer-Singleton; applicants for the project was in attendance for discussion. The following items were reviewed and discussed:

Applicant inquired if City had received the bond draft? Applicants stated that both the Maintenance Bond and Performance Bond had been submitted via email to City Staff planner. City Staff will verify that they have them and review. City Staff inquired about progress of installation of infrastructure? Applicant stated that the first lift of pavement has been installed but the street lights and additional work still need to be installed.

## **ENGINEERING**

8. **Maintenance Bond: A maintenance bond shall be provided. Based on the Design Engineer's certification of \$3,854,846.62, the Maintenance Bond/LOC shall be in the amount of \$770,969.32 representing 20% of the cost of the improvements. Bond/LOC shall comply with the City's ordinance concerning duration (2years). This item can be delayed until the improvements have been installed as a condition of issuing the Certificate of**

Completion. Need at time of C of C.

9. Performance Bond: The improvements are not completed. A Performance bond or letter of credit in the amount of 120% of the cost of all incomplete improvements shall be provided to the City, based on the Design Engineer's cost certification of \$1,657,183.16, to Performance guarantee shall be \$1,988,619.79 for the incomplete improvements. Performance Bond/LOC amount shall include cost of street lighting from Duke Energy; street and regulatory signs, required landscaping, walls, amenities, etc. City Attorney shall approve the form of the bond or letter of credit prior to final plat recording. Final plat will not be forwarded to the City Commission for approval without performance bond (unless C of C has been issued). City Staff verified that this is needed at time of plat to record. This needs to be reviewed by City Staff.

10:10 am Economic Development Director Gerhartz arrived late

Also discussed the items the city needs to continue moving the project forward. City needs the hold harmless documents for model homes, neighborhood covenants for review, right of way maintenance agreement and the necessary exhibits, elevations submitted for proposed homes, and then all the original documents submitted prior to Commission Meeting, so that this project is ready to go should it be approved at City Commission.

*Motion by City Engineer Miller to recommend the Final Plat be placed on the next available City Commission Agenda provided the applicant submits revised documents and all original documents addressing all staff comments as soon as possible. Assistant City Manager for Public Services Cochran, seconded; the motion carried unanimously 5-0.*

10:12 am Break in Meeting

10:14 am Meeting Resumed

#### **Agenda Item #5: Shoppes at Lake Butler – SITE PLAN APPROVAL**

Winter Garden Vineland Road - 4020

Z Development Services

Ashley Rumble of CCS Construction and Scott Glass of Shutts and Bowen; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

10:15 am Assistant City Manager for Public Services Cochran left the meeting.

#### **ENGINEERING**

3. We had requested the driveway be 36 feet, with 3 twelve foot lanes – they have shown 11' lanes which we do not feel are appropriate or safe. They also shortened the transition where it goes from 3 to 2 lanes. Discussion took place about this comment addressing 12' wide lanes as a safety concern. Applicants will review full set of plans on this concern, have them drawn to scale, and see if they can figure out a way to make the 12' wide lanes work.

## PLANNING

5. **The submittal is incomplete. Further review will be completed with submittal of complete plans and response to all prior comments.** This comment was discussed. It was verified that the Planning comment from previous Staff Report about the (2) outparcels that everyone is pass this concern. It was clarified what is being requested that applicants response to all comments for all staff comments in the submittals.

*Motion by City Engineer Miller to have the applicant revise and resubmit the Site Plan for another full DRC review cycle. Building Official Jones, seconded; the motion carried unanimously 4-0.* (Assistant City Manager for Public Services Cochran was not present during this vote.)

10:17 am Break in Meeting  
10:19 am Meeting Resumed

Applicants for Agenda Item #6 were not present at time of meeting for this item, so meeting skipped to Agenda Item #7.

### Agenda Item #7: Ladybird Academy – SITE PLAN APPROVAL

Avalon Road  
Fragomeni Engineering, Inc.

Sherry Fragomeni of Fragomeni Engineering, Inc, applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

## ENGINEERING

1. **The new driveway proposed on Avalon Road shall be signed and striped for right-in, right-out only. Provide raised concrete island (i.e. "porkchop"), all as shown.** This comment was discussed and clarified as condition of approval.

## PUBLIC SERVICES

8. **If the island at the entrance on CR 545 is to be raised then why is it being striped?** The comment was clarified and City would like to see this island both raised and striped. Applicant will comply.
12. **Please relocate the dumpster enclosure to the east side of the driveway entrance. The current position will have the solid waste truck crushing the curb.** Discussion took place about possible locations and applicant will revise.

Also discussed the number of revised plans will need to be submitted – 5 sets (or more if applicant would like additional stamped and approved plans) along with a PDF of plans on CD. City Staff inquired about status of St. John's submittals? Applicant has not yet applied for this but will. It was clarified to applicant that this will need to be done prior to construction. City Staff inquired about signage details? Applicant will submit signage plan and details with the next revised submittal.

*Motion by City Engineer Miller to recommend the Site Plan be placed on the next available Planning and Zoning Board Meeting for Special Exception to be followed by City Commission Meeting for site plan approval, provided the applicant submits revised plans addressing all staff conditions and comments. Building Official Jones, seconded; the motion carried unanimously 4-0. (Assistant City Manager for Public Services Cochran was not present during this vote.)*

11:26 am Break in Meeting  
11:27 am Meeting Resumed

**Agenda Item #6: Classic Car Wash – SITE PLAN APPROVAL**

Colonial Drive W - 12728  
Classic Car Wash IV, LLC

Chad Cline of Classic Car Wash and John Kirby of Kirby Engineering, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

**ENGINEERING**

**1. Sheet C1:**

- **Minimum 5' wide concrete sidewalks shall be constructed along all street frontages pursuant to Code (Partlow Drive). Applicant requests that this be discussed.** This comment was discussed. Applicants understood their options: they can either build the sidewalk, or pay into the City's sidewalk fund at \$30.00/square yard. It will be a condition of approval.

**PLANNING**

- 5. The proposed new building does not comply with the architectural guidelines of the West State Road 50 Overlay based on the following requirements of the overlay:** Applicants wished to discuss the elevations. This comment was reviewed and some suggestions were discussed for appearance and materials as well as landscaping that might be offered as ways of dressing up and buffering the building and surrounding property to meet the Highway 50 overlay requirements.

10:30 am Assistant City Manager for Public Services Cochran returned to the meeting

- a. Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, sandstone or other stone, split-face decorative block, glass, stucco and/or masonry. Exterior building materials shall not include smooth-faced concrete block, tilt-up concrete panels or prefabricated steel panels, unless the visible finish is brick, stucco, stone, or split-face decorative block. Except as provided in this division, the rear and side facades shall be of materials and design characteristics consistent with that of the front; use of inferior or lesser quality materials for side or rear facades shall be prohibited. Metal-skinned buildings or structures are prohibited.** Discussed upgrading the screening area along Hwy. 50 and covering the vacuums along the front of

building. Also discussed landscaping with larger size plant materials and possible planters were suggested.

10:32 am Economic Development Director Gerhartz left meeting

- b. The use of day-glow or fluorescent colors shall be prohibited. The use of black, gray, primary and/or secondary colors are prohibited as the predominant exterior building or roof color(s). Earth-tone colors are encouraged. It was suggested that the color of the roll-up doors be modified to a more neutral color to be consistent with the building color.
- c. Building walls facing the front yard or street side yard shall have window(s) and door(s). Such facades shall have display windows a minimum of six feet in height along no less than 60 percent of their horizontal length. Side or rear walls that face walkways may include false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall, only when actual doors and windows are not feasible because of the nature of the use of the building. This building will need to be dressed up and discussed various options and suggested that applicant go back to come up with options. It was also explained that this property was initial county property and was not required to comply with Hwy 50 overlay but now it is City and needs to be in compliance.

*Motion by City Engineer Miller to recommend the Site Plan be approved administratively provided the applicant addresses the building issues that were discussed and Engineering Comment sheet C1 the third bullet they either need to build the 5' sidewalk on Partlow Drive or pay \$30.00 per square yard into the sidewalk fund. Assistant City Manager for Public Services Cochran seconded. Motion was amended by Community Development Director Williams to include if able to resolve the 50 overlay standards with Planning Department then it moves on or if not then this project would need to come back to next available DRC meeting. Amendment accepted by City Engineer Miller and Assistant City Manager for Public Services Cochran seconded; the motion carried unanimously 4-0. (Economic Development Director Gerhartz was not present at meeting during this vote.)*

## ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 10:38 am by Chairman/Community Development Director Ed Williams

APPROVED:

ATTEST:

  
Chairman, Ed Williams

  
DRC Recording Secretary, Colene Rivera