



WINTER GARDEN

CITY OF WINTER GARDEN DEVELOPMENT REVIEW COMMITTEE MINUTES August 20, 2014

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, August 20, 2014 in the City Hall Commission Chambers.

Agenda Item #1: CALL TO ORDER

Acting Chairman/Community Development Manager Steve Pash called the meeting to order at 10:00 a.m. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Acting Chairman Manager of Community Development Steve Pash, City Engineer Art Miller, Building Official Mark Jones, Economic Development Director Tanja Gerhartz and Assistant Director of Operations for Public Services Mike Kelley on behalf of Assistant City Manager for Public Services Don Cochran

Others: Assistant City Attorney Dan Langley, Senior Planner Laura Smith, Planner Kelly Carson and Customer Service Representative Colene Rivera.

ABSENT

Voting Members: Community Development Director Ed Williams and Assistant City Manager for Public Services Don Cochran

APPROVAL OF MINUTES

Agenda Item #2:

Approval of minutes from regular meeting held on August 13, 2014.

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

10:00 am Break in Meeting
10:01 am Economic Development Director Gerhartz came to meeting late
10:01 am Meeting Resumed

DRC BUSINESS

Agenda Item #3: Plant Street Market - SPA

Plant Street W – 426

Plant Street Market, LLC

Jared Czachorowski of Plant Street Market, LLC and Andi Shetter of Plant Street Market, LLC, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

5. **Dumpsters and dumpster enclosures shall be on a concrete slab and shall provide 10' minimum inside clearance (each way inclusive of bollards) – provide dumpster enclosure detail for review and approval by Public Services Solid Waste Division.** This was discussed and confirmed that the dumpster enclosure will have to be concrete block walls on three sides and can have a PVC Gate along the front. Applicant inquired about having a vine grow up the concrete wall and staff confirmed that applicant can have this option.

PUBLIC SERVICES

14. **The only question that I have, since we are going to be running the sanitary sewer connections, is how deep will the point of connection be at the grease trap and at the POC the south side of the building? I asked Gary to get the depth of the lateral at the clean outs after they have finished with the demolition.** Applicant discussed this comment and confirmed that the depth will be about 3 feet according to MEP Plans.

Motion by City Engineer Miller to approve the site plan subject to all City Staff conditions and be placed on the next available City Commission agenda. Economic Development Director Gerhartz seconded; the motion carried unanimously 5-0.

10:04 am Break in Meeting

Economic Development Director Gerhartz left meeting at 10:04 am

10:05 am Meeting Resumed

Agenda Item #4: Belle Meade Outparcel 32 - SPA

Avalon Road – 1905

Bramley Overstreet Trust

Cary Jay Malever of J. Malever Construction Co. and Jon Martin of KHA, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

3. **As required by the PCD and Developers Agreement, final plans shall accommodate the R/W and grading needs of the proposed CR 545 widening and Tilden Road intersection**

improvements. According to the City's Design Engineer for the CR 545 work, the plans accommodate the CR 545 design.

- As shown on the PCD plan, Developer's Agreement, and site plan, a 25' "corner clip" is to be conveyed to the City at the NE corner of the intersection of CR 545 and Tilden Road (SW corner of the site). Provide draft warranty deed (to be submitted under separate cover) for review by the City; conveyance shall be made pursuant to the Developer's Agreement, but in any case shall be made prior to release of the Certificate of Occupancy for any building; a hold-harmless agreement is required prior to issuance of any site or building permits.
- Temporary construction and slope easements are also needed for the CR545/Tilden improvements. Easements shall be granted to the City pursuant to the Development Agreement. Draft easement descriptions have been provided that shall be reviewed and approved by the City Attorney prior to recording. In any case, easements shall be granted to the City prior to release of the Certificate of Occupancy for any building; a hold-harmless agreement is required prior to issuance of any site or building permits. Discussed easements and this comment was clarified to applicant and covered in the Developer's Agreement. Emphasized that the Developer's Agreement will need to be signed prior to City Commission meeting, to be ready to proceed at City Commission meeting to move forward. Applicants agreed.

4. REPEAT COMMENT: Since the proposed commercial areas will drain into the HOA ponds (residential), this development shall provide provisions for participation in the pond maintenance by the commercial tract(s). Provide recorded easement agreement or amendment to easement showing this provision has been met. Recorded easement shall be provided to the City prior to release of the Certificate of Occupancy for any building; a hold-harmless agreement is required prior to issuance of any site or building permits.

This comment was discussed and clarified. City Staff stated that there have been other similar agreements between residential and commercial property on shared drainage in other areas of the city. Staff understood the applicants concerns and advised applicant to work with City Attorney to develop agreement.

5. All driveways shall meet the City's commercial driveway requirements as specified in Code. Belle Meade Drive at CR 545 and the Tilden Road driveway shall be designed to be converted to right in, right out only, after the intersection improvements are completed. This comment was discussed and referenced that this comment was same as comment from September 2008. City Staff acknowledged that things have changed and this comment has been accommodated with the latest intersection improvement plans. Applicants along with City Staff agreed to strike second sentence of comment.

16. The City is still waiting on the street light cost estimates for the lights that are to be installed on Avalon and Tilden Roads from Duke Energy Florida. The City will forward the estimate for payment once received (status?). This comment was clarified and explained. City staff will either review old documents to see if a quote from Progress Energy was ever submitted, if not, then applicants will have to get new quote from Duke Energy. Applicants were advised that the cost of installation and first year of operation would be entered into a Street Lighting fund for City to install at a later date, once the road improvements have been completed.

18. Previous permit modification approval by St. Johns River Water Management District and FDEP NPDES NOI is acknowledged – provide status of permits (expired?). Permit application copies for the FDEP for water and sewer were included - FDEP permits will not be executed by the City until water and sewer impact fees have been paid in full. Applicant gave an update on status of these permits.

PLANNING

19. The required Developer's Agreement must be executed by the applicant prior to the Site Plan being presented to the City Commission for approval. Applicant agreed to this comment
20. In accordance with Chapter 118, Article II, Division 2, Section 118-70 of the City's Code of Ordinances "All site plans approved by the city staff or commission pursuant to this division shall expire and become null and void if the building or improvement or other matters authorized by the site plan approval have not received an approved building permit for the principal structure or building within 365 days of the date of approval. The city engineer, if shown good cause, may extend the approval one time for a period not to exceed an additional 365 days. The extension request shall be filed with the city engineer in writing at least two weeks prior to the expiration of the initial 365-day approval period." Applicant will comply.

PUBLIC SERVICES

25. Please shift the location of the dumpster enclosures at the northwest and southwest corners of the parking lot approximately 5 feet south and north. This comment was discussed and applicant will comply with adjusting the locations as requested.

Applicants discussed lift stations and mentioned that they were the original company that worked with these details on the project back in 2009, so they have the data and will get this information to Public Services staff for review.

29. Given the total amount due for the utility impact fees, it may be more cost effective to have a separate tap for the fire line and a separate tap for the water main. This should allow for a reduction in the size of the master water meter. Applicant will address this comment.
31. The existing survey on the plans show two existing reuse water stub outs that could serve the property. Why not connect to one of the stub outs instead of directional drilling a new reuse service? Applicant will review

Applicant stated that they will review Fire Department comments and comply.

Applicants inquired about condition of existing storm water system and discussed that they would do due diligence on the existing storm water system to obtain its status. They inquired if there were any historical records of status of conditions. Applicants were advised to research, create written and photo documentation to create a report of current conditions.

Motion by City Engineer Miller to recommend the site plan be approved and 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 subject to execution of Developer's Agreement and staff approval prior to City Commission. Building Official Jones, seconded; the motion carried unanimously 4-0. (Economic Development Director Gerhartz was not present at meeting during this vote)

10:19 am Break in Meeting
10:20 am Meeting Resumed

Agenda Item #5: Shoppes at Lake Butler - SPA

Winter Garden Vineland Road – 4020
Z Development Services

Ashley Rumble of CCS Construction, applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

1. **Demolition and maintenance of traffic plans indicate after-hours work (“non-business hours”). Additional after-hours inspection fees will apply (coordinate at pre-construction meeting).** This comment was discussed and clarified. There are two driveways so during construction, one driveway exit will be accessible at all time during this process to allow traffic to exit complex.

PUBLIC SERVICES

11. **A grease trap shall be required for the proposed restaurant. The minimum size grease trap shall be no less than 750 gallons.** Applicant was aware of this need and will comply.

Applicant discussed that upon City Commission approval; they are ready to pay the DEP impact fees the following day but are requesting approval prior to this payment. It was discussed with applicant that the next City Commission meeting is scheduled for Thursday, August 28, 2014 at 6:30 pm and landscaping variance (administrative waiver) would be included as part of this approval. It was discussed with applicant to revise and submit the plans prior to City Commission meeting or if not able to get these details revised then the current plans will be submitted with conditions for approval. Applicant was instructed to submit revised plans before noon on Friday, August 22, 2014. Once approval from City Commission is granted, then this project will be ready to start.

Applicant inquired about water main installation and this was discussed. City Staff advised that the lines will be installed under Avalon Road and not on W. Colonial Drive. Applicant understood.

Motion by City Engineer Miller to recommend approval of the site plans subject to all City Staff conditions and be placed on the next City Commission agenda. Building

Official Jones, seconded; the motion carried unanimously 4-0. (Economic Development Director Gerhartz was not present at meeting during this vote.)

10:28 am Break in Meeting

Economic Development Director Gerhartz returned to meeting at 10:28 am

10:29 am Meeting Resumed

Agenda Item #6: Waterside on Johns Lake Phase 2 - CPA

Marsh Road – 17001

Standard Pacific Homes of Florida

Bobby Johnson of Dewberry and Scott Stearns of Dewberry, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

4. **For lots showing a “basement” floor, provide a system that will accommodate grinder pumps for the sanitary sewer (i.e. a manifolded force main connected to the gravity mains, etc.). Any homes requiring a grinder pump shall be equipped with permanent back-up power (generator) Note on plans.** The concerns about homes with basements were discussed. Applicants were asked to provide more details and information pertaining to grinder pumps and pump curves for these homes. Applicants understand and will provide.
8. **Proposed 5 ft. building setbacks will only be approved provided that no obstructions of any kind are allowed within the 5 ft. setback area – staggered air conditioning equipment will be allowed, provided they do not impede the flow of storm water within the drainage easement. Minimum 5 ft. wide utility and drainage easements shall be provided on each side lot line.** City Staff advised applicants that there is a change in building code coming soon for measurement of easements and this may affect placement of homes on lot. This was just a note of advisement.

Economic Development Director Gerhartz left meeting at 10:32 am

11. **Williams Road (Phase C): Is there sufficient right-of-way on the south end where this ties into the pavement at Amber Sweet Lane? Response indicates the additional R/W is in the process of being obtained – agreement/ROW deed to be provided prior to construction.** Applicants understood this is something that they will need to address.
12. **Ingress/Egress Easement: access to the “less out” parcels shall be provided as agreed upon between the parties and will be checked at final construction plan, and final plat reviews. What is the status of the existing overhead utility line that crosses Phase A to the “less out” parcel? Is this in an easement? Will it be relocated?** This comment was clarified.
15. **Utilities: The City reviewed a draft master utilities plan dated June 2012, and met with the Design Engineers on 6/29/12. As discussed on a preliminary basis, the project will need to install a minimum 16” water main, 12” sanitary force main, and a 12” reclaimed water main on Marsh Road (or equivalent alignment) to serve the development (along with future potable water storage/pumping facility and future reuse water storage/pumping facility). These lines will need to be extended to proposed or existing**

stub-outs from the Waterside development to the east, at the Developer's expense. As the Design Engineers develop the master utility plan, provisions for the following may be necessary due to the size of the development and its location: reclaimed water pumping station and/or storage tank site; water plant and/or water storage tank/pumping facility; master lift station. Coordinate with Assistant City Manager Cochran. Response indicates the process is ongoing and will be addressed in the DA, prior to the public hearing. Applicants gave City Staff an update with new tank site location. Geotech surveys have been done and given to City Staff. CPH has updated the site study and will give this to City Staff as well once completed. Applicants want to give City Staff information for review so that once Four Corners agreement is finalized then these can be moved along and not held up for City review after the final hearing. City Staff asked applicant to run a test for the 12" line and 16" line in their models and report back with results. City Staff would like to see the calculations from both sizes. Applicants will side bar meeting with Public Utilities on placement of water main lines.

Economic Development Director Gerhartz returned to meeting at 10:37 am

- 16. The Fire Department and City Manager need to review the plan for a possible future fire station site (i.e. response times). Response indicates the process is ongoing and will be addressed in the DA, prior to the public hearing.** Applicant understood.

PUBLIC SERVICES

- 20. REPEAT COMMENT: The bottom finished floor for lots 280 – 283 are lower than the top of the lift station. Please provide a minimum of one foot of freeboard between the finished floor and the top of the wet well.** This comment was discussed and agreed that applicants would meet with Public Services department as a side-bar meeting.
- 21. With respect to the lift station pumps, the city maintenance crews do not support odd pump sizes (23 hp). If 20 horsepower pumps will not work then please use 30 horsepower pumps in the wet well. Permanent generators shall be required at both lift stations for this phase.** Applicants understood this comment and will adjust to be either 20 hp or 30 hp based on what is needed.
- 22. The city has revised the construction detail sheets since your last submittal. Please download the most recent sheets from the city website and include with your next submittal.** Applicants will comply.
- 23. Revise the locations of S30 and S37 to eliminate the skewed sanitary sewer lateral. Review all laterals and adjust the manholes accordingly.** City Staff advised applicants to review all the manholes on plans and look at the plan as a whole. Applicants will comply.
- 24. On sheet 26, the existing seasonal high ground water line is shown above the existing ground. Does the groundwater daylight to the surface or is this an error? Please review and confirm this information on all profile sheets.** Applicant acknowledged error and will correct.
- 25. REPEAT COMMENT: Please show a post development ground water profile on the plan and profile sheets. The ground water level will be altered by the change in use for the property. Add under drains if ground water is estimated to be within 18 inches of**

the road base. The comment response states that these were added but the only thing that shows up are the existing shgwt not post-development shgwt. Staff will review the report mentioned in the comment response (dated 7/17/14) when submitted. Staff will review this submittal.

26. Please provide a cut off drain or a clay core adjacent to the right of way for Pond 220. Applicants will provide.
27. Extend the 16" water main, 12" reuse main, and the 12" force main to the west approximately 335 feet to the western boundary of the project. City Staff reminded applicants that per code requirement, applicants will need to extend the utility lines and applicants expressed that they don't own the area beyond to extend the lines. Again this will be a side bar discussion at a later date.
30. To which node is the fire flow being applied in Phase 2? Please submit a demand report for the nodes for all scenarios. This was explained by the applicants and City staff understood. Applicants will clarify on plans.

BUILDING DEPARTMENT

32. FBC-Residential 401.3 requires 5% slope away from structure for the first 10'. For impervious surfaces it may be reduced to 2% for the first 10'. This comment was discussed and applicants will respond to this comment with resubmittal of plans.
33. FBC-Residential 405 & 406 Requires foundations and walls that retain earth and enclose habitable or usable space located below grade to be provided with drains and be waterproofed/damp proofed. This comment was discussed and applicants will respond to this comment with resubmittal of plans to be addressed at time of building.

Applicants inquired about status of Developer's Agreement and discussion took place about this topic. Applicants discussed various phases of project and inquired about each phase and progress for what was able to progress vs. what will have to wait until the finalization of Developer's Agreement. City Staff and applicant discussed this concern.

Motion by City Engineer Miller to have the applicant revise and resubmit the Subdivision Construction Plans subject to all City Staff conditions for another full DRC review cycle due to the Developer's Agreement. Building Official Jones, seconded; the motion carried unanimously 5-0.

Amended motion was made to the following:

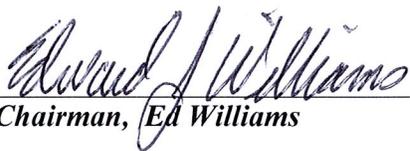
Motion by City Engineer Miller to have the applicant revise and resubmit the Subdivision Construction Plans addressing City Staff conditions for staff level review and approval and then have the applicant return to DRC for a full review cycle for the Developer's Agreement. Building Official Jones, seconded; the motion carried unanimously 5-0.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 11:05 a.m. by acting Chairman/Manager for Community Development Steve Pash.

APPROVED:

ATTEST:



Chairman, Ed Williams



DRC Recording Secretary, Colene Rivera