



# WINTER GARDEN

## CITY OF WINTER GARDEN DEVELOPMENT REVIEW COMMITTEE MINUTES July 23, 2014

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, July 23, 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 10:03 a.m. The roll was called and a quorum was declared present.

### **PRESENT**

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

**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 July 9, 2014.

*Motion by City Engineer Miller to approve the above minutes. Seconded by Building Official Jones, the motion carried unanimously 3-0. (Economic Development Director Tanja Gerhartz and Assistant City Manager for Public Services Don Cochran were not present at the meeting during this vote).*

10:03 am Break in Meeting  
10:04 am Assistant City Manager for Public Services Cochran arrived to meeting  
10:05 am Economic Development Director Tanja Gerhartz arrived to meeting  
10:05 am Meeting Resumed

### **DRC BUSINESS**

#### **Agenda Item #3: Toltec Construction Office - SPA**

Bay Street E – 334  
Toltec Construction

Homar Jaimes of Toltec Construction, applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

## ENGINEERING

1. **Provide the total new impervious surface ratio of the site. The building plans show this structure is to have a concrete slab floor – verify what material is under the structure (asphalt millings, etc.) and include in the impervious surface calculation.** Applicant stated that he will not be having a concrete slab even though the plans show a concrete slab floor; the “floor” is made up of asphalt millings. Discussion took place regarding water drainage on the site for the project. City Staff advised applicant that he will need have an engineer design the drainage to address concern that the water does not drain onto surrounding properties. Applicant was advised to have an engineer review plans, determine solutions and include on resubmitted plans.
3. **Since portions of the existing broken concrete, gravel and asphalt area are being demolished, any bare areas shall be covered with a minimum of 6” thick, #57 stone.** Applicants confirmed that there is 6” of gravel.
4. **Per previous approvals, the Owner was to pay into the sidewalk fund at \$27/s.y. prior to issuance of site or building permit. Was this payment ever made?** Applicants confirmed that these costs have been paid.
5. **Per previous approvals, existing on-site lighting was to be converted to dark skies compliant prior to final completion. Verify.** Applicant stated that they have complied with dark skies lighting for the site.
6. **If a dumpster is required by the Solid Waste Division, it shall be enclosed and accessible to solid waste trucks. All dumpsters shall be enclosed and shall provide 10’ minimum inside clearance (each way inclusive of bollards).** Applicant stated that there will not be a need for a dumpster as there will not be waste materials. The area will just be for equipment and vehicles.
7. **Provide permit or exemption from SJRWMD for stormwater considering the aggregation of all phases that have taken place since 2009/2010; FDEP NPDES is exempt since the site is less than 1 acre.** City Staff expressed concern that the applicant had an exemption for phase 1 of project but now applicant is on phase 3. City Staff explained concern that the site needs to address in its entirety and not section by section and that when viewed from its entirety, there will be a threshold reached in which a SJRWMD permit will be required. Applicant was advised to address this with an engineer.

## PLANNING

8. **The carport does not comply with setback requirements for the I-2 Zoning District. Minimum rear yard setbacks are 30 feet and side yard setbacks are 25 feet. Applicant must apply for variance or move the carport to comply with the minimum required setbacks. A variance request to keep the carport in the existing location will not be supported by staff.** City Staff advised applicant what the options are for this carport. Applicant will need to apply for a variance however, he was advised that the carport will need to be relocated to comply with as much of the City Code as possible. Applicant was advised that he will need to look at the site and see how to arrange structures and equipment storage to be in compliance. He was advised that there are setbacks for

structures but not equipment. Applicant understood, will review and resubmit plans. Applicant was advised to address these concerns with an engineer.

9. **Maximum height of the carport may not exceed 40 feet as stipulated by the I-2 Zoning District.** Applicant stated that the carport height is 16', within the acceptable range and was in compliance.
10. **The landscape buffer as approved with the approved site plan does not appear to have been installed in compliance with the site plan. All conditions of the approved site plan must be in compliance before any permits will be issued for the carport.** Landscaping plans were briefly discussed and applicant understood what was needed to be in compliance to meet the site plan approval. He understood that he will need to meet this for any type of permit approvals.

### **BUILDING DEPARTMENT**

12. **Engineered plans and permit required for carport structure.** Applicant stated that he will get engineered plans and submit for building permit.

### **STANDARD GENERAL CONDITIONS**

13. **The Owner is responsible for meeting all provisions of ADA and Florida Accessibility Code.** Applicant stated that he was in compliance with ADA and Florida Accessibility Code.
14. **All work shall conform to City of Winter Garden standards and specifications.** Applicant will review City standards and specifications and will comply.
15. **Fencing, if proposed, shall meet all City requirements for height, type, etc. Chain link fencing shall be vinyl coated per Code. All construction shall conform to City of Winter Garden Standards, Specifications and Ordinances.** Applicant stated that the fence has been completed.

***Motion by City Engineer Miller to have the applicant revise and resubmit the minor site plan addressing all City Staff conditions for another full DRC review cycle. Building Official Jones, seconded; the motion carried unanimously 5-0.***

10:18 am      Break in Meeting  
10:19 am      Meeting Resumed

### **Agenda Item #4: Shoppes at Lake Butler - SPA**

Winter Garden Vineland Road – 4020  
Z Development Services

Ashley Rumble of CCS Construction, Bob Ziegenfuss of Z Development Services, Cris Kleibl of Z Development Services and Scott Glass of Shutts and Bowen, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

## ENGINEERING

3. Sheet C0 (repeat comment): The parking calculation was based on outparcels only and needs to be calculated for the overall center. Applicants will add the parking calculation details on the plans. They stated that they are losing approximately 15-20 parking spaces. City Staff will advise after reviewing revised plans and calculations.
4. Sheet C1: The 60 degree angled parking requires an 18' minimum width one-way aisle per Section 118-1387(h)(7) – 15 feet is shown. Applicants have agreed to change to 90 degree angled parking spaces.
5. Sheet C1 (repeat comment): The proposed 14' wide drive-thru aisles and 12' vertical clearance will need Fire Department approval. These are very narrow considering the tight turn radii. Applicants inquired about this comment and City Staff advised that applicants discuss directly with Fire Department Inspector Vicky Rutherford.
6. Sheet C1 (repeat comment): The existing light pole should be relocated out of the parking space into the adjacent island. This comment was discussed and clarified. The light pole has been removed and comment will be discarded.
8. Sheet C3 (repeat comment): The plan calls for 172 l.f. of 18" HDPE to connect to an existing inlet. Based on the elevations provided, this pipe will have less than 1 foot of cover at the existing inlet which is not recommended. Design Engineer and Contractor will be responsible for this, not the City of Winter Garden. Applicants will adjust to be 15" HDPE to connect to an existing inlet.
12. Pursuant to the previous approval for the shopping center conversion, "any development of the outparcel will require separate site plan and zoning approval". This comment was clarified and this is the process that applicants are going through now.

## PLANNING

17. The angled parking leading into the Bank Drive-Thru forces employees and customers of both the restaurant and bank to pass through the Bank Drive-Thru to exit the site. This is not acceptable and should be revised to show 90 degree parking or provide a pass-thru lane to avoid stacking of exiting traffic in the Bank Drive-Thru. As discussed earlier in Engineering Comment #4, applicants will change to 90 degree parking spaces.
18. Sheet C.0. Landscape buffers described are not what are shown on the plans. This comment was discussed and clarified. Applicants will adjust wording on plans as advised.
19. Sheet C.1. Parking spaces that have been added into the landscape islands in the existing parking lot do not comply with minimum depth of 18 feet. These spaces overhang into the drive aisle by 6 feet. This comment was discussed and clarified. Applicants will revise plans to show shaded area as discussed.
20. Sheet C.1. If more than 5 cars are stacked at the "Drive-thru Equipment" location for the restaurant then the drive aisle is blocked. If more than 4 cars are stacked at the bank drive-thru facility then the drive aisle is blocked. Applicants will adjust the "Drive-thru Equipment" on plans to allow space for more stacked cars.

22. Only 3 of the 6 parking spaces for the Drive-Thru Restaurant site are provided on the restaurant site, the balance of the parking spaces are provided on the Bank site. This condition exacerbates the issue of angled parking leading into the Bank Drive-Thru. This comment was discussed and applicants will revise.

### PUBLIC SERVICES

30. Please call out the size of the existing force main. Applicants inquired about the size of the force main and City Staff confirmed it is 6" force main.

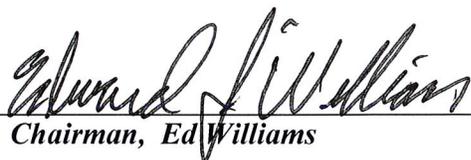
City Staff wished to discuss the retaining wall and have applicant explain the plan for this along with the details. This concern was discussed and applicants will include details on the resubmitted plans along with cross section details. City Staff also discussed with applicants the placement of a sound barrier wall between this business and the Fitness Center next door. Applicants will comply. Also mentioned was a business at this location with a banner that has become their permanent sign. This has been addressed with the tenant, but applicant was informed of this situation as well.

*Motion by City Engineer Miller to have the applicant revise and resubmit the site plan addressing all City Staff conditions for another full DRC review cycle. Building Official Jones, seconded; the motion carried unanimously 5-0.*

### ADJOURNMENT

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

APPROVED:

  
Chairman, Ed Williams

ATTEST:

  
DRC Recording Secretary, ~~Colene Rivera~~  
Kelly Carson