



# WINTER GARDEN

## CITY OF WINTER GARDEN DEVELOPMENT REVIEW COMMITTEE MINUTES January 14, 2015

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, January 14, 2015 in the City Hall Commission Chambers.

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

Chairman/Community Development Director Ed Williams called the meeting to order at 10:00 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, Assistant Director of Operations Mike Kelley on behalf of Assistant City Manager for Public Services Don Cochran

**Others:** City Attorney Kurt Ardaman, Manager of Community Development Steve Pash, Planner Kelly Carson, Planner Nadine Avola and Customer Service Representative Colene Rivera.

### **ABSENT**

**Voting Members:** Economic Development Director Tanja Gerhartz and Assistant City Manager for Public Services Don Cochran

### **APPROVAL OF MINUTES**

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

Approval of minutes from regular meeting held on December 10, 2014.

*Motion by City Engineer Miller to approve the above minutes. Seconded by Building Official Jones, the motion carried unanimously 4-0.*

10:01 am Break in Meeting  
10:03 am Meeting resumed

### **DRC BUSINESS**

#### **Agenda Item #3: Twin Waters – AMENITY SITE PLAN**

16303 Marsh Road  
Meritage Homes of Florida, Inc.

David S. Brown of Meritage Homes of Florida, Inc.; applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

## ENGINEERING

2. **This submittal is incomplete and does not address grading, drainage, potable water, sanitary sewer, etc. Provide a civil site plan complying with sections 106 and 118 of the City Code to include the above items, as well as location of bathrooms, pool equipment and discharge, pavement and curb type, fencing around pool, etc. Handicap parking shall be provided.** This comment was clarified by the city staff and explained to applicant that the listed items need to be included in the resubmittal.
3. **The proposed amenity center is a much more intense development than was originally shown and is within the 100 foot karst feature buffer area. Provide documentation that the proposed impervious surface ratio (ISR) is within what was permitted by SJRWMD and provide justification for encroachment into the karst protection area.** Some detail and explanation was given to applicant about this comment and concern in regards to the recreation area for this project. It was explained about the karst buffer area and that it needs to remain natural and undisturbed. Surface amenities such as a soccer field, volleyball court, tot lot, etc. would be allowed but structures in the buffer area that require footers, digging, etc. will not be approved. Applicant stated that he would go back and research options and include in resubmittal. City Staff will email the applicant the Environmental Report so that he can further understand the buffer area. Also, city staff advised that applicant research permits by SJRWMD and see what those details are with regards to the karst feature area. There were two engineering reports and suggested that applicant go back and review both reports and details. Applicant understood. Further discussion took place about the options within the karst feature area. It was discussed that it is not just a drainage issue but all the possible effects of the integrity of the area once you start having an impact to the area below the ground surface.

## PLANNING

12. **Please show proposed light fixtures with product specifications. All fixtures shall meet dark skies requirements.** Applicant inquired about this comment. It was explained that this requirement pertains to all light fixtures for the project.

***Motion by Community Development Director Williams to redesign and resubmit the plans based on staff comments. City Engineer Miller, seconded; the motion carried unanimously 4-0.***

10:13 am      Break in Meeting  
10:14 am      Meeting Resumed

**Agenda Item #4: Oakland Park Phase 1A – FINAL PLAT REPLAT**

1212, 1218, 1236 & 1242 Union Club Drive  
Lake Apopka 2012, LLC

Al Penny of Crescent; applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

Applicant did not have specific items that he wished to discuss from the staff report. He understood and will comply with these comments. City staff inquired about the status of the construction road for this project. Applicant stated that it was coming along and that the curbs will be finished this week. Pavement should be poured in the next couple of weeks and that specific date is TBD. It was requested that once this date is set that applicant inform City so that City Manager can then inform residents of this information. Applicant will comply. Applicant also submitted lot plans and overall map to City Planner Carson at this meeting. It was requested that applicant also submit this information as a digital file as well. Applicant will comply.

*Motion by City Engineer Miller to recommend the Re-Plat be placed on the next available City Commission agenda, provided the applicant resubmits revised plans and information addressing all City Staff conditions to the Planning and Zoning Department when available. If submitted by noon on Friday, January 16, 2015 and approved by all city staff, then can be placed on the February City Commission meeting. Building Official Jones, seconded; the motion carried unanimously 4-0.*

**Agenda Item #5: Oak Trail – PRELIMINARY PLAT (resubmittal)**

1205 E. Fuller Cross Road  
Gilkey Organization, LLC

Larry Ray of EED, Inc, Dennis Gilkey of Gilkey Organization, LLC and Jason Gilkey of Gilkey Organization, LLC; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

**ENGINEERING**

3. Based on the environmental report, the on-site soils are for the most part poorly drained with a high seasonal groundwater level. Provide geotechnical report in next submittal to further define the on-site soils and groundwater table. Underdrains will be required if the seasonal high groundwater table is within 18” of the base. Response states that geotechnical report will be submitted with final construction plans – the City will not be responsible should the geotechnical report require a reduction in lots, etc. at final construction plan review. Applicant stated that they understood this comment in regards to the number of lots for this project.

4. Sheet C-02 (topo): West Orange Trail R/W is owned by the City of Winter Garden with an easement to Orange County for the Trail. Orange County Parks & Rec shall review and approve the sidewalk connection to the Trail. Additional details shall be provided on the final construction plans to prevent vehicular access to the Trail (as stated, bollards, etc.). This comment was discussed and clarified.

5. *A Tree Removal Permit issued by the City of Winter Garden Building Department will be required prior to final plan approval. As required by Code, submittal of the Tree Removal Permit application is required with this preliminary plat submittal. Coordinate with Building Department (Steve Pash). Tree plan needs to show which trees are to be removed and which will be saved.* Applicants understand that they can submit tree permit at time of final design plans. City staff agreed at this time frame for submittal.
8. *Repeat comment: Walls and landscaping shall be located within a landscape and wall tract (not easement as shown), to be maintained by the HOA. Wall and landscape tract shall be outside of the existing R/W.* Applicants explained why they are requesting this as an easement. City staff explained issues in the past with allowing this to be an easement but prefers it as a tract for ease of maintenance. Discussion went back and forth about classification to this area. It was explained to applicants that they will need to submit wall and landscaping plans and where the wall will be placed along with the type of materials planning to use for the wall. Applicants understood and will submit details. It was suggested that applicants provide details and city staff will review and perhaps it can be a combination of tract and easement for this area. Later this comment was further discussed and explained that applicants will need to break out the very large tract into the various aspects (retention, wetlands, buffer area, recreation and drainage, etc.) and provide details for each tract.
11. *All proposed easements shall be 30' minimum width for sanitary, water and storm; improvements shall be centered within the easement. Common areas not abutting right-of-way shall include a minimum 20' wide tract (not easement) for access and maintenance.* Applicants explained their plan for the project and it was further discussed. Applicants will modify their plans for 30' between houses and understand this is the city code and will comply.
13. *What is the purpose of the 20' wide drainage easement between Lots 8-9; no storm pipes or structures are shown in this area.* This was modified and will be removed in the resubmittal.
14. *Sheet C-06: Utilities: Minimum 8" potable water (internal), 8" reuse water and minimum 6" sanitary force main are required. Utilities shall be extended the full property frontage per Code (6" force main).* Applicants will provide analysis for city review and they will consider smaller size for internal within the subdivision as long as it will meet the demand for this project. Applicants will provide calculations to support the smaller size for City Staff review. Applicants understand that this is required for frontage and will comply.
20. *Sidewalks internal to the development shall be constructed adjacent to all lands not containing building lots prior to final acceptance. This shall include all retention, conservation, lift station, or recreation tracts, abutting roadways, pedestrian walkways, etc. Sidewalks external to the development shall be constructed upon final completion.* Applicants understand and will comply.

## PLANNING

22. *The proposed zoning on the property is R-1B and the minimum lot width in the R-1B Zoning District is 75 feet at the building's front face, with a minimum area of 7,500 square feet in total area. Lot 13 does not meet the width requirement and lot 14 is questionable.* Applicants will submit
23. *Please provide lot dimensions for lots 13, 14, and 15.* Applicants will submit

28. **Please provide color elevations for the homes proposed to be built in the subdivision.** Applicants will submit. Applicants will disclose the builder for this project once that is finalized.
29. **Please provide a cost estimate for the development's proportional fair share of the signal proposed for the intersection of Fullers Cross Road and East Crown Point Road.** This comment was discussed at great length regarding development's proportional fair share payment of the signal at the Fullers Cross Road and East Crown Point Road. This is concurrency and access issue and all the projects will need to agree to pay into the fair share in addition to the impact fees. Applicant understood and will comply. They inquired about when this payment needs to be paid? This will need to be paid after improvement or at time of project approval based on timing of which comes first. City staff explained to clarify... if you don't do this; you are not going to be approved.
30. **The plans show two recreation areas: one 0.21 acre "park" and another 0.51 acre "open space / park".**
- a. **What are the recreational amenities proposed for these parks?** City staff explained that they need a narrative of what they are proposing for this area.
  - b. **How will residents access the 0.51 acre area? The presence of the wetland prevents direct access from the neighborhood. Will there be adequate buffering between the recreational activities and the wetland?** Applicants will need to include detail of access to this recreational amenity area. Discussion took place about possibility of switching a couple of lots around near the lift station to make the area more accessible. They will review the recommendation and resubmit.
31. **REPEAT COMMENT: Please provide a letter from Orange County Public Schools showing that capacity is available for the proposed development. This will need to be provided before the pre-plat is scheduled for Planning & Zoning Board approval.** Applicant explained timeline of their quest to obtain this letter from Orange County Public Schools. City staff agreed that these efforts are on task and standard operation procedures. City staff recommended that they set up meeting with the school contact and state that if they don't get the letter, then the city will make their own recommendations. Applicant understood.

*Motion by City Engineer Miller to have the applicant revise and resubmit the Preliminary Plat addressing all city staff conditions and comments for another full DRC review cycle. Building Official Jones, seconded; the motion carried unanimously 4-0.*

10:41 am      Break in Meeting  
 10:43 am      Meeting Resumed

**Agenda Item #6: West Orange Business Center – SITE PLAN**  
 1291 Winter Garden Vineland Road  
 Winter Garden Vineland, LLC

David Colburn with Cactus Management on behalf of Winter Garden Vineland, LLC; applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

## **FIRE DEPARTMENT**

**17. Fire Department Connections shall be a minimum of 40 ft. off the building. Fire Hydrants shall be no more than 150 ft. away from Fire Dept. Connections. Both FDC's and hydrants shall be on the same side of the road or driveway.** Applicants were advised that this comment question will need to be directed to Vicky Rutherford in the Fire Department.

***Motion by City Engineer Miller to approve the Site Plan provided the applicant resubmits revised plans addressing all City Staff conditions including the Fire Department comments and city staff approval when available then go the City Commission. Building Official Jones, seconded; the motion carried unanimously 4-0.***

After the motion, City staff advised the next steps and the timeframe for review and city staff approval prior to City Commission scheduled item. The applicant inquired about some building comments. City staff advised applicant that he may submit building plans for preliminary review, etc. Applicant will submit revised plans ASAP.

10:48 am      Break in Meeting  
10:49 am      Meeting Resumed

## **Agenda Item #7:O'Reilly Auto Parts – DISCUSSION**

13100 W. Colonial Drive  
O'Reilly Automotive Stores, Inc.

Rex McPherson of R.D. Keene Trust, Trey McPherson of R.D, Keene Trust, Richard T. McCree of McCree Inc., Lennie Arnold of Littlejohn and Bryan Zarlenga of Cardno; applicants for the project were in attendance for discussion only. The following items were reviewed and discussed:

Since this was a discussion item only, there was not a Staff Report for review. The applicants wanted to discuss a few items. They had an updated drawing of the project that was used for discussion but had not been submitted for staff review. City staff inquired about the December submittal in which none of the plans had been revised or updated and the City Staff comments had not been addressed? The applicants explained that they were not aware the expediter had submitted plans in December and were apologetic of this action. This helped explain the circumstances to City Staff about the plans not being changed from the first submittal. Applicants did want to discuss the change in the driveway and access onto the property and will address on the plat. They also discussed signage. City staff explained that the plat and site plan can go through the review and approval process concurrently. Applicants were glad to know this. Applicants discussed sanitary manhole location and discussed back and forth the placement of this and main lines, etc. Discussed demo permit process and city staff explained that upon issue of demo permit work has to begin within 90 days. This helped applicants with when to submit for demo permit. Discussed dumpster location and what the city requirements are with

minimum of 40' clearance for the city service trucks. It will need to be cement block enclosure and with a metal gate. City Staff suggested that applicants consider the idea of enlarging and relocating the dumpster area to accommodate this project and neighboring property. Discussed truck delivery access and entering from back of property off of Magnolia Avenue. Discussed cross access to adjoining properties. Property owner disclosed his thoughts on this requirement but understood it was a requirement per City ordinance and will comply. Discussed tree and landscaping plan for this project. Applicant appreciated the discussion and will revise and resubmit the plans and respond to Staff Report with comments.

**ADJOURNMENT**

There being no more business to discuss, the meeting was adjourned at 11:26 a.m. by Chairman/Community Development Director Ed Williams

**APPROVED:**

**ATTEST:**

  
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*Chairman, Ed Williams*

  
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*DRC Recording Secretary, Colene Rivera*