WINTER GARDEN

CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
March 18, 2015

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, March 18, 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 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, and Assistant City Manager for Public Services Don Cochran

Others: City Attorney Kurt Ardaman, Assistant City Attorney Dan Langley, Assistant Director of Operations Mike Kelley, 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

APPROVAL OF MINUTES

Agenda Item #2:
Approval of minutes from regular meeting held on March 4, 2014.

Motion by Assistant City Manager for Public Services Cochran to approve the above minutes. Seconded by Building Official Jones, the motion carried unanimously 3-0. (City Engineer Miller was not present at meeting during this vote)

9:58 am	Break in Meeting
9:59 am	City Engineer Miller arrived to meeting
10:01 am	Meeting Resumed

DRC BUSINESS

Agenda Item #3: West Orlando Baptist Church – SPA
Crown Point Road E – 1006

Tri3 Civil Engineering Design Studio, Inc.

Kenric Barnett of WDBC, Lee Corcoran of The Collage Companies, and Connie Owens of Tri3 Civil Engineering Design Studio, Inc., applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

5. ***Regarding the status of the 30' overlap that is showing a portion of the stormwater pond to be constructed in that area: provide a letter from the adjacent property owner that he recognizes the boundary shown on these plans (as discussed at DRC and in the response letter). The City shall be held harmless and indemnified of any land boundary disputes between private property owners.*** Applicants discussed the status of the request from adjacent property owner for letter regarding the boundary lines. Applicants explained that they have had difficulty with having the property sign the letter but will continue to reach out on this topic. City staff stated that they would also attempt to reach the property owner to discuss concerns. City Engineer stated that this was originally requested to avoid a possible property dispute. There were a couple of options discussed and applicants are confident that this will be resolved soon.

10. ***Permits or exemptions from Orange County (East Crown Point Road), SJRWMD (ERP), and FDEP (water, wastewater and NPDES NOI) are required prior to site plan approval. FDEP wastewater permit exemption is acknowledged.*** City Staff corrected this comment that these items are needed prior to *construction* plan submittal. A status of various permits was briefly given by applications.

11. ***A detail for the bubble-up structure DS-05 was added as requested. Provide slots to allow debris to escape and a gravel filled sump.*** This comment was discussed and explained that a gravel sump will need to be installed with a 12" minimum depth as well as the requested slots. Applicants understood and will comply.

PLANNING

12. ***The City's traffic consultant has determined the Church's proportionate fair share of the proposed traffic signal at Fullers Cross Road and East Crown Point Road. Using the traffic volumes from the February turn lane study and the 2013 Fullers Cross Road signal warrant study, LTec calculated a proportionate share of 10.42% (please see attached memorandum). Based on the estimated $250,000 cost of the signal, the fair share amount is $26,050.*** Applicants expressed concern about this comment. City Staff explained that this project will need to contribute their fair share amount towards the traffic light and the turn lanes. City Staff explained the church project has been exempt from any traffic impact fees and the traffic study has considered and removed the current traffic impact from the overall total. It was explained that the fair share amount is for all current and future projects in this area to meet concurrency with regulations and codes for new development. The project fair share amount for this project is based the total of 750 seats being built on site which leads to number of cars that have an impact on the roads. It was explained that this fair share assessment is preliminary and that the final amount should be determined before summer. Applicants inquired about when this fair share amount would be due? City staff explained that the applicants will have the option to pay

at time of building permits or once the work has been completed and applicants will be billed. This would be a condition of approval. City staff explained the pros and cons for each option.

PUBLIC SERVICES

16. ***REPEAT COMMENT: Per Section 23.4 of the City's Utility Construction Specifications, the water service and fire service shall be a separate connection. Please revise your plans to provide a separate tap for the fire service. This has not been revised. The fire line and the water service line shall not share the same connection. Please provide two taps, one for the fire line and a second one for the water service. Both the water service and the fire line shall be metered.*** This comment was discussed. City Staff requested that applicants provide calculations and they will review the numbers and proposed lines that are in the plans.

17. ***REPEAT COMMENT: Please provide water and sewer system calculations. Please provide a narrative outlining the utility concepts including capping and the existing meter. The water distribution calculations were not in the review packet we received from the Planning Department.*** City staff suggested that additional clean outs and/or manholes would be needed to help with maintenance concerns. It was pointed out that these will be private lines and the decision will be up to the applicants. Applicants handed the Public Services department calculations.

Motion by City Engineer Miller to have the applicants revise and resubmit the site plan addressing all city staff conditions for staff review only. Upon staff review and approval, the site plan could then be placed on the next available City Commission agenda. Building Official Jones, seconded; the motion carried unanimously 4-0.

10:24 am Break in Meeting
10:25 am Meeting Resumed

Agenda Item #4: Windward Cay Phase 3 – SPA
Tilden Road – 13838
Windward Cay East, Inc.

Marc Grimes and Karen Grimes, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

Applicants did not have any comments or concerns from the staff report that they wished to discuss at this meeting. They are working with their team to make changes to the plans based on staff comments. Discussion took place about façade and elevation of the surrounding buildings and matching this project to those architectural styles. City Staff will send applicants copy of criteria details for this area. Also discussed was the need to have the applicants submit a landscaping plan, details on the building and boundary lines of the site.

Motion by City Engineer Miller to have the applicants revise and resubmit the site plan addressing all city staff comments and condition for another full DRC review cycle.

Assist City Manager for Public Services Cochran, seconded; the motion carried unanimously 4-0.

10:28 am Break in Meeting
10:29 are Assistant City Manager for Public Services Cochran left the meeting
10:29 am Meeting Resumed

Agenda Item #5: Roper Subdivision – CPS
Beard Road – 562
KB Homes

Sean Fortier of KCG, Scott Gentry of KCG and Dan Edwards of KB Homes, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

1. ***Beard Road improvements: Beard Road shall be improved along the full project frontage to include 24 foot pavement width, 12" wide flush ribbon curb, 5' wide concrete sidewalk, etc. per City Standards. Existing pavement shall be milled and resurfaced, 1" minimum thickness; new pavement widening shall meet City spec – 12" subbase, 10" base, 2" asphalt.***

    a. ***The curve on Beard Road is to be widened as agreed to in the City Commission meeting. Please submit revised plans showing this improvement.*** This aspect of the comment was discussed for further clarification. Applicants will submit details for this curve and city staff will review.

2. ***Typical Section (repeat comment): Right-of-way width shall be a minimum of 50 feet with minimum roadway pavement width of 24' as required by City Code (12' minimum each lane); 16' minimum lane width for any divided portion (additional width may be required if parking is allowed); 18" of clean fill with no more than 5% passing a #200 sieve required under the subbase; 98% density required on all compaction; 2" minimum asphalt thickness; 10" minimum soil cement or crushed concrete base thickness; minimum 24" wide concrete curb and gutter required (or Miami curb); 5' wide concrete sidewalks required on both sides of street; minimum 10' wide drainage, utility and sidewalk easements required adjacent to all rights-of-way. Underdrains are required when the seasonal high water table is within 18" of the bottom of the base or if encountered within 18" of the base during construction (show on profiles). All construction shall meet City of Winter Garden requirements for drainage, roadways and utilities (see City Standard Details available on-line at cwgdn.com). Revise typical section to comply with City Standards.***

    City Code (Section 110-2) requires the infrastructure for private gated developments meet all City Standards and specifications for non-gated developments. City staff reiterated that this will be private property but the road will have to comply with city ordinances and guidelines. Applicants understood and will comply.

10:32 am Assistant City Manager for Public Services Cochran returned to meeting

4. ***100 year flood zone/Wetlands: The 100 year flood elevation has been shown at 107.4 and encroachs into the property than shown on the plan (datum confirmed as NAVD '88). A LOMR shall be filed with FEMA as a condition of final plat approval for any areas requiring fill within the 100 year flood zone. Fill within the 100 year flood zone will only be allowed if compensating storage is provided.*** City staff further explained this comment. What the applicant will need to provide is documentation that the LOMA has been filed and that it is in progress.

12. ***Streetlighting shall be pursuant to City Code, including frontage on Beard Road, meeting dark skies requirements (Code Section 118-1536(k)). Submit streetlighting plan from Duke Energy prior to preconstruction meeting.*** Discussed that a letter from Duke Energy is required at time of the pre-con stating that the design is in progress and the proposed light fixtures have been selected. City Staff also clarified dark skies requirements and applicants understood that a full cut-off fixture is required.

PUBLIC SERVICES

26. ***Sheet C-6.5 & C-6.6: The proposed ruse line and force main shall not be directional drilled underneath the existing 12" reuse lines. Please find an alternate location.*** This comment was discussed, applicants understood what city staff were explaining and will comply.

Motion by City Engineer Miller to have the applicant revise and resubmit the Construction Plans addressing all city staff conditions for staff review only. Building Official Jones, seconded; the motion carried unanimously 4-0.

10:38 am Break in Meeting
10:39 am Meeting Resumed

Agenda Item #6: Dunkin Donuts
Winter Garden Vineland Road – 4020
Z Development Services

Rick Krietemeyer of Z Development Services, Cris Kleibl of Z Development Services and Ashley Rumble of CCS Construction, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

PLANNING

9. ***The proposed site plan does not contain enough parking for this use. There are 20 seats in the restaurant and 8 seats outside which requires 7 parking spaces. The plans say there will be 4 employees which require 1.3 more spaces for a total of 8 parking spaces. The plan only has 2 spaces. None of the spaces from the existing shopping center can be used for this development as all of these spaces are used by existing businesses within that center. In order to construct the proposed Dunkin Donuts, the additional parking spaces shall be constructed.*** There was a discussion about number of seats and number of parking spaces. City staff emphasized that the number of parking

spaces needs to support this business independently from other areas of complex and applicants need to show sufficient parking for customers and employees. Applicants understood and will comply.

PUBLIC SERVICES

12. ***Sheet C2 calls out an existing sewer clean out. This has not been constructed to date. Extend this sewer lateral back to the landscape island and install the clean out. This will allow you to eliminate a clean out, a change in direction, and the traffic bearing lid.*** Applicants understood and will comply.

There was some discussion about a retaining wall and applicants requesting that Planning Department review and sign off. Planning Department acknowledged this request. Also discussed if this project would have to go back to City Commission? It was determined that if applicants can comply with parking spaces and other requirements, this project would not need to go in front of Commission again but if they wanted to change or request a waiver, then yes they would have to go to City Commission.

Motion by City Engineer Miller to have the applicant revise and resubmit the Site Plan addressing all city staff conditions for staff review only. Building Official Jones, seconded; the motion carried unanimously 4-0.

10:49 am Break in Meeting
10:53 am Meeting Resumed

Agenda Item #7: Cypress Reserve – 3rd Review FP
Siplin Road – 14365
Taylor Morrison Home of Florida, Inc.

Scott Stearns of Dewberry-Bowyer/Singleton and Chris Tyree of Taylor Morrison Home of Florida, Inc., applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

5. ***A Right-of-Way maintenance agreement for landscaping, irrigation, medians, signs, etc. within City rights-of-way will be required if any of these improvements are within City R/W. Coordinate with City Attorney.*** This comment was discussed and explained that it is a standard comment. Applicants understood this will be an agreement between HOA and City of Winter Garden. City Attorney will send applicants draft wording for this agreement and they will review and implement. This would be approved as part of the plat.

6. ***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 certification and executed construction contract (final pay application). 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). Provide cost certification for all incomplete improvements with latest pay application for back-up (this is to include street and regulatory signage and striping, required landscaping, walls, amenities, 2nd lift of asphalt, etc. Discussion took place about Performance Bond and project phase to get this started. Original Performance Bond shall be given to the City prior to City Commission meeting.

12. ***Documentation that all outstanding fees owed the City for review by legal, surveying and engineering consultants shall be provided prior to final plat recording.*** City staff will get the final number for project fee to applicants.

PLANNING

14. ***Open space does not count as the required park for Phase 1. The park with the active recreation/swimming pool is located in Phase 2 of the subdivision. Please be advised that the parks are a requirement of the Planned Unit Development and a Certificate of Completion cannot be issued for Phase 1 until the active recreation park(s) have all been constructed.*** This comment was discussed and applicants will review. The staff concern is that the amount of active recreation space required by the Planned Unit Development is not being met for Phase 1 development. Applicant discussed building of swimming pool amenity and it was suggested that these details be included in the Performance Bond to ensure that the active recreation/ swimming pool aspect of Phase 2 be built within a short period of time after completion of Phase 1.

16. ***Sheet 2 – What is Tracht "H-2"?*** This was a typo and applicants will look into seeing about correction.

17. ***Black Lake Park Phase 2 contains Tract K which was intended to be a vehicle or pedestrian bridge connection. Would making a connection to this tract and providing an access easement somewhere on Lots 46 – 48 help make up the lost open space acreage?*** Discussion took place about connectivity between the two developments. Applicants were not aware of this concern. City Staff agreed to strike this comment.

18. ***Lot 12 does not meet the minimum lot width requirement of 65 feet. The minimum lot width is met +/- 40 feet from the front property line. Please be advised that this will be the front setback and there may be limitations on the home that will fit on this lot.*** Applicants pointed out to city staff that the setback was good and city staff will scratch this comment.

19. ***The entry road is not within the Sunridge Boulevard right-of-way and is not being platted with this application. We cannot approve connections to a new subdivision on a road that is intended to be a public right-of-way, but has not been platted or recorded. This plat cannot be recorded until the entire road is located within a platted right-of-way.*** City attorney requested that applicants update the plans with deed info. They will comply.

20. ***Please show the Siplin Road cul-de-sac that was constructed (Sheet 7 of 7).*** This comment was discussed and not typically included on the site plans but in the construction plans. It was advised that applicants bring construction plans to City Commission meeting and various other support documents showing surrounding properties.

It was requested that bollards be included on ends of pedestrian walkway if not already on the plans so that vehicles cannot drive through this walkway area. Discussion took place about Performance Bond completion date of March 31, 2015. Applicants felt confident that they would have all the items completed by this date. Applicants handed City Attorney a copy of insurance certificate for his record.

Motion by City Engineer Miller to recommend the Final Plat be placed on the next available City Commission agenda, provided the applicant resubmits revised plans addressing all City Staff conditions including executed right of way maintenance agreement, cost certification for performance bond and all other staff conditions to the Planning and Zoning Department within 3 days following this meeting. Building Official Jones, seconded; the motion carried unanimously 4-0.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 11:22 a.m. by Chairman/Community Development Director Ed Williams

APPROVED:

Edward Williams

Chairman, Ed Williams

ATTEST:

Colene Rivera

DRC Recording Secretary, Colene Rivera