



CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
June 24, 2015

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, June 24, 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 9:59 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, Assistant Director of Operations Mike Kelley, Manager of Community Development Steve Pash, Planner Kelly Carson, Planner Nadine Avola, Planner Jessica Frye and Customer Service Representative Colene Rivera.

ABSENT

Voting Members:

APPROVAL OF MINUTES

Agenda Item #2:

Approval of minutes from regular meeting held on June 10, 2015.

Motion by City Engineer Miller to approve the above minutes. Seconded by Building Official Jones, the motion carried unanimously 4-0. (Economic Development Director Tanja Gerhartz was at meeting during this vote)

9:59 am Break in Meeting
10:01 am Meeting Resumed

DRC BUSINESS

Agenda Item #3: Serenades by Sonata – PLANNED UNIT DEVELOPMENT/SITE PLAN APPROVAL

Roper Road – 720 & 420

Klima Weeks Civil Engineering, Inc.

Stephen Caruso of Sonata Health Care and Selby Weeks of Klima Weeks Civil Engineering, Inc.; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

Assistant City Manager for Public Services Cochran arrived late to meeting at 10:01 am
Economic Development Director Tanja Gerhartz arrived late to meeting at 10:02 am

ENGINEERING

3. *Payment into the City's sidewalk fund will be required at final construction plan approval, unless a sidewalk easement is provided and 5' sidewalk is constructed along all street frontages per Code. The City would prefer that the sidewalk be constructed for this phase. Assuming the sidewalk is constructed for the full frontage now, a credit or reimbursement will be given for the portion adjacent to the Phase 1 Memory Care center that granted an easement at that time and made a payment of \$10,888.89 into the City's sidewalk fund.* This comment was discussed and clarified. City staff had met earlier this morning to discuss the sidewalk easement and determined that a 10' sidewalk was not possible due to swale/drainage, etc. City confirmed that a 5' sidewalk to line up with that easement that had already been granted for the first phase of the memory care unit project would be required and then be done with it. Applicants expressed concern that this will affect another owner's property. Staff then stated that the city could go ahead and build the sidewalk portion for the memory care project and the applicant could build the sidewalk for this project and the applicant would need to grant an easement for the sidewalk on this project. Basically the applicants have a couple of options and will need to determine which direction they want to take on the sidewalk aspect. Applicants understood and will comply.
4. *Platting of the project may be required, especially if any portion of the project is sold off or split. If platted, easements for cross access, parking, drainage and utilities shall be provided, including creation of a Property Owners Association to own and maintain all common areas (lift station, pavement, stormwater systems and ponds, etc.).* Applicants explained that they plan to create a declaration connecting the project to the Phase 1 Memory Care Center. Applicants understood that a binding lot agreement will need to be created by applicants and then reviewed and approved by city staff and City Commission.

PLANNING

10. *The total cost of the stop light at the corner of Roper Road and Daniels Road is \$194,611.50. Your fair share is 9.6% of the cost (\$18,682.70).* City staff explained that they are still waiting for traffic analysis to be finalized and costs determined. Once this is received and the analysis is agreed upon by the city, then applicants will receive their fair

share cost of this project. These are preliminary costs and still to be determined. Applicants understood.

Motion by City Engineer Miller to approve the Planned Unit Development zoning subject to all city staff conditions for the next Planning and Zoning Board meeting scheduled for July 6, 2015. Assistant City Manager for Public Services Cochran, seconded; the motion carried unanimously 5-0.

10:08 am Break in Meeting
10:09 am Meeting Resumed

Agenda Item #4: West Orange Business Center, Bldg. #G – Site Plan Approval

Winter Garden Vineland Road - 1291
Winter Garden Vineland, LLC

David Coburn; applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

Applicant stated that this project is intended to be a flex space building and does not have any tenants at this time. City staff advised for applicant to be careful of whom they chose to be tenants to not be retail and then parking is not sufficient for this use.

PLANNING

- 5. There is a spite strip that was left between Lot 1 and Lot 2 when they were sold. Please provide a new access easement between these lots to eliminate the spite strip and provide cross access between lots 1, 2, and 3.** Applicant understood this comment and had no issue with this. He will comply. City staff reminded applicant that they would need to review this access easement prior to site plan being presented to City Commission.

City staff mentioned that the property owner in the front of this project was selling and perhaps applicant would like to look into this. Applicant will investigate this possibility.

PUBLIC SERVICES

- 10. The plan indicated that there will be a one inch water meter serving the building. The water impact fee shall be \$1,086.00 and the sewer impact fee shall be \$1,767.00. These fees shall be paid at building permit application.** This comment was discussed and city staff stated that the one inch was an error and had no problem with the pipe being a ¾" line. Applicant noted this change.

Motion by City Engineer Miller to approve the Site Plan as shown, subject to all staff conditions and subject to the approval of the cross access easement and then to be

forwarded to next available City Commission meeting for approval. Building Official Jones, seconded; the motion carried unanimously 5-0.

10:13 am Break in Meeting
10:16 am Meeting Resumed

Agenda Item #5: Bradford Creek Phase 2 Tracts C, Recreation Area – Small Scale Site Plan Approval

Sunbridge Circle - 14415
Court Street Partners

Todd Clements of Court Street Partners; applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

The landscape architect attended today's meeting and introduced himself. He stated that he had reviewed the staff report comments and is prepared to resubmit plans based on these comments. He requested that he be able to revise and resubmit later than a 3-day period. City staff explained that this was a guide to be placed on the next DRC meeting agenda in two weeks but he could take longer and then the project would be placed on the next available meeting at a later date. Applicant understood this. The applicant explained that there were really two issues that he was addressing the hard covered gazebo and increasing the tot lot size. He presented the design concept for the playground area. City staff emphasized that this playground area needs to provide a recreational area for a multiple age range of children. Applicant understood and will relay these concerns to applicants for project. Applicant was asked if he was familiar with the price range of the homes in this project. Applicant stated he was not.

Motion by City Engineer Miller to have the applicant revised and resubmit the Site Plan addressing all staff conditions for staff review only. Building Official Jones, seconded; the motion carried unanimously 5-0.

10:20 am Break in Meeting
Economic Development Director Gerhartz left meeting at 10:20 am
10:22 am Meeting Resumed

Agenda Item #6: Hennig Property – PRELIMINARY PLAT APPROVAL

Bay Street W - 601
Dewberry Engineers Inc.

Craig Harris of JTD Land at Bay Street, LLC, Scott Stearns of Dewberry, Christopher Allen of Dewberry and Dana Boyte of Dewberry; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

- 3. The existing ditch along the west boundary shall be piped with inlets for the full length of the project. Pond discharge shall be limited to the capacity of the downstream**

receiving (pipe) system (as shown). Provide easement width calculation showing the 15' wide proposed drainage easement is sufficient for the size and depth of the 24" HDPE pipe (see Sec. 110-203; minimum width = (2) x (Depth of Pipe) + (Pipe Diameter + 7').

This easement was discussed for clarification. City staff emphasized that as this doesn't impact the residents on the west side with their fences and as long as easement allows for size and depth of pipe, city is OK with proposed easement.

6. Walls and landscaping along West Bay Street shall be located within a landscape and wall tract, to be maintained by the HOA. Provide typical section of tract, showing location of wall and landscaping. 5' wide fence easement along the east project boundary shall be granted to the HOA, who will also have maintenance responsibilities for the fence. This is OK as long as it's clear in HOA documents and not be changed at a later date by the HOA board. Applicants understood.
10. Some of this property appears to be "A" type soils and may require adherence to the Wekiva protection regulations. Wekiva Protection requirements as outlined in the Comprehensive Plan shall be met, especially for drainage and Karst protection. Future submittals shall provide geotechnical study. Applicant thought that the city had copy of the geotechnical study report. They apologized and handed the planner a copy of this report at meeting. City staff will review.

PLANNING

12. INFORMATIONAL ITEM: A Developers Agreement addressing commitments of the development's plans shall be approved by the City Commission and recorded prior to approval of the Preliminary Plat and issuance of any site or building permits. City staff will draft the D.A. that shall include (if applicable), but not be limited to the following: phasing, road access improvements, on-site and off-site utility improvements and upsizing, bonding requirements concerning public infrastructure and community subdivision infrastructure improvements, recreation and open space requirements, impact fees, adherence to all City Codes and Standards etc. This comment was clarified and applicant understood at this time there is not any aspects that would need a Developer's Agreement but still early in the planning stages of project. If something were to come up along the way, this could lead to needing a Developer's Agreement. Applicant understood.

Economic Development Director Gerhartz returned to meeting at 10:34 am

14. Tree Plan, Sheet 7:

- a. This plan shows the preservation of 16 trees and the removal of 118 trees. What is the justification for the removal of this many trees? Is the site being significantly re-graded? Why can't some of the trees that fall within the building setbacks be preserved? Applicants understood that they need to have a better explanation of tree plan for project. City staff emphasized that the number of trees shown to be removed on the plans is not acceptable and that the applicant should explore every avenue possible to retain significant trees on site.
- b. In the tree notes: Builder to make every effort to save trees on site where feasible. Tree may be removed due to grading and infrastructure improvements. Is this a note about trees shown as removed or trees shown as saved? Trees shown as

saved may not be removed, even to accommodate unforeseen grading and/or infrastructure issues, or a significant fine will be issued based on caliper size.

City staff inquired about fill level height and how does it compare to properties on either side? Applicants stated about 1-3 feet above current level. There was discussion about drainage and concern of neighboring view, etc. Applicant understood and will revise accordingly. Applicants stated that once their final engineering grading plan is determined, they will be able to better adjust their tree plan for the project. City staff also reminded the applicants that once they have final engineering plan; applicants will have to include underdrains in the final plans as well.

- c. The “Specimen Tree Inches Preserved” table totals are inaccurate. This comment was clarified and applicant understood.
- d. INFORMATIONAL ITEM: Any removed trees will need to be replaced on a two-to-one basis with trees that have the same canopy potential as those removed. Applicants understood.

15. Recreational Facilities:

- a. The recreation area shown is still not sufficient to meet the City’s requirements.
 - i. Please provide an adequate landscape buffer (min 5’) between the recreation area / lift station tract and the surrounding properties (lots 16, 17, and the eastern neighborhood boundary). The storm drain easement must be located outside these buffer areas. The buffers are not permitted to be counted as part of the recreation total. There was discussion on the terms “buffer”, “landscaping area”, “easement” and “tract”. Almost everyone understood and is on the same page. Applicant will clarify on resubmittal of plans.

Economic Development Director Gerhartz left meeting at 10:40 am

- ii. What amenities are proposed that would classify this tract as actual, usable recreation area? Will there be a tot lot or other play equipment? Applicants asked for clarification of this comment. After discussion, application will submit typical specs for the recreational area. City staff needs to have a good idea about what will be provided in this recreational area. Applicant will provide cut sheet and typical details of what will be in this area to be determined more closed to construction plan submittal.

17. Traffic Study Methodology:

- a. Please include the following study intersections in the report: S Park Ave & W Plant St; N Park Ave & W Bay St. Applicants stated that this report is being worked on by Traffic Engineer.
- b. Note: Brayton Road (not Bayton Road). Applicant will make this adjustment on plans.

18. REPEAT COMMENT: Per the findings of the Phase 1 ESA, please submit a soils report that determines if hazardous compounds are present in concentrations that exceed FDEP criteria. Applicants will provide report in resubmittal of plans.

Motion by City Engineer Miller to recommend that the Preliminary Plat be placed on the next available Planning and Zoning Board agenda, which could be in July or August 2015 after staff review and approval of the Traffic Study. Applicants will need to revise and submit Preliminary Plat and Traffic Study addressing all city staff conditions for staff review and approval. Building Official Jones, seconded; the motion carried unanimously 4-0. (Economic Development Director Gerhartz was not present at meeting during this vote.)

Applicants inquired if they could submit final Engineering plans at this time? City Staff agreed that applicants could submit at this time for a courtesy review.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 10:48 a.m. by Chairman/Community Development Director Ed Williams

APPROVED:

ATTEST:



Chairman, Ed Williams



DRC Recording Secretary, Colene Rivera