



# WINTER GARDEN

## CITY OF WINTER GARDEN DEVELOPMENT REVIEW COMMITTEE MINUTES October 28, 2015

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, October 28, 2015 in the City Hall First Floor Conference Room.

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

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

### **PRESENT**

**Voting Members:** Chairman/ Community Development Manager Steve Pash, 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, Planner Jessica Frye 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 October 14, 2015.

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

10:00 am      Break in Meeting  
10:01 am      Meeting Resumed

### **DRC BUSINESS**

#### **Agenda Item #3: Oakland Park Phase 4B – CONSTRUCTION PLANS**

Lake Brim Drive  
Lake Apopka 2012, LLC

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

## **ENGINEERING**

2. **The development of the Hammock Preserve Amenity and wetland mitigation shall conform to the conceptual plan dated 5/15/2015 titled Option 'A'. Preliminary plat condition for when the amenity will be constructed shall be confirmed.** This comment was discussed for phase 4A and explained that the condition is that once 50 units (50% of phase) are approved and permitted, the amenity will need to be constructed. Applicant understood and will comply. Applicant explained that they hope to have this completed by July 2016.
7. **Water and sewer impact fees shall be paid pursuant to Code, prior to City execution of FDEP permits and issuance of site or building permits. Fifty percent of all utility impact fees for Phase 4B shall be paid prior to the execution of the FDEP water and wastewater permits. Utility impact fees are based on meter size. Assuming a ¾" meter and the 58 lots shown on the plans (Phase 4A paid 50% for 100 lots), fifty percent of the utility impact fees equates to \$114,231.00. This does not include utility impact fees for HOA common areas or amenities. Fees for common areas and amenities shall be paid prior to setting the water meters for these areas. Please see the following fee breakdown:**
  - a) **Water Impact Fees = 58 lots x \$1,086.00 = \$62,988.00**
  - b) **Irrigation Impact Fees = 58 lots x \$1,086.00 = \$62,988.00**
  - c) **Waste Water Impact Fees = 58 lots x \$1,767.00 = \$102,486.00**

**Half of the Utility Impact Fees = \$228,462.00/2 = \$114,231.00.**

This comment was discussed and applicant knows that these fees need to be addressed. City staff explained this was put on the comments was a reminder.

11. **All irrigation on the site shall be designed to be supplied by reclaimed water. Reclaimed water mains shall be 8" minimum diameter (not 6").** Applicant inquired if this is a new requirement and it is not but somehow the previous phase was approved with smaller pipe. City staff explained the applicant will need to plan on 8" lines. Applicant understood and will comply.

## **PLANNING**

14. **On sheet C304, the dry detention pond 4A appears to cross the Winter Garden jurisdictional line into Oakland, as well as extend east to the edge of pond SMA-1.**
  - a. **The limits of work shown on this sheet are not reflected elsewhere in the CPS set (outside the 300 series). Please make sure this is consistent.** Applicant will comply.
  - b. **Has this configuration been reviewed and approved by the Town of Oakland?** Discussion took place about the pond being on City of Winter Garden and town of Oakland properties with easements and how to plat this property? Applicant explained that they are working with planning department for the town of Oakland and is working on getting this agreement memorialized. City staff

advised that applicant will need to seek Oakland approvals, agreements and permits in a letter for City of Winter Garden to proceed with construction. At a later date, applicants will also need to have off-site drainage easement agreement with Crescent to Oakland Park HOA, city of Winter Garden and town of Oakland. Discussed that the city of Winter Garden will only maintain the pond on the city side and Town of Oakland will need to maintain their side of pond for further expansion and development.

- c. **The proposed extension of the pond to the east falls within the restricted open space zone associated with the DHR archeological area (DHR Project File 2014-3855). How does this new configuration comply with the mitigation requirements that were previously agreed to by the developer and DHR? Applicant explained the status of this pond. City staff requested an archeological report and letter from the state. Applicant will provide.** Applicant explained this pond will be built up, filling over existing grade, not excavated. Applicant will provide documentation of archeological report and letter from the state.

- 19. Informational Item: The Hammock Preserve recreation area is required to be built before 50% of the Phase 4A/B units have received their Certificates of Occupancy.**  
Relates to City staff Engineering comment #2.

### **PUBLIC SERVICES**

These comments were discussed and determined that applicant will need to discuss directly with Public Services.

20. **ARV at 97 + 00 for WM and RM.** These were explained that Public Services want them installed on water mains and reuse mains.
21. **ARV at 100 + 00 for WM and RM.** These were explained that Public Services want them installed on water mains and reuse mains.
22. **ARV at 70 + 00 for WM and RM.** These were explained that Public Services want them installed on water mains and reuse mains.

***Motion by City Engineer Miller to have the applicant revise and resubmit the Construction Plans addressing all staff conditions for staff review only. Building Official Jones, seconded; the motion carried unanimously 3-0.*** (Assistant City Manager for Public Services Cochran was not at meeting during this vote.)

City staff wants to set up a side bar meeting to discuss Tildenville School Road intersection improvements.

*Assistant City Manager for Public Services Cochran arrived late at 9:22 am*

Applicant wished to circle back to Public Services comments 20, 21 and 22 after Assistant City Manager for Public Services Cochran arrived at the meeting. The ARV comments were discussed and clarified. City staff explained that the ARVs are not used for irrigation systems

and requested that their project engineer contact Public Services staff for details and specifics for the ARV system.

10:26 am Break in Meeting  
10:27 am Meeting Resumed

**Agenda Item #4: West Orlando Baptist Church – SMALL SCALE PLAN**

East Crown Point Road - 1006  
West Orlando Baptist Church

Kendric Barnett, applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

**PLANNING**

- 4. A 5 foot wide landscape bed shall be installed around the north, west, and south side for the proposed shed. The landscape bed shall consist of a 3 foot tall viburnum hedge, planted 36” on center.** Applicant requested if city staff would consider the project not having to landscape along the south side against the pond. City staff explained that yes they would work with the project to see what can be done. Applicant agreed to landscape the north and west sides to create a buffer along the residential areas.

***Motion by City Engineer Miller to approve the Small Scale Site Plan as shown addressing all city staff conditions. Building Official Jones, seconded; the motion carried unanimously 4-0.***

Further discussion took place about next steps for project. Applicant was advised to add the landscaping details and submit for building permits. This will allow the applicant to then be able to pour the slab and begin work, etc.

10:28 am Break in Meeting  
10:30 am Meeting Resumed

**Agenda Item #5: Hickory Hammock Phase 2C – FINAL PLAT**

Avalon Road – 1000  
Tramell Webb Partners

Anna Landman of Tramell Webb Partners and Ed Johnson of Allen & Company, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

**ENGINEERING**

- 4. Surveyor’s Notes #4 – We still don’t see a callout on the face of the plat for the wall easement. If it included in Tract G, Private right-of-way, it needs to be stated and showing the limits. If so, should Note #21 be revised to “Tract G (Private right-of-way) includes wall easement and are to be owned and maintained by the association.”** This comment was discussed and clarified. City staff are requesting to include “and the wall” to

Note #21. Applicant understood and will add notes to the plans to clarify and will comply.

5. **Surveyor's Notes #19 – The language provided in the response that was excerpted from the Declaration leaves questions as to who actually maintains the swales, specifically the lakeside swales. This needs to be discussed and may require amending the Declaration to make sure the HOA will maintain these drainage improvements.** This comment was discussed. City staff clarified that applicants will need to include details on plan and in the HOA documents that the HOA is responsible for maintaining the swales and the lakeside swells. Also, discussed an excerpt in the declaration with concern about the wording in the document referring to “their lot”. This was stated in the recorded version. Discussed that the document should be changed to “the lots”. Legal departments will address this concern and amend the document. Also discuss how to note it on the plans.

Also, discussed the status of the performance bond review for Phase 2C of project and referencing Calatlantic as the new owners.

***Motion by City Engineer Miller to have the applicant revise and resubmit the Final Plat addressing all city staff conditions for another full DRC review cycle. Assistant City Manager Cochran seconded; the motion carried unanimously 5-0.***

10:42 am Break in Meeting  
10:45 am Meeting Resumed

#### **Agenda Item #6: Oxford Chase – CONSTRUCTION PLANS**

Avalon Road – 505  
Mattamy Orlando, LLC

Clark Sprinkel of Mattamy Homes, John Townsend of McIntosh Associates Inc and Todd Bonnett of Bonnett Design Group, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

#### **ENGINEERING**

2. **Repeat comment (no response given): Provide an overlay of any areas within proposed residential lots that will require de-mucking (i.e. Lots 23 thru 28, etc.). If applicable, specifications for muck removal on what will be building lots shall be shown, with specific instructions as to muck removal, testing and building permit application. Building Permit application for any lots in the muck removal area shall be accompanied by a detailed report, signed and sealed by a Florida Professional Engineer, that these lots are suitable for construction, and shall contain special foundation requirements or designs as appropriate. The Building Department may have additional requirements.** Applicants understood the comment and will comply. They will provide the letter with the overlay details.
5. **Sheet C301: As discussed, Tract B, dry retention, shall include the City/Joint Pond site to be owned and maintained by the HOA on the plat and Declaration.** This comment was clarified and confirmed that the storm water would be included in Tract B. Applicants

understood and will comply.

8. **Sheets C401 thru C408: Seasonal High Water Table has been shown, but the UES underdrain report was based on the SHGT being within 12” of the bottom of the base and the City requires 18”. Revise study accordingly. Regardless of study, if, during construction, the SHGT is found within 18” of the bottom of the base, additional underdrains will be required.** Applicant explained that they need to send the correct report. The one that they submitted was a previous report.

**Sheets C406/407: Underdrain is shown graphically, but is not called out.** Applicant will revise.

11. **Streetlighting shall be pursuant to City Code, including frontage on Avalon Road, meeting dark skies requirements (Code Section 118-1536(k)). Submit streetlighting plan from Duke Energy prior to preconstruction meeting.** This comment was clarified. Applicant will need to submit at time of pre-con a letter from Duke Energy stating that the design is being worked on and the type of fixtures being used will meet with the dark skies requirements. City staff also informed the applicants that the lights will need to be installed to obtain the project certificate of completion.

12. **Water and sewer impact fees shall be paid pursuant to Code, prior to City execution of FDEP permits and issuance of site or building permits.** Discussion took place about the various road improvement fees, water and sewer impact fees, engineering fees, inspection fees and when each of these are due. The SunRidge turn lane fees are due now. Discussed the Sessions agreement and determining when these payments are due. Applicants will refer back to this agreement for timing of fees due. The water and sewer impact fees are due 50% deposit will be due at time of DEP execution and remaining amount will be divided evenly amongst the 103 lots and paid at time of each building permit issuance. The 2.25% Inspection fees will be due at time of pre-con based on engineered certificate cost or executed construction cost including landscaping costs. Applicants inquired about when the subdivision perimeter wall could be built? Discussed that applicants could submit for development wall permit from the building department including site plan and details of materials, height, etc.

13. **As stated on the plans, the project will be gated. While portions of the right-of-way may be dedicated to the City, maintenance of special pavements, landscaping, irrigation, hardscaping, etc. shall be performed by the HOA under an R/W maintenance agreement (required at platting).** Applicant requested that city legal staff provide a standard right-of way maintenance agreement draft or template that applicants can look at to submit.

## **PLANNING**

22. **The passive park and the dog park are not classified as active parks; please increase amenities to meet the 5% active recreation requirement. Adding a tot-lot to the north segment of the development and inserting the missing trail should accommodate the deficiency in active recreation.** Active recreation requirements were discussed, tract was

confirmed on plan and options were presented. Applicant will add these details to the plans for review. Also explained to the applicants were the recreational areas will be required to go through a separate site plan review process.

**PUBLIC SERVICES**

***25. Loop the water main on Street A. Directional drill back under Sunridge Blvd.*** City staff explained why this is required to loop the water main line. Applicants understood this is required 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.***

**ADJOURNMENT**

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

**APPROVED:**

**ATTEST:**



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**Chairman, Steve Pash**



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**DRC Recording Secretary, Colene Rivera**