



# WINTER GARDEN

## CITY OF WINTER GARDEN DEVELOPMENT REVIEW COMMITTEE MINUTES October 26, 2016

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, October 26, 2016 in the City Hall Commission Chambers.

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

Chairman/Community Development Director Steve Pash called the meeting to order at 10:02 a.m. The roll was called and a quorum was declared present.

### **PRESENT**

**Voting Members:** Chairman/ Community Development Director Steve Pash, City Engineer Art Miller, Assistant City Manager for Public Services Don Cochran and Building Inspector Jimmy Appoloney on behalf of Building Official Skip Nemecek.

**Others:** Assistant City Attorney Dan Langley, Senior Engineer Jim Monahan, Senior Engineer Brian Warren, Urban Designer Kelly Carson, Planner Jessica Frye and Customer Service Representative Colene Rivera.

### **ABSENT**

**Voting Members:** Building Official Skip Nemecek and Economic Development Director Gerhartz.

### **APPROVAL OF MINUTES**

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

Approval of minutes from regular meeting held on October 12, 2016.

*Motion by City Engineer Miller to approve the above minutes. Seconded by Assistant City Manager for Public Services Cochran, the motion carried unanimously 4-0.*

10:02 am      Break in meeting  
10:03 am      Meeting Resumed

### **DRC BUSINESS**

#### **Agenda Item #3: Heichel Plumbing Flex Building– SITE PLAN**

Business Park Blvd. – 611 & 629

Tim Schutz of Tim Schutz, PE and Bill Heichel of Heichel Plumbing; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

### ENGINEERING

3. Sheet C-300: Use of HDPE pipe shall meet all City material and installation requirements as specified in the City's Standards & Specifications (see under on-line forms on website). Note: RCP is now shown. This comment was discussed and clarified to ensure that if the plans show HDPE pipe it shall meet city requirements – RCP is currently shown. Applicants understood and will comply.
4. Sheet C-400: Verify location of existing 10" water main. Provide pavement restoration plan and callouts if required. See attached original plans of Story Road Business Park.
  - o Based on the plans (Sheet C-400), a 1-1/2" irrigation meter and 1-1/2" potable meter are shown as proposed. The City allows either a 1 inch or 2 inch meter. Please clarify the size needed. The 1 and 2 inch impact fees are listed below.
    - i. 1" potable meter @ \$2,715.00
    - ii. 1" irrigation meter @ \$2,715.00
    - iii. Wastewater for 1" meter @ \$4,418.00Applicants stated that they plan to use 1" meter for potable and irrigation and will show flow rates, etc. as prescribed from manufacturers of meter in the resubmittal.
  - o All utilities shall conform to Chapter 78 of the City Code. Impact fees will be required for any utility connections and shall be paid prior to issuance of building permit and City execution of FDEP permit applications. This comment was explained to applicants.
6. Provide irrigation plan showing size and location of irrigation meter and backflow preventor. A conflict exists between the Irrigation Plan and the Utility Plan. The Irrigation Plans shows a 1 inch meter while the Utility Plan shows 1-1/2" meter. The City does not provide 1 1/2" meters. Please revise. Applicants stated they plan to have a 1" meter.
7. Landscaping shall not encroach on required sight lines at intersections or driveways. Design Engineer shall provide certification that sight distance requirements are being met. Response states to see the Landscape Plans however not sight triangles are shown on these plans. Applicants will include in resubmittal.
8. No trees may be planted over or within 5 feet of any utility lines. Only sod or shrubs may be planted over utility lines. It appears that 2 Live Oaks are proposed less than 5 feet from the proposed potable and fireline utility appertances. Please revise. Tree placement was discussed.
10. Design Engineer shall provide drainage certification to the City showing that the requirements of the original SJRWMD permit have been met: Maximum impervious coverage cannot exceed 80%, excluding the retention easement. Permit modification from SJRWMD shall be provided prior to site permit approval. Applicant will submit for the permit modification. The comment was clarified and applicants understood.

**PLANNING**

14. **The current boundary survey provided to the city in the first submittal is incorrect; please provide an updated boundary survey correctly depicting the separation of the Lift Station from the lot.** Applicant stated they would correct boundary survey.
15. **Page C-100, under site data, the future land use shows I – Industrial, but should be MOI – Multi-Office Industrial.** Staff clarified this comment.
16. **What is the intent of the “flex-space”?** Applicants stated this flex space will be for multi industrial use and will associate office space. Application explained some potential tenants the site may have for the site and City Staff advised applicants to have future tenants complete a Land Use Review application with the Planning and Zoning Department. This will ensure that the use will be allowed at the location. All storage will need to be inside as there is no yard storage at this site. Applicants understood and will comply.
17. **The floor plans show doors on the east side of the building leading out to a drainage easement, per building, a sidewalk may need to go in this area depending on the use, but the drainage easement prevents development in this area (including proposed door pads).** Applicants stated they plan to remove the doors on the east side of building.
18. **The floor plan does not show proposed office space for each suite, as provided in the parking calculations, office is noted as 20% (3,668 s.f.) of the building and warehousing is 80% (14,672 s.f.) of the building. The estimated Road Impact Fees are as followed:**
- |   |             |
|---|-------------|
| ○ Office 0-100,000 s.f. \$5,748.00/1000 s.f. x 3,668 s.f. = | \$21,083.66 |
| ○ Warehousing \$1,823.00/1000 s.f. x 14,672 s.f. =          | \$26,747.06 |
| ○ Total=  | \$47,830.72 |
- \*Any alterations to the space may require additional fees, amounts are subject to change\***

City Staff inquired of applicants the use of the space for impact fee calculations. General discussion about how impact fees will be assessed and any change in space may change fees noted.

19. **Landscaping & Irrigation:**
- a. **The landscape plans shall be signed and sealed by a licensed landscape architect.**
  - b. **The landscaping provided around the building is insufficient and will be hard to maintain as shown. Shrubs or ground cover with mulch is recommended and the landscaping will need to be consistent around the building.**
  - c. **The landscape plans do not indicate how access from the sidewalk to the door entry’s will be provided, the floor plan does show this but this connection will need to be applied to all plans provided.**
  - d. **The sod species provided on the plans shows St. Augustine, the pond will need to be either Bahia grass or another type of appropriate Florida- Friendly species.**
  - e. **The Eaglestone Holly is an understory tree and would not be considered a canopy tree, please revise the plans accordingly.**
  - f. **Irrigation does not seem to be provided around the building or around some**

**other miscellaneous locations on the plans, how will these areas be watered and maintained?**

Applicants inquired about landscaping requirements and landscaping in the ditch area. Applicants stated they are not planning to do additional landscaping just need to maintain the existing landscape and grass, etc.

20. **Street lights shall be provided along Story Road.** Applicants were advised that they will need to contact Duke Energy and coordinate for street lighting along Story Road. This lighting will need to meet the city requirements for dark sky lighting. Applicants understood.

**BUILDING**

See PFP-1

23. **Will there be parking in the open interior lot area? My concern is that the units on the East side of the building do NOT have an accessible path to the required doors/exits. There is not a sidewalk on the exterior East side of the building and the interior area does not show it proposed use.** City staff clarified parking for ADA requirements. Applicants understood and will comply.
24. **The unit at the North East corner of the building has 2 exit doors on the north side of the building with no opening to the outside from the rear of the unit. This may be a problem in any future build out of that unit not meeting FBC 1015.2.1 for diagonal distances.** Applicants stated they will remove the doors from the plans.

**STANDARD GENERAL CONDITIONS**

29. **Fencing, shall meet all City requirements for height, type, etc. Chain link fencing, if used, shall be vinyl coated per Code.** Applicants understood comment and city staff explained that a separate fence permit will have to be issued through the building department for project. Application understood.

*Motion by to City Engineer Miller to have the applicants revise and resubmit addressing all staff conditions the Site Plan for staff review only. Assistant City Manager for Public Services Cochran, seconded; the motion carried unanimously 4-0.*

10:23am Break in Meeting  
10:24 am Meeting Resumed

**Agenda Item #4: CHC Office Building – SITE PLAN**

East Crown Point Rd. – 330  
Clarke Property Group, LLC

David Eddy of Advance Design and Ryan Clarke of Injector Support; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

**ENGINEERING**

9. **Please provide a Photometric Plan for the proposed development. On-site lighting will be required pursuant to City Code, meeting dark skies requirements: provide photometric plan for Planning Department review.** Applicants inquired about need for outside lighting as operation and activity is done prior to dark? City staff explained that for security reasons, it would be best to have outdoor lighting but this could be addressed at a later meeting. Applicants understood.

## **PLANNING**

18. **Please provide the same elevation treatment as the east and south elevation to the north elevation.** Applicants inquired as to why they are being asked to have an elevation treatment on the north side? City staff explained to have the building compatible with surrounding buildings in the area and because the north side is visible to the surrounding area. Applicants will submit revised elevations.
21. **All signage must comply with the City of Winter Garden's Code of Ordinances, Chapter 102, Article III, Division 3. Due to placement on the lot, signage for the building will need to be incorporated with CVC Hospitality monument sign.** City staff explained the sign ordinance and this project does not have frontage space. They will be allowed to have signage on the front of their building and if they want to have monument signage, they will have to coordinate with CVC Hospitality for space on their existing sign. It is not a requirement for the project to have monument signage but if they want to have monument signage, it will have to be part of the existing signage space with CVC Hospitality. Applicants understood.

*Motion by City Engineer Miller to have the applicants review and resubmit the site plan addressing all city staff conditions including elevation and photometric requirements for staff review only. Building Inspector Jimmy Appoloney, seconded; the motion carried unanimously 4-0.*

10:34 am Break in Meeting  
10:37 am Meeting Resumed

### **Agenda Item #5: Dollar General at Winter Garden – SITE PLAN**

11<sup>th</sup> Street – 111

Hanlex Winter Garden, LLC

Jeremy Anderson of Hanlex Development, Nathan Wolfe of Hanlex Civil and Jarod Bullard of Hanlex Civil; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

*Motion by Community Development Director Pash to have the site plan tabled until the moratorium is terminated and design standards are in place. City Engineer Miller, seconded; the motion carried unanimously 4-0.*

Applicants inquired about the details and timeline of the moratorium? Chairman Pash stated that the moratorium meeting date for a vote is scheduled for February 27, 2016. There are various deadline dates ahead of this meeting for drafts and notices, etc. The first draft of the moratorium is scheduled with a deadline date of mid-November 2016. Applicants stated they would contact staff in about a month for updates on status and timeline details, etc. City Staff acknowledged.

#### **Agenda Item #6: Daniels Road Business Park – SITE PLAN**

Daniels Road – 1200

Daniels Commercial Properties, LLC

Selby Weeks of Klima Weeks Civil, Juan Carlos Gomez of Upshot, Ryan Kingry of Millennia Partners, Elliott Jamison of Millennia Partners, Jay Hembree of Hembree Construction and Raul Socarmas of Upshot; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

#### **ENGINEERING**

2. **Please provide Hardscape Plans for the proposed development.** Applicants inquired about Hardscape details? City staff explained that if applicants plan to use hardscape elements that these need to be included in submittal. Applicants understood.
15. **Please provide an Overall Basin/Nodal Map for review of the Stormwater Calculations for both the Pre and Post Development Models. Staff is unable to complete a review of the stormwater calculations. Please show all of the basins and outfalls so the City can ensure that all of the adjacent properties that currently drain to the wetland system are modeled. Additional comments may be generated upon receipt of the requested information.** Applicant explained details of drainage system and ensuring collection and outfall, etc. City staff explained that applicants will need to submit specific details in the plans and stated the design will have to work! Applicants felt confident it will.

#### **PLANNING**

*Note: Many of these comments are the same as those found in the Planned Commercial Development Review memorandum.*

16. **According to the supporting documents, the existing site is approximately 75% wetlands and floodplains and the proposal includes the site receiving six to seven feet of fill. Development of the property will result in 4.06 acres if direct wetland impacts that are associated with both dredge and fill activities are completed. In addition, 0.32 acre of secondary impacts have been assessed to directly adjacent offsite wetlands that are reasonably anticipated to be affected by the proposed activity.**

**The City Code section that includes regulation related to wetlands (Chapter 94, Article III) is intended to protect, preserve and enhance the natural functions of wetlands and other environmentally sensitive areas within the City. This section does not permit wholesale eradication of wetlands for the purposes of commercial development, especially within a jurisdiction that is highly prone to flooding. It doesn't appear as though the stormwater facilities proposed will compensate for the 4+ acres of wetlands**

that will be removed. Furthermore, the proposed mitigation banks are outside of the City limits, so there will be no direct benefits to Winter Garden- only potential future issues.

10:54 am Assistant City Manager for Public Services Cochran left the meeting

Without thoroughly addressing these concerns, Staff cannot support the proposed project. City staff has many concerns about wetlands on property and proposed plan from applicants for this space. The details and specifics for this project still need to be addressed and worked out. Applicants requested an additional meeting outside of DRC to discuss these issues in detail with Staff.

*Motion by City Engineer Miller to have the applicants revise and resubmit the Site plan addressing all city staff conditions for another full DRC review cycle. Building Inspector Jimmy Appoloney, seconded; the motion carried unanimously 3-0. (Assistant City Manager for Public Services Cochran was not a meeting during this vote).*

### **Agenda Item #7: Daniels Road Business Park – PCD REZONING**

Daniels Road – 1200

Daniels Commercial Properties, LLC

Selby Weeks of Klima Weeks Civil, Juan Carlos Gomez of Upshot, Ryan Kingry of Millennia Partners, Elliott Jamison of Millennia Partners, Jay Hembree of Hembree Construction and Raul Socarmas of Upshot; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

### **ENGINEERING**

4. Please identify the trees (species and diameter) that are located in the wetland area. It appears that the survey shows the trees in the upland portion only. City staff stated the tree details could be discussed at a later date.

10:57 am Assistant City Manager for Public Services Cochran returned to meeting

5. Design Engineer shall provide drainage certification to the City showing that the requirements of the original SJRWMD permit have been met: Maximum impervious coverage cannot exceed 80%, excluding the retention easement based on PCD zoning. Permit modification from SJRWMD shall be provided prior to site permit approval. This comment was clarified and simplified. The crossed out portion should be removed from comment.

### **PLANNING**

*Note: Many of these comments are the same as those found in the Site Plan Review memorandum.*

9. Please provide a written description of specific architectural and site design standards.

*These standards will be exhibited along with the PCD. An example of a written set of design standards can be provided at your request.* City staff explained that applicants will need to determine either architectural design standards in written format or provide visual color elevations of 4 sides for design style of buildings, etc. Applicants understood and will comply.

12. *According to the supporting documents, the existing site is approximately 75% wetlands and floodplains and the proposal includes the site receiving six to seven feet of fill. Development of the property will result in 4.06 acres if direct wetland impacts that are associated with both dredge and fill activities are completed. In addition, 0.32 acre of secondary impacts have been assessed to directly adjacent offsite wetlands that are reasonably anticipated to be affected by the proposed activity.*

*The City Code section that includes regulation related to wetlands (Chapter 94, Article III) is intended to protect, preserve and enhance the natural functions of wetlands and other environmentally sensitive areas within the City. This section does not permit wholesale eradication of wetlands for the purposes of commercial development, especially within a jurisdiction that is highly prone to flooding. It doesn't appear as though the stormwater facilities proposed will compensate for the 4+ acres of wetlands that will be removed. Furthermore, the proposed mitigation banks are outside of the City limits, so there will be no direct benefits to Winter Garden- only potential future issues.*

*Without thoroughly addressing these concerns, Staff cannot support the proposed project.*

Applicants stated that comment was addressed earlier in the Site Plan project Planning comment #16.

*Motion by City Engineer Miller to have the applicants revise and resubmit the Planned Commercial Development Rezoning addressing all city staff conditions for another full DRC review cycle. Building Inspector Jimmy Appoloney, seconded; the motion carried unanimously 4-0.*

11:02 am Break in Meeting  
11:04 am Meeting Resumed

### **Agenda Item #8: Lake Roberts Reserve – PUD REZONING**

Walker Pond Road – 12451  
GrayRobinson, P.A.

Robert Zlatkiss of American Orange County Investments 40, LLC, Tom Sullivan of GrayRobinson, P.A and Tom Daly of Daly Design Group; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

*Motion by Community Development Director Pash to recommend this project be placed on the next Planning and Zoning Board Agenda scheduled for November 7, 2016 with*

*the DRC staff recommendation of denial. Assistant City Manager for Public Services Don Cochran, 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 Director Steve Pash.

**APPROVED:**

**ATTEST:**



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*Chairman, Steve Pash*



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*DRC Recording Secretary, Colene Rivera*