



**CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
September 6, 2023**

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, September 6, 2023 in the City Hall Commission Chambers.

Agenda Item #1: CALL TO ORDER

Chairperson/Planning Director Kelly Carson called the meeting to order at 9:30 a.m. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Chairperson/Planning Director Kelly Carson, Economic Development Director Marc Hutchinson, City Engineer Jim Monahan, Building Official Skip Nemecek, and Assistant City Manager for Public Services Steve Pash.

Others: Art Miller, City Engineering Consultant; Rob Heaviside, Senior Engineer; Shane Friedman, Planning Supervisor; Yvonne Conatser, Senior Planner; Amber McDonald, Planner I; Betsy Sorg, Economic Development & Downtown Manager; and Ellen King, Recording Secretary.

ABSENT

Others: Dan Langley, City Attorney

APPROVAL OF MINUTES

Agenda Item #2:

Approval of minutes from regular meeting held on August 16, 2023.

Motion by Assistant City Manager for Public Services Pash, to approve the above minutes. Seconded by Building Official Nemecek, the motion carried unanimously 5-0.

DRC BUSINESS

Agenda Item #3: Seidel Holdings – SITE PLAN APPROVAL

Colonial Drive W - 15100
Dave Schmitt Engineering, Inc.

Mala Persaud of David Schmitt Engineering, Inc; representative for the project, attended for discussion. The following items were reviewed and discussed:

ENGINEERING COMMENTS

5. **Orange County is designing a widening project for this section of Avalon Road that may require right-of-way acquisition; coordination of site layout with Orange County is required.** Applicants to contact Orange County for latest plans.
9. **Sheet 6 – Overall Site Plan:**
 - d. **Show existing driveway on Avalon Road south of the site.** Applicants were advised to indicate on the plans the neighbor’s existing driveway.
10. **Sheet 7 – Paving, Grading & Drainage Plan:**
 - a. **The site is being raised 4 to 5 feet above existing grade. Provide cross-sections along the south boundary to show how grading transition will be accomplished with the outfall swale. Section A-A shows typo in swale invert (should be 108.45 not 118.45). Retaining walls may be required.** City Staff stated the site needs to be lowered as the 5’ of fill is problematic.
 - b. **No fill or runoff will be allowed to discharge onto adjacent properties; existing drainage patterns shall not be altered.** See above response comment.

PLANNING COMMENTS

Planning staff received a call from the Project Architect about combining the three separate buildings onsite into one long building. City staff wants to avoid a strip center look and advised to keep the buildings separated.

20. Site Plan:

- b. **The stormwater pond to the west is preventing any future possible cross-access connection. This should be adjusted to provide for any future connection.** Staff stated a cross-access is a code requirement, and the Applicants will need to provide ability to connect.
 - c. **The site only requires 55 parking spaces, however over 90 spaces are being provided. This excess parking is most likely the cause of several of the comments concerning stormwater and landscaping requirements.** City staff asked why the parking spaces have almost doubled. The Applicants commented the numbers are as is to accommodate the client’s request. City staff stated the excess parking is cutting into other requirements; buildings size may need to be reduced.
25. **A traffic impact analysis is required. Please provide the proposed methodology to Staff prior to performing the TIA.** Applicants were asked to send their methodology report to the Planner for review.

Motion by City Engineer Jim Monahan to have the applicant revise and resubmit the site plan for another full DRC review cycle. Building Official Nemecek, seconded; the motion carried unanimously 5-0.

Agenda Item #4: Dillard Street Commercial Building – SITE PLAN APPROVAL

Dillard Street S – 950 & 51 E Morgan Street

Gemini Land Development, Inc.

Bobby Johnson of Gemini Land Development, Inc. and Carl Jacobs of Element Homes; representatives for the project, attended for discussion. The following items were reviewed and discussed:

PLANNING COMMENTS

- 16. A community meeting is required for major site plans. Staff will coordinate with the applicant on a proper date and time. The meeting will be held in City Hall in the Commission chambers.** Applicants to contact the Planner to schedule.
- 21. The Dillard Street road diet plans provided by the City showed only three on-street parking spaces in front of this development. The plans are proposing seven on-street spaces. The applicant will not be provided more spaces on Dillard at the expense of the landscaping. The applicant will need to adjust their plans and parking calculations to meet their parking requirements.** The Applicants questioned if additional parking is allowed on the street? City staff stated parking is acceptable where the driveway is closed, but nowhere else around it. The Applicants will provide a proposed parking sketch.
- 22. A decorative knee wall will be required to screen the parking areas facing Broad Street and Morgan Street.** The Applicants questioned if the use of hedge rows is acceptable? City staff stated with Dillard Street moving toward a pedestrian corridor, staff wants to keep the architectural edge along the adjacent streets. If no building, one way to accomplish this look is to use the knee wall with landscaping and screen parking from the road.
- 23. Sidewalk connections are required from Broad Street and Morgan Street to the buildings.** City Staff requested a sidewalk connection and suggested a gap in the wall for pedestrian friendly access.
- 24. The proposed two-story building is encroaching into the front and side corner setback. This will require variance approvals from the Planning & Zoning Board prior to site plan approval.** The Applicants requested a variance for the building setbacks. City staff stated elevations must accompany the variance application and will need to be submitted prior to the Community Meeting.
- 26. Landscaping shall adhere to the requirements of Chapter 118, Article X, Division 3. – Landscape Design Standards. Plans are required to be signed & sealed by a Landscape Architect. Irrigation plans are also required. The landscape plan is missing significant material along the buffers.**
 - d. The two-story building seems to be arbitrarily shifted north requiring the removal of a 28" Oak tree. What is the purpose of moving the building north?** The Applicants commented they are looking for separation from the building and parking lot to the south; the site is restricted due to a 20' easement for the City lift station, force main, and gas mains. The Applicants will show the easement on the plans, show the mitigation plan, and give reason for removing the Oak tree.

Motion by City Engineer Jim Monahan to have the applicant revise and resubmit the site plan for another full DRC review cycle. Building Official Nemecek, seconded; the motion carried unanimously 5-0.

Agenda Item #5: Crooked Can Brewery Expansion – SITE PLAN APPROVAL

Plant Street W – 426

Prestige Contracting Company, LLC

ENGINEERING COMMENTS

- 5. All utilities shall conform to Chapter 78 of the City Code. Impact fees will be required for any new utility connections and shall be paid prior to issuance of building permit and City execution of FDEP permit applications. The site shall be served by City water, sewer and reuse. All utilities required for the development shall be run to the site at the Developer's expense, including potable water, reclaimed water and sanitary sewer. 100% of all required water, irrigation and sewer impact fees shall be paid prior to City execution of FDEP permits and issuance of site or building permits.**

No new utilities are shown – will any new meters or connections be made? All water & irrigation meters shall be located within the right-of-way or within a utility easement.

The Applicants commented they are not expecting a full civil review with this addition, so the plans are more generalized. There will be no new points of connections, everything is in-house and plan to tie the sanitary into the existing line. Applicants will show details from the As-builts of the existing tie-in on to the new civil plans.

- 10. Streetlighting both internally and on all street frontages is required pursuant to City Code – dark skies lighting is required. A photometric plan shall be provided for review by Planning Department.** City staff stated a photometric plan is only needed if new site lighting is added. A wall pack in the back does not need a photometric plan. The Applicants commented they will have a wall pack and recessed lighting/down lighting under the canopy. The Applicants will provide a photometric plan showing lighting details.

PLANNING COMMENTS

- 13. A community meeting is required (of which the applicant was informed in April during the Project Feasibility review).** The community meeting is scheduled for September 18, 2023, per the City Planner.

- 15. The only site plan submitted was an autoturn analysis diagram. Please provide a clean site plan sheet that provides all pertinent site plan information such as building/structure setbacks, site material callouts, etc.** The Applicants will add the requested site plan information to the civil plans.

- 16. Please provide tree protection information that shows how the existing tree will be saved during construction.** The Applicants understood.

- 17. For restaurants, the parking requirements are based on number of seats and number of employees. Please provide this information so we can calculate parking requirements per code.** City staff request calculations to include additional employees and parking with this expansion, or the Applicants to provide a narrative explaining why

the seating will not be increased.

- 20. Please submit a signed & sealed plan or letter from an acoustical engineer that certifies that the noise generated from the proposed outdoor bar / patio will not adversely impact neighboring properties.** City staff stated this is a major concern of the City for the surrounding residence. The Applicants understood.

FIRE COMMENTS

- 24. Lock Box shall be no higher than 7' from finish floor and shall be monitored by the Fire Alarm System or Burglar Alarm System.** Applicants to contact City Fire Inspector, Vicky Rutherford.
- 25. Fire Department Connections shall be a minimum of 40 ft. off the building.** Applicants to contact City Fire Inspector, Vicky Rutherford.
- 29. Fire Lanes shall be established around Fire Dept. Connections.** Applicants to contact City Fire Inspector, Vicky Rutherford.

Motion by City Engineer Jim Monahan to have the applicant revise and resubmit the site plan for staff review only. Building Official Nemecek, seconded; the motion carried unanimously 5-0.

Agenda Item #6: Golden Palms – FINAL PLAT APPROVAL

Park Avenue S – 1104

LTC Real Estate Investment LLC

Joseph Riley of Davila Homes; Justin Riley of Davila Homes; and Millie Sanchez of Davila Homes; representatives for the project, attended for discussion. The following items were reviewed and discussed:

ENGINEERING COMMENTS

- 10. Maintenance Bond: A maintenance bond or letter of credit is required in the amount of 20% of the cost of the improvements and shall comply with the City's ordinance concerning duration. This item can be delayed until the improvements have been installed as a condition of issuing the Certificate of Completion (C of C). Design Engineer shall provide certification of total cost of this phase, based on Contractor's final pay application, for determination of Maintenance Bond amount. Coordinate issuance of the C of C with the City Engineer.** City staff noted the Applicants need to confirm street lights are functioning by providing a picture of the lights on, or a copy of the utility bill; and temporarily strip parking. The C of C can be issued once the City receives confirmation the street lights are operational.

PLANNING COMMENTS

- 20. REPEAT COMMENT: The building elevations were previously being reviewed, but I don't believe the last round of comments were ever addressed. Please submit the latest building elevation for review.**

Response indicates latest elevation was sent to me, but I never received it. The Applicants will provide an 11 x 17 copy of the building elevations to the Planner.

CITY ATTORNEY COMMENTS

- 21. Please refer the attached memorandum dated August 28, 2023 for City Attorney comments:**
- 3. We have not been provided with the required Statement of Lien Settlement Requirements for Current Year of Payable Taxes, Tax Sales, and Capital Improvements reflecting proof of payment of real estate taxes. This document must be obtained from Orange County. Also, the original version must be provided to my office after approval of the final plat in order to have the plat recorded. The final plat cannot be recorded without this signed document.** The Applicants stated they submitted the Lien Settlement on 8/5/2023 to the City. City staff to confirm.

CITY SURVEYOR COMMENTS

- 22. Please refer the attached memorandum dated August 28, 2023 for City Surveyor comments.**
- Sheet 2**
- 3. A current plan set of the construction plans were not provided. The plans provided for the previous review do not match the plat.** Applicants to submit construction plans to the City Planner to forward to surveyor for review.

Motion by City Engineer Jim Monahan to have the applicant revise and resubmit the site plan for staff review only. Building Official Nemecek, seconded; the motion carried unanimously 5-0.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 10:08 a.m. by Chairperson/Planning Director Kelly Carson.

ATTEST:

APPROVED:

/S/

/S/

DRC Recording Secretary, Ellen King

Chairperson, Kelly Carson

DISCUSSION ITEMS ONLY

Agenda Item #7: Stage Stop Campground – PROJECT FEASIBILITY

Colonial Drive W - 14400
Stage Stop Campground Inc.

Frank Chase of F.W. Chase Enterprise; Dan Hayes of CPC; George Spigener of Stage Stop Campground; representatives for the project, attended for discussion only.