



**CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
March 29, 2023**

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, March 29, 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, City Engineer Jim Monahan, Deputy Building Official Jimmy Appoloney on behalf of Building Official Skip Nemecek, Assistant City Manager for Public Services Steve Pash, and City Engineering Consultant Art Miller on behalf of Economic Development Director Tanja Gerhartz.

Others: Rob Heaviside, Senior Engineer; Shane Friedman, Senior Planner; Amber McDonald, Planner I and Ellen King, Recording Secretary.

ABSENT

Voting Members: Economic Development Director Tanja Gerhartz, and Building Official Skip Nemecek

Others: City Attorney Dan Langley

APPROVAL OF MINUTES

Agenda Item #2:

Approval of minutes from regular meeting held on March 15, 2023.

Motion by City Engineering Consultant Miller, to approve the above minutes. Seconded by Assistant City Manager for Public Services Pash; the motion carried unanimously 5-0.

DRC BUSINESS

Agenda Item #3: 553 W Plant Commercial Building – MINOR SITE PLAN APPROVAL

Plant Street W - 553
Gemini Design, LLC

Nicole Gargas of Gemini Design, LLC; representative for the project, attended via phone conference for discussion. The following items were reviewed and discussed:

PLANNING

9. **Does the applicant have any proposed uses at this location? At this parking ratio the only allowed uses will be office and retail.** Applicant stated the property will be office and retail store with grab-and-go items that cater to trail users, and the architectural plans will be submitted this next go around. Staff informed the property would not have direct access to the West Orange Trail, that a swale is located behind the property. Staff asked for a detailed scope of operation, and asked if the architectural plans will be for full architectural renovation of the building? The applicant confirmed it was, and replied remodeling will be to the interior, exterior, and facade, but the infrastructure and structure will stay the same.

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

Agenda Item #4: Cypress Street Office Building – LOT SPLIT

Cypress Street E - 122
Franco Scala, Pioneer Builders

Debbie Rodriguez of Pioneer Builders; representative for the project, attended for discussion. The following items were reviewed and discussed:

ENGINEERING

3. **It is our understanding that one of these parcels will be used to meet the parking requirement for the 114 E Cypress site plan. Provide parking plan including all details (grading, etc.) with next submittal.** Applicant stated the requested Lot Split is not just for parking, but to change the building and site plan. Staff stated when the lot is split it will need to be rezoned and then combined with the larger parcels so not to be sold off separately.

Motion by City Engineer Monahan to have the applicant revise and resubmit the Lot Split for staff review only. City Engineering Consultant Miller, seconded; the motion carried unanimously 5-0.

Agenda Item #5: 30 North Park – FINAL PLAT

Plant Street W – 525 (Park Avenue N – 30)
Allen and Company

Nick Asma of Asma & Asma PA; Joe Hoffer of CynerGreen Development; Ed Johnson of Allen & Company; and Logan Belk of Allen & Company; representatives for the project, attended for discussion. The following items were reviewed and discussed:

ENGINEERING

9. **Performance Bond: The improvements are not completed (C of C not issued). 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 (if not already paid or installed); street and regulatory signs, final lift of asphalt, required landscaping, walls, amenities, etc. City Attorney shall approve the form of the bond or letter of credit prior to final plat recording. Provide Design Engineer's certification of cost of any incomplete improvements and contractor's contract for the work. Final plat will not be forwarded to the City Commission for approval without performance bond (unless C of C has been issued).**

Based on the Design Engineer's certification of incomplete construction costs of \$108,209.86 the performance bond shall be \$129,851.83, representing 120% of the cost (unless C of C is issued prior to final plat approval). Original performance bond has been provided. Applicant understood.

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. Design Engineer has provided certification of total cost of this phase, based on Contractor's final pay application, for determination of Maintenance Bond amount.**

Based on the Design Engineer's certification of construction costs of \$462,840.00 the maintenance bond shall be \$92,568.60, representing 20% of the cost. Applicant understood.

PLANNING

17. **REPEAT COMMENT: Please submit revised landscape plans showing how the north side of the site will be buffered with trees as required.**

This buffer was a required part of the site plan approval. There needs to be a landscape buffer installed along the north property line. That was not optional. Applicant stated that the trees are shown on the landscape plan on the other side of the wall.

18. **REPEAT COMMENT: The required off-site mitigation of 17 canopy trees shall be addressed via payment into the City's tree fund. A copy of the contract with the landscape contractor is needed to determine the price of the canopy trees. The price to purchase 17 of canopy trees will be the amount required to be payed to the City as mitigation.**

Staff notes that a "Landscape Proposal" was submitted. However, only 11 canopy trees were proposed. And it's unclear whether the costs include installation or just the

