



**CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
January 8, 2020**

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, January 8, 2020 in the City Hall Commission Chambers.

Agenda Item #1: CALL TO ORDER

Chairman/Community Development Director Steve Pash called the meeting to order at 9:31 a.m. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Chairman/ Community Development Director Steve Pash, City Engineer Jim Monahan, Building Official Skip Nemecek and Assistant City Manager for Public Services Jon Williams.

Others: City Attorney Kurt Ardaman, Assistant City Attorney Dan Langley, City Engineering Consultant Art Miller, Senior Engineer Rob Heaviside, City Development Consultant Ed Williams, Urban Designer Kelly Carson, Senior Planner Shane Friedman, Planner I Soraya Karimi 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 December 18, 2019.

Motion by Assistant City Manager for Public Services Williams to approve the above minutes. Seconded by Building Official Nemecek; the motion carried unanimously 4-0.

DRC BUSINESS

Agenda Item #3: 340 & 370 Lakeview Road – LOT SPLIT

Lakeview Road - 340 & 370
Jane & Richard Lee

Jane & Richard Lee of Wright Construction; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

Applicant's acknowledged receipt of staff report. They did not have a copy with them and did not have too many questions to address with staff.

CITY ATTORNEY COMMENTS

9. **Please refer to attached memorandum dated December 12, 2019 for City Attorney comments.**
2. **If the property is encumbered by a mortgage, an executed joinder and consent to the proposed lot split from the mortgage holders is required.** Applicants inquired if a document handed over during this DRC meeting would suffice for proof of ownership of property? City attorney reviewed the document and stated that the applicants will need to obtain a "Property Information Report" through a title search company/ lawyer to meet the requirements. Applicants understood and will comply.
3. **If any utility or drainage easements are being required along the new lot lines, the applicant will need to execute and record a utility and/or drainage easement in a form acceptable to the City.** Applicants stated that there is not anything in the easements. This property is currently on well water and septic. City staff stated they will have to abandon the well and septic and connect to city water and sewer once this Lot Split process is completed. City staff will meet with applicants to discuss these details, etc.

Motion by City Engineer Monahan to have the applicants revise and resubmit the Lot Split with the Property Information Report for staff review only. Assistant City Manager for Public Services Williams, seconded; the motion carried unanimously 4-0.

Agenda Item #4: Garden West – FINAL PLAT

Plant Street W – 707
Poulos & Bennett, LLC

Melissa Martinez of Poulos & Bennett, LLC, Shawn Dennis of J & J Building LLC and James Costello of J&J Building LLC; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

CITY ATTORNEY COMMENTS

17. **Please see attached memo dated December 9, 2019 for City Attorney comments.**
7. **We have been provided with the revised proposed Partial Release of Mortgage. Please revise the Partial Release to move the remainder of the notary block to the first page so that the document is only page only. Also, the revised original executed version must be provided prior to scheduling the final plat for City Commission consideration.** This was discussed and applicant will adjust this as requested to be on one-page only.
8. **We have been provided with the Right of Way Maintenance Agreement. The city Clerk block needs to be revised to reflect Angela Grimmage as the City Clerk.** This

was discussed and will be updated. Unless the City is approving the landscaping of West Plant Street and Brayton Street as part of this development, Exhibit "B" to the Agreement needs to be revised to reflect only Tract RW-2 as recorded in the Plat Book ---, Page --- of the Public Records of Orange County, Florida as the Description of the Roads, and the graphical depiction with the x's needs to be removed. The original executed version must be provided prior to scheduling the final plat for Commission consideration. The Commission should consider the Right-of Way Maintenance Agreement for approval with the final plat. This comment was discussed and clarified. The applicant will adjust based on the discussion that the RW-1 will only be an area that the HOA will mow and maintain as grass only. There will not be additional landscaping or irrigation elements in the area other than grass/sod per city code requirements. Applicant understood and will be adjust.

CITY SURVEYOR COMMENTS

9. Please see attached memo dated December 24, 2019 for City Surveyor comments. Applicants had an original approval letter for the final plat from Ed Johnson, City surveyor for this project. City staff stated that they need the document submitted directly from Ed Johnson along with notice of final document, etc. Applicant understood and will reach out to surveyor with this comments.

City staff asked applicant about their Orange County Public School concurrency? Applicant stated she would look into this and submit, etc.

Motion by City Engineer Monahan to have the applicants revise and resubmit the Final Plat for staff review only. Assistant City Manager for Public Services Williams, seconded; the motion carried unanimously 4-0.

Agenda Item #5: WG Operations Center Access – SITE PLAN

East Crown Point Road - 402
S&ME, Inc.

No applicants for the project were in attendance for discussion. Chairman Pash announced that this project will be tabled until the next meeting on January 22, 2020 as requested by the applicants.

9:46 am *Break in Meeting*

9:48 am *Meeting Resumed*

Attendees for Agenda Item #6 were not yet present at this meeting. Chairman Pash announced we would move on to Agenda Item #7 and then return once the attendees were present.

Agenda Item #7: WS-2 A Found Life - PUD REZONING

Plant Street W - 1001
Dave Schmitt Engineering, Inc.

Dave Schmitt of Dave Schmitt Engineering, Inc., Maria Quintero of Dave Schmitt

Engineering, Inc., Jonathan Filburn of Whitestone Construction Group; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

4. **The plan states that the adjacent property to the north (Golden Pond) is included in the PUD re-zoning. What changes or additions to the existing uses are proposed?**
Applicant's inquired about including this adjacent property to the north as part of their project submittal? They do not currently have the topo survey for this property. City staff stated the city is currently reviewing, considering this and will get back to applicants on a final decision.
5. **The proposed "5-points" intersection at Story/Plant/Brick is not acceptable. The future road alignment shall be discussed and approved by City Staff before the next re-submittal.** City staff advised that the location of the "5-points" intersection is currently being evaluated by an outside traffic consultant. Once this review is completed, the city staff will comment further on the location of this intersection. Applicants inquired about timing of this response? City staff said that they will get a return answer to the applicants later this week.
11. **All dumpsters shall be enclosed and shall provide 12' minimum inside clearance each way. Approval from Public Services Solid Waste Division is required.** The 12-foot clearance was discussed and defined. Applicants understood and will comply.

BUILDING

15. **Please provide the location of the dumpster on the plans and include a double enclosure detail to provide a 24'W x 12'D minimum inside clearance each way (excluding the offset from the back wall of the enclosure to bollards).** This was discussed above in the Engineering comment #11.

PLANNING

27. **The PUD site plan states that the property north of the subject property boundary is included and subject to the PUD. Please review this statement. Although this project will need to coordinate with the northern property, for reasons of connectivity, the northern property has R-2 zoning and will not be part of the proposed PUD ordinance.**
This aspect was already discussed as part of Engineering comment #4 but the applicants will need to show easements, crosswalks, etc. for the PUD. Applicants understood.
28. **Traffic:**
 - a. **The Traffic Impact Analysis methodology has been sent to the City traffic engineering consultant for review. Comments will be provided separately.** This was discussed above in the Engineering comment #5.
 - b. **The five-point traffic intersection created by the dedicated right-of-way will need to be reevaluated by the City's traffic engineering consultant.** This was discussed above in the Engineering comment #5.

Applicants inquired if the preliminary plat and the final plat could run at the same time? Staff confirmed that these are two separate submittals and processes but preliminary plat submittal could be followed with final plat submittal. The staff further explained that the recording of the plat is not required until time of Certificate of Occupancy (CO).

Applicant then reviewed requirements of their submittal, etc. City staff confirmed.

Motion by City Engineer Monahan to have the applicants revise and resubmit the Planned Unit Development for another full DRC review cycle. Building Official Nemecek, seconded; the motion carried unanimously 4-0.

Agenda item #6: Central Parc at Winter Garden – PCD REZONING

Dillard Street S – 855 & 955

Bravo Engineering, LLC

Chris Bravo of Bravo Engineering, LLC; applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

ENGINEERING

1. **Survey & Plan: There exists a 15' wide right-of-way and utility easement across the Dillard Street frontage that shall be shown (as recorded in O.R. Book 2326, pages 363,364 of the Public Records of Orange County, FL). Building setbacks shall not encroach on this easement-R/W (scaled 10' currently shown).** Applicant inquired if staff wanted this reflected on the survey or just on the site plan? This was discussed and city staff stated either way but there was concern about the proposed 10' setback. City staff confirmed with the applicant that the building would be set near the roadway but there needs to be a 15' right-of-way and utility easement across the front of the building. Applicant understood and will comply. City staff stated this discussion would be tabled, needs to be discussed internally and then a final direction would be relayed to the applicant.
10. **All dumpsters, shall be enclosed and shall provide 12' minimum inside clearance each way. Approval from Public Services Solid Waste Division is required.** Discussed inside bollard dimensions of 12 feet x 12 feet clearance. Applicants understood and will comply.
14. **Repeat comment: A lift station will be required to serve multiple owners and connect to the force main in S Dillard Street. The lift station shall be owned and maintained by the City and will be installed per City Standards. A minimum 30'x30' tract will be required (as shown).** Applicants confirmed ownership of lift station by the city with an agreement in place amongst the condo association. City staff also stated that the city would need to review and approve this agreement. Applicant understood.
16. **A Stormwater Pond is shown on the eastern side of the site. No fill or runoff will be allowed onto adjacent parcels. Transition slopes shall be provided to match existing grade at property line. Existing drainage patterns shall not be altered. Providing positive drainage within the site is the responsibility of the Design Engineer. The City will not maintain any portion of the on-site or off-site drainage systems or parking lot.** Drainage, runoff and elevation were discussed. Applicant understood.

The plan shows an underground exfiltration system is proposed. Provide geotechnical report to support this design – this area has a high water table and clayey soils – not conducive to underground exfiltration. Applicant discussed elevated lot height of approximately 3-4 feet. City staff stated that this will not be acceptable and the project will need to be consistent with the surrounding areas. Applicant discussed height on other side of wall of adjoining property, etc. City staff will review this for side bar discussion on this topic. City staff asked applicant to provide shot details, detailed sectional elevation drawing of proposed plan, etc. Applicant will comply.

PLANNING

23. **A community meeting is required.** City staff explained this will be a required step and this project will need to have defined clear uses for proposed project to present to community and then the Planning & Zoning Board as well as City Commission Board. Applicant understood.
24. **An offline discussion may be needed for the proposed uses, specifically:** Applicant stated that his client was inquiring about possibility of residential condo/ townhome use at this location? City staff explained that the applicant will need to clearly define proposed uses for this project. These can be category percentages of various proposed uses within the overall project but they need to be refined for city staff to evaluate overall impact of this project. Applicants understood.
- a. **Hotel, K-12 Education, Emergency Medical Services, and Rec Center are not supported as permitted uses by right, especially without user-specific information.**
 - b. **For a 2nd-story multi-family residential use, a specific maximum dwelling unit count needs to be established in the PCD.**
 - c. **“Post Office” is an unusual permitted use request. Has the US postal service contacted you about opening up a location here?**
 - d. **For Special Exception uses, mini-storage would not be supported in this location.**

It was suggested that the applicant, his client, their architect meet with city staff set up a side bar meeting to discuss these concerns, etc. prior to next submittal. Applicant agreed.

Applicant inquired about traffic study timeframe of review? City staff explained that it is difficult to narrow down a timeframe when the project is not clearly defined, etc. Applicant understood.

Also discussed and clarified that the entrances of the buildings need to be focused on the street front and secondary entrances could be along the parking lot area. Applicant understood.

Applicant had questions about timeframe of project for submittals/ approval, etc. City staff gave some very rough guidelines but until the project is better defined this is challenging to answer.

Motion by City Engineer Monahan to have the applicants revise and resubmit the Planned Commercial Development after the side bar meeting for another full DRC review cycle. Assistant City Manager for Public Services Williams, seconded; the motion carried unanimously 4-0.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 10:11 a.m. by Chairman/ Community Development Director Steve Pash.

APPROVED:

ATTEST:



Chairman, Steve Pash



DRC Recording Secretary, Colene Rivera