



WINTER GARDEN
CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
January 23, 2013

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, January 23, 2013 in the City Hall Commission Chambers.

CALL TO ORDER

Chairman/Community Development Director Ed Williams called the meeting to order at 10:02 am. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Community Development Director Ed Williams, City Engineer Art Miller, Building Official Harold (Skip) Lukert and Assistant City Manager for Public Services Don Cochran

Others: City Attorney Kurt Ardaman, Assistant City Attorney Dan Langley, Senior Planner Steve Pash, Senior Planner Laura Smith, and Customer Service Representative Colene Rivera.

ABSENT

Voting Members: Economic Development Director Tanja Gerhartz

APPROVAL OF MINUTES

Agenda Item #3:

Approval of minutes from regular meeting held on January 9, 2012.

Motion by City Engineer Miller to approve the above minutes. Seconded by Building Official Lukert, the motion carried unanimously 3-0.

Assistant City Manager for Public Services Cochran was not present at meeting during this vote.

10:02 am Break in meeting

10:04 am Meeting resumed

DRC BUSINESS

Agenda Item #4: United Cerebral Palsy West Orange- SMALL SCALE SITE PLAN APPROVAL

Winter Garden Vineland Road - 1303
R.A. Rogers Construction Co.

Rob Johnson of RA Rogers Construction, applicant for the project was in attendance for discussion. The following items were reviewed and discussed:

Review of Site plan approvals, pre-construction meeting processes, etc. Applicant was in agreement and understanding of comments.

Motion by City Engineer Miller to approve Site Plans with staff conditions that were attached. Building Official Lukert, seconded; the motion carried unanimously 3-0.

10:07 am Break in meeting

10:08 am Meeting resumed

Assistant City Manager for Public Services Don Cochran arrived late at 10:09 a.m.

Agenda Item #5: Carriage Pointe Reserve – Phase I - FINAL PLAT APPROVAL

Avalon Road - 2911

Bowyer-Singleton & Associates

Scott Stearns and Bill Donley of Bowyer, Singleton Associates, Chris Roper of Akerman Law Firm, and Chris Tyree of Morrison Homes, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

Applicants stated that they are on the tail end of approvals and hoping to be on the P&Z board agenda in early February. Hoping to tie up any loose ends. Applicants will revise plans to update based on staff comments.

ENGINEERING

- 3. Need to discuss Survey Note #12 as well as wall & drainage easement adjacent to Tract "M" on Davenport Road (Sheets 3 & 6) which was to be a wall and landscape easement per the wall approval. All walls and landscape areas shall be maintained by the HOA. The wording on Note #12 could be interpreted that, unless noted otherwise, ALL drainage and utility easements are to be maintained by the adjoining lot owners. Would this apply to drainage easements containing conveyance pipes to ponds, etc.? Utilities?**

Discussion of retaining wall and screening wall maintenance along with the ground space in between the two perimeter walls along Davenport Road. Agreed that this will be maintained by HOA with allowance for the individual property owner to care for their lot areas if desire to do so.

10:28 am Assistant City Manager for Public Services Cochran left the meeting

Also discussed requesting applicants to revise plat Sheets 3 & 6 to include "landscape" reference on the 10' wall and drainage easements, correct title in title block for Director of Community Development, to modify Note 9 on plat to include common areas and easements and applicants will have a sidebar meeting with Legal staff to clarify Note 8 on plat. Discussed applicants to dedicate the public right of way to City and then City will get with Orange County to determine

deed and title of these areas. Discussion of Cul-de-sac, utilities easement, and lift station on plat.

10:35 am Assistant City Manager for Public Services Cochran returned to the meeting

11:54 am Assistant City Manager for Public Services Cochran left the meeting

Motion by City Engineer Miller to recommend approval of the revised Final Plat to be placed on the next available Planning and Zoning board agenda, provided the applicant resubmits revised plans and documents addressing all City Staff conditions to the Planning and Zoning Department within 2 days following this meeting (by noon on Friday, January 25, 2013). Building Official Lukert, seconded. Amended by Chairman/ Director Williams to include all executed documents in proper form and deeds by mid next week to Development Review Committee Review. Amendment accepted by City Engineer Miller; the motion carried unanimously 3-0.

10:59 am Break in meeting

11:07 am Meeting resumed

Agenda Item #6: Alexander Ridge – CONSTRUCTION PLANS APPROVAL

Avalon Road - 2203

Lennar Homes, LLC

Kimberly Leser of Arcadis US, Inc, John Valantasis and Rob Bonin of Lennar Homes, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

PLANNING

2. **Construction Plans show a total of 200 lots for the portion of Alexander Ridge located south of Avalon Road, though the Planned Unit Development Ordinance 05-44 permitted up to 204 dwelling units in this portion of the project the Preliminary Plat approved by City Commission on November 9, 2006 included only 188 lots. The proposed 200 lots shown on the Construction Plans are consistent with the Planned Unit Development Zoning, however are not consistent with the Preliminary Plat for this portion of the property.** Staff will review and determine substantial or non-substantial change and then advise applicants accordingly.
4. **Applicant provided additional revised Sheet C3 of construction plan submittal to remove 2 lots (bringing the total lot count proposed to 198) and replace with a recreational amenity. This revision should be added into the notes and calculations for open space and recreation area.** Applicants have revised.
5. **Construction Plan notes were not revised to reflect compliance with Resource Protection Overlay Wekiva Study Area Open Space requirements. A spreadsheet of open space and recreation calculations was provided which indicated ability to comply with the requirements; however the notes on the plans do not correspond with the support documents. This property is located within the Resource Protection**

Overlay as defined by the City's Comprehensive Plan, and therefore must comply with the Wekiva Study Area Open Space requirements as defined by the City's Comprehensive Plan Policies 1-3.1.7 & 1-3.1.8, which requires that a minimum of 25% of the developable area be Wekiva Study Area Open Space. Wekiva Study Area (WSA) Open Space is land area that remains undisturbed or minimally disturbed such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and includes land preserved for Conservation purposes. WSA Open Space may include dry retention, passive recreation, school playgrounds and buffers. Up to 50% of the WSA Open Space requirement may be met with dry stormwater retention areas. None of the 25% WSA Open Space may be chemically treated with pesticides or fertilizers. WSA Open Space shall not include setback areas, private yards, street right of way, parking lots, impervious surfaces or active recreation areas. Applicants will update.

6. **PUD Plan exhibited to Ordinance 05-44 depicted a 30 ft trail easement along the west side of the property south of Davenport Road (adjacent to the Rural Settlement area). The easement has not been provided, and instead a 5 ft landscape easement and 25 ft buffer are shown. Revise to comply with approved PUD Plan exhibited to Ordinance 05-44.** This comment was clarified and called out as Equestrian Trail. Applicants choice to call it easement or tract.
7. **Subdivision perimeter walls around south half of the property have been changed to a 6 ft high white PVC fence from the original 2007 construction plans which depicted a brick perimeter wall around the entire site. Revise plans to remove all PVC fencing as this will not be permitted subdivision perimeter wall material.** Staff advised applicants that perimeter wall cannot be PVC fence material but needs to be brick as was shown in the final 2007 approved plans. Staff will allow for southern barrier to be some other type of material since this will not be against other developments. Applicants requested copy of 2007 approved final plans from Planning and Zoning Department.
8. **Structural wall referenced on west side of property south of Avalon Road is not rendered in the hardscape details. The wall is shown in the Grading, Drainage & Erosion control plans to be a retaining wall w/screen wall stacked on top/ Provide rendering of proposed wall in the hardscape details.** Applicants will update details.
9. **Provide landscape buffer details for the exterior of the subdivision perimeter wall for Davenport Road frontage.** Applicants will update details

PUBLIC SERVICES

10. **Streetlights are required internal to the subdivision and along all adjacent rights of way. Please review the city code for all city streetlight requirements.** Advised for applicants to pay for street lights on 545 and then City will install lighting along Avalon but applicants will need to provide lighting for entrance area. Discussed also Davenport lighting not needed along this road but would be needed on Mann and Avalon. Staff will send applicants details on pricing for lighting fixtures.

11. Water and sewer impact fees shall be paid pursuant to City Code and prior to City execution of FDEP permits and issuance of site or building permits. Applicants will comply.

STANDARD GENERAL CONDITIONS

17. A portion of the site is jurisdictional wetlands. A LOMR shall be filed with FEMA as a condition of final plat approval for any areas requiring fill within the 100 year flood zone. This comment was clarified.
22. After final plan approval, a preconstruction meeting shall be held with representatives of the City, Progress Energy, CenturyLink, Cable TV, the Owner, Contractor and Developer, prior to any commencement of construction. The applicant shall provide an erosion control and street lighting plan at the preconstruction meeting and shall pay all engineering review, legal, and inspection fees prior to construction. Inspection fees in the amount of 2.25% of the cost of all site improvements shall be paid prior to issuance of the building permit. Fees will be based on either an engineer's certified cost estimate or executed construction contract, subject to review by the City Engineer. Preconstruction meeting will not be scheduled until the street lighting plans have been reviewed and approved by the City. This comment was clarified.

ENGINEERING

3. Sheet C3 (repeat comment): Tract Table still shows Tract "O" as being owned and maintained by the Lake Avalon Rural Settlement HOA, not the Alexander Ridge HOA as noted in the response. Updated
4. The well closure report was submitted as requested and the well location was shown on Sheet GDE3. Will the capped well casing elevation need to be adjusted? Well will be lowered.
6. Sheet SP1: What is the status of the 50' wide Temporary Construction Easement shown on the east side of Mann Road? Is this being obtained from Foundation Academy? Response indicates additional information forthcoming. Working through this with Foundation Academy. Planning to provide sketch and legal description to assist with this coordination. City staff will assist with communication with Foundation Academy. Applicants asked about this as a conditional approval? Staff explained some reservation and what could/ could not be done as conditional to this comment.
8. Sheet GDE2: Plans have been revised to show a segmented (stacked) retaining wall along the rear of Lots 151-166. Handrail or decorative fence will be required on top of wall; separate building permit required; HOA to maintain the wall and area south of the wall. Requested applicants to provide architectural renderings and agreed to conditional approval.
10. Plans shall be reviewed and approved by the City's CR 545 design consultant, Pegasus Engineering (response indicates written approval from Pegasus will be forthcoming). Applicants had coordinated and requested from Pegasus but still do not

have approval. Applicants request assistance from City to obtain, staff asked that applicant include them on email correspondence and will help with this coordination.

The following are previous comments and conditions from 7/18/2007 as updated:

17. **Provide streetlighting plans prepared by Progress Energy for City approval, meeting all City requirements (dark skies, etc.) (letter from Progress Energy stating design is underway is acknowledged).** Applicants will comply.

Discussed phasing of development and coordination if applicants should decide to go in this direction.

20. **Notwithstanding the above, significant intersection improvements at Tilden Road and C.R. 545 will be required for this project that shall include re-grading the area, signalization and widening. Preliminary and final subdivision plans shall provide details for these improvements based on 120' minimum width right-of-way to be dedicated fee simple to the City of Winter Garden. Approval of all work within the C.R. 545 or Tilden Road R/W shall be required from Orange County and the City of Winter Garden. The intersection improvements stated above shall be completed prior to the issuance of any certificate of occupancy for any structure.** Staff will review and follow up with applicants.

Discussed if staff will allow for 2nd lift of asphalt later – yes applicants can request, but will need to be covered by a performance bond.

Inquired about Earth work; discussed what could and could not be done.

Acceptance from Conserve 2; issued copy to City Engineer.

Motion by City Engineer Miller to conditionally approve the Construction Plans, provided the applicant resubmits revised plans addressing all City Staff conditions to the Planning and Zoning Department for staff review. Building Official Lukert, seconded; the motion carried unanimously 3-0.

Additional motion by City Engineer Miller that the Development Review Committee reviewed the revised construction plans showing 198 lots which is an additional 10 lots from the approved preliminary plat and found this as a non-substantial change. Building Official Lukert, seconded; the motion carried unanimously 3-0.

11:55 am Break in meeting

11:56 am Meeting resumed

Agenda Item #7: Hickory Hammock – CONSTRUCTION PLANS APPROVAL

Avalon Road - 1000

Donald W. McIntosh Associates, Inc.

Dave Kelly of DWMA and Joe Tramell of Tramell Webb, applicants for the project were in attendance for discussion. The following items were reviewed and discussed:

Applicants inquired about setting up Pre-Con meeting
Question on what was needed for Street lighting? Need to obtain a letter from Progress Energy
Need letter from Assistant City Manager for Public Services Cochran regarding FDEP letter of understanding.
Need to evaluate an old tree removal permit and inquired about clearing the area; directed to Steve Pash.

Motion by City Engineer Miller to approve the Construction Plans as shown subject to all staff conditions and applicants provide all information to set up a pre-construction meeting. Building Official Lukert, seconded; the motion unanimously 3-0.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 12:12 p.m. by Chairman/Community Development Director Williams

APPROVED:

ATTEST:

Chairman Ed Williams

Customer Service Rep Colene Rivera