### **RESOLUTION NO. 22-50**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, APPROVING THE CERTIFIED SUBDIVISION PLAN (CSP) WITH CERTAIN CONDITIONS FOR THE CRYSTAL LAKE PRESERVE SUBDIVISION; MAKING FINDINGS; AND AUTHORIZING THE TOWN MANAGER TO TAKE ALL NECESSARY FURTHER ACTION(S) RELATED TO ENTERING INTO A DEVELOPER'S AGREEMENT ON BEHALF OF THE TOWN OF DUNDEE WITH REGARD TO THE CONDITIONAL APPROVAL OF THE CSP FOR THE CRYSTAL LAKE PRESERVE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the proposed Landings at Lake Mabel Loop Subdivision (the "Subdivision") is to occur on approximately 58.60 +/- acres which are located on the north side of Frederick Ave, approximately ¼ miles east of the intersection of US Highway 27 and Frederick Ave in Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Numbers 272820-000000-021010, and 272820-000000-023010, (collectively referred to as the "Property"); and

- **WHEREAS**, the location map for the Property is attached hereto as **Exhibit "A"** and incorporated herein by reference; and
- WHEREAS, on November 08, 2022, pursuant to Section 7.01.07 of the Town of Dundee Land Development Code ("LDC"), JSK Consulting, INC (the "Applicant") submitted a Certified Subdivision Plan (the "CSP") for the Subdivision; and
- **WHEREAS**, the CSP is attached hereto as **Exhibit "B"** and incorporated herein by reference; and
- **WHEREAS**, on April 13, 2021, at a duly notice public meeting of the Town Commission of the Town of Dundee, the Town Commission approved a credit for 2.75 +/- acres of privately owned recreation space for the Subdivision; and
- **WHEREAS**, the CSP includes 237 single-family lots and 2.75 +/- acres of recreational land to be owned and maintained by a Home Owner's Association; and
- **WHEREAS**, pursuant to Section 7.01.07 of the LDC, the purpose of the certified subdivision plan is to allow Town staff to perform a technical review of all proposed site improvements; and
- **WHEREAS**, pursuant to the technical review performed by the Town and//or Town's consultants, the CSP has not satisfied the general requirements set forth by Section 7.01.07 of the LDC; and

**WHEREAS**, pursuant to Section 7.01.07 of the LDC, the certified subdivision plan forms the basis upon which a final plat will be prepared and consists complete working drawings and design specifications; and

**WHEREAS**, the Applicant has substantially complied with all the requirements set forth in Section 7.01.07 of the LDC regarding the preparation the CSP for the Subdivision; and

**WHEREAS**, pursuant to Section 7.02.03 of the LDC and applicable provision of the Code of Ordinances of the Town of Dundee, a development order and/or development permit will not be approved by the Town for a development unless a satisfactory concurrency evaluation is performed in accordance with Section 6.01.00 of the LDC; and

**WHEREAS**, on the effective date of this Resolution, the Town of Dundee is not able to provide allocable water capacity for the Subdivision; and

**WHEREAS**, pursuant to Section 54-9 of the Code and Section 6.01.07.03 of the LDC, a developer's agreement is required as a condition of approval for the CSP; and

**WHEREAS**, pursuant to Section 6.01.07.03 of the LDC and applicable Florida law, this Resolution does not create a reservation of capacity in the Town water plant or network capacity, or a commitment to provide such service to the Subdivision; and

WHEREAS, the Applicant requests that the Town Commission of the Town of Dundee conditionally approve the CSP for the Subdivision subject to the terms and conditions set forth by this Resolution; and Town Commission's approval for construction of streets, drainage facilities, and/or other subdivision improvements prior to final platting in accordance with applicable Town of Dundee Land Development Code and the conditions set forth by this Resolution.

## NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA:

- The above factual recitals (WHEREAS clauses) are hereby adopted by the Town Commission of the Town of Dundee as the legislative findings and form a factual and material basis for this Resolution.
- 2. The Crystal Lake Preserve Certified Subdivision Plan (the "CSP") is attached hereto as **Exhibit** "**B**" and incorporated herein by reference. The Crystal Lake Preserve Subdivision (the "Subdivision") is located on the north side of Frederick Ave, approximately ¼ miles east of the intersection of US Highway 27 and Frederick Ave in Dundee, Florida, further identified as Polk County Property Appraiser's Parcel Identification Numbers 272820-000000-021010, and 272820-000000-023010, (collectively referred to as the "Property").

- 3. The Property is depicted by the location map which is attached hereto as **Exhibit** "**A**" and incorporated herein by reference.
- 4. The Town Commission of the Town of Dundee having reviewed the CSP and having been otherwise fully advised in the premises hereby conditionally approves the CSP for construction of utility systems and other required infrastructure in accordance with Section 7.01.07 of the Town of Dundee Land Development Code and the conditions set forth in this Resolution, as follows:
  - a. No building permits for any structures will be issued until all required infrastructure systems and improvements required by the Town of Dundee Land Development Code, Code of Ordinances, this Resolution, and applicable Florida law are fully operational and have been accepted by the Town and/or appropriate entity with jurisdiction.
  - b. Pursuant to Section 54-9 of the Code of Ordinances of the Town of Dundee (the "Code") and Section 6.01.07.03 of the LDC, a developer's agreement is required as a condition of approval for the CSP in order to provide, at a minimum, as follows: (1) detail the Town's inability to currently provide allocable water capacity for the Subdivision; (2) detail the necessary expansion of the Town's water treatment facilities to serve the Subdivision; and (3) detail the terms and conditions under which the Town will provide potable water utility service for the Subdivision.
  - c. Pursuant to Section 7.01.07 of the LDC and applicable provisions of the Code and LDC, the technical review comments which include but are not limited to, the comments included where as composite Exhibit C (the "Comments") provided by the Town's consultants related to the CSP and Subdivision shall be satisfied and accepted by the Town and/or Town's consultants.
  - d. Copies of the Comments are attached hereto as **Composite Exhibit** "**C**" and incorporated herein by reference.
  - e. Unless the Town has performed a satisfactory concurrency evaluation related to the Town's ability to provide allocable potable water capacity for the Subdivision, the CSP shall not be considered complete for the purpose of providing a basis upon which a final plat may be considered for approval by the Town Commission of the Town of Dundee.
- 5. In the event the Town has performed a satisfactory concurrency evaluation related to the Town's ability to provide allocable potable water capacity for the Subdivision, the construction of the required infrastructure systems and/or

improvements for the Subdivision shall also be complete and accepted by the Town prior to Final Subdivision Plat approval.

6. In the event the construction of the required infrastructure systems and/or improvements for the Subdivision are not complete and accepted by the Town, Final Subdivision Plat approval for the Subdivision shall be conditioned upon the following: (a) a developer's agreement or development agreement shall be approved by the Town Commission, executed by the parties, and recorded in the public records in and for Polk County, Florida; and (b) when approved by the Town, the applicant shall provide the Town with adequate performance security and adequate defect security pursuant to the terms and provisions of a developer's agreement or development agreement.

For purposes of this Resolution, "adequate performance security" and "adequate defect security" shall mean, at a minimum, as follows:

- (a) Adequate performance security shall be satisfactory in form to the Town Attorney and the Town Engineer and the Town's planning staff and be in an amount equal to one hundred and twenty-five (125%) percent of the developer's contract for the work that remains uncompleted and not accepted at the time of final plat or final site development plan approval, as certified in writing by the engineer of record, subject to the approval by the Town's planning staff and the Town Engineer. No more than fifty percent (50%) of the value of the total required improvements for each phase of the Development shall be considered for bonding and/or letter of credit given hereunder. Subject to the terms of the applicable agreement, the performance security shall be released by the Town when all private improvements are installed, inspected and approved and when all public improvements are installed, inspected and accepted. When providing a bond for performance security, the bonding company shall have a B+ or better rating in accordance with "Best Bond Book." In the case of a letter of credit, provisions for drawdowns from the letter of credit as improvements are completed and accepted shall accompany the surety. The letter of credit shall have a duration of twenty-four (24) months; and
- (b) Adequate defect security shall warrant and guarantee the materials and workmanship of all infrastructure and infrastructure improvements within the Subdivision that are dedicated to the public, including streets, curb and gutter, sidewalks, potable water distribution system, sanitary sewer collection and transmission system, reclaimed water system and stormwater management system. This guarantee shall be for an amount equal to ten (10) percent (%) of the actual construction costs of improvements and/or other adequate written assurances which are set forth in an applicable developer's agreement or development agreement for the purpose of correcting any construction, design or material defects or failures within public rights-of-way or easements in the development or required off-site improvements. The

Resolution 22-50 Crystal Lake Preserve Certified Subdivision Plan (CSP) Page 5

form and manner of execution of such securities shall be subject to the approval of the Town Attorney. The effective period for such security shall be one (1) year and thirty (30) days following the Town's acceptance of the installed improvements. Upon default, the Town may exercise its rights under the security instrument, upon ten (10) days' written notice by certified mail to the parties to the instrument or as otherwise set forth in an applicable agreement.

- 7. The Town Commission of the Town of Dundee authorizes the Town Manager to take all necessary further actions related to entering into a Developer's Agreement with the Applicant and/or Applicant's authorized designee with regard to the terms and conditions set forth by this Resolution and the Town's conditional approval of the Landings at Lake Mabel Loop Certified Subdivision Plan.
- 8. The provisions of this Resolution are severable. If any word, sentence, clause, phrase or provision of this Resolution for any reason is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions or portions of this Resolution shall remain in full force and effect.
- 9. The correction of typographical and/or scrivener's errors in this Resolution which do not affect the intent of this Resolution may be authorized by the Town Manager or her/his designee, without need of consideration by the Town Commission, by filing a corrected or recodified copy of same with the Town Clerk.
- 10. This Resolution shall take effect immediately upon passage.

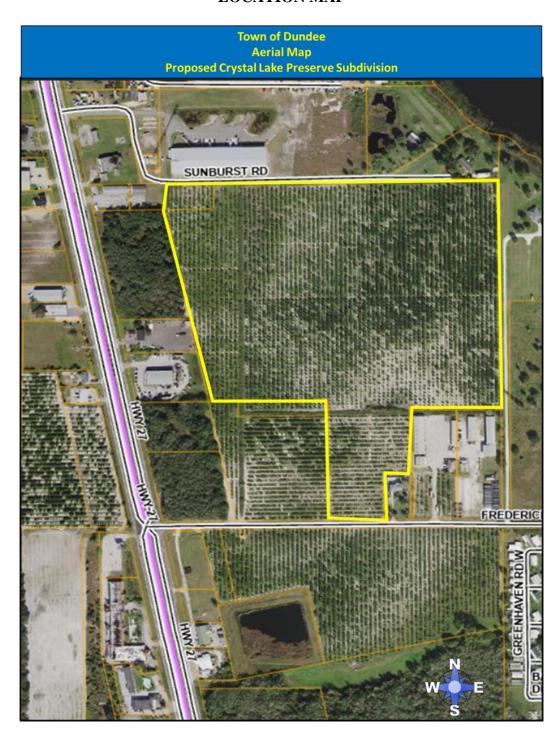
**INTRODUCED AND PASSED** by the Town Commission of the Town of Dundee, Florida, this <u>8th</u> day of <u>November</u>, 2022.

|                          | TOWN OF DUNDEE      |  |
|--------------------------|---------------------|--|
|                          | Mayor – Sam Pennant |  |
| ATTEST:                  |                     |  |
| Town Clerk – Jenn Garcia |                     |  |
| Approved as to form:     |                     |  |

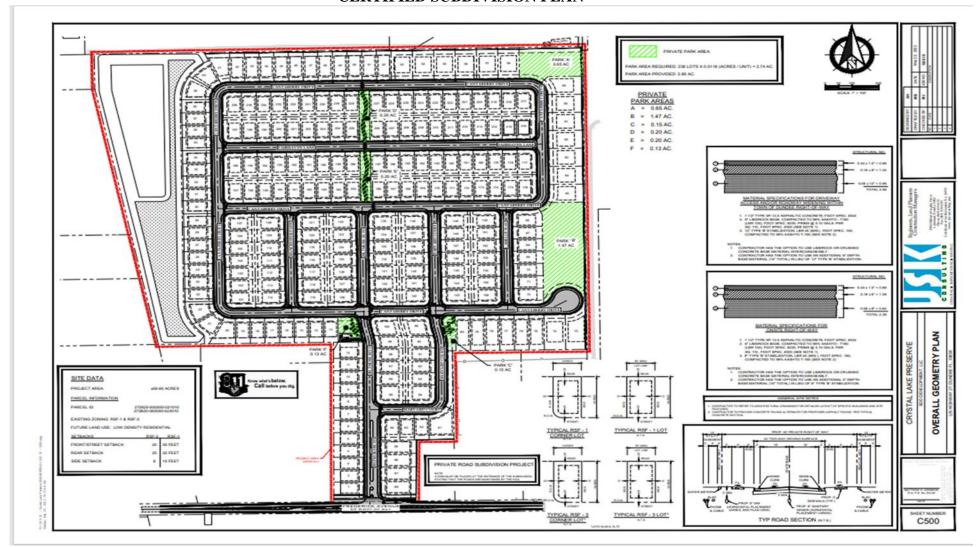
Resolution 22-50 Crystal Lake Preserve Certified Subdivision Plan (CSP) Page 6

Town Attorney - Frederick J. Murphy, Jr.

# RESOLUTION 22-50 EXHIBIT A LOCATION MAP



## RESOLUTION 22-50 EXHIBIT B CERTIFIED SUBDIVISION PLAN





Bayshore Boulevard Suite 200 Tampa, FL 33629 (O) 813-839-2811

October 25, 2022

Matthew K. Johnson, PE (via email: matthew@jsk-consulting.com)
President JSK Consulting
S904 Hilliside Heights Drive
Lakeland, FL 33812

RE: Crystal Lake/Dundee Ridge PUD
Revise Traffic Impact Study, Review Comments

Attached is a copy of the October 21, 2022, traffic review comments letter on the Crystal Lakes project traffic methodology. This is the letter to Brenda Carter that I had mentioned to you previously regarding what needs to be included in an approved traffic methodology.

While you understand the methodology and what needs to be done, as noted in the last item in the attached October 21, 2022, comments letter, please send me a writer <u>Traffic Methodology Statement</u> so that I can review and approve your methodology. Please provide detail, on the software, documentation, and procedures that you plan to use. This will save time by ensuring that we are in agreement on the parameters, procedures and needed results.

Additionally, when you send traffic related information, letters, reports etc., to Brenda Carter, Town of Dundee; you can also cc me so that Brenda has a copy for her files; plus, I have a copy that I can review quickly.

Deakin Property Services, Inc.

George Deakin, P.E. Vice President Office: 813-839-2811 Mobile: 813-765-9796

E-Mail: George@DeakinProperties.com

Attachment: October 21, 2022, letter to Brenda Carter

co: alan@raylengineering.com: mbarmby@cfrpc.org: glenn@raylengineering.com: lpeterson@townofdundee.com: jgarcia@townofdundee.com: tdavis@townofdundee.com wtb@bodun.com

https://d.docs.live.net/816181814bcbc2/S/Documents/GEORGE'S FILES/Dandee'/J Town'/J Traffic Consultant/Crystal Luke'/J flux Dandee Ridge/Crystal Luke'/J 102522 Transportation Impact Review Comments docs.



Bayshore Boulevard Suite 200 Tampa, FL 33629 (O) 813-839-2811



October 5, 2022

Ms. Tandra Davis Town Manager Town of Dundee 202 East Main Street Dundee, FL 33838 863-438-8330

tdavis@townofdundee.com

RE: Engineering Staff Comments on Resubmittal of Crystal Lake Subdivision Construction Plans (RES #20-145)

Ms. Davis

We have reviewed the above referenced resubmitted site development plans site development plans in accordance with Town Code 7.0.1.07 (CSP requirements) and 3.0.6.00 (stormwater requirements), as well as a general review of the plans and design, and have the following comments.

Note that the design and the plan set are still undergoing significant reexamination and significant revision by the consultant, and need more such attention to fully respond to prior review comments and to resolve internal inconsistencies (some review comments had not been responded to at all, and some still have not been responded to completely—see below). As a result, approval by the Town cannot be contemplated at this time without further revision and review. Comments derived from specific code requirements have been provided as noted above.

Examples are provided for the comments provided below, but the examples given are not all-inclusive of items that need attention and/or revision. We encourage the consultant to carefully review the design and plans and correct all inconsistencies and other instances that are affected by the noted comments before the next resubmittal.

#### Code comments:

- Comments per Town Code 7.01.07 are indicated on the attached checklist of required items.
- Comments per Town Code 3.06.00 are indicated on the attached checklist of required items

#### Comments from our previous letter:

We have reviewed the plans in light of our previous letter of July 19, 2022 and find the following comments to be outstanding or requiring additional response from the applicant. Only comments requiring further attention are shown here. If a prior comment is not cited here, the response received was satisfactory.

- a. It appears that the comments provided in the Town Code checklist attached to our July 19 letter have not been addressed, except for a few Items that were identified and discussed in greater detail in the letter. The checklist items are Town Code requirements and must be addressed and the comments closed in the same manner as individually-drafted comments are addressed. A copy of the checklist originally attached as part of the July 19 letter is attached to this letter for your attention and response.
- b. Note that in the checklist, the item on page 2 that starts with the words "Storm drainage into natural water

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bodies" is deemed to have been satisfied by your use of the Alternate C notch-type discharge structure and permanent pool. This determination was made based upon review of SWFWMD Technical Procedure Number TP/SWP-022 "Wet Detention Design Pool Requirements and Alternatives," dated August 27, 1990.

c. The item discussed above in (b) above has been marked as satisfactory on the attached checklist, as have the other items mentioned in (a) above. All other items remain open/unresponded and need your attention and response.

#### New comments:

- 1. A backup generator for the lift station is required. Please provide a note on the lift station sheet stating that a generator is required and that the lift station control panel must accommodate the connection. In addition, please add the requirement that the shop drawing submittal for the generator shall include calculations signed and stamped by a registered electrical engineer demonstrating that the generator is suitably sized for the size and operation of the lift station pumps, and that the generator and lift station proposed will operate together as a cohesive unit.
- The Hydromatic S4P pump specified does not meet requirements for solids handling. The requirement, per
  Haines City 9.21.1, is that the pump must be able to handle a 3" solid sphere. The specified pump states it is
  capable of handling 2" solids. Please review and specify a pump that meets the requirements, then change the
  calculations document and plans accordingly.
- 3. The 30" base slab of the lift station wet well must be securely attached to the wet well walls so that in an uplift event the weight of the thickened base slab will act as a single unit with the rest of the lift station structure to resist uplift forces. No details are shown for the connection between the slab and the walls please provide details/calcs that show how the slab and the walls are attached and that the specified attachment method will sustain the uplift forces anticipated.
- On the lift station sheet, elevation "Dim H" is labeled "top of pump bail." The elevation given, however, is only
  1.5" above the lift station wet well floor. The SAP is taller than 1.5" please review this callout and revise as
  needed.
- On Sheet CO90 and elsewhere in the plan set there is a note requiring signs posted that the HOA maintains the roads. The title of the note, however, appears to indicate the sign should also apply to storm water management ("SWM"). Please review and revise as needed.
- On Sheet C725A, the last run of pipe between ST-165 and ST-166 is shown as AD5-PP rather than RCP, which
  is correctly shown on Sheet C610. Please correct Sheet C725A to show the correct RCP pipe material.
- On Sheet C725A, please add the following note Per Town Code 5.04.05.6 adjacent to the outfall pipe where it enters the Primary Shoreline Protection Zone: "Completely restore any portion of the primary shoreline protection zone damaged during construction."
- On Sheet C611, sections C through M refer to "lot line" it is unclear just what this denotes, as there are not
  actual lot lines in the areas depicted. Perhaps this is a reference to the grade break line in the pad, or??? Please
  clarify and relabel.

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- Show disposition, e.g., cut at property line and plug, etc., of the 12" pipe that drains the existing onsite ditch
  along the north property line approximately 600' from the NE property corner.
- 10. In the Water Flow Analysis report, it states "The available water supply has been set at a minimum pressure of 40 psi. Please state the source of this figure. An assumed value is not acceptable here. Contact the Town of Dundee Utilities Department to obtain actual pressure and flow availability for use in the calculations, or have an independent test firm provide the figure based on site tests. Review and revise the calcs as necessary to reflect the actual figure.
- 11. Also in the water report, as noted on the attached requirements checklist, the required minimum fire flow is 1000 gpm for 30 minutes, taken from a single hydrant, with minimum residual pressure of 20 psi. Please review and revise the calcs and plans accordingly:
- 12. Please provide a comprehensive legend of symbols used on the plans. Many symbols and line types used on the plans are unlabeled and do not appear on the legend that is provided. For example, there is an unidentified heavy dashed line shown throughout the plans et (e.g., CSx series, CSxx series, etc.) that appears to be approximately 10 feet outside what appears to be the actual project boundary, and is labeled as "Project Area (+/-58.60 a.c.) as if it is the actual project boundary, which it is not. Without a legend it is impossible to tell what line represents what on the plan set.
- 13. At the rear of lots 1-12 is a 25' strip labeled "Proposed 25' landscape and drainage easement." On Sheet C800 Landscape Plan, this strip is shown to include a 15' Type B Landscape Buffer, but the buffer stops in the middle of Lot 11. Why does the buffer stop? And why is the easement 25' wide instead of 15' only? No drainage facilities apoear to be shown within the 25' strip on the C600 grading and drainage sheets.
- 14. On Sheet C500, typical lot plans, the sub note lists the lots which are considered R57-3. The lot numbers given do not correspond with the plan layout, as lot 53 is also 80' wide. More confusing is the fact that the 80' lots are labeled on the typical lot plans as R57-3, but are shown on plan Sheets C509 and C510 with R5F-1 setbacks. Please review this detail and the associated lots on the plan sheets and make sure the two groupings of information match each other.

Please review the comments above, revise the plans accordingly, and provide a detailed resubmittal letter outlining all responses to comments. After the resubmittal is received addressing the above comments, additional review will occur, and there will likely be additional comments provided.

Sincerely

Glenn Clover Senior Project Manager Rayl Engineering and Surveying, LLC

Attachment: Town Code content requirements checklist, annotated CC: Marisa Barmby, CFRPC

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Crystal Lake Preserve 20-145 TOWN OF DUNDEE CERTIFIED SUBDIVISION PLAN (CSP) CONTENT REQUIREMENTS CHECKLIST 10/5/22 Per Town Code 7.01.07, the following items of content must be included in the Certified Subdivision Plan. The CSP shall be substantially similar to the PSP and shall be drawn to a scale of not more than one inch The size of sheets shall be 24 inches by 36 inches CSP hall contain, in addition to the data provided on the PSP, the following Name, address, and seal of registered engineer and surveyor responsible for the plan and accepted data. All existing fire hydrants, underground and aboveground utilities on or adjacent to the proposed subdivision. All existing streets on or adjacent to the tract, including name, functional classification, right-of-way width and pavement width. Existing streets shall be dimensioned to the tract boundaries. All subdivisions shall have safe and sidegulate access and no subdivision shall have access or frontage or a subdishadard street. Existing and proposed contours shown at not more than one-foot intervals and shall be extended a minimum of 100 feet beyond the boundaries of the proposed plat USGS datum shall be used with benchmarks shown on the plan. O Site design, including streets with proposed street names and functional classification, lot lines, utility MEASE PROVIDE FUNCTIONAL CLASSIFICATION Typical roadway cross-section and profiles shall be provided, including all information for street and Roadway profiles shall display existing and proposed underground construction along the street centerline. Stationing data shall be at intervals of no less than 50 feet. A permit or permits from the jurisdictional permitting agency or agencies approving any access to state, Natural features within and adjacent to the proposed plat, including drainage channels, bodies of water, wetlands, wildlife habitat, and other significant features. Jurisdictional wetlands shall be clearly delineated and surveyed, signed and sealed by a registered land On all watercourses leaving the tract the direction of flow shall be indicated, and for all watercourses entering the tract the approximate drainage area and watershed name above the point of entry shall be noted. Experience of the state of the sufficiently precise, an engineering analysis shall be required. Such analysis shall be performed by a registered engineer. All information needed to construct drainage and stormwater management facilities, including complete cross sections and complete calculations based on design criteria established in relevant sections of this Code, including on-site, posture and final outfall. This information shall be signed and sealed by a registered engineer. Accompanying these data shall be a permit or permits from the required permitting agency or agencies approving the proposed stormwater management system. As Europe in the Ambedies United States of States o

| TOWN OF DUNDEE CERTIFIED SUBDIVISION PLAN (CSP) CONTENT REQUIREMENTS CHECKLIST    195/22   | All swales, ditches, or canals shall have sufficient right-of-way provided to allow for the installation of the ditch, plus a minimum of a 20-foot maintenance berm on each side and a 15-foot property setback adjacent to the installation. Areas adjacent to the ditches and canals shall be graded in such a manner as to preclude the entrance of excessive runoff except at locations provided.  The maximum side slope permitted shall be 3 to 1, with the top ditch bank rounded off. The minimum bottom width of outfall ditches and canals shall be four feet.  All runoff from each individual unit must be handled to a point of positive outfall. No design of an individual unit must be handled to a point of positive outfall. No design of an individual unit must be the standard of a future unit.  Where an existing outfall is being utilized and the capacity to handle any additional runoff is in question, data to support the design shall be included in the analysis. All ditches shall be sized using accepted engineering practices. In all cases, sufficient engineering data giving drainage area, velocity, and depth of flow is to be included in the drainage analysis.  Unless unstable or highly erosive soil conditions indicate that a lower design velocity is desirable, or unless erosion protection is provided, the maximum allowable velocity shall be five feet per second. The maximum grade of the outfall ditch, likewise, shall be that grade which will produce a velocity of five feet per second. The minimum grade shall be that grade required to provide for design flow.  All retention/detention basins shall be (eadily accessable from streets or public rights-of-way, and shall be studied to the maintenance can be easily performed. All drainage facilities shall be of a low-maintenance type and designed as follows.  Public flow in the provide of the discharge side of the outfall analysis.  The side slopes of all detention basins shall be kept as flat as possible from streets or fine the original of the outfall and control erosion. If one in |
|--|--|
| All information needed to construct drainage and stormwater management facilities, including complete cross sections and complete actualistics based on design criteria established nelevant sections of this Code, including on-site, positive and final outfall. This information shall be signed and sealed by a registered engineer. Accompanying these data shall be a permit or permits from the required permitting agency or agencies approving the proposed stormwater management system. As a transfer out the proposed stormwater trans | Rainfall intensity. Total runoff. Hydraulic gradient control elevation. Hydraulic gradient control elevation, and flow line of each pipe. Physical drop in pipe. Hydraulic gradient loss. Diameter of pipe.  |
|  | Hydraulic gradient slope Velocity  |

