

**CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
JUNE 13, 2007**

The Development Review Committee (DRC) of the City of Winter Garden, Florida, met in session on Wednesday, June 13, 2007 in the City Hall Commission Chamber.

CALL TO ORDER

Chairman Edward Williams called the meeting to order at 9:00 a.m. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Chairman/Planning Director Edward Williams, City Manager Mike Bollhoefer (*tie breaker*), Assistant City Manager Marshall Robertson, City Engineer Art Miller, Public Works Director Designee Don Cochran, Assistant City Engineer Mike Kelley, and Utilities Director Charlie Tinch.

Non-voting Attendees: Stormwater Engineer Alex Nasser, Fire Marshall Tom Anderson, City Attorney Kurt Ardaman and Assistant City Attorney Dan Langley.

Others: Planner Brandon Byers and Planning Technician Lorena Blankenship.

1. APPROVAL OF MINUTES

Approval of minutes from regular meeting held May 23, 2007.

Motion by City Engineer Miller to approve the above minutes. Seconded by Assistant City Engineer Kelley, the motion carried unanimously 6-0.

DRC BUSINESS

2. Longhorn Steakhouse – Winter Garden Village at Fowler Groves – Site Plan

Chairman Williams informed the Committee that the applicants for the subject project requested their item to be postponed to the next DRC meeting.

City Engineer Miller moved to place the Longhorn Steakhouse Site Plan on the next DRC meeting agenda. Seconded by Public Works Director Designee Cochran, the motion carried unanimously 6-0.

3. StarChild Academy - Pre/Final Plat

Anil Sant, Lino Sanft, and Darand Williams, applicants for the project were in attendance to discuss the Development Review Committee comments.

Planning and Zoning Department comments from letter dated June 4, 2007 were acknowledged and addressed.

Comments included in the May 23, 2007 memorandum from **City Engineer Miller** were acknowledged and addressed. Concerning comment # 3, in regards to the Right-Of-Way dedication, the City Attorneys and the Developer's Attorneys need to resolve the legal issues. Concerning comment # 5, the property owner and the Design Engineer agree that the proposed 10' wide sanitary sewer easement allows sufficient access. City Engineer Miller and Utilities Director Tinch expressed their agreement since this will be a private easement and privately owned utilities. Concerning comment # 11, street lighting plan should be submitted for Public Works Department review (Alex Nasser). City Engineer Miller stated that there is a provision on the City Code that requires all subdivisions to provide street lighting on adjacent streets. Concerning comment # 13, in regards to the maintenance of common areas, the developer stated that they did not intend to create a Property Owner's Association since there are only two lots. City Engineer Miller responded that documents clearly specifying the maintenance responsibilities for the common areas, drainage and utilities shall be submitted and approved by Staff. The final plat shall include the City's standard language concerning maintenance of these areas, the City's ability to perform it, and lien the property owners if not in compliance.

Comments included in the May 23, 2007 memorandum from **Storm Water Engineer Nasser** were acknowledged and addressed.

Comments included in the June 01, 2007 letter from **Assistant City Attorney Langley** were acknowledged and addressed. Concerning comment # 5, in regards to the Performance Bond, the developer stated the entire construction contract is covered by a 100% Performance and Payment Bond including the Right-of-Way. City Engineer Miller noted that a Performance Bond in favor of the City will be required in the amount of 120% of the cost of the incomplete public improvements if the plat is to be recorded prior to construction completion. A Maintenance Bond in the amount of 20% of the cost of the public improvements will be required for the one year warranty period as a condition of issuance of the Certificate of Completion.

City Engineer Miller moved to have the applicant revise and resubmit the Pre/Final Plat with City Staff conditions (see attached) for another full DRC review cycle. Seconded by Utilities Director Tinch, the motion carried unanimously 6-0.

4. Oakland Park - Final Plat

David Kelly, David Rice, Matthew Bullion, Juli James and John Rinehart, applicants for the project were in attendance to address Development Review Committee comments.

Comments from the June 05, 2007 memorandum from **Stormwater Engineer Nasser** were acknowledged and addressed. Discussion took place in regards to comment # 1, concerning the drainage/utility easements on each side of the lots.

City Surveyor Blankenship comments from letter dated May 15, 2007 were acknowledged and addressed.

Comments from the May 23, 2007 memorandum from **City Engineer Miller** were acknowledged and addressed. Discussion took place concerning comment # 11, the easements for ingress-egress, power distribution, telephone, cable, etc. Concerning comment # 12, final plans and plat shall designate a 30' X 30' turnout to be dedicated fee simple to the City for a reclaimed water connection. Developer or Design Engineer shall designate where this will be located within a future phase. Emphasis was placed on comment # 10, temporary Non-Exclusive Drainage Easements "A", "B" and "C" need to be revised. Expiration clause shall require that an alternate easement be granted to replace any easement that is terminated, subject to review and approval by the City. Last paragraph (3), shall provide that Grantor, not Grantee (City), be responsible for all costs and expenses.

Comments from the May 26, 2007 letter from **Assistant City Attorney Langley** were acknowledged and addressed. Emphasis was placed on comment # 20, concerning the Right-Of-Way Maintenance Agreement.

City Engineer Miller moved to place the Final Plat with all City Staff conditions (see attached) on the next available DRC meeting provided the applicant resubmits revised plans by Monday, June 18, 2007. Seconded by Public Works Director Designee Cochran, the motion carried unanimously 6-0.

Discussion followed concerning the Motamasek connection to S.R. 50. A joint meeting between the Developer and Cities of Oakland and Winter Garden will be set up to discuss alternatives.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 10:10 a.m.

APPROVED:

ATTEST:

Chairman Edward Williams

Planning Technician Lorena Blankenship