

**CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
MARCH 12, 2008**

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, March 12, 2008 in the City Hall Commission Chamber.

CALL TO ORDER

Chairman/Planning Director Designee Brandon Byers called the meeting to order at 9:05 a.m. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Chairman/Planning Director Designee Brandon Byers, Assistant City Manager Marshall Robertson, Utilities Director Charlie Tinch, Public Works Director Designee Don Cochran, and Assistant City Engineer Mike Kelley

Non-voting Attendees: Economic Development Director Dolores Key, and City Attorney Kurt Ardaman.

Others: Chief Planner Tim Wilson, Executive Assistant to City Manager Andrea Vaughn, and Planning Technician Lorena Blankenship.

ABSENT:

Planning Director Ed Williams, City Manager Mike Bollhoefer, City Engineer Art Miller, and Assistant City Attorney Dan Langley.

1. APPROVAL OF MINUTES

Approval of minutes from regular meeting held February 27, 2008.

*Motion by Public Works Director Designee Cochran to approve the above minutes.
Seconded by Utilities Director Tinch, the motion carried unanimously 5-0.*

DRC BUSINESS

2. Bright Horizons Daycare - Special Exception Permit

Steven Geller, Bob Ewlad, Teresa Illich, Darrell Cunningham, and Demond Hazley, applicants for the project were in attendance to address the Development Review Committee.

The applicants stated that they have addressed all City Staff comments except for the Traffic Study comments.

Planning Director Designee Byers clarified that the Special Exception only approves the use at the location, but other code requirements will need to be met in order to receive site plan approval.

Marshall Robertson, Assistant to the City Manager, stated that the applicants must identify in the proposed plans access off C.R. 535 into the site.

Comments included in the February 29, 2008 letter from **Planning and Zoning Department** were acknowledged.

Comments included in the February 25, 2008 memorandum from **City Engineer Miller** were acknowledged.

Comments included in the February 26, 2008 memorandum from **Assistant City Engineer Kelley** (storm water issues) were acknowledged.

Motion by Assistant to City Engineer Kelley to place the Special Exception Permit on the next available DRC meeting provided the applicant resubmits revised plans addressing all City Staff conditions (see attached) to include the comments concerning the Traffic Study within 3 days following this meeting, by noon on Monday March 17, 2008. Seconded by Public Works Director Designee Cochran, the motion carried unanimously 5-0.

3. Avamar, Final Plat

Mike Staesche, Sue Murphy, and Earl Kurtz, applicants for the project were in attendance to address the Development Review Committee.

Comments included in the March 05, 2008 memorandum from **City Engineer Miller** were acknowledged and addressed. Discussion took place in regards to comment # 6, the Performance Bond; a Performance Bond or Letter of Credit in the amount of 120% of the

cost of all incomplete public improvements shall be provided to the City, based on the Design Engineer's certification and executed construction contract. Discussion took place in regards to comment # 9, there appears to be a hiatus in the R/W shown at the northwest corner of the plat noted "Proposed R/W per exhibit B....". Surveyor needs to address and explain. Additional R/W dedication may be required. Discussion took place in regards to comment # 14, due to the proposed 4-laning of Marsh and Avalon Roads; the Developer shall pay into the City's sidewalk account in lieu of constructing these sidewalks with the project. Discussion in regards to comment # 15, streetlighting must be installed and operating as a condition of issuing the Certificate of Completion. No certificates of occupancy will be issued until the Certificate of Completion has been issued. Payment into street lighting fund for installation and first 12 months of operation will be allowed due to the 4-laning of Marsh and Avalon Roads. The City is awaiting the proposal from Progress Energy and will forward to the Developer when received.

In response to one of the applicant's question in regards to the installation of water meters; Utilities Director Tinch responded that the City will not provide water services and will not install the water meters until the developer receives clearance from DEP (*Department of Environmental Protection*).

Comments included in the March 04, 2008 memorandum from **Assistant City Engineer Kelley** (storm water issues) were acknowledged and addressed.

Comments included in the March 03, 2008 letter from **Assistant City Attorney Langley** were acknowledged and addressed. Discussion took place in regards to comment 18 (xiii), on page 2 of the plat there is a note indicating "Proposed R/W (per Exhibit B, O.R. Book 8116, Page 4179" between the northwest corner of the property being platted and Marsh Road. Please explain why this note exists. Was this sliver of property not previously conveyed to the City? Who owns this sliver of property? If this property was not previously conveyed to the City, please obtain and provide a warranty deed conveying such property to the City.

Comments included in the February 13, 2008 letter from the **City Surveyor Blankenship** were acknowledged and addressed.

General Discussion took place in regards to the transportation impact fees required for the proposed Irish Pub. The developer stated that they could do an independent study to demonstrate that a shopping center rate will be more suitable than a retail center rate. Planning Director Designee Byers explained that the City Code does not include shopping centers rates, and a waiver to the required restaurant rate being charged for the Irish Pub must be granted by the City Commission.

Motion by Public Works Director Designee Cochran to place the Final Plat on the next available DRC meeting provided the applicant resubmits revised plans addressing all City Staff conditions (see attached) within 3 days following this meeting, by noon on

Monday March 17, 2008. Seconded by Assistant City Engineer Kelley, the motion carried unanimously 5-0.

The meeting was suspended at 9:58 a.m. and reconvened at 9:00 a.m on Thursday March 13, 2008.

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

Non-voting Attendees: Economic Development Director Dolores Key, Assistant City Attorney Dan Langley, and City Attorney Kurt Ardaman.

Others: Chief Planner Tim Wilson, Planner Brandon Byers, Executive Assistant to the City Manager Andrea Vaughn, and Planning Technician Lorena Blankenship.

DRC Business

4. Oakland Park Phase 1B-1, Final Plat

Chairman/Planning Director Williams informed the committee that the Oakland Park developers have requested their item to be postponed.

5. Church of Christ of West Orange, Site Plan

Matt Messie, Bob Miller, Wayne Tallman, and Harry Brunley, applicants for the project were in attendance to address the Development Review Committee.

Comments included in the March 05, 2008 letter from **Planning and Zoning Department** were acknowledged and addressed. Discussion took place in regards to comment # 1, provide details on the “Floating Cross & Columns”. The developer presented the construction drawing and a sample of the material and the appearance of the proposed Floating Cross. Discussion took place in regards to comment # 2, concerning the prefabricated building. City Engineer Miller stated that water connections and other details will need to be provided to City Staff, if the buildings will be used as offices or classrooms. He added that the developer will also need some type of occupancy approval. Planner Byers stated that approval of a Special Exception Permit will be required for the prefabricated buildings. Discussion took place in regards to comment # 3, the developer needs to provide a 3” caliper canopy tree every 50’ on center along Daniels Road. In addition, a 3’ high opaque hedge shall be provided along the length of Daniels Road. Planner Byers asked the developers to identify the location of the trees on the site plan.

Comments included in the February 25, 2008 memorandum from **City Engineer Miller** were acknowledged and addressed. Discussion took place in regards to comment # 3, the Church stormwater system was re-designed and permitted through the St. Johns River Water Management District by the City with the Daniels Road widening. Pursuant to that permit, the Church is allowed to construct up to 20,000 s.f. of additional impervious area, although a permit modification with SJRWMD will be required. Discussion took place in regards to comment # 4, pursuant to the City's Code, on-site and street lighting shall be provided. The developer needs to coordinate with City Staff to ensure that all provisions are met.

Comments included in the March 04, 2008 memorandum from **Assistant City Engineer Kelley** (storm water issues) were acknowledged and addressed. Discussion took place in regards to comment # 4, some of the details contained in the plans appear to be old. The City's detail sheets have recently changed and the latest version is available on the City's website. The developer must review the new City Specifications to ensure their plans are compliant.

Motion by City Engineer Miller to place the Site Plan on the April 10, 2008 City Commission meeting, provided the applicant resubmits revised plans addressing all City Staff conditions (see attached) and a Special Exception Permit application within 4 days following this meeting, by noon on Tuesday March 18, 2008. Seconded by Public Works Director Designee Cochran, the motion carried unanimously 6-0.

6. West Orange Business Center, Dry Cleaners Special Exception Permit

Chairman/Planning Director Williams informed the committee that the applicants for the Special Exception Permit for West Orange Business Center (*Dry Cleaners*) have requested their item to be postponed.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 9:32 a.m.

APPROVED:

ATTEST:

Chairman Edward Williams

Planning Technician Lorena Blankenship