

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

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in special session on Wednesday, November 12, 2008 in the City Hall 3<sup>rd</sup> Floor Conference Room.

**CALL TO ORDER**

**Chairman Williams** called the meeting to order at 9:05 a.m. The roll was called and a quorum was declared present.

**PRESENT**

**Voting Members:** Planning Director/Chairman Ed Williams, City Manager Mike Bollhoefer (*tie breaker*), City Engineer Art Miller, Assistant City Engineer Mike Kelley, Assistant to the City Manager for Public Services Don Cochran, Building Official Designee Dennis Turner, and Economic Development Director Dolores Key.

**Non-voting Attendees:** City Attorney Kurt Ardaman, Assistant City Attorney Dan Langley, and Chief Planner Tim Wilson.

**Others:** Community Relations Manager Andrea Vaughn, Planner Regina McGruder, Planner Brandon Byers and Planning Technician Lorena Blankenship.

**Absent:** Fire Marshal Tom Anderson.

**1. APPROVAL OF MINUTES**

Approval of minutes from regular meeting held October 22, 2008.

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

Approval of minutes from regular meeting held October 29, 2008.

*Motion by City Engineer Miller to approve the above minutes. Seconded by Assistant to City Manager for Public Services Cochran, the motion carried unanimously 6-0.*

**2. 707 W. Plant Street (Karr)- Small Scale CPA  
Item for discussion only**

Kim Brown and Jim Hall, applicant for the project, were in attendance to discuss matters in regards to the Small Scale Comprehensive Plan Amendment request to change the future land use designation from Low Density Residential to Commercial Land Use.

Several issues were discussed, such as location and size of the property, community meetings, traffic study, soil analysis, access connections, and road improvements. The applicants were advised to submit the PCD (*Planned Commercial District*) application to the Planning and Zoning Department, including elevations of the proposed structures.

**3. Primrose School, 423 Daniels Road – Special Exception Permit**

John Lund, Andrew Lund, Stuart Anderson, and Mark McCabe, applicants for the project were in attendance to discuss the Development Review Committee comments.

Comments included in the November 7, 2008 memorandum from Development Review Committee were acknowledged and addressed. Discussion took place in regards to comment # 1: *according to Section 118-100, the Planning & Zoning Board “shall especially consider the effect of the special exception use on surrounding uses in determining whether a special exception use shall be approved, modified or disapproved”. This project is not compatible with the surrounding residential neighborhood given the impact of increased traffic and noise. Daycares of this size are usually reserved for commercial districts unless other characteristics of the property and surrounding neighborhood enhance the compatibility of the daycare and adjacent uses. At this time the property should be developed as a residential use.* The DRC and the applicants discussed issues related to the opposition from the residential neighborhoods, traffic impact in the area, the property future land use (*Neighborhood Commercial*), number of children, and hours of operation.

Discussion took place in regards to comment # 3, *please provide more information regarding the specific details of the daycare. For example; what is the proposed maximum number of children, how many teachers will present on site, what are the hours of operation, will the drop-off and pick-up times be staggered (provide times), does this facility accommodate drop-off students or will the parents park their vehicles and walk the children into the daycare, etc.* Discussion took place in regards to comment # 4, *City Staff and the City Traffic Consultant has reviewed the Traffic Impact Study Methodology. Please provide a complete traffic study addressing these comments dated August 28, 2008 and the internal traffic circulation plan to ensure that cars will not stack onto Daniels or Roper Roads. This project will not move forward until the traffic study is submitted and reviewed.* Discussion took place in regards to comment # 13, *provide full-scale and color elevations of the proposed building.*

***Motion by City Engineer Miller to have the applicant revise and resubmit the Special Exception Permit addressing all City Staff conditions (see attached), for another full DRC review cycle. Seconded by Assistant City Engineer Kelley, the motion carried unanimously 6-0.***

#### **4. 541 Beard Road - Site Plans**

Gerald House, applicant for the project was in attendance to discuss the Development Review Committee comments.

Comments included in the November 07, 2008 memorandum from Development Review Committee were acknowledged and addressed. Discussion took place in regards to comment # 1: *the plan proposes the site be served by well and septic tank. Section 78-30 of the City Code requires connection to city water and sanitary sewer, unless specifically waived by the City Commission. Also, a review of the "Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area with Orange County" (JPA #6), the agreement states:*  
*Section 1 (f)*

*Water and Sewer – All new development must be served with City of Winter Garden water and wastewater. No septic tanks or "package plants" will be allowed. The City and County are in the process of finalizing an agreement between them relating to water, wastewater and reclaimed water within and around the City boundaries and the expansion area. [Note: The Utility Territorial Agreement was later approved by the City and the County.]*

*Also, the Wekiva Protection rules now imposed on the City have strict limitations*

*on new and existing septic systems. Staff recommends that sanitary sewer lines be extended to the site, at the Developer's expense, to serve the project. Discussion took place in regards to comment # 2: Section 78-37(a) of the City Code specifically prohibits privately owned wells for human consumption. Staff recommends that potable water lines be extended to the site, at the Developer's expense, to serve the project. Assistant to City Manager for Public Services Cochran stated that the preliminary estimated cost to run water and sewer to the project will be \$50,000.00. Discussion took place in regards to comment # 3, the storage area is proposed to be unpaved and ungraded, and is not in compliance with Section 188-1387(h)(3) of the City Code (requires a paved surface). Also, if portions of the paved area are reduced or waived by the Commission, a stabilized surface is to be provided as well as providing for organized traffic control and parking. Staff refers the Design Engineer to Section 188-1387 of the City Code for specific requirements of off-street parking. The applicant requested a waiver of the requirement to pave the surface. City Engineer Miller stated that if the City Commission waives such requirement, the applicant will still be required to stabilize the surface with limerock or gravel per Code, and parking on bare grass areas will not be allowed. Discussion took place in regards to comment # 6: no parking layout is shown on the plans for circulation or emergency access. Fire Department to review and approve. Discussion took place in regards to comment # 8: per Section 118-1299, "buffering materials shall consist of decorative fencing or walls not to exceed the height of six feet or decorative trees and shrubs". Unless the existing buffer consists of mature canopy trees, the City does not waive the requirement to provide a wall along the right-of-way or between commercial parcels and residential parcels.*

Building Official Designee Dennis Turner advised the applicant that the temporary structure to be located at the site will be required to provide restrooms, parking spaces and handicap access. City Manager Bollhoefer suggested the applicant meets with City Staff prior to presenting the item before the DRC, to discuss the issues related to the subject petition.

During the discussion, the Applicant stated that the proposed R.V. & Boat Storage use was only for a 5 year period, subject to a Developer's Agreement. Staff had not been provided that information with the application or prior to the meeting.

***Motion by City Manager Bollhoefer to have the applicant provide the requested additional information and to have an informal meeting with City Staff prior to presenting the item before the DRC. Seconded by City Engineer Miller, the motion carried unanimously 6-0.***

## **5. Fowler Groves Medical Center – Site Plan**

Elliot Jamison, Selby Weeks, and Jay Hembree, applicants for the project were in attendance to discuss the Development Review Committee comments.

Comments included in the November 7, 2008 memorandum from Development Review Committee were acknowledged and addressed. Discussion took place in regards to comment # 1, *provide separate tap for domestic water service to building (not from fire line)*. Discussion took place in regards to comment # 5, *why is there a 5/8" bypass meter on the DDCV for the fire system?* Intensive discussion took place in regards to comment # 15, *the elevations do not meet the theme and level of quality expected in the PCD Design Standards (see the written standards and Exhibit 5 of the PCD)*. Intensive discussion took place in regards to comment # 19, *all signage shall require a separate building permit and will be reviewed separately. Please note that the medical cross on the building façade is considered signage and must conform to all regulations of the PCD*. The Applicant agreed to revise the building elevations for the entrance(s) to have a narrower width (12 feet maximum or equal to the storefront) that will include the blue accent and sign being reduced. Signage will only be on the east and west sides of the building and will have the “arched” façade, with the north and south sides “square” with no signage.

***Motion by City Engineer Miller to have the applicant revise and resubmit the Site Plan addressing all City Staff conditions (see attached); after reviewing, if plans are satisfactory to City Staff the item can proceed to the Pre-Construction meeting. If revised plans are not satisfactory to City Staff, the item may require another DRC review. Seconded by Assistant to the City Manager for Public Services Cochran, the motion carried unanimously 6-0.***

## **6. Hope Charter School – Site Plan**

Crystal Yoakum and Greg Hudak, applicants for the project were in attendance to discuss the Development Review Committee comments.

Comments included in the October 29, 2008 memorandum from Development Review Committee were acknowledged and addressed. Discussion took place in regards to comment # 1, *the parking is shown to have one-way traffic with 20' drive aisles. Since two (2) drive aisles are proposed, the parking spaces shall be*

*angled to accommodate the one-way traffic, including the areas where the 20' drive aisles occur. After discussion, the applicant was instructed to re-design the parking areas and the one way drive aisles to comply. The applicants were also advised that on-site lighting and street lighting on the frontage road may be required pursuant to City Code. Any on-site lighting will require an electrical permit to be obtained from the Building Department.*

***Motion by Assistant City Engineer Kelley to have the applicant revise and resubmit the Site Plan addressing all City Staff conditions (see attached); after reviewing, if plans are satisfactory to City Staff the Item can proceed to the Pre-Construction meeting. If revised plans are not satisfactory to City Staff the Item may require another DRC review. Seconded by City Engineer Miller, the motion carried unanimously 6-0.***

**ADJOURNMENT**

There being no more business to discuss, the meeting was adjourned at 10:40 a.m.

**APPROVED:**

**ATTEST:**

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**Chairman Edward Williams**

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**Planning Technician Lorena Blankenship**