

**CITY OF WINTER GARDEN  
DEVELOPMENT REVIEW COMMITTEE  
MINUTES  
FEBRUARY 11, 2009**

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, February 11, 2009 in the City Hall 3<sup>rd</sup> Floor Conference Room.

**CALL TO ORDER**

**Chairman Williams** called the meeting to order at 9:11 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 Harold (Skip) Lukert, and Economic Development Director Dolores Key.

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

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

**Absent:** Fire Marshal Tom Anderson.

**1. APPROVAL OF MINUTES**

Approval of minutes from regular meeting held January 28, 2009.

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

## **2. Gardenia Plaza - Pre-Plat, Site Plan and Special Exception permit**

Kam Shah, Jim Dombrowski, Steve Ashoji, and Scott Glass, applicants for the project were in attendance to discuss the Development Review Committee comments.

Comments included in the February 11, 2009 memorandums from Development Review Committee were acknowledged and addressed. Regarding the **Site Plan**, discussion took place in regards to comment # 1, *per City Code Section 118-1524 (Division 3); the landscape buffer adjacent to the residential parcels shall be a minimum 10' wide with 2 canopy trees per 100 linear feet (30 gallon, 12'-15' x 6'-7': 3" caliper), 3 understory trees per 100 linear foot (15 gallon, 11'-12' x 5'-6': 3" caliper), and a 36" high, continuous opaque hedge at the time of planting for every 100 linear feet. Acceptable canopy and understory trees can be found in the appendix of the Commercial Corridor Overlay Ordinance. However, palm trees and/or slash pines shall not be used as canopy or understory trees. In addition to the required 10' landscape buffer; a six foot high decorative concrete masonry wall shall also be constructed with the proposed wall elevation located up near the pond berm instead of being located near the property lines. Per Section 118-1453 (4) Wet stormwater retention facilities shall be planted with appropriate aquatic materials as outlined in the "Commercial Corridor Plant List" along the front of the retention embankment shall be planted with one Tree per 50 linear feet of retention perimeter measured from top of slope. Trees shall be suitable for wet locations as identified in the Commercial Corridor Plant List.* It was determined that if the applicant adds the understory trees to the landscaping plans, they will only be required to comply with the minimum 2-inch caliper code requirement regarding the canopy trees. Planning Director Williams asked the applicants to include with their submittal a sketch identifying the tree mitigation and the understory trees. Discussion took place in regards to comment # 3, *provide agreement and/or other documentation from FDOT for the joint use of the FDOT stormwater pond, including easements and maintenance responsibility. As discussed previously, a portion of one of the buildings and adjacent parking/drive is within property owned by FDOT.* City Attorney Ardaman clarified that the final plat can not include the retention pond, which is currently owned by DOT. Attorney Ardaman stated that he will contact FDOT for further discussion regarding the retention pond issues. At present, the Developer will convey the remaining portion of the pond to FDOT prior to platting and will grant a license or other suitable instrument to the City to ensure ongoing maintenance. Discussion took place in regards to comment# 8, *provide traffic study analysis addressing traffic concurrency.*

The committee suspended the meeting at 9:34 and reconvened at 10:43 a.m.

General discussion took place among the committee members and the applicant in regards to the proportionate fair share regarding S.R. 50 improvements.

Discussion took place in regards to comment # 12, Street lights on S.R. 50. The Applicant is to coordinate this requirement with Progress Energy pursuant to City Code; shielding will be required on lighting on the residential sides of the project.

#### Site Plan

***Motion by Planning Director Williams to approve the revised Site Plan subject to Development Review Committee conditions (see attached) and the additional condition that no construction plan approval or actual construction of structures and/or site improvements can take place until S.R. 50 is widened or improved through the City limits including appropriate intersection improvements. In lieu of S.R. 50 improvements, the applicant can pay a proportionate fair share payment of \$800,000.00. A Traffic Study approved by the City can be used to change the proportionate fair share payment. All of the conditions must be incorporated in the Developers Agreement between the City and the Applicant. The applicant must resubmit revised site plan addressing the landscaping and other development issues discussed at this meeting by Friday, February 13, 2009, in order for the project to be placed on one of the March City Commission Meeting Agendas. Seconded by City Engineer Miller, the motion carried unanimously 6-0.***

#### Preliminary Plat

***Motion by Planning Director Williams to approve the revised Preliminary Plat subject to Development Review Committee conditions (see attached) and the additional condition that no construction plan approval or actual construction of structures and/or site improvements can take place until S.R. 50 is widened or improved through the City limits including appropriate intersection improvements. In lieu of S.R. 50 improvements, the applicant can pay a proportionate fair share payment of \$800,000.00. A Traffic Study approved by the City can be used to change the proportionate fair share payment. All of the conditions must be incorporated in the Developers Agreement between the City and the Applicant. The applicant must resubmit revised site plan addressing the landscaping and other development issues discussed at this meeting by Friday,***

*February 13, 2009, in order for the Preliminary Plat to be placed on the March 02, 2009 Planning and Zoning Board meeting agenda. Seconded by Assistant to the City Manager for Public Services Cochran, the motion carried unanimously 6-0.*

Special Exception Permit

*Motion by Planning Director Williams to approve the revised Special Exception Permit subject to Development Review Committee conditions (see attached) and the additional condition that no construction plan approval or actual construction of structures and/or site improvements can take place until S.R. 50 is widened or improved through the City limits including appropriate intersection improvements. In lieu of S.R. 50 improvements, the applicant can pay a proportionate fair share payment of \$800,000.00. A Traffic Study approved by the City can be used to change the proportionate fair share payment. All of the conditions must be incorporated in the Developers Agreement between the City and the Applicant. The applicant must resubmit revised site plan addressing the landscaping and other development issues discussed at this meeting by Friday, February 13, 2009, in order for the Special Exception Permit to be placed on the March 02, 2009 Planning and Zoning Board meeting agenda. Seconded by City Engineer Miller the motion carried unanimously 6-0.*

**ADJOURNMENT**

There being no more business to discuss, the meeting was adjourned at 10:58 a.m.

**APPROVED:**

**ATTEST:**

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**Chairman Edward Williams**

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**Planning Technician Lorena Blankenship**