

**CITY OF WINTER GARDEN
DEVELOPMENT REVIEW COMMITTEE
MINUTES
APRIL 14, 2010**

The Development Review Committee (*DRC*) of the City of Winter Garden, Florida, met in session on Wednesday, April 14, 2010 in the City Hall 3rd Floor Conference Room.

CALL TO ORDER

Community Development Director/Chairman Tim Wilson called the meeting to order at 9:00 a.m. The roll was called and a quorum was declared present.

PRESENT

Voting Members: Community Development Director/Chairman Tim Wilson, Assistant to the City Manager for Public Services Don Cochran, City Engineer Art Miller, and Building Official Harold (Skip) Lukert.

Others: Planning Consultant Ed Williams, City Attorney Kurt Ardaman, Assistant City Attorney Dan Langley, Assistant Director of Operations Mike Kelley, Community Relations Manager Andrea Vaughn, Principal Planner Bill Wharton, Planner Brandon Byers, and Planning Technician Lorena Blankenship.

1. APPROVAL OF MINUTES

Approval of minutes from regular meeting held March 24, 2010.

Motion by Building Official Lukert to approve the above minutes. Seconded by Assistant to the City Manager for Public Services Cochran, the motion carried unanimously 4-0.

DRC Business

2. Ladybird Academy Daycare, Site Plan

Sherri Fragomeni, applicant for the project was in attendance to discuss the Development Review Committee comments.

Comments included in the April 12, 2010, memorandum from the Development Review Committee were acknowledged and addressed. Discussion took place regarding **comment # 1:** *Staff still has concerns with the off-site and on-site traffic circulation. As a condition of the City approving the Special Exception, the Owner shall ensure that vehicles accessing or attempting to access the site do not stack or queue on any travel lane of Marsh Road at any time, including after the future widening of Marsh Road. If at any time the stacking or queuing of vehicles on Marsh Road occurs, the Owner shall have an affirmative duty to correct the situation with or without notice from the City. The stacking or queuing of vehicles on any travel lane of Marsh Road by vehicles accessing or attempting to access the site shall be a violation of the Special Exception, and subject to code enforcement proceedings and other remedies afforded to the City, including but not limited to, the City's revocation of the Special Exception and prohibition of the day care use. If this or any other condition of the Special Exception is violated, the City shall have the right to revoke the Special Exception and prohibit the day care use, or modify the Special Exception to decrease the maximum number of students allowed to be serviced by the day care use, or to impose other requirements to satisfy this condition, after holding a public hearing before the City Commission and giving the Owner notice and an opportunity to be heard.* Applicant accepted the condition without discussion. Discussion took place regarding **comment # 3:** *In conjunction with the right-in/right-out access driveway connection onto Marsh Road, a median shall also be constructed to eliminate left turns into or out of the proposed driveway.* Applicant was informed that the median shall be constructed with the Marsh Road R/W, separating the Marsh Road pavement. Discussion took place regarding **comment # 4:** *All dumpsters shall be enclosed and shall provide 10' minimum inside clearance (each way inclusive of bollards).* Discussion took place regarding **comment # 5:** *As discussed at the 3/23/10 meeting with Staff, the covered drop-off area (i.e. roof) shall be extended a minimum of 12 feet in each direction to provide at least 60 feet of covered drop-off area.* Applicant accepted this condition without discussion. Discussion took place regarding **comment # 8:** *The most westerly corner of the proposed building is approximately 2 feet from the +15' high stacked-block retaining wall. The foundation and structural design of the building is the responsibility of the design engineers and architect, not the City.* Applicant stated they would have the structural engineer review at final design. Discussion took place regarding **comment # 11:** *The Playground Fence shown at the northwest side of the building shall be extended to*

*the full perimeter of the Playground Area and shall be vinyl coated per Code and meet all City requirements for height, type, etc. Building Official Lukert asked if a gate will be installed as part of the fence on the back of the property. Ms. Fragomeni responded affirmatively. Discussion took place regarding **comment # 15:** *Certain elements of the landscape plan do not meet the requirements found in the PUD**

Ordinance. For example, landscaping shall be provided around the perimeter of the building; shrubs and additional understory trees shall be included in the 10' buffer areas. In addition, the bald cypress trees may need to be relocated due to the sharp grade differentials limiting the effectiveness of the proposed buffer. These issues shall be addressed during site plan review and remain conditions of approval with the special exception permit.

Planner Byers stated that if the elevation changes due to the extension of covered drop-off area will significantly affect the previously submitted plans, the applicant will be required to receive City Staff approval.

Community Development Director/Chairman Wilson asked the applicant if she and her client were in agreement with all the conditions outlined in the Development Review Committee memo. Ms. Fragomeni answered affirmatively.

Based on the applicant's acceptance of all City conditions, City Engineer Miller moved to place the Special Exception Permit on the next available Planning and Zoning Board meeting subject to all City Staff conditions (see attached). Seconded by Building Official Lukert, the motion carried unanimously 4-0.

ADJOURNMENT

There being no more business to discuss, the meeting was adjourned at 9:27 a.m.

APPROVED:

ATTEST:

Chairman Tim Wilson

Planning Technician Lorena Blankenship