



Interoffice Memorandum

**Minutes
Roadway Agreement Committee
Public Main Conference Room
February 6, 2019**

Members Present: Jim Harrison, Assistant County Administrator (Chair)
Diana Almodovar – Development Engineering Division (Vice-Chair)
Raymond Williams – Engineering Division
Renzo Nastasi – Transportation Planning Division
Hazem El-Assar – Traffic Engineering Division
Paul Sladek – Real Estate Management Division
Eric Raasch – Planning Division

County Staff Present: Jon Weiss – Planning, Environmental & Development Services Dept.
Roberta Alfonso – County Attorney’s Office
Ken Leeming – Highway Construction Division
Yahaira Gines-Rios – Public Works Engineering Division
Luis Alvan – Public Works Development Engineering Division
Susan Martin – Risk Management Division
Jennifer Cummings – Public Works Engineering Division
Brandy Driggers - Planning, Environmental & Development Services Dept.
Heather Brownlie – Transportation Planning Division
Elena Hutchinson – Real Estate Management Division

Ms. Almodovar called the meeting to order at 9:06 a.m.

Public Comment

Ms. Almodovar inquired as to Public Comment - no members of the public present wished to speak.

Approval of Minutes

The Committee reviewed the minutes from the January 16, 2019 Roadway Agreement Committee (RAC) Meeting.

Page 1

- Line 45 - change “how” to “that” and “may only” to “should” and “requested to “required” and “any” to “more than nominal”

Mr. Nastasi made a motion, with a second by Mr. Williams, to approve the January 16, 2019 Roadway Agreement Committee Meeting Minutes with changes. Motion carried unanimously.

Activity Summary

- Discussion of the timeframe for Village I moving forward
- Announcement that the February 20, 2019 RAC Meeting will be held in Room 322 on 3rd Floor

[Mr. Harrison joined the meeting at 9:11 a.m.]

Consent Agenda Items – 1 item for Walk-On’s Bistreaux & Bar Proportionate Share Agreement

Walk-On’s Bistreaux & Bar Proportionate Share Agreement

Road Affected: Turkey Lake Road and Sand Lake Road

Present: (No Applicant Present)

Previous RAC: None

Staff Present: Mina Atassi, Transportation Planning Division

Page 3 and 5 update the Department name from “Community” to “Planning” in all instances.

Ms. Almodovar made a motion, with a second by Mr. Sladek to approve the Proportionate Share Agreement for Walk-On’s Bistreaux & Bar (Sand Lake Road / Turkey Lake Road) for correction and scheduling to BCC. Motion carried unanimously.

Adequate Public Facilities Agreement For Developco Inc

Road Affected: Reams Road and Ficquette Road

Present: Erika Hughes, Tom Harb

Previous RAC: 2/21/2018, 3/21/2018

County Staff Present: Blanche Hardy and Brian Sanders

A revised re-executed Adequate Public Facilities Agreement is returning to RAC for re-approval since it was last approved at RAC on 3/21/2018. The Mayor’s signature page and dates have been updated to 2019.

Page 3 and following

- The APF Acreage Ratio needs to change which will create a surplus or deficit which must be addressed and additional language from the boilerplate APF Agreement will need to be added

Page 4

- The environmental language in Section 3(b) needs to be updated to reflect the new template

The traffic signal at the intersection of Reams Road and Lake Hancock Road was discussed. A temporary signal is being installed and the Developco developer will be adding a fourth leg to the intersection with the development of the property.

Due to the additional changes needed to the APF values in the agreement, this item is being rescheduled for further discussion on the next available RAC Agenda.

Vineland Avenue Third Amendment to Amended and Restated Road Impact Fee Agreement

Road Affected: Vineland Road

Present: Natalie Prager, Timothy McCormick, and Ed Menter

Previous RAC: None

County Staff Present: Damion Czapka, Blanche Hardy and Brian Sanders

Ms. Prager provided an overview of the status of the negotiations with the owners along the corridor and outlined three main points for today’s discussion:

- 1) A request for transportation impact fee credits for completing the modified PDS
- 2) A proposal to exchange 50,000 sq. ft. in Phase 2 for 50,000 sq. ft. in Phase 3 to retain two anchor tenants
- 3) A request to defer the payment of impact fees

Discussion of the cost of the PDS. The First Amendment calls for the PDS to be undertaken at the expense of the developer. The project was originally envisioned as an E-project where the Developer controlled all of the Right-of-Way.

The Committee discussed whether paying credits for the PDS was an option and if so, at what percentage? Section 10.1 of the agreement calls for 79.9% reimbursement in credits for excess capacity created.

The Committee would like to see a commitment from the Developer to pay for all Right-of-Way acquisition costs as well as any additional construction costs above the \$4 Million original construction cost estimate if the County provides credits for the PDS work. A suggestion was made that a cap be included so the developer has an idea of what their total out-of-pocket maximum cost may be. However, the PDS Study may need to be completed first before final costs can be re-evaluated.

The Committee reviewed the phasing for the project. The 50,000 sq. ft. in Phase 3 is almost half of the 116,000 sq. ft. which totals Phase 3. A review of trip generation of the parcels and projects in Phase 2 against the parcels and projects in Phase 3 will need to be completed to make sure that there is an equivalency of entitlements being allowed to move forward and that enough development is held back. If this request is provided for, then there cannot be another request down the line for additional square footage to be released before a construction contract is in place.

The Committee did not support the deferral of payment of impact fees since there is nothing in the Ordinance to support this request. Recommended to the developer to continue paying under protest and request a refund once credits are available.

Mr. Nastasi requested information on the three property owners that have asked for waivers from the County as to prior Conditions of Approval. The County cannot review these items without being provided with the information on each parcel which has been requested for review and not provided.

Mr. Harrison asked the applicant to work with staff and re-draft the Third Amendment for further review at a future RAC meeting. This item will be rescheduled to a future agenda.

Mr. Harrison adjourned the meeting at 10:42 a.m.

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5631.

Para mayor información en español, por favor llame al (407) 836-3111.