



## Interoffice Memorandum

### Concurrency Review Committee Minutes November 8, 2007

#### **Members Present**

Chris Testerman, Director of Government Relations  
Renzo Nastasi, Manager, Transportation Planning Division  
John Smogor, Planning Administrator, Planning Division  
Joe Kunkel, Manager, Public Works Engineering Division  
Ivelisse Torres, Assistant Project Manager, Fiscal & Administrative Services Division  
Christine Lofye, Engineer III, Traffic Engineering Division  
Ray Walls, Management & Budget Advisor, Office of Management & Budget Division

#### **County Staff Present**

Whitney Evers, Assistant County Attorney, County Attorney's Office  
Kimberly Cundiff, Paralegal, County Attorney's Office  
Mirna Barq, Project Manager, Transportation Planning Division  
Anganie Durbal, Assistant Project Manager, Transportation Planning Division

Mr. Nastasi called the meeting to order at 1:30 p.m.

#### **Approval of Minutes**

Mr. Smogor moved, seconded by Ms. Torres, to approve the October 11, 2007 Concurrency Review Committee (CRC) meeting minutes with corrections. Motion carried unanimously.

#### **Open Discussion**

Ms. Barq indicated that the next meeting falls on Thanksgiving Day and asked whether an alternate meeting should be scheduled. Mr. Testerman stated that the meeting could be moved to the following Thursday which would be November 29<sup>th</sup> if it is necessary.

Mr. Testerman asked for an update on the two Proportionate Fair Share Agreements that were approved at the last meeting. Ms. Barq indicated that we are still awaiting final agreements from East Colonial Retail Center. Ms. Evers stated that the Agreement for Villagio was complete and they are scheduled on the Board of County Commissioners agenda for November 27, 2007.

Mr. Testerman expressed concern about the delay in moving these items forward once the Committee has approved them. He suggested that a letter be sent to the applicant with a time frame to complete the process.

#### **Pre-Application Conference – Waterford Commons**

##### **CMS Application #07-200**

Present: Mohammed Abdallah, TPD

Mr. Abdallah indicated that this is a small retail project which is not directly associated with the original Waterford Commons project. That project went through the process some time ago. This parcel was acquired at a later date and they are proposing to build approximately 9,000 square feet of straight commercial. Mr. Smogor asked when they

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are going to do their comp plan amendment. Mr. Abdallah stated that he believed they already had. Mr. Smogor indicated that the four lots to the north of the property were comp planned to PD and the two lots immediately adjacent to the north are trying to move through the zoning but they are being held up because the Waterford Commons property is not zoned Ag. Mr. Abdallah indicated that it was his understanding that they have a comprehensive plan in place and they are currently working on their zoning.

Mr. Testerman asked if this was a free standing development or if it was connected to the previous development. Mr. Abdallah responded that it is free standing.

It was verified that the property has an A-1 Zoning with a Future Land Use of Low Density and would be required to change that prior to proceeding with a Proportionate Fair Share Agreement for a retail development.

Mr. Abdallah asked what the next step for his client would be. Mr. Smogor suggested that he confirm the status of the future land use. In the interim, we will put the application on hold to provide time to clarify where they are in the process.

Mr. Abdallah asked if he was to get documentation that they have completely gone through the comprehensive plan process, would they be able to proceed with concurrency. Mr. Testerman indicated that if they are ready to proceed, we will do so. However, if it is determined that they still need to get their future land use, we will not hold the trips.

Mr. Testerman questioned whether the application was going to Planning for verification of future land use. Ms. Barq indicated that it was agreed that this be part of the process but she was not aware whether or not it was implemented. It was suggested that Ms. Torres provide the CEL applications to Mr. Smogor to verify the future land use.

**Pre-Application Conference – Kalidas Development**

**CMS Application #06-192**

Present: Rick Baldocchi, Avcon, Inc.; Kal Hussein, UES

Mr. Baldocchi indicated that they attended a meeting approximately three months ago and the consensus of the committee at that time was that the applicant would have until 2008 to provide a traffic study to the County. He further indicated that they have submitted their traffic study to the Transportation Planning Division and are attending this meeting to obtain final approval of the traffic study.

Ms. Barq explained that the study was done at the Fun Spot on I-Drive which is similar to the previous use of their property. The study was performed for five days from a Wednesday to Saturday. They were not required to study the site on Monday and Tuesday because those would not be the busiest dates for an attraction. Ms. Barq

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indicated that the study did not include validation of the manual counts at the entrance but it will not affect the outcome. Based on the information provided, the property will be entitled to 133 pm peak hour trips. This study was also provided to the County's consultant (GMB) and they concurred.

Mr. Smogor asked how many square feet of office that converts to. Ms. Barq explained that she did not perform that calculation because they still have not decided what they are building on the site. Therefore, at this time, all we can assure is that they have 133 pm peak hour trips available.

Mr. Testerman asked if this was zoned commercial (C-2). Mr. Smogor indicated that they cannot construct residential homes but would be able to put in a hotel, timeshare or an office building.

Ms. Barq stated that unless the use is defined, the application cannot be processed. She indicated that the rate for a hotel is currently .71 and varies depending on the square footage for office. She estimated that for office it would have to be less than 50,000 square feet.

The applicant asked if documentation that the 133 trips were approved would be available. Mr. Smogor indicated that the minutes to the meeting would be available.

Ms. Barq reiterated that in order to process the application they will have to identify what they are proposing to build.

Ms. Evers provided clarification in that it was not the study that had to be submitted by 2008. She explained that they are required to reserve the capacity by August 31, 2008. Therefore, they need to move forward and determine what their land use is going to be so the County has adequate time to determine how the trips will be distributed as well as allow them time to reserve the necessary capacity.

Mr. Smogor indicated that the reservation would be valid for three years.

Mr. Testerman asked if that time frame would work. They indicated that it should but wanted to know if they would be able to obtain more time if necessary. Ms. Evers indicated that this was already an extension and she did not believe that it could be extended.

The applicant asked when the minutes would be available. Mr. Smogor indicated that they would be approved and available at the next CRC meeting.

**Mr. Smogor moved, seconded by Mr. Walls to accept the study which reflects 133 p.m. peak hour trips for the Kalidas Development, CMS #06-192. Motion carried unanimously.**

Ms. Barq offered to provide a draft of the minutes to the applicant when they are completed but reiterated that the approved minutes would not be available until the next meeting.

**Open Discussion**

In reference to the earlier conversation regarding verification of the land use, Mr. Testerman indicated that Mr. Stites would have to make the decision on the process. He did not feel as though the committee has the authority to determine how the concurrency applications are processed. In addition, Mr. Testerman indicated that there should be adequate staff available in planning to accommodate the requests which should minimize delays in processing the applications.

Ms. Evers asked if Mr. Smogor would like to see the Agreements ahead of time to verify the land use. Mr. Testerman noted that the land use issue may have been identified if a pre-application conference had been required.

**Mr. Smogor moved, seconded by Ms. Torres, to adjourn the meeting. Motion carried unanimously.**